



Project funded by the
European Union



EUROMED JUSTICE III PROJECT

Component II

Resolution of cross-border family conflicts

WG 2.2

PREPARATION OF A HANDBOOK

Handbook on best practices concerning the resolution of cross-border family conflicts: custody and visiting rights.

“Resolution of cross-border family conflicts: custody and visiting rights. Special focus: How to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation”.

Rome (IT), 18-20 September 2012

AGENDA

Tuesday 18 September 2012

09.00 – 09.15 **Registration of participants**

09.15 – 09.30 **Welcome speech**

Maria Luisa FICHERA, Project Manager Cocaine Route Monitoring and Support "CORMS" MAE-DGCS, and Italian National Focal Point for the Euromed Justice III Project.

Andrés SALCEDO VELASCO, Team Leader of the EuroMed Justice III Project

09.30 – 09.45 **Presentation of the participants (if needed)**

- 09.45 – 10.00 **Summary of the work carried out during the first meeting.**
Andrés SALCEDO VELASCO
Debate
- 10.00 - 10.15 **Working group on Resolution of cross-border family conflicts. Work programme, timing and methodology.**
José María FERNÁNDEZ VILLALOBOS, Course Manager of the EuroMed Justice III Project.
- 10.15 - 10.45 **Scope and general contents of the debate during this meeting of the Working Group.**
Juliane HIRSCH, Main Short-Term Expert
- 10.45 - 11.15 Coffee break
11. 15 - 11.45 **Continuation of the discussion started during the 1st meeting on best practices in the field of resolution of cross-border family conflicts: special reference to custody and visiting rights. (Continuation if needed)**
Juliane HIRSCH
Project Team
- 11.45 - 13.15 **The Central Authority: Practical approach. The Italian experience.**
Luciana SANGIOVANNI, Italian Judge, Head of Central Authority, Juvenile Justice Department
Debate
- 13.15-14.30 Lunch
- 14.30-16:00 **Current situation regarding resolution of cross-border family conflicts in the ENPI South partner countries: special reference to custody and visiting rights. How to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation. (I)**
ENPI South partner countries (4 delegations)
Juliane HIRSCH
Project Team
Debate
- 16.00-16.30 Coffee break

16.30 17.30 **Discussion on best practices in the field of resolution of cross-border family conflicts. How to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation. The Central Authorities and other central bodies providing information and assistance in cross-border family disputes, including Mixed Consultative Committees and other structures established by bilateral arrangements. (I)**

Juliane HIRSCH

Project Team

End of the first day

Wednesday 19 September 2012

08.30 - 09.30 **Current situation regarding resolution of cross-border family conflicts: special reference to custody and visiting rights. How to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation. (II)**

ENPI South partner countries (4 delegations)

Juliane HIRSCH

Project Team

Debate

9.30.-11.00 **Discussion on best practices in the field of resolution of cross-border family conflicts.. How to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation. The Central Authorities and other central bodies providing information and assistance in cross-border family disputes including Mixed Consultative Committees and other structures established by bilateral arrangements. (II)**

Juliane HIRSCH

Project Team

11. 00 - 11.30 Coffee break

11.30- 13.00 **Helping to solve cross-border family conflicts: The role of the Mixed Consultative Committees**

Najiba ROUISSI, Advocate General at the Judicial Services of the Tunisian Ministry of Justice and Human Rights,

Debate

13.00 - 14.30 Lunch

14.30 - 16.15 **Discussion on best practices in the field of resolution of cross-border family conflicts.. How to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation. The Central Authorities and other central bodies providing information and assistance in cross-border family disputes including Mixed Consultative Committees and other structures established by bilateral arrangements. (III)**

Juliane HIRSCH

Project Team

16.15 - 16.30 **Project website support: an update.**

José María FERNÁNDEZ VILLALOBOS

End of the second day

Thursday 20 September 2012

08.30 - 10.00 **Discussion on best practices in the field of resolution of cross-border family conflicts. How to improve the co-operation between States on different levels. Consular and diplomatic agreements.**

Juliane HIRSCH

Project Team

10.00 - 10.30 Coffee break

10.30 - 12.00 **Helping to solve cross-border family conflicts: The role of the “Liaison Judges”, International Network of Judges and Direct Judicial Communications.**

Sabine BRIEGER, Family Judge, Liaison Judge in the International Hague Network of Judges and in the European Judicial Network, Germany.

12.00-13.00 **Discussion on best practices in the field of resolution of cross-border family conflicts. How to improve judicial cooperation. International Network of Judges. “Liaison Judges”. Direct Judicial Communications. (I)**

Juliane HIRSCH

Project Team

13.00 - 14.00 Lunch

14.00 - 15.30 **Discussion on best practices in the field of resolution of cross-border family conflicts. How to improve judicial cooperation. International Network of Judges. "Liaison Judges". Direct Judicial Communications. (II)**

Juliane HIRSCH

Project Team

15.30-15.45 **Preparing the intermediate work and next meeting. Preliminary review of actual or potential obstacles to the ratification, transposition and/or implementation of the Hague Conventions.**

Project Team

15.45 – 16.00 **Conclusions and closure of the meeting**

Project Team

Andrés SALCEDO VELASCO

End of the meeting

GENERAL INTRODUCTION

This meeting takes place under the second main component of the project: Resolution of Cross-Border Family Conflicts. The objectives of this activity will be to have a preliminary review of actual obstacles to the adoption of the Hague Conventions related to this component and, as main objective, to prepare a handbook which identifies best practices concerning the resolution of cross-border family conflicts. The Handbook shall take into account the experience of the Hague Conference and of the Malta Process and in particular “the General Principles and the Guide to Good Practice on Transfrontier Contact concerning Children” prepared by the Hague Conference on Private International Law. This is the second of 5 meetings devoted to this issue and will focus more particularly on how to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation.

Methodology for the preparation and delivery of the handbook: the Working Group will function as real think-tank in the field covered and will be an opportunity to exchange information and debate on various topics. The results of the work of the WG will be of paramount importance to obtain specific information on the legal systems and have in-depth discussions on the topics concerned. In addition, the handbook will also be able to be used as a practical guide. The handbook will be prepared in time to be presented during the Intermediate Regional Conference in the course of the second year of the project.

During this second meeting, we will continue the work started on the occasion of the first meeting and will have a new opportunity to share the international experts’ opinion and the participants’ first approach on the main topics to be discussed from their own perspective and respective competences. Through an in-depth and detailed discussion, we will have a profound exchange on the main topic addressed during this second meeting: how to improve the co-operation between States on different levels – governmental, administrative and judicial co-operation.

Profiles of the Beneficiaries countries’ experts

Three participants maximum for each Mediterranean partner country: senior, high-level officials from the Ministry of Justice or other relevant public authority; members of the judiciary and other legal professionals; academics and representatives from civil society with a solid experience of the topics covered by this WG (Cross-border family conflicts, custody and visiting rights, international private family law, role of international commissions, the Malta process, child abduction, transfrontier contact concerning children, distribution of competences between religious and civil jurisdictions, alternative dispute resolution methods, etc); prior participation in relevant EuroMed Justice I or EuroMed Justice II project activities will be an advantage; availability for and readiness to the intensive work schedule involved by the WG activity and researching, preparing for WG meetings, contributing to finding documentation and to the drafting of the handbook; ability to understand and express themselves orally and in writing in English and/or French (at least the written communications/contributions should be in English or French). Due attention will be paid to ensuring that persons taking part in activities related to exchanges of experience and good practices hold strategic positions in the national institutions and that, in this capacity, they will be likely to share with their colleagues and staff lessons learned from such activities.

The experts (3) should have the appropriate profile, a comprehensive knowledge and vision, a sound experience in this field and willing to make an effective contribution to the working group. This will require not only that their country of origin allows them to have enough time available to attend the five meetings planned for this activity, but more specifically, that between each meeting they have enough time to keep on working together and with the main short-term expert in charge of working out the

handbook and the Project Team, virtually, through the project website, and/or other means (email, etc.) so as to allow for the continuity of the work and an exchange of information, documentation and ideas with each other. For this reason, it would be **highly desirable that the same persons attend all the meetings of this working group** or at least that the head of delegation be the same for each meeting.

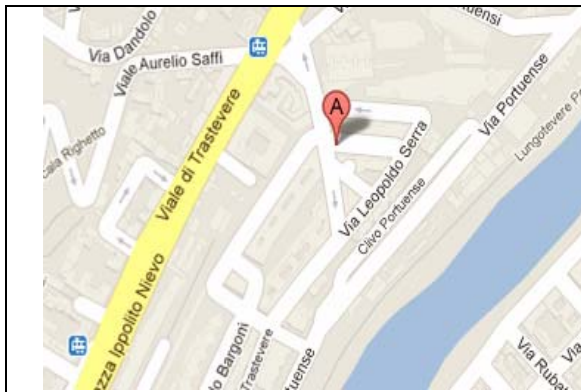
Documentation

A list of suggested reading documents related to the topics addressed will be provided by the Project Team ahead of the meeting.

Working languages

English, French and Arabic, with simultaneous interpretation throughout the meeting.

Venue and accommodation



The meeting will take place at the:

Ripa Hotel

Via degli Orti di Trastevere,3

00153 Rome

Tel: + 39 06-58611

Fax: +39 06-5814550