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Joint Council of Europe and European Commission Conference

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**CHALLENGES IN ADOPTION PROCEDURES IN EUROPE:
ENSURING THE BEST INTERESTS OF THE CHILD**

30 November - 1 December 2009

**Strasbourg, Palais de l'Europe
Room 1**

DRAFT PROGRAMME

8.00 – 9.00 Registration of participants

**The revised European Convention on the Adoption of Children:
From concept to practice**

9.00 – 9.15 Opening speech
- Maud de BOER-BUQUICCHIO, Deputy Secretary General, Council of Europe

Welcoming words

- Salla SAASTAMOINEN Head of Civil Justice Unit, Directorate-General Justice, Freedom and Security, European Commission
- Regina JENSDÓTTIR, Head of Public and Private Law Division, Directorate General of Human Rights and Legal Affairs, Council of Europe

9.15 – 10.15 **Session I – Children in the adoption process**

Chair and Moderator – Rosemary HORGAN, Solicitor, Member of Working Party which drafted the revised Convention on Adoption, Ireland

- **The child's legal status in adoption**
Nigel LOWE, Professor of family law, Cardiff University, United Kingdom
- **The case law of the European Court of Human Rights concerning adoption**
Isabelle BERRO-LEFEVRE, Judge at the European Court of Human Rights, Council of Europe
- **The child's consultation and consent in adoption**
Speaker/s (TBC)
- **An example of national practice**
Jeyran RAHMATULLAYEVA, Deputy Chair holder, State Committee on Family, Women and Children's issues, Azerbaijan (TBC)

10.15 – 11.00 General discussion

11.00 – 11.15 *Coffee break*

11.15 – 12.00 **Session II – Adults in the adoption process**

Chair and Moderator – Frédérique GRANET, Professor of Family Law, Robert Schumann University, Responsible for legal studies at the International Commission on Civil Status, France

- **The consent of the birth parents to the adoption**
Brian SLOAN, Lecturer in Law, King's College Cambridge, United Kingdom
- **Who can adopt? Taking into account societal changes**
Robert WINTEMUTE, Professor of Human Rights Law, King's College London, United Kingdom

	- An example of national practice (TBC)
12.00 – 12.45	General discussion
12.45 – 14.15	<i>Lunch hosted by the European Commission, Restaurant Bleu, Palais de l'Europe</i>
14.15 – 15.30	Session III – Access to one's origins: striking the right balance
	Chair and Moderator – Irma ERTMAN, Thematic Coordinator on Children, Ambassador Extraordinary and Plenipotentiary of Finland to the Council of Europe
	- Example of French legislation Marianne SCHULZ, Lawyer, Directorate of the Person's and Family's Rights, Ministry of Justice, France
	- Access to one's origins as a human right Dragoljub POPOVIĆ, Judge, European Court of Human Rights, Council of Europe
	- Access to one's origins from a psychological point of view Philip JAFFE, Professor of children's rights, Director of the University Institute Kurt Bösch, Switzerland
	- Experience of an adopted person Speaker (TBC)
15.30 – 16.15	General discussion
16.15 – 16.30	<i>Coffee break</i>
16.30 – 17.15	Session IV – Role and responsibility of public and private authorities
	Chair and Moderator – Ulrike JANZEN, Chair of the Council of Europe's committee of experts on family law, Ministry of Justice, Germany
	- Private and public bodies responsible for adoption - particular case of adoption of Roma children in Hungary Maria HERCZOG, United Nations Committee on the Rights of the Child
	- Preliminary enquiries to the adoption
	- Making national adoption easier: the view from Russia Olga KHAZOVA, Professor, Institute of State and Law, Russian Federation
17.15 – 17.45	General discussion
17.45	End of work
19.00	Reception offered by the Mayor of Strasbourg at the Town Hall
20.30	<i>Dinner hosted by the European Commission – Restaurant TBC</i>

Inter-country Adoption: lessons learned, problems and perspectives

9.00 – 9.45

Session V – The 1993 Hague Convention on Adoption: Protecting the best interests of children in inter-country adoption

Chair and Moderator – Jean-Paul Monchau, Ambassador for international adoption, France

- **Review of the operation of the 1993 Hague Convention: a global perspective**
William DUNCAN, Deputy Secretary General, The Hague Conference on Private International Law
- **How the 1993 Hague Convention helps to Protect the best interests of children in inter country adoption**
Jenny DEGELING, Secretary, The Hague Conference on Private International Law
- **The role and responsibilities of Receiving Countries: the importance of the inter-country adoption technical assistance programme**
Laura MARTINEZ MORA, Coordinator Technical Assistance programme, The Hague Conference on Private International Law

9.45 – 10.30

General discussion

10.30 – 10.45

Coffee break

10.45 – 11.30

Session VI – The right to a family in the legal international framework and in the practical experience

Chair and Moderator – Claire GIBault, former Member of the European Parliament

- **The right to a family: analysis of the existing legal framework**
Isabelle LAMMERANT, Expert on adoption and children's rights, Espace adoption, Geneva et lecturer at Fribourg University, Switzerland
- **The long-term institutional and foster care and the best interests of the child**
(Speaker TBC)
- **Preventing abuses in adoption procedures: suggestions and best practices**
Marlène HOFSTETTER, *Terres des Hommes*, Head of International Adoption Sector, Switzerland
- **The experience of Romania**

Edmond MCLOUGHNEY, President UNICEF Romania

- **The experience of Bulgaria**
Krassimira NATAN, Lawyer, Bulgaria

11.30 – 12.30 General discussion

12.15 – 14.00 *Buffet lunch*

14.00 – 14.45 **Session VII – Towards a European Adoption Policy?**

Chair and Moderator - Salla SAASTAMOINEN, Head of Civil Justice Unit, Directorate General Justice, Freedom and Security, European Commission

- **Thinking ahead of the present situation: is a European adoption policy desirable?**
Claire GIBault, former Member of the European Parliament
- **The results of the study carried out by the European Parliament**
Raffaella PREGLIASCO, *Istituto degli Innocenti*, Italy
- **The results of the study carried out by the European Commission**
Patrizia DE LUCA, Civil Justice Unit, Directorate General Justice, Freedom and Security, European Commission
- **Experience of an adoptive parent: the lack of recognition of adoption decisions as an obstacle to the free movement of people in the European Union**
Speaker (TBC)

14.45 – 15.30 General discussion

15.30 – 16.00 **Session VIII – Conclusions and Recommendations**

Conclusions

- Salla SAASTAMOINEN Head of Civil Justice Unit, Directorate-General Justice, Freedom and Security, European Commission
- Regina JENSDÓTTIR, Head of Public and Private Law Division, Directorate General of Human Rights and Legal Affairs, Council of Europe

Recommendations

Chairs and Moderators

Final remarks

Alain BRUN acting Director, Directorate E "Justice", Directorate General Justice, Freedom and Security, European Commission

16.00 – 16.15 End of work – Closing of the conference