



1.3.2 Rights of parents and rights of the child

Article 6 of the Basic Law regulates the relationship between state, parent and child.

- The subsidiarity principle takes precedence when determining the relationship.
- Child rights have not yet been expressly incorporated into the Basic Law, but there is no constitutional ambiguity regarding children as basic rights-holders. (Current: efforts under way to include child rights in the Basic Law)

The UN Convention on the Rights of the Child (ratified by Germany on 5 April 1992) **distinguishes between the following types of child rights:**

- care and assistance rights (“provision”),
- protection rights (“protection”),
- participation rights (“participation”).

Further (participation) rights of children, adolescents and parents are formalised in Social Code Book 8.