Cross-border child protection: Legal and social perspectives

21 to 23 October 2015
Centre Œcuménique, Route de Ferney 150, Geneva, Switzerland

Updated Agenda

**Wednesday 21 October 2015**

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<td>8.00 a.m. – 9.00 a.m.</td>
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<td>9.00 a.m. – 9.30 a.m.</td>
<td><strong>Official opening and welcoming remarks</strong></td>
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<td>Ms M.J. Alonso Lormand, Director, Department of International Solidarity, Geneva Republic and Canton</td>
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<td>Mr J. Ayoub, ISS Secretary General</td>
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<td>Mr P. Lortie, First Secretary, Hague Conference on Private International Law</td>
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<td>Ms M. McGuinness (MEP), Children’s Rights Mediator, European Parliament, video message</td>
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<td>Prof. G.P. Romano, Law Faculty, University of Geneva</td>
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<td>9.30 a.m. – 9.50 a.m.</td>
<td><strong>Moderator: Prof. M. Cottier, Law Faculty, University of Geneva</strong></td>
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<td>The protection of vulnerable children in cross-border situations: Introduction to the conference and information on the workshop on international family mediation</td>
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<td>Mr H. Boéchat, Deputy Secretary General, ISS General Secretariat</td>
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<td>Ms C. Caratsch, Coordinator International Family Mediation Unit, ISS General Secretariat</td>
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<td>9.50 a.m. – 10.30 a.m.</td>
<td><strong>The socio-legal framework of the 1996 Convention</strong></td>
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<td>Prof. G.P. Romano, Law Faculty, University of Geneva</td>
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<td>Mr D. Martin, Legal Advisor, ISS Switzerland</td>
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<td>10.30 a.m. – 10.45 a.m.</td>
<td>Coffee Break</td>
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10.45 a.m. **The operation of the 1996 Convention in practice – selected thematic topics**

10.45 a.m. – 11.45 a.m. **The role of the 1996 Convention in international custody, access and relocation cases**

- Mr A. Boiché, Avocat à la Cour d’Appel de Paris, Doctor of Law, France
- Ms U. Rölke, Director, ISS Germany

Discussion

11.45 a.m. – 12.45 p.m. **International child abduction – ensuring the safe return of the child**

- Ms I. Pretelli, Legal Advisor at the Swiss Comparative Law Institute
- The Hon. Justice V. Bennett, Hague Network Judge, Family Court of Australia

Discussion

12.45 p.m. – 1.45 p.m. **The 1996 Convention in today’s world**

1.45 p.m. – 3.00 p.m. **Promoting the 1996 Convention in non-Contracting States – current state of play and new horizons**

**Moderator:** Mr D. Martin, Legal Advisor, ISS Australia

- Mr M. Coffee, Attorney Adviser, U.S. Department of State
- Mr J.F. Zarricueta, Director, Central Authority for the 1980 Convention, Chile

Discussion

3.00 p.m. – 3.15 p.m. **Coffee Break**

3.15 p.m. – 3.45 p.m. **The relevance of the 1996 Convention in Islamic legal systems**

**Moderator:** Ms A. Reiser, Avocate au Barreau de Genève, Switzerland

- Prof. H. Kotrane, University of Carthage, Tunisia, and Member of the UN Committee on the Rights of the Child

Discussion
3.45 p.m. – 5.15 p.m. **Round table: Ensuring the harmonious development of the child worldwide – Example: best interests of the child and the right to be heard**

**Moderator:** Mr K. Hanson, Professor and Deputy Director at the Centre for Children’s Rights Studies, Switzerland

**Round table participants:**
- Ms C. Chinnici, MEP, European Parliament
- Emer. Prof. G. Malinverni, University of Geneva, Former Judge at the European Court of Human Rights, Strasbourg
- The Hon. Judge F.J. Forcada Miranda, Hague Network Judge, Court of Appeal, Madrid, and Spanish EJN contact point
- Prof. H. Kotrane, University of Carthage, Tunisia, and Member of the UN Committee on the Rights of the Child

