



BACKGROUND NOTE ON

# Sex Discrimination in Birth Registration

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# 1. Introduction

Birth registration is a fundamental right and an enabler of other rights as it bestows a legal identity<sup>1</sup> on children for life. If a child is not registered, they do not officially exist and are vulnerable to violence, abuse, neglect and exploitation.

Without birth registration, a child may not be able to go to school, receive medical treatment or benefit from social services. The absence of registration can also lead to statelessness.<sup>2</sup> Yet, despite its importance, the births of millions of children around the world are not registered.<sup>3</sup> A multitude of factors can impede birth registration, including parents' lack of knowledge of its importance, financial considerations and practical barriers to accessing birth registration facilities.<sup>4</sup> Beyond these factors, discrimination impeding women's ability to register the birth of children is also a critical barrier. Such sex discrimination may be codified in national legislation and regulations, or may relate to practices based on cultural norms.

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- 1 According to the UN operational definition : "Legal identity is defined as the basic characteristics of an individual's identity. e.g. name, sex, place and date of birth conferred through registration and the issuance of a certificate by an authorized civil registration authority following the occurrence of birth. In the absence of birth registration, legal identity may be conferred by a legally-recognized identification authority." See <https://unstats.un.org/unsd/statcom/51st-session/documents/2020-15-CRVS-E.pdf>
  - 2 A stateless person is someone who is not considered as a national by any State under the operation of its law, Article 1, 1954 Convention relating to the Status of Stateless Persons.
  - 3 As at May 2021, UNICEF estimates that 166 million children under the age of 5, or 1 in 4 children, remain unregistered. See <https://data.unicef.org/resources/birth-registration-for-every-child-by-2030/>
  - 4 UNICEF, Birth Registration for Every Child by 2030: Are we on track? pg. 25: See <https://data.unicef.org/resources/birth-registration-for-every-child-by-2030/>

Under the umbrella of [The Coalition on Every Child's Right to a Nationality](#), UNICEF and UNHCR have produced this background note to explore the issue of sex discrimination in birth registration.<sup>5</sup> By providing an overview and country specific examples<sup>6</sup> of the kinds of legislative provisions<sup>7</sup> and cultural norms that can negatively affect women's ability to register the birth of their children, it is hoped that it will support advocacy efforts, and action by States, that advance a number of the Coalition's objectives, including:

- **Ensuring that no child is born stateless;**
- **Eliminating laws and practices that deny children nationality on discriminatory grounds; and**
- **Improving birth registration to prevent statelessness.**

Birth registration is defined as “the continuous, permanent, compulsory and universal recording, within the civil registry, of the occurrence and characteristics of birth in accordance with the national legal requirements of a country.”<sup>8</sup> It involves the official recording of the birth of a child and entry in the State's civil registry by an administrative body of the government, which is usually followed by the issuance of a birth certificate. Birth registration, particularly the

issuance of a birth certificate, is vital to establishing legal identity and also in preventing statelessness. A birth certificate contains key information on parentage, date and place of birth which is used as proof of legal identity and evidence of links to a State needed to establish nationality. In countries where nationality is primarily acquired on the grounds of descent (*jus sanguinis*), information about the identity of a child's parents recorded in the birth certificate provides key evidence of eligibility for nationality; in countries where nationality is acquired on the grounds of birth in the territory (*jus soli*), the information on place of birth in the birth certificate provides the evidence of entitlement. The date and time of birth recorded in a birth certificate are also potentially relevant to eligibility for nationality, as this information informs the authorities about the nationality law in force at the time of a person's birth.

In the absence of proof of relevant links to a State, a child can be left at risk of statelessness. The lack of a birth certificate does not on its own render a person stateless, but as noted above the possession of a birth certificate containing relevant information on parentage, place and time of birth helps to establish entitlement to nationality. In certain cases, a birth certificate is a prerequisite for obtaining nationality documentation (such as a national ID card or a passport) or is regarded as proof of nationality.

5 This aligns with UNICEF's pledge to advocate to remove gender discrimination in nationality laws and civil registration laws at the 2019 High Level Segment on Statelessness. UNHCR, High-Level Segment on Statelessness: Results and Highlights, May 2020. See <https://www.refworld.org/docid/5ec3e91b4.html>

6 This paper does not provide a comprehensive listing of, or information about, all countries with legislative and regulatory provisions, and/or cultural norms that can negatively affect women's ability to register the birth of their children. The country examples herein come from a legal analysis into sex discrimination in birth registration laws and practices commissioned by UNICEF and UNHCR in 2020 to support this publication. That legal analysis, which was conducted by independent consultants, was complemented by key informant interviews with UNHCR and UNICEF staff in a number of countries.

