



Press Office of the Constitutional Court

---

*Press release of 25 June 2020*

---

KNOWINGLY FALSE RECOGNITION OF A CHILD: THE RECOGNISER'S  
CHALLENGE IS CONSTITUTIONAL, BUT THE RIGHT TO THE TRUTH  
MUST BE BALANCED WITH THE CHILD'S RIGHT TO PERSONAL  
IDENTITY

If a person recognises a child despite knowing that they are not biologically related, that person can still challenge the recognition in court at a later stage to re-establish the biological truth. However, the court will then have to balance *favor veritatis* with other constitutional values. In particular, it will have to consider the child's right to personal identity, which is not linked to biological truth alone but also to the affective and personal ties that have developed within the family.

This was held in [Judgment No. 127](#), filed today (Judge Rapporteur: Giuliano Amato), in which the Constitutional Court declared unfounded the question as to constitutionality regarding Article 263 of the Civil Code raised by the Turin Court of Appeal, Family Division, insofar as it does not exclude standing to challenge the recognition of a child for a person who proceeded to such recognition although knowing that it was untruthful.

Rome, 25 June 2020