

Abstract – Determination of Parenthood

The topic of my thesis is Determination of Parenthood. With this topic are connected problems not only legal, but often also social and ethical. Parenthood affects all of us and it's an important aspect of human life. That's why there should be legal assurance in relationship between parent and child. Development in the field of medicine is still ahead (mainly thanks to methods of assisted reproduction and DNA analysis) and the rules of law should respond and deal with it.

The aim of this thesis is describe and become acquainted with problematics of determination of parenthood, valorize how legislation responds to modern development and to propose possible changes. Thesis is prepared on the basis of existing legislation on the date of submission of the thesis.

Thesis is divided into seven main chapters, which are divided to further subsections. First chapter deals with concept of parenthood and methods of determination. Second chapter describes historical development of legislation on Czech territory, since Roman law to recodification of civil law. Related third chapter concisely summarizes national and international legal sources of current legislation. Chapter four is about determination of maternity and problems of surrogacy, anonymous childbirth, concealed birth and babyboxes. Fifth chapter deals with determination of paternity, presumptions of paternity and denial of paternity, including brief summary of procedural regulation. Chapter six focuses on assisted reproduction and her legal adjustment, possible future changes and determination of parenthood in cases of children born through artificial insemination. Last seventh chapter summarizes important judicial decisions regarding determination of parenthood, including decisions of Czech courts, and European Court of Human Rights as well.