7 This paper focuses on sex discrimination in law (i.e., legislation and implementing regulations). The situation may vary considerably in practice, and as a general matter examinations of State practice are outside the scope of this paper.

8 OHCHR, Birth registration and the right of everyone to recognition everywhere as a person before the law, 17 June 2014, para. 4. See <https://ohchr.org/EN/Issues/Children-OHCHR/Pages/ReportBirthRegistration.aspx>

In some countries, national ID cards are only issued at the age of majority, while the issuance of passports may be subject to discriminatory and procedural barriers for various categories of children such as those born to foreign fathers. In these contexts a birth certificate often serves as temporary proof of nationality until the age of majority is reached in order to access education and healthcare.

Certain population groups experience more challenges in accessing birth registration than others. Nomadic and border-dwelling populations, for instance, are more likely to experience geographical obstacles when attempting to access birth registration services. Lack of a birth certificate may place them and their children at particular risk of statelessness given that they may be perceived as not fully belonging to the country

or countries in which they reside. Members of minority groups may also find it difficult to access civil registration and documentation on an equal basis with their fellow citizens, which can put them at risk of statelessness. Migrants in an irregular situation, asylum seekers and refugees may not have the information they need about how to register the birth of children or may not want to approach birth registration authorities for fear of detention or deportation. Refugees and Internally Displaced Persons (IDPs) may have lost their own documents in flight, which can make it harder to register their children. They may also experience difficulties in accessing birth registration in the country or place of refuge. Unaccompanied, separated and abandoned children often lack documents establishing their identity, creating a risk of statelessness.

## Birth registration and non-discrimination against women as fundamental human rights

Birth registration is a fundamental right and States have a duty to register all births that occur in their territory irrespective of the legal status of the parents.<sup>9</sup> The Convention on the Rights of the Child provides in Article 7 (1): *'The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.'*

As the fulfilment of the right to be registered is closely linked to the realization of other rights, the obligation on States to register the birth of children is also found in several other widely ratified international human rights treaties. Article 24 of the International Covenant on Civil and Political Rights (ICCPR) requires States to conduct birth registration immediately after birth and without discrimination of any kind.

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<sup>9</sup> UN Human Rights Committee, General Comment 17 on Article 24 (Rights of the Child), April 1989, paras. 7-8. See <http://www.refworld.org/docid/45139b464.html>; OHCHR, Birth registration and the right of everyone to recognition everywhere as a person before the law, 17 June 2014, paras 11 and 85(a); and UNHCR, Conclusion on civil registration No. 111 (LXIV)-2013, 17 October 2013. See <http://www.refworld.org/docid/525f8ba64.html>; UN Committee on the Rights of the Child, General Comment No. 7 (2005): Implementing Child Rights in Early Childhood, 20 September 2006, para. 25. See <http://www.refworld.org/docid/460bc5a62.html>

The right to birth registration is also included in the International Convention on the Protection of Migrant Workers and Their Families,<sup>10</sup> the Convention on the Rights of Persons with Disabilities,<sup>11</sup> and in many regional human rights instruments.

The principle of equality and non-discrimination against women is also well-established in international human rights law.<sup>12</sup> The primary international human rights treaty concerned with the protection and promotion of women's human rights is the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), which has as its object and purpose "to eliminate all forms of discrimination against women with a view to achieving women's de jure and de facto equality with men in the enjoyment of their human rights and fundamental freedoms"<sup>13</sup> Article 2(f) of

CEDAW requires States Parties to "*take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.*"

Article 9(2) of CEDAW states that "*States Parties shall grant women equal rights with men with respect to the nationality of their children.*" Discrimination against women which prevents them from registering the births of their children can interfere with the fulfilment of States' obligations under Article 9(2) of CEDAW.<sup>14</sup> Other widely ratified human rights treaties also contain obligations relating to the equality of women. For example, the ICCPR in Article 3 requires States to '*undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.*'

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<sup>10</sup> Article 29, International Convention on the Protection of Migrant Workers and Their Families, 1990.

<sup>11</sup> Article 18(2), Convention on the Rights of People with Disabilities, 2007.