**Discussion**

5.15 p.m. **End of Day One**

6.30 p.m. **Official Welcome Reception at the Palais Eynard (Rue de la Croix-Rouge 4, Geneva)**

Welcome addresses by Ms F. Koch, *Directrice adjointe*, Department of Social Cohesion and Solidarity, City of Geneva, and Mr R. Widmer, President of ISS Switzerland

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**Thursday 22 October 2015**

8.30 a.m. – 8.45 a.m. **Review of Day One**

8.45 a.m. **The operation of the 1996 Convention in practice**

**Moderator:** Mr P. Lortie, First Secretary, Hague Conference on Private International Law

8.45 a.m. – 10.00 a.m. **International co-operation between authorities including Central Authorities, local authorities, Consulates and Embassies**

- Ms J. Schickel-Küng, Co-Head of Private International Law Unit, Federal Office of Justice, Switzerland
- Ms C. Berlie-Bernard, Legal Advisor, Geneva Child Protection Service, Switzerland
- JUDr. M. Nováková, Deputy Director, Office for International Legal Protection of Children, Central Authority for the 1980 and 1996 Conventions and ISS correspondent, Czech Republic

**Discussion**

10.00 a.m. – 10.45 a.m. **International co-operation among judges – the value of judges networks and direct judicial communication**

- The Hon. Judge F.J. Forcada Miranda, Hague Network Judge, Court of Appeal, Madrid, and Spanish EJN contact point

**Discussion**

10.45 a.m. – 11.00 a.m. **Coffee Break**
**The operation of the 1996 Convention in practice**

**Complementarities and synergies between the 1996 Convention and the Brussels IIa Regulation – in the light of practical experiences**

**Moderator:** Ms P. De Luca, Team Leader, Civil Justice Policy, DG Justice, European Commission

- Prof. P. Beaumont, Law School, University of Aberdeen, Scotland, United Kingdom
- Prof. C. Baruffi, Legal Department, University of Verona, Italy
- Ms U. Rölke, Director, ISS Germany

**Discussion**

**The socio-legal dimension of international child protection – an ISS perspective (panel discussion)**

**Moderator:** Mr S. Yau, CEO, ISS Hong Kong

- Mr S. Auerbach, Head of Casework Department, ISS Switzerland
- Ms M. Ianachevici, CEO, ISS Moldova
- Dr. F. Northcott, Director of External Partnerships and International Services, ISS USA
- Ms A. Yamoah, Technical Advisor for Case Management, ISS West African Network (WAN)
- Ms M. Dambach, Acting Director of the International Reference Centre and Coordinator Advocacy and Policy Development Unit, ISS General Secretariat

**Discussion**

**The operation of the 1996 Convention in practice – selected thematic topics (cont’d)**

**The protection of particularly vulnerable children, including refugee children, unaccompanied minors, victims of trafficking, sexual exploitation and other forms of abuse**

- Ms M. Sandvik-Nylund, Senior Advisor, Division of International Protection, HQ UNHCR, Geneva
- Mr C. Braunschweig, Social Worker, Casework Department, ISS Switzerland

**Discussion**

**Cross-border placement of children in practice**

- Dr. R. Fucik, Director, Department of International Family Law, Central Authority for the 1980 and 1996 Conventions, Austria
- Ms A.M. Hutchinson, Partner Dawson Cornwell, England, United Kingdom
- Dr. F. Northcott, Director of External Partnerships and International Services, ISS USA

**Discussion**
4.00 p.m. – 4.45 p.m.  Building the bridge between “habitual residence” and “substantial connection”
- Prof. P.E. McEleavy, Law School, University of Dundee, Scotland, United Kingdom

