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STUDY OF DISCRIMINATION AGAINST PERSONS BORN OUT OF WEDLOCK

Note by the Secretary-General

1. At its twenty-ninth session, in 1973, the Commission on Human Rights considered an item dealing with the Study of Discrimination Against Persons Born out of Wedlock, prepared by Mr. Vieno Voitto Saario, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 1/ and the draft general principles on equality and non-discrimination in respect of such persons, which were drawn up by the Sub-Commission at its nineteenth session in 1967. 2/ The Commission had before it a report by the Secretary-General submitted to the Commission at its twenty-eighth session (E/CN.4/1078) and addenda thereto (E/CN.4/1078/Add.1-5), prepared pursuant to Sub-Commission resolution 1 (XXII), containing replies from Governments concerning new developments in this field.
2. At its fifty-fourth session, on the recommendation of the Commission on Human Rights, the Economic and Social Council adopted resolution 1787 (LIV) in which it requested the Secretary-General to transmit to Governments, specialized agencies, intergovernmental organizations, and non-governmental organizations in consultative status, for their comments and observations, the above-mentioned draft principles. In the same resolution, the Council also invited the Commission for Social Development and the Commission on the Status of Women to consider, as appropriate, the Study of Discrimination Against Persons Born out of Wedlock and the draft general principles relating thereto, in the light of the comments received by the Secretary-

1/ United Nations publication, Sales No. E.68.XIV.3.

2/ Ibid., annex VII.

General, and requested the Commission on Human Rights to consider the item again at its thirty-first session. 3/

3. The Secretary-General had, as of 18 October 1974, received comments on the draft principles from the following Member States: Afghanistan, Austria, Byelorussian Soviet Socialist Republic, Cyprus, Denmark, Ecuador, Egypt, Fiji, Finland, France, German Democratic Republic, Ghana, Guatemala, Guyana, Italy, Jamaica, Laos, Lebanon, Liberia, Luxembourg, Madagascar, Malawi, Mexico, Netherlands, New Zealand, Norway, Oman, Panama, Poland, Romania, Sweden, Switzerland, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland and Union of Soviet Socialist Republics.

4. Comments were also submitted by the International Labour Organisation and the World Health Organization, by the Council of Europe and by the following non-governmental organizations: Friends World Committee for Consultation, International Catholic Child Bureau, International Council on Social Welfare, The Salvation Army, World Union of Organizations for the Safeguard of Youth and World Young Women's Christian Association.

5. The draft general principles and the substantive portions of the comments received, together with an index to comments on specific paragraphs of the draft principles, are being reproduced in an addendum to the present document.

3/ At its twenty-fifth session, in 1974, the Commission on the Status of Women, after considering the question, recalled that in its resolution 6 (XX) it had expressed support for the draft principles and had initiated the preparation of a study of the status of unmarried mothers which led to the elaboration by the Economic and Social Council in resolution 1679 (LII) of a set of general principles to eliminate discrimination against the unmarried mother. In the light of the foregoing the Commission decided that it was unnecessary for it to take further action with respect to Council resolution 1787 (LIV) (E/5451, para. 6).