<sup>12</sup> Article 2 of the Convention on the Rights of the Child, 1989 (CRC) promotes the principle of non-discrimination in the application of the CRC for all children within a State's jurisdiction.

<sup>13</sup> UN Committee on the Elimination of Discrimination Against Women (CEDAW), General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures, 2004, para. 4. See <https://www.refworld.org/docid/453882a7e0.html>

<sup>14</sup> CEDAW, General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, 14 November 2014, paras 56 – 57. See <https://www.refworld.org/docid/54620fb54.html>

## 2. Discrimination and other issues affecting women's ability to register the births of their children



Children play in the Friendly Space for Childhood located in the Portete shelter, in Esmeraldas, Ecuador  
© UNICEF/Santiago Arco.

## 2.1 Legal barriers affecting women’s ability to register the birth of their children

In many contexts, women face legal barriers that impinge on their ability to register the birth of their children and thus potentially violate the right of their children to birth registration. Provisions found in birth registration laws, civil codes, family laws, marriage laws and even criminal laws may explicitly exclude women from registering births; fail to include women among the listed persons authorized to do so; only allow women to register births in exceptional circumstances; or only allow women to register births when they can prove that the child was born in wedlock.

### Women barred from registering the birth of their children or are not explicitly mentioned in relevant laws

In some countries, women are not allowed to register the births of their children under any circumstances. Children’s births may be registered only by fathers or another male family member, while the mother is explicitly excluded from registering the birth of the child. In other contexts, the primary responsibility for registering the birth of a child falls to the father and if he is not available, on a variety of other individuals in a specified order—a person is made responsible only if the preceding individuals are unavailable. The other individuals often include adult relatives, doctors, midwives, and others who attended the birth, such as tribal chiefs, while the mother is not included in the list. Depending on how this silence with respect to the mother is interpreted, such provisions can have the effect of denying her the possibility of registering the birth of her child.

For example, under **Djibouti’s** Civil Code,<sup>15</sup> women are not permitted to register the births of their children. In all cases, births may only be registered by the father. If the father is not available, registration can be done by the doctors, midwives, health workers or other persons who attended the birth.

In **Tunisia**, Law No. 1957-3, 1957, Article 24 provides that: “Birth shall be declared by the father, or the doctors, midwives or other persons who attended the birth and, when the mother has given birth outside her home, if possible, by the person with whom she gave birth.” There is no express mention of the mother.

### Women can only register the birth of their children in exceptional circumstances

In many countries, birth registration laws mention the father as the primary person responsible for initiating birth registration and only in exceptional instances is the mother entitled to do so. In these contexts, the mother becomes responsible in case the father is incapable, deceased, ill, absent, or otherwise unable to register the birth. If the father is capable of registering the child but either decides not to do so or passively fails to register the birth, the child’s birth may go unregistered. To make clear that the father cannot register the child, some laws require the mother to have an authorisation letter or special power of attorney.

<sup>15</sup> Article 87, Loi No. 003/AN/18/8eme/L portant Code Civil, 2018.



Syrian refugee Fahemyh registers baby Ali © UNHCR/Lilly Carlisle.

For example, in **Fiji**, the Law on Births, Deaths and Marriages Registration<sup>16</sup> only permits the mother to register the birth of the child where the father has died, fallen ill, is absent or unable to register the birth. In **Oman**, the Civil Status Law<sup>17</sup> stipulates that responsibility for registering the birth of the child falls first to the father. The final person eligible to register the child's birth, should a successive list of individuals following the father be unavailable, is the mother. In **Eswatini**, the Birth, Deaths and Marriages Act<sup>18</sup> also specifies that it is the father's responsibility to register the child. No mention is made of the mother and it is only where the father has died, is absent or unable to register the birth that any other person present at the time of birth may register the birth. This presumably includes the mother.

## Women can only register the birth of their children if they can prove that the child was born in wedlock

In addition to the issues discussed above, in many countries, women may register the births of their children only if they provide additional documents – generally, a marriage certificate. This effectively excludes registration by mothers of children born out of wedlock. In most countries that require presentation of a marriage certificate, the requirement applies to both men and women, i.e., a child can only be registered upon proof that his or her parents are in a legal marriage. In some countries, however, the requirement to present a marriage certificate applies only to women. The requirement to provide additional documents particularly affects families that have been forcibly displaced, as these documents are often left behind during flight.

