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## **3RD PARTY'S ESTABLISHMENT OF RELATIONSHIP WITH THE CHILD ACCORDING TO TURKISH CIVIL LAW**

### **Abstract:**

As a member of the family, the relationship of the child with the parents is considered in custody institution. But, how should the relationship be established with the other parent of the child if custody is given to one of the parents due to the termination of family relationship? If this condition is left to the initiative of the parents with the custody, especially in cases where an abrasive divorce process is experienced, it can lead to the use of children as a revenge tool. At this point, with the idea that it is to the benefit of the child to establish relationship with both parents even if separately, the legislator has made a legal regulation on this issue (TCL. Art. 323-324). According to the regulation mentioned, each of the parents has the right to request the establishment of appropriate personal relationship with the child who is not under his/her custody or is not given to him/her. But not only parents, third parties other than those, for example a grandparent may request to establish a personal relationship with the child in such a case. Turkish Civil Code allows a third person to establish a personal relationship with the child to the extent that it is to the benefit of the child (TCL. Art. 325). In our study issues of the conditions under which children can establish relationships with third parties, who can be accepted in this context and how to provide this relationship are considered.

### **Keywords:**

Turkish Civil Law, Family Law, Custody

**JEL Classification:** K36