

Veljko Vlašković*

**THE SCOPE OF THE BEST INTERESTS OF THE CHILD
IN THE REVISED EUROPEAN CONVENTION
ON THE ADOPTION OF CHILDREN**

Summary

Full adoption as a way of establishing a parental legal relationship, an unbreakable legal bond and a form of permanent care of a child without parental care must certainly be based on the rules on the paramount importance of the best interests of the child, as proclaimed in the UN Convention on the Rights of the Child. The particularly emphasized importance of the principle of the best interests of the child in the area of adoption is certainly an expression of the changed goals of the institution of adoption, developed as a result of the idea of the rights of the child and the evolution of family relations.

In this context, under the auspices of the Council of Europe, an extensive revision of the older European Convention on Adoption from 1967 was carried out in 2008. It was necessary to breathe new life into an international treaty that could no longer keep up with the development of the idea of children's rights and human rights in the field of adoption.

Contrary to expectations, the revised European Convention on Adoption did not significantly contribute to the harmonization of adoption rules among European countries, partly due to overly broad and compromised frameworks for adoption rules. With such an approach, it was clearly intended to ensure a greater number of ratifications, which, however, was not fulfilled to a significant extent. Worthy of praise is the abolition of discrimination between married and non-marital fathers of children when giving consent for adoption, i.e. expanding the possibility of adoption to cohabitants as possible adopters. It is also very important to mention the decision according to which the right to cancel the adoption should be time-limited regardless of the grounds of nullity, which certainly represents a significant step forward in the application of the principle of the best interests of the child.

Key words: *adoption, revision, child rights, best interests of the child, paramount importance.*

* Associate Professor, University of Kragujevac Faculty of Law.