16 Article 11, Laws of Fiji, Chapter 49, Births, Deaths and Marriages Registration, 1975.

17 Article 16, Civil Status Law, 1999.

18 Article 15(1) of the Births, Deaths and Marriages Act, 1983.

**Kuwait**,<sup>19</sup> **Qatar**,<sup>20</sup> **Saudi Arabia**<sup>21</sup> and the **United Arab Emirates**<sup>22</sup> are all examples of States that require a marriage certificate to be presented at the time of birth registration.

The wedlock requirement may be applied in different ways. In some countries, a child born out of wedlock can be registered but is treated as the child of unknown parents, meaning the birth certificate would record his or her birth as if he or she had been found in a public place, with no legal relationship to the biological parents. In other countries, if the child's father is not married to the mother, the child's birth is registered using false names for the mother and/or father or by omitting one or both parents' names, so that the legal connection with the biological parents remains hidden. Some countries only allow a child born out of wedlock to be registered through a court order and/or with proof of paternity. In other contexts, a child born out of wedlock can only be registered in case the mother files a police report stating that she was subject to sexual violence, i.e., that the child was born of rape.

In **Bahrain**, a child born out of wedlock can be registered at birth but the birth certificate will treat the child as though he or she were a foundling, and record the child as having been born to

unknown parents.<sup>23</sup> Civil status laws and regulations in **Egypt**,<sup>24</sup> **Jordan**<sup>25</sup> and **Palestine**<sup>26</sup> make provision for a child who is born out of wedlock to be registered using false names for the parents and/ or child, or by omitting their names from the certificate altogether.

Legal barriers to registering children born out of wedlock may also be found in criminal laws. A substantial number of countries have enacted criminal legislation that penalizes women who give birth out of wedlock, charging them with adultery or sex work and subjecting them to cruel and inhumane punishment. Laws may stipulate equal punishment for women and men for adultery, but in practice, women often face harsher sanctions. In these contexts, single women seeking to register the birth of a child may be at risk of serious human rights violations.

The **Iranian** Law on Civil Status Registration allows for birth registration of all children, including children born out of wedlock. However, fear of severe punishment for sex out of marriage under Iran's Penal Code,<sup>27</sup> may serve as a deterrent for the registration of children born out of wedlock by the father or mother.

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19 Ministry of Health of Kuwait, Central Register for the Newborn and Deaths Department, Registering a Newborn Baby and Issuing a Birth Certificate: See <https://www.e.gov.kw/sites/kgenglish/Pages/Services/MOH/IssuanceCommunicationLiveOrDead.aspx> and <https://www.e.gov.kw/sites/kgEnglish/Pages/Services/MOH/IssuanceBirthCertificatesForNewborns.aspx>

20 Betsy L. Fisher, Gender Discrimination and Statelessness in the Gulf Cooperation Council States", Michigan Journal of Gender & Law, Vol.23, Issue 2, 2016, p. 286.

21 According to the Saudi Ministerial Agency of Civil Affairs, a family register is required to register the birth of a child; in turn, a couple must present a marriage certificate to be issued the family register, as it is "issued to married couples only", Ibid, p.287.

22 Article 8, Ministerial Decree (No. 44/2011), Article 8: Births may be registered only with a formal marriage certificate.

23 Article 1, Law for Birth and Death Registration Law (No. 6/1970).

24 Article 22, Law No. 12 of 1996 Promulgating the Child Law Amended by Law No. 126 of 2008.

25 Article 20(a), Civil Status Law No. 9, 2001.

26 Articles 22 (2)(b) and 25 of the Palestinian Civil Status Law, 1999.

27 Article 230, Penal Code, 2013.



Nine year-old Roy Miranda Martínez from Costa Rica has a plan: “The day I get my papers (birth certificate), I want to apply for a grant and go to school – just like my brothers. This brings a lot of joy.” © UNHCR/Lucas Iturriza.

## 2.2 Cultural and practical barriers impeding women from registering the birth of their children

In countries with prevailing patriarchal norms, the law may allow both men and women to register a child’s birth, but cultural practices may dictate that only the male head of household can do so. Such customs may be compounded by discriminatory attitudes on the part of registrars and/or poor civic awareness. Mothers may be asked by registrars to provide legal proof of marriage or the father’s identity card – even where these are not required by law – or may be refused access to birth registration procedures altogether.