Discussion

4.45 p.m. – 5.00 p.m.  Coffee Break

5.00 p.m. – 6.15 p.m.  The implementation and practical operation of the 1996 Convention
- Examining the 1996 Convention’s potential
Moderator: Dr J. Pirrung, Former Judge at the Court of First Instance of the EU, Honorarprofessor, University of Trier, Germany
- Prof. G.P. Romano, Law Faculty, University of Geneva, Switzerland
- The Hon. Judge Ledi Bianku, European Court of Human Rights, Strasbourg, France
- The Hon. Justice V. Bennett, Hague Network Judge, Family Court of Australia
- Ms J. Schickel-Küng, Co-Head of Private International Law Unit, Federal Office of Justice, Switzerland
- Dr. M. Wells-Greco, University of Maastricht, Charles Russell Speechlys, Geneva
- Emer Prof. Nigel Lowe, Cardiff Law School, Wales, United Kingdom

6.15 p.m.  End of Day Two

Friday 23 October 2015*

8.30 a.m. – 8.45 a.m.  Review of Day Two

8.45 a.m. – 9.45 a.m.  The Way Forward
Promotion, development and monitoring of the 1996 Convention: Ideas and vision
Brief introduction by ISS and the Hague Conference on Private International Law followed by an open discussion with the audience

9.45 a.m. – 10.15 a.m.  Recourse to mediation by Hague and non-Hague States in cases of cross-border child protection
(Update on the “Malta Process”, the Working Party on Mediation, mediation to solve family disputes involving legal systems, etc.)
- Ms K. Bartsch, Senior Legal Officer, Hague Conference on Private International Law
- Dr. P. Segal, Former Senior Legal Counsel and Founder of the Mediation Centre in the Israeli Ministry of Justice

In collaboration with
10.15 a.m. **Cross-border mediation in 1996 Convention cases**

**Moderator:** Dr. A. Wollner, Manager, Legal Services, ISS Australia

10.15 a.m. – 11.25 a.m. **The role of mediation in solving international custody, access and relocation cases under the 1996 Convention**

**Roundtable participants:**
- Ms M. Souquet, Mediator, France
- Ms E. Pávková, Mediator, Central Authority for the 1980 and 1996 Conventions and ISS correspondent, Czech Republic
- Prof. T. Shamlikashvili, Academic Chair, Federal Institute of Mediation, Founder, Center for Mediation and Law, Russia

**Discussion**

11.25 a.m. – 11.55 a.m. **Coffee Break**

11.55 a.m. **Cross-border mediation in 1996 Convention cases – cont’d**

11.55 a.m. – 1.05 p.m. **Mediation in international child abduction cases: ways to reach an amicable solution within a strict timeframe**

- The Hon. A.C. Olland, Senior Judge, Department of Juvenile and Family Law, the Netherlands
- Mr M. Storm, International Child Abduction Centre, Centrum IKO, the Netherlands
- Ms F. Ergun, Mediator, Intercountry Social Worker, ISS Australia

**Discussion**

1.05 p.m. – 1.35 p.m. **Workshop on International Family Mediation: General briefings and findings**

- Ms C. Caratsch, Coordinator Mediation Unit, ISS General Secretariat
  - Towards a Charter for International Family Mediation Processes
  - Strengthening co-operation among the various actors involved
  - Recommendations

**Discussion**

1.35 p.m. **Conference – Conclusions and Recommendations**

1.35 p.m. – 1.50 p.m. **Recommendations – next steps**

**Discussion**

1.50 p.m. – 2.00 p.m. **Concluding remarks**

- Mr P. Lortie, First Secretary, Hague Conference on Private International Law
- Mr J. Ayoub, ISS Secretary General

(Please note that lunch will not be provided)

*Wednesday from 8.00 a.m. to 9.50 a.m. & Friday from 9.45 a.m. to 2.00 p.m.*

Joint plenary sessions with the participants of the Workshop on International Family Mediation.