

Georgia as well as international community is in agreement that judiciary still needs a fundamental change.

Determining the origin of children from unmarried parents by administrative and judicial procedure

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In order to protect the rights, interests and better interests of children born out of wedlock, it is essential to determine not only the legal status of the parents towards these children, but also their rights and responsibilities and the obligations of the state. These issues will be discussed and analyzed at this conference on the basis of international acts and Georgian legislation, including the principles recognized by the European Convention on the Legal Status of Children Born without Marriage. The right of a child to have a parent with legal status is guaranteed by this Convention and the legislation adopted under it, according to which paternity can be established by voluntary recognition or a court decision. The latter can be used when the parents of a child born in an unregistered marriage cannot reach an agreement that this person is the father of the child. In this regard, the amendments to the Civil Code of 9 December 2011 (which entered into force on 1 February 2012) made the process of exercising this right more accessible and

effective, which is reflected in other changes, such as evidence of biological (genetic) or anthropological examination in court. With the possibility of (evidence) submission. According to the existing legislation before the mentioned changes, in determining the paternity of the child, the court took into account the cohabitation of the child and the person applying for paternity (the person indicated in the application) and the production of a common farm before the birth of the child and / or the facts Documents and / or circumstances that fully confirmed the recognition of the child's paternity by the person indicated in the application. According to the amendments, one of these circumstances will be taken into account by the court only if it is impossible to determine the paternity of the child by the results of biological (genetic) or anthropological examination. At the same time, if the defendant denies the truth of this evidence and casts doubt on its credibility, the court, taking into account the circumstances of the case, has the right to schedule an examination both at the stage of preparation of the case and at the stage of consideration. A report prepared by a forensic expert, which does not allow the fact of paternity to be ruled out, cannot be considered as evidence for the recognition of the defendant as a father. However, the expert's report has no advantage over the other evidence.

In discussing the topic of the conference, we will also talk about the issue of establishing paternity for children born by artificial insemination, taking into account the existing legal regulations in this regard, according to which after making a birth deed for children born through artificial insemination, Children born.