Unmarried women may also not register a child’s birth on account of prevailing social norms that are unaccepting of children born outside wedlock. In some contexts, hospitals may refuse unwed pregnant women entrance and/or birth notification services. In some countries, unmarried women may be reluctant to register the births of their children because the civil registry specifically makes record of the fact that they are single mothers. In other contexts, registration of children

born out of wedlock can be done through the courts, but the procedure may be difficult and opaque and may involve an investigation undertaken by State authorities to determine who the father is, which carries with it the risk of social stigmatization. Finally, in some settings women may also mistakenly believe that children’s births can only be registered if the parents are married.

Culture is often invoked as a justification for discriminatory policies against women’s ability to register the birth of their children. In **Malaysia’s** complex legal system, which encompasses Islamic, civil and customary law, a child is considered illegitimate if born out of wedlock. Mothers of children deemed illegitimate are often deterred from registering their children out of fear that they will be discriminated against or stigmatized by society if they hold a birth certificate without the father’s name.

Birth registration rates globally are also lower among adolescent mothers. Practices in some countries, such as **Ecuador**<sup>28</sup> require adolescent mothers to be accompanied by a legal representative to register the births of their children – a fact of which they may be unaware and a service they may be unable to access. Civil registry officers in some countries like **Costa Rica**<sup>29</sup> and **Guatemala**<sup>30</sup> are obliged to report cases of adolescent mothers to the prosecutor's office, a potential deterrent for child mothers to register the birth of children.<sup>31</sup>

In **Egypt**, a law granting women the right to register the births of their children was updated in 2008. Yet societal attitudes that prevent or discourage unwed mothers from registering the birth of their child remain widespread. According to the civil code, a mother can register the birth of her child provided that the marital relationship is recognized and documented. If the mother cannot prove her marital relationship, or in the case of out of wedlock births, a declaration stipulating the child is hers is required, as is testimony from doctors or midwives who observed the birth. Single mothers and their children are often stigmatized, excluded, and discriminated against by law.

## 2.3 Other gaps impeding women from registering the birth of their children

Although raising children in same-sex families is becoming more commonplace in some parts of the world, non-traditional forms of parentage are often not recognized in civil registration laws. In most situations, birth certificates only allow for the inclusion of one mother and one father, irrespective of same-sex family reality. There are many examples of situations where children born to same-sex parents using assisted reproductive technologies (ART) have not been able to receive birth certificates listing both parents.<sup>32</sup> In some instances children born through ART have not

been able to have their births registered at all. The failure to accurately record each of a child's parents on the birth certificate can compromise the child's ability to acquire nationality through each parent separately, which can present a risk of statelessness in situations where only one parent is able to confer nationality. If the same-sex relationship of the parents prevents registration entirely (for example, in countries where same-sex marriage is not a legal possibility and a marriage certificate is a prerequisite for registration), children may be at risk of statelessness.

28 Article 24, Reglamento de la Ley Orgánica de Gestión de la identidad y datos civiles, 2018.

29 Article 1, Ley N° 9406, 2016.

30 Article 54, Ley de protección integral de la niñez y adolescencia. Decreto N° 27/2003.

31 Alto Comisionado de las Naciones Unidas para los Refugiados (ACNUR), Estudio regional sobre inscripción tardía de nacimientos, otorgamiento de documentos de nacionalidad y apatridia: estándares, mejores prácticas, barreras y desafíos en Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, Guatemala, México, Panamá, Paraguay, Perú, República Dominicana y Uruguay, 5 Enero 2021. See <https://www.refworld.org/es/docid/5ff517834.html>

32 Paula Gerber and Phoebe Lindner 'Birth Certificates for Children with Same-sex Parents: A Reflection of Biology or Something More?' (2015) 18(2) New York University Journal of Legislation & Public Policy.

### 3. Good practices and examples of recent reforms

A number of countries have in recent years passed legislative reforms to allow mothers to register births on an equal basis with men.

**Guinea** reformed its Civil Code (article 202) in 2019 allowing women to register births.<sup>33</sup> In 2018, **South Sudan** passed the Civil Registry Act of 2018 where Article 25.6 provides that the mother can also register the birth. A 2004 reform of the Civil Registration Code of **Mozambique** also allows either parent to register the birth and obtain a birth certificate. In addition, single Mozambican mothers can now register their children under their maiden name, and choose to register them as having a father other than her husband.<sup>34</sup> In **Nepal**, birth registration was traditionally done by the head of the family, and in his/her absence, from amongst one of the “major [male] members of the family.”<sup>35</sup>

In 2006, acting on the recommendations of the CEDAW Committee and following a Supreme Court ruling, Nepal amended the provisions discriminating between women and men in this regard. Now, women as well as men can be designated head of household, and the eldest male member no longer provides the birth declaration if the head of household is absent.<sup>36</sup> In **Afghanistan**, the Constitution requires equality between men and women, and the Law on Registration of Population Records (2014) notes that both parents are able to register a child. In September 2020, the President signed an amendment allowing mothers’ names to be included on official documents, including their children’s birth certificates, which previously named only the father.

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33 Previously Article 194.

34 Article 149 of Law No. 12 on the Civil Registration Code 2004 (as amended by law 12/2018), and Article 238(1) of the Mozambique Family Law, 2004 (amended by law 22/2019).

35 Article 4-1 a. Birth, Death, and Other Personal Events (Registration) Act, 1976.

36 Article 10, Law No. 2063 Amending Some Nepal Acts to Maintain Gender Equality, 2006.



An infant is weighed as part of a routine medical examination at the main hospital in the coastal town of Vilanculos in Inhambane Province, Mozambique © UNICEF/ Thierry Delvigne-Jean.

## 4. Conclusions and recommendations

This background note provides information about various legal and practical barriers that can affect women's ability to register the birth of their children. Sex discrimination remains a serious barrier to registration in countries where only men are legally allowed to register a child, or when women are only permitted to do so in limited circumstances. Requirements in some countries that parents must present a valid marriage certificate when seeking to register the birth of a child leaves many children at risk of going unregistered. Indirect discrimination and certain cultural practices also pose a threat to registration.

Birth registration is a fundamental human right and the first legal acknowledgement of a child's existence. Without birth registration and birth certificates, children are invisible to their governments, and may be left stateless as a result of their inability to prove their entitlement to nationality.

In light of the information presented in this background note, UNICEF and UNHCR make the following recommendations:

- 1.** All parents regardless of their sex should have equal rights to register the births of their children without discrimination. Laws, regulations, practices and procedures that allow only fathers to register the birth of a child or that allow mothers to register the birth of a child only in exceptional circumstances should be reformed to provide fully equal rights to mothers and fathers with respect to birth registration.
- 2.** Laws or regulations that require the physical presence or consent of a father when a mother seeks to register the birth of a child should be reformed to allow mothers to register children without the presence and/or consent of the father. Cultural practices that lead officials to require the physical presence or consent of the father should be discouraged through awareness raising campaigns, trainings of civil registrar officials and penalties if the practice persists.
- 3.** Laws or regulations that require either or both parents to present a valid marriage certificate when seeking to register the birth of a child should be reformed, as lack of marriage or lack of proof of marriage should not be a barrier to registration of a child's birth. Cultural practices that lead officials to request marriage certificates even where these are not required by law should be discouraged through awareness raising campaigns, trainings of civil registrars and penalties if the practice persists.
- 4.** Laws or regulations that provide that only opposite sex parents may register the birth of children should be reformed. Cultural practices that lead officials to deny birth certification to children of same sex parents should be discouraged through awareness raising campaigns and training of civil registrars.
- 5.** States should take measures to safeguard the birth registration process from any form of indirect discrimination and from discriminatory cultural practices. This is a particular risk for mothers with children born out of wedlock, including as a result of rape, who might be reluctant to approach the authorities for fear of cultural stigma and shame or even criminal liability. The practice of registering a child as "illegitimate," serves no legitimate State purpose, is harmful to children and families and contravenes the right to birth registration. Likewise, the practice of registering parents or children under "false names" should be discontinued, as these can prevent biological connections from being known and have an impact on the ability of children to establish his/her identity, know their origins and acquire nationality by descent.
- 6.** States should undertake education campaigns to increase awareness amongst women, families and communities on their rights, and on the importance of birth registration to tackle situations where lack of birth registration is caused by low levels of awareness or education on the part of the mother with a particular focus on vulnerable groups such as refugees, migrants, displaced and nomadic populations.



**COALITION ON EVERY CHILD'S  
RIGHT TO A NATIONALITY**

The **Coalition on Every Child's Right to a Nationality** aims to develop, expand and strengthen international cooperation to raise awareness about and combat the hidden problem of childhood statelessness. It also aims to promote the right of every child to acquire a nationality.

Cover: Samira, 24, an internally displaced mother of two, visits a UNHCR community center in Aleppo, Syria to get help registering her marriage and obtaining birth certificates for her young children  
© UNHCR/Qusai Alazroni.

