

# European Convention on the Legal status of Children Born out of Wedlock = - Convention européenne sur le statut juridique des enfants nés hors mariage.

Council of Europe - European Convention on the Legal Status of Children born out of Wedlock



Description: -

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## European Convention on the Exercise of Children's Rights

Paragraph 3 shows clearly that the Convention deals with family proceedings.

## International Child Custody & the Hague Convention

The study of this question was recommended by the European Committee on Legal Co-operation hereafter called the CCJ, which had noted that present legislation in the various European states is tending to improve the situation of children born out of wedlock. Article 10 seeks to ensure that the representative of a child acts in an appropriate manner on behalf of the child, in particular, by providing information and explanations to the child, in determining the views of the child and presenting them to the judicial authority.

## European Convention on the Legal Status of Children born out of Wedlock

This does not preclude States, in appropriate cases, from recovering the costs of legal aid or advice from the parents, if their internal law so provides. Article 3 provides for the exercise of a number of procedural rights which should be given to children unless, as regards one or more of these rights, a child is not considered as having sufficient understanding. Article 8 Acting on own motion 51.

## International Child Custody & the Hague Convention

Since then the age of 18 has become, in virtually all the member States of the Council of Europe, the officially accepted age of majority. It was understood that the Convention does not forbid a Contracting Party from providing, by its internal law, a single legal status for all children and also does not forbid this party from taking special measures of protection for those children who do not live with their parents.

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The reports of the Standing Committee to the Committee of Ministers may include further information to assist States when applying the provisions of the Convention e. The Convention does not affect the general rules of the internal law as to the rules of evidence.

### **European Convention on the Exercise of Children's Rights**

It also sets out the general rule according to which legal proceedings to determine paternity should in all cases be allowed. The functions of national bodies do not necessarily have to be performed together or with the same degree of intensity.

### **Full list**

This article imposes on the father and mother of a child born out of wedlock and on certain members of his family the same obligation to maintain this child as in the case of a child born in wedlock. Following approval by the Committee of Ministers, amendments shall be forwarded to the Parties for acceptance. It was felt that it would be easier to achieve the objectives of the Convention and to adapt it, if the representatives of the Parties had the possibility of meeting in order to, evaluate the application of the Convention and propose measures which they considered likely to improve its operation.

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