



Project funded by the
European Union



EUROMED JUSTICE III PROJECT

Component II

Resolution of cross-border family conflicts

WG 2.1.

PREPARATION OF A HANDBOOK

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

Barcelona (ES) 22-23-24 May 2012

Hotel Novotel Barcelona city

Avgda. Diagonal 201

Barcelona

AGENDA

Tuesday, 22 May 2012

09.00 – 09.30 **Registration of participants**

09.30 – 09.45 **Welcome speech**

Sara CAMPINOTI, Programme Manager, Unit F4 Regional Programmes Neighbourhood South, Directorate-General Development and Co-operation – EuropeAid, European Commission

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

09.45 - 10.00 Presentation of the participants

- 10.00 - 10.30 **General presentation of the project. Background and summary of the work carried out during previous EuroMed Justice projects related to the component “Resolution of cross-border family conflicts”**
- Andrés SALCEDO VELASCO*
- Debate
- 10.30 - 11.00 Coffee break
- 11.00 - 11.20 **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.
- 11.20 - 12.00 **Scope and general contents of the debates during the meetings of this Working Group.**
- Juliane HIRSCH*, main short-term Expert.
- 12.00 - 13.00 **Current situation regarding resolution of cross-border family conflicts in the EU: special reference to custody and visiting rights. International approach and the Spanish experience.**
- Javier FORCADA*, Legal Advisor, Spanish Ministry of Justice, General Directorate of International Judicial Cooperation and Religious Affairs; Senior Family judge.
- 13.00 - 14.30 Lunch
- 14.30 - 15.30 **Current situation regarding resolution of cross-border family conflicts in the ENPI South partner countries: special reference to custody and visiting rights (I)**
- ENPI South partner countries (4 delegations)
- Dania SAMOUL*, Project Coordinator of the EuroMed Justice III Project.
- Debate
- 15.30 - 16.00 Coffee break
- 16.00 - 17.30 **Work developed by the Hague Conference: special reference to cross-border family conflicts concerning the Mediterranean beneficiary countries and the Malta process.**
- Louise Ellen TEITZ*, First Secretary, the Hague Conference on Private International Law.
- Debate
- End of the 1st day

Wednesday, 23 May 2012

- 08.30 - 09.30 **Current situation regarding resolution of cross-border family conflicts in the ENPI South partner countries: special reference to custody and visiting rights (II)**
- ENPI South partner countries (4 delegations)
- Dania *SAMOUL*
- Debate
- 9.30 .- 11.00 **Role of the central authorities for the application of international conventions: special reference to custody and visiting rights.**
- Hans Michael VEITH*, Retired Judge, Former Vice president of the German Federal Office of Justice.
- Project Team*
- Debate
11. 00 - 11.30 Coffee break
- 11.30 - 13.00 **Discussion on best practices in the field of resolution of cross-border family conflicts: special reference to custody and visiting rights. (I)**
- Juliane HIRSCH*, main short-term Expert.
- Project Team*
- 13.00 - 14.30 Lunch
- 14.30 - 16.00 **Discussion on best practices in the field of resolution of cross-border family conflicts: special reference to custody and visiting rights. (II)**
- Juliane HIRSCH*, main short-term Expert.
- Project Team*
- 16.00 - 16.30 **Presentation of the support offered by the project website.**
- José María FERNÁNDEZ VILLALOBOS*
- End of the 2nd day*

Thursday, 24 May 2012

08.30 - 10.00 **Discussion on best practices in the field of resolution of cross-border family conflicts: special reference to custody and visiting rights. (III)**

Juliane HIRSCH, main short-term Expert.

Project Team

10.00 - 10.30 Coffee break

10.30 - 12.00 **Discussion on best practices in the field of resolution of cross-border family conflicts: special reference to custody and visiting rights. (IV)**

Juliane HIRSCH, main short-term Expert.

Project Team

12.00 – 13.00 **Discussion on best practices in the field of resolution of cross-border family conflicts: special reference to custody and visiting rights. (V)**

Juliane HIRSCH, main short-term Expert.

Project Team

13.00 - 14.30 Lunch

14.30 - 16.00 **Discussion on best practices in the field of resolution of cross-border family conflicts: special reference to custody and visiting rights. (VI)**

Juliane HIRSCH, main short-term Expert.

Project Team

16.00 - 16.15 **Conclusions, first recommendations and contributions related to the Handbook. Preparing the intermediate work and next meeting.**

Project Team

16.15 - 16.30 **Closure of the meeting**

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 first of 5 meetings devoted to this issue and will focus more particularly on custody and visiting rights. 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 a real knowledge of 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 first meeting, we are going to explain the general and specific content, timing and methodology of the activity, having the opportunity of discussing the expected results related to this topic as well as the planning of the work to be developed.

In addition, we will have the 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 deep discussion on the main topic addressed during this first meeting,

The Beneficiaries countries’ experts’ profiles

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 of the meeting and accommodation of the participants



The meeting will take place at the:

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