

INTERNATIONAL FEDERATION
OF SOCIAL WORKERS

28 october 1963.

United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities decided at its fourteenth session to undertake a study of discrimination against persons born out of wedlock and to appoint one of its members, Mr. Vieno Voitto Saario, as its Special Rapporteur to prepare the study.

At the Special Rapporteur's request, I write to invite your Organization to place at his disposal any information which may be relevant to the study, including information on any of the particular points mentioned in the attached Outline. It is the intention of the Special Rapporteur to use this material as a basis for preparing draft "country monographs" which will be sent to Governments concerned for comment and supplementary data before being circulated to the Sub-Commission as "Conference room papers."

The Executive Committee of International Federation of Social Workers considers it very important that all national federations of Social Workers participate in gathering material for this study.

It would be appreciated if such material could be sent, in duplicate if possible, to member of the Executive Committee Eva Gredal, Strandboulevarden 103, Copenhagen Ø., Denmark, before 15. december 1963.

Yours sincerely

Eva Gredal

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member of Executive Committee

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Outline for the Collection of Information

PERSONS CONSIDERED TO BE BORN OUT OF WEDLOCK

Definition

1. Indicate what persons, if any, are considered under the law of the country to be born out of wedlock.

Disclosure of the fact of birth out of wedlock

2. Is the fact that a person was born out of wedlock disclosed explicitly or implicitly in his birth registration, birth certificate, or extracts thereof, and are any of these available to persons other than those directly concerned?

ACQUISITION OR LOSS OF THE STATUS OF A PERSON BORN IN WEDLOCK

Acquisition of status

3. Indicate the procedures by which a person born out of wedlock may acquire the status of a person born in wedlock (acknowledgement, whether voluntary or by decision of a Court, legitimation by subsequent marriage of the parents, or otherwise, adoption, etc.).

Loss of status

4. Indicate whether and in what circumstances a person considered to be born in wedlock may subsequently be found to have been born out of wedlock (disavowal of paternity, annulment of the marriage of the parents, etc.).

STATUS OF PERSONS BORN OUT OF WEDLOCK

1. Civil status

Recognition of family relationship

5. Indicate whether a person born out of wedlock is legally related to (a) his mother (b) his father (c) the relatives of his father or mother by blood or marriage.

Name

6. Indicate any distinctions in law as regards the name of a person born out of wedlock and that of a person born in wedlock.

Nationality

7. Indicate any distinctions made in the law of nationality, or in its application, between persons born out of wedlock and those born in wedlock.

Legal domicile

8. Indicate any distinctions made in law as regards the legal domicile of a person born out of wedlock and a person born in wedlock.

II. Parental rights and duties

Guardianship and custody

9. Indicate any distinctions made in law as regards guardianship and custody of a child born out of wedlock and a child born in wedlock.

Maintenance

10. Indicate any distinctions made in law as regards maintenance of a child born out of wedlock and child born in wedlock.

III. Inheritance rights

11. Indicate any distinctions made in law between persons born out of wedlock and those born in wedlock as regards inheritance rights.

IV. Public rights and social services

12. Indicate any distinctions made in law or in fact between persons born out of wedlock and those born in wedlock as regards:

- a. Political rights, including the right to vote and to stand for election, and the access to public service;
- b. Social rights, including the right to social security, medical care, and the necessary social services;
- c. Economic rights, including the right to work and access to all occupations and professions;
- d. Cultural rights, including the right of access to public or private educational facilities and the right freely to participate in the cultural life of the community.

STATISTICAL, SOCIAL AND OTHER ASPECTS OF THE PROBLEM

Statistics

13. Cite any available statistical data indicating the number of persons born out of wedlock in the country, and their proportion to the total number of births; and any available data concerning the number of these who have subsequently been acknowledged, legitimated or adopted.

Factors which lead to birth out of wedlock

14. Indicate the factors which lead to birth out of wedlock in the country (reduced marriage opportunities owing to an excess in the number of women over men, economic factors, problems relating to marriage or divorce laws, historical).

Social status of persons born out of wedlock and other aspects of the problem

15. Indicate whether the social status of persons born out of wedlock is inferior to that of persons born in wedlock due to any disdain or stigma attached to birth out of wedlock (on any grounds such as ethical standards, religious ideas, the social concept of the family, etc.). Indicate also whether the fact of being born out of wedlock has any effect on membership in a religious community. Describe any other important aspect of the problem.

GENERAL TRENDS AND DEVELOPMENT

16. Indicate the general trends and development in the country with reference to the problem of discrimination against persons born out of wedlock, as reflected by recent legislation, recent judicial decisions and doctrine, law journals and the press, and other media of information.