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China: Birth certificates, including content, appearance and security features; requirements and procedures to obtain a birth certificate; whether birth certificates are a provincial or national document; specimen (2019-September 2021)

Research Directorate, Immigration and Refugee Board of Canada

1. Overview of Birth Certificates

Sources report that China began issuing medical certificates of birth (*chusheng yixue zhengming* 出生医学证明) on 1 January 1996 (China 29 Dec. 2018; Chinese law firm 20 Aug. 2021; Lecturer of law 1 Sept. 2021), and they were introduced on 1 March 1996 "for remote regions" (Lecturer of law 1 Sept. 2021). In correspondence with the Research Directorate, a Chinese law firm with immigration practice and offices in Shanghai and Beijing, reported that since that date, "all individuals born within the territory of the People's Republic of China uniformly use the 'Medical Birth Certificate'" (Chinese law firm 20 Aug. 2021). According to sources, there have been six editions of the medical birth certificate since 1996, the last of which came into effect on 1 January 2019 (China 29 Dec. 2018; Lecturer of law 1 Sept. 2021). A blank sample of a sixth edition medical birth certificate, available on the website of China's National Health Commission (Weisheng Jiankang Weiyuanhui 卫生健康委员会), is attached to this Response.

According to the National Health Commission, birth certificates are [translation] "used for certifying the health and natural conditions of the newborn at birth," but are also "fundamental to" applications for confirming citizenship, accessing social security benefits, receiving medical services, accessing education, and emigrating or studying abroad (China 29 Dec. 2018).

1.1 Timeline of the Six Editions of Birth Certificates (1996-2019)

In correspondence with the Research Directorate, a lecturer of law at Flinders University in Australia, who is also a Chinese international lawyer, stated that the timeline for the six editions of the medical certificate of birth is as follows:

- First version: 1 January 1996 to 31 December 1999
- Second version: 1 January 2000 to 31 December 2002
- Third version: 1 January 2003 to 30 November 2004

- Fourth version: 1 December 2004 to 31 December 2013
- Fifth version: 1 January 2014 to 31 December 2018
- Sixth version: 1 January 2019 [1] to present (Lecturer of law 1 Sept. 2021)

2. Scope of Birth Certificates

The Chinese law firm reported that birth certificates "are national documents" (Chinese law firm 20 Aug. 2021). The Lecturer of law stated that they are "a unified" and "national" document, supervised by the central government of China, with the "blank form" of the certificate "uniform and made under the supervision of the National Health Commission" in the case of the sixth edition (Lecturer of law 1 Sept. 2021). However, the same source added that the birth certificate is also "a local document in the sense that the certificate is issued and stamped locally by the relevant institutions (such as the hospital where a baby was born)" (Lecturer of law 1 Sept. 2021).

3. Content of Birth Certificates

The Chinese law firm stated that "[t]he content on a Chinese birth certificate is uniform on a national level," as provided in article 23 of the *Maternal and Child Health Care Law of the People's Republic of China* [see section 5 of this Response] (Chinese law firm 20 Aug. 2021). According to the Lecturer of law, the information on a birth certificate "should be the same across provinces and regions" (Lecturer of law 1 Sept. 2021). The Chinese law firm stated that since 1 January 2014 the contents "on the currently applicable" birth certificate include the following:

- Name of child;
- Sex at birth;
- Date and time of birth;
- Gestational age;
- Weight at birth;
- Length at birth;
- Place of birth;

- Name of hospital or medical institution;
- Identification information of the Mother and the Father (including name, gender, ethnicity, residential address, and official identification numbers)
- Date of issuance;
- Issuing authority;
- Medical Birth Certificate Number;
- Official seal of the issuing institution (Chinese law firm 20 Aug. 2021)

According to the Lecturer of law, the sixth edition of birth certificate includes the following sets of information on "the front side" of the document's "official page":

- The Newborn
 - Name
 - Gender
 - Time of Birth: Year, Month, Day, Hour and Minute
 - Gestational Week
 - Birth Weight (g)
 - Birth Length (cm)
 - Birth Place: Province, City, County
 - Medical Institution
- Mother of the Newborn
 - Name
 - Age
 - Nationality
 - Ethnic Group
 - (Residence) Address
 - Valid Identification: select from ID card, Passport or Other
 - Valid Identification Number
- Father of the Newborn
 - Name
 - Age
 - Nationality
 - Ethnic Group
 - (Residence) Address
 - Valid Identification: select from ID card, Passport or Other
 - Valid Identification Number
- Administration
 - Authority who issues the certificate (with stamp)
 - Issuance Date

- Number of Certificate (Lecturer of law 1 Sept. 2021)

The same source reported that the "backside of the certificate" features "the title of Medical Certificate of Birth" and "the wording of 'Under the Supervision of the National Health Commission of the PRC'" (Lecturer of law 1 Sept. 2021).

4. Appearance and Security Features

4.1 The Sixth Edition of Birth Certificate

The Chinese law firm reported that the appearance of the birth certificate is "uniform" (Chinese law firm 20 Aug. 2021). However, the Lecturer of law stated that there exist "local rules regarding management" of birth certificates, including varying regulations on filling in the certificate "by hand" or "by computer/printer" (Lecturer of law 1 Sept. 2021).

The Lecturer of law stated the following regarding the appearance of the sixth edition of birth certificate:

The current version of the Medical Certificate of Birth includes three parts: one official page (including a front side and a back side; kept by the applicant), a duplicate page (kept by the Household Registration Agency) and a stub (kept by the healthcare institution) ... The duplicate page includes the same information as the official front page. The stub includes all information on the official front page plus the name of the midwife, the name of the issuer, and the name of the person who picks up the certificate. (Lecturer of law 1 Sept. 2021)

The National Health Commission provides the following information about the format, appearance, and security features of the six editions of birth certificates China has used since 1996:

[translation]

At present, there are altogether six versions of the medical birth certificate. Its content continues to become more substantial, and its anti-counterfeiting features continue to improve. Up to the fourth version, changes were made to improve the layout of the content and enhance its anti-counterfeiting features. Changes to the fifth version included the use of standard A4 paper and arrangement of text in columns. This made it easier to issue [certificates] printed from a computer, promote the nationwide [practice] to issue printed documents instead of hand-written documents, and establish the foundation for an information-based national network for medical birth certificates. The sixth version is to account for the reform of a national institution: The name of the National Health and Family Planning Commission was changed to the National Health Commission. The following text was printed on the fifth version: The National Health and Family Planning Commission of the People's Republic of China. In view of the authoritativeness and severity associated with the name of a given ministry or commission, it was necessary to prepare a new version.

The first version began to be used on January 1, 1996 (or on March 1 in remote regions). The core section is printed on special-purpose paper with patterning and watermarking. The watermark graphic appears as a gear symbol. A circular logo with the text 'Maternal and Child Health of China' can be seen under an ultraviolet light. The "birth number" printed on the main page and additional copy are not identical.

The second version began to be used on January 1, 2000. At the top right section of the circular logo with the text 'Maternal and Child Health of China', a colourless, florescent anti-counterfeiting mark of a five-pointed star, which can be seen under an ultraviolet light, was added. Some of the text from the first version of the medical birth certificate was modified: The 'birth number' at the bottom of the medical birth certificate was changed to 'birth certificate number'; the corresponding English translation was changed from 'Birth No.' to 'Birth certificate No.'; the lowercase 'c' in the word 'china' in the English description on the right

side of the medical birth certificate was changed to an uppercase 'C'; and the number of boxes (□) after "identity document number" was changed to 18 from the original 16. The 'birth certificate number' printed on the main page and additional copy are identical.

The third version began to be used on January 1, 2003. With the existing anti-counterfeiting printing technology as the foundation, the watermark graphic was changed so that the centre of the gears contained a five-pointed star. A counterfoil copy was added to the core section of the medical birth certificate.

The fourth version began to be used on December 1, 2004. An anti-counterfeiting watermark of a digital barcode, which can be recognized on [a device with] a detection board, was added to the number next to the 'birth certificate serial number' on the additional copy and counterfoil.

The fifth version began to be used on January 1, 2014. The typeface was adjusted to be used on standard A4 paper, the text was arranged into three columns (including the text on the main page, additional copy and counterfoil), and the original cover page and stamps of the various ministries and commissions were removed. There are seven types of anti-counterfeiting techniques: the use of a background design of the Great Wall of China, and the use of monochromatic watermarking, optical watermarking, optically variable ink, fixed-position hot stamping of holograms on washed aluminum, microtext, and rainbow printing. The stamp of the Ministry of Public Health, which was originally on the main page of the fourth version, was removed in the fifth version. The text 'produced under the supervision of the National Health and Family Planning Commission of the People's Republic of China' was added to the reverse side.

The sixth version will begin to be used on January 1, 2019. With the existing anti-counterfeiting printing technology as the foundation, the text 'produced under the supervision of the National Health and Family Planning Commission of the People's Republic of China', which is on the

back cover of the medical birth certificate (in the fifth version), will be changed to 'produced under the supervision of the National Health Commission of the People's Republic of China'. All other text, formatting and anti-counterfeiting measures will not be changed. (China 29 Dec. 2018)

According to the Lecturer of law, "the only difference between the sixth version and the fifth version is the name of the supervision authority and all other wordings and features remain the same (including the appearance and any security features)" (Lecturer of law 1 Sept. 2021). The same source stated that "[u]nlike the previous version," the fifth version began using A4 size paper and "added parents' information," including not only the ID number of parents, but their residential addresses" (Lecturer of law 1 Sept. 2021).

The Chinese law firm stated that the birth certificate is a "one-page certificate," containing the following security features:

- Stamp: A special seal for medical birth certificate shall be stamped on the front page, the stamp shall be made of red ink, which is clear and correct, and shall not be smeared;
- Letterhead: "Medical Birth Certificate" (出生医学证明) printed in both Chinese and English languages (2014 version);
- Signature: Printed signature of the issuing authority;
- Watermark pattern: since January 1, 2003, the medical birth certificate has been printed on the basis of the original anti-counterfeiting printing technology with a special pattern watermark paper; the watermark pattern is a gear with a five-pointed star in the center ring. (Chinese law firm 20 Aug. 2021)

The Lecturer of law reported that the "fifth/sixth version" of birth certificate includes the following seven "types" of security features:

background with "the Great Wall" picture, black and white watermark (黑白水印), optical watermark (光学水印), light variable ink (光变油墨), holographic washing aluminum positioning hot stamping (全息洗铝定位

烫印), microtext (微缩文字), rainbow printing (彩虹印刷). (Lecturer of law 1 Sept. 2021)

According to the same source, the "issuing authority" of the certificate "should stamp the certificate," and "[s]ome provinces require that the stamp should be a special one used specifically for the purpose of Medical Certificate of Birth and the colour of the stamp must be in red" (Lecturer of law 1 Sept. 2021).

4.2 The Fifth Edition of Birth Certificate

The Lecturer of law provided the following information regarding the appearance of the fifth edition of birth certificate, "used from 1 January 2014 to 31 December 2018":

The fifth version has three parts like the sixth one: one official page (including a front and a back side), a duplicate page and a stub. The fifth version does not have a stamp of the Ministry of Health (which was included in the fourth version), but on the back saying "Under Supervision of the National Health and Family Planning Commission of the People's Republic of China." (Lecturer of law 1 Sept. 2021)

4.3 Alphanumeric Code

Information on the alphanumeric code on birth certificates was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

Based on a review of some birth certificates, the Lecturer of law observed that the "alphanumeric code in the recent versions of the Chinese Medical Certificate of Birth [is] composed of an English Letter (A to Z) plus 9-digit number," and that the 9-digit number is a serial number (Lecturer of law 1 Sept. 2021).

Corroborating information on the alphanumeric code could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

5. Issuance of Birth Certificates

Article 23 of the *Maternal and Child Health Care Law of the People's Republic of China*, adopted by the National People's Congress in 1994 and amended in 2017, provides the following:

[translation]

In accordance with the regulations of the Public Health Administration of the State Council, health care institutions and professionals who assist with home births shall issue a standardized medical birth certificate for the newborn. Cases involving the death of the woman giving birth or the infant and newborns with birth defects shall be reported to the Public Health Administration. (China 1994a)

Article 32 of the *Administrative Regulations for Health Care Institutions* adopted by the State Council in 1994 and amended in 2016, provides the following:

[translation]

If a physician (or medical assistant) has not personally examined the patient, the health care institution shall not issue a certificate of diagnosis of disease, health certificate or death certificate. If a physician (or medical assistant) or midwife has not personally performed the delivery, the health care institution shall not issue a birth certificate or stillbirth report. (China 1994b)

According to the National Health Commission, birth certificates are to be issued by the medical institution and specialists delivering the child (China 29 Dec. 2018). The Chinese law firm stated that birth certificates are "issued by a health care institution in accordance with regulations of the PRC Ministry of Health and the Ministry of Public Security" (Chinese

law firm 20 Aug. 2021). The Lecturer of law reported that "generally the issuing authority" is a "healthcare institution," but that "some children may be born outside a healthcare institution" (Lecturer of law 1 Sept. 2021). The same source stated that under article 23 of the *Maternal and Child Health Care Law of the People's Republic of China*, "persons engaged in home delivery may, according to the requirements made by the healthcare administrative department of the State Council, issue a Medical Certificate of Birth in a unified format under the supervision of the relevant authority" (Lecturer of law 1 Sept. 2021). The National Health Commission provides the following information about the first issuance, replacement, and reissuance of birth certificates:

[translation]

The issuance of medical birth certificates includes first issuances, exchanges and replacements.

The first issuance refers to the first time an issuing authority issues a medical birth certificate to a newborn. It is further categorized into first issuances [of certificates] for births within a health care institution and first issuances [of certificates] for births that were not within a health care institution.

The first issuance [of certificates] for births within a health care institution is handled by the health care institution where [the newborn was delivered]. After the health care institution verifies the original and valid identity documents of the parents of a newborn and retains a photocopy of these documents, the institution will issue a medical birth certificate according to the Registration Form for the First Issuance of a Medical Birth Certificate and in accordance with the requirements and standards for issuing a medical birth certificate. The institution will also perform the duties for properly registering the first issuance of the medical birth certificate. If the person who is collecting the certificate is not the mother

of the newborn, this person will be additionally required to provide a letter of authorization signed by the mother of the newborn and present an original and valid personal identity document.

The first issuance [of certificates] for births that were not within a health care institution is handled by an authorized institution of the public health administration at the county level or above in the location for where the birth of the newborn is intended to be registered. The [certificate] will be issued after the issuing authority verifies the original and valid identity documents of the parents of the newborn and the person who is collecting the certificate, a statement of the parent-child relationship, and the original certificate of a paternity test issued by an accredited testing agency.

An exchange refers to when the original issuing authority is required to modify the Medical Birth Certificate of the newborn because of the following: the persons involved or the issuing authority is responsible for causing the Medical Birth Certificate to become invalid; the relevant certificates provided by the household registration authority cannot be used for birth registration and, as a result, the name of the newborn needs to be changed; or, the persons involved provide an appropriate paternity test certificate from an official testing agency to request a change of the information concerning the mother or father. The original issuing authority will process the exchange and must verify the following materials:

1. Application form for exchanging the medical birth certificate;
2. Medical birth certificate that was originally issued;
3. Original and valid identity documents of the parents of the newborn and the person who is collecting the certificate;
4. For applications to change the information concerning the mother or father, a paternity test certificate issued by an accredited testing agency must also be verified.

A replacement refers to when a medical birth certificate is reissued to a newborn because of loss, theft or other circumstances that caused the medical birth certificate to be lost.

The replacement is processed by the original issuing authority of the public health administration that is at the county (or district) level of the given location. The application form for the replacement, and the original and valid identity documents of the parents of the newborn and the person who is collecting the certificate must be verified. [The certificate] will be reissued with the information that was on the original document after the record of its original issue has been examined. (China 29 Dec. 2018)

6. Requirements and Procedure to Obtain a Birth Certificate

The Lecturer of law reported that there exist "two different ways" to obtain a birth certificate, "depending on whether a child is born within [a medical institution] or outside a medical institution" (Lecturer of law 1 Sept. 2021). The same source reported that for children born within medical institutions "a parent or their authorised representative needs to" apply for a birth certificate at "the birth hospital/institution" with the following documents and information:

- Name of the newborn [2];
- Authorisation Letter, if someone who is not a parent is authorised to manage the application process;
- Original and a copy of the ID cards of both parents and the authorised person;
- Marriage Certificate of one parent or a single mother statement (if not married);
- Application/registration form (《出生医学证明自填单/登记表》); and
- Any other documents requested by the local hospital such as medical service payment evidence. Each hospital might have its own practical procedures to issue a Medical Certificate of Birth. Parents would generally follow the request of their hospital rather than question them. For example, a Birth Permission Certificate (准生

证) [see section 6.1 of this Response] might be required by some hospitals. (Lecturer of law 1 Sept. 2021)

According to the Chinese law firm, the process to obtain a birth certificate includes the following steps:

- Step 1: After the birth of a newborn baby, the medical institution will confirm contents of the personal Identification Cards of the Mother and the Father, and the institution will coordinate with the Mother and Father to complete a registration form. The Birth Certificate is issued accordingly per information on the registration form.
- Step 2: Registration may be handled by the Mother or the Father.
- Step 3: The medical institution will record photo copies of the personal identification cards of the Mother and the Father.
- Step 4: After preparing the above materials, the parents or an entrusted party can go to the maternity and child health care station in the jurisdiction of the hospital where the child was born to obtain the official "Medical Certificate of Birth." (Chinese law firm 20 Aug. 2021)

According to the Lecturer of law, the procedure for obtaining a birth certificate for children born outside of a medical institution is as follows:

If a child is born outside a hospital or medical institution, the parents will need to attend a delegated institution of the local healthcare administrative authority at a county level or above in the place where the newborn's household registration would occur. The delegated institution will review the identity documents of the parents and the person who will pick up the Medical Certificate of Birth, a statement of child-parent relationship, and a DNA test report issued by an authorised institution, before it issues a Medical Certificate of Birth. (Lecturer of law 1 Sept. 2021)

The Lecturer of law reported that all birth certificate applications "should be made within a reasonable period of time (from two days to two months after the birth of the newborn)," and the "hospital/delegated

institution may require additional information if the application is made two months after the birth of the child" (Lecturer of law 1 Sept. 2021).

According to the Chinese law firm, "[n]ormally, no fees are required" to apply for a birth certificate (Chinese law firm 20 Aug. 2021). However, the Lecturer of law reported that although regulations provide that "there should be no application fees or costs to obtain a Medical Certificate of Birth in China ... it is possible that in practice some institutions might charge the cost of materials (工本费), and sometimes the fee can be higher than the material costs" (Lecturer of law 1 Sept. 2021).

6.1 Birth Permission Certificate [Birth Permit]

According to the *South China Morning Post* (SCMP), a Hong Kong-based daily newspaper, a "birth permission certificate" or "birth permit," is a document used to "get maternity care and to apply for a newborn baby's hukou - the household registration document that all Chinese citizens must have which controls access to public services based on birthplace" (SCMP 20 July 2021). The same source reports that prior to 2016, a permit was "needed to have a child" (SCMP 20 July 2021). According to an October 2020 article by Sixth Tone, a Shanghai-based English-language online media outlet that is overseen by its "state-owned parent company," Shanghai United Media Group (*Foreign Policy* magazine 3 June 2016), "[i]n the past, a mother planning to have a second child would need to acquire a 'birth permit' to secure a birth certificate," but now "times have changed" (Sixth Tone 28 Oct. 2020). A July 2021 article by Radio Free Asia, "a private, nonprofit corporation, funded through the US Agency for Global Media, an independent federal government agency" (Radio Free Asia n.d), reports that despite the announcement of the three child policy in May 2021, according to remarks by a "family-planning official" in Guizhou province, parents

seeking to have a third child "will still need a birth permit before having a third child" until the policy is "implemented on the ground" (Radio Free Asia 6 July 2021).

6.2 Limited Introduction of Online Applications for Birth Certificates in Guangdong Province

According to the Health Commission of Guangdong province (Guangdongsheng weisheng jiankang weiyuanhui 广东省卫生健康委员会), online applications for birth certificates there can only be used for the first issuance of a birth certificate (Guangdong 16 Dec. 2020). The Health Commission states that the electronic version of the application form will be [translation] "permanently saved in the provincial-level information management system for medical birth certificates" (Guangdong 16 Dec. 2020).

7. Limited Introduction of Electronic Birth Certificates

Sources report that China's first electronic medical certificate of birth was issued in Guangzhou on 5 June 2018 (*Science and Technology Daily* 6 June 2018; *Guangzhou Daily* 11 June 2018). *Science and Technology Daily*, a nationally circulated state newspaper with 33 correspondent stations around China (*Science and Technology Daily* 12 July 2019), reports that electronic birth certificates issued in this [translation] "pilot project" have "the same legal validity" as paper birth certificates, and newborns issued an electronic birth certificate will still receive a corresponding paper birth certificate (*Science and Technology Daily* 6 June 2018). The same source, citing unnamed reports, states that [translation] "children who were born after May 1, 2018" in the region will be "automatically entered" into the program issuing electronic birth certificates (*Science and Technology Daily* 6 June 2018). According to a June 2018 article by *Guangzhou Daily*, the "official newspaper of the Guangzhou [M]unicipal Party [C]ommittee" (China n.d.), which appears on the official website of the People's Government of Guangzhou, the

electronic birth certificate will be [translation] "accepted anywhere in [Guangdong] Province" (*Guangzhou Daily* 11 June 2018). According to the Deputy Director of the Centre for Women and Children's Health of the Chinese Centre for Disease Control and Prevention and Chair of the Professional Committee for Birth Population and Children of the China Population Association, however, Guangdong's electronic birth certificate will "only [be accepted] within the province" (*Guangzhou Daily* 11 June 2018). The same source reports that on 9 June 2018, a program was initiated to include [translation] "DNA barcoding," containing information including the person's blood type and DNA, on electronic birth certificates (*Guangzhou Daily* 11 June 2018).

The Lecturer of law reported that "[e]lectronic Medical Certificate of Birth are not common yet in China," that "not all provinces" have begun to issue one, and that in those that have "a paper certificate is still in use" (Lecturer of law 1 Sept. 2021). However, the same source stated that electronic birth certificates, as of August 2021, are "in the process of being developed and promoted" (Lecturer of law 1 Sept. 2021). According to a December 2020 notice issued jointly by the National Health Commission and the Ministry of Public Security (MPS), the Commission has asked [translation] "[the authorities within] each region" to "promot[e] the use of the electronic version of the medical birth certificate on the government services platform," with the aspiration to achieve "comprehensive and thorough use of the electronic version of the medical birth certificate on the national integrated platform" by the end of 2021 (China 4 Dec. 2020). The notice states that to apply for electronic birth certificates, applicants will use an online application which uses facial recognition software to verify parental identity documents (China 4 Dec. 2020).

According to *Beijing Daily*, the [translation] "official newspaper of the Beijing Municipal Committee of the Communist Party of China" (*Beijing Daily* n.d), beginning 20 April 2021 parents of newborns in

Beijing can use an app called "Beijing Tong" (北京通) and their resident ID cards to apply for an electronic medical certificate of birth (*Beijing Daily* 27 July 2021). The same source reports that parents can apply for a birth certificate using the app one week after the birth of their child, and that facial recognition technology will be used to verify their identity on their submitted ID card photos (*Beijing Daily* 27 July 2021). The source states that the electronic birth certificate will be generated 2-3 days after the paper birth certificate is printed and will be viewable in the app, while the paper birth certificate will be mailed to their residence (*Beijing Daily* 27 July 2021).

8. Challenges to Obtaining a Birth Certificate

The Chinese law firm stated that "[n]ormally, there are no challenges so long as the mother and father are able to provide the necessary information and documentation at birth" (Chinese law firm 20 Aug. 2021). However, in correspondence with the Research Directorate, a China researcher at Human Rights Watch (HRW) stated that if a person and their family have "long left [their] birthplace, it might be difficult to get" a birth certificate (HRW 18 Aug. 2021).

8.1 Individuals Without Birth Certificates

Sources indicated that "many people don't have [a] birth certificate" (HRW 18 Aug. 2021) or that because birth certificates were only first issued in 1996 "[n]ot everybody" has one (Lecturer of law 1 Sept. 2021). The Lecturer of law reported that "even some people" born in China after 1 January 1996 "might not" have a birth certificate because of issues such as "the fear of being fined or punished" if they are in violation of family planning regulations, or if the application process for children born outside a medical institution is "unclear or unknown" to the parents, or if the person is "illiterate" and finds the application process "difficult" (Lecturer of law 1 Sept. 2021). The China Researcher at HRW who was born and grew up in China reported that they themselves did

not have a birth certificate, owing to the fact that they were "born at home" and "illegal" in light of being the third child under the one-child policy (HRW 18 Aug. 2021). Sources report that single mothers "can also find it difficult to obtain birth certificates" (Australia 3 Oct. 2019, 52) or "might not apply" for one out of "cultural and social stigma" (Lecturer of law 1 Sept. 2021).

The Chinese law firm provided the following reasons why someone might not have a birth certificate:

- If the individual was born before January 1, 1996, which was before the *Law of the People's Republic of China on Maternal and [Child