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Abstract:

This paper discusses selected legal issues related to establishing the descent of a child and the possibility of reviewing such cases. The topic is presented from the perspective of fathers, since their biological heritage is most frequently questioned. The paper presents a comparative analysis conducted on the basis of the case law of the European Court of Human Rights and focuses on comparing Polish and German family law. Critical remarks refer mainly to the lack of proper balance between the competing interests of the parties, including time limitations which make the process of reviewing paternity impossible. The study focuses on a unique procedure for determining descent which came into effect in Germany in 2008. This regulation should make it easier for close family members to exercise their right to know their own identity without changing the established legal paternity (*Abstammungsklärung* — § 1598a BGB). This article attempts to find common ground between the sense of the quality of one's life and the right to know one's own identity. The results not only contribute to the academic debate surrounding these issues, but above all aim to improve the quality of law and thus the quality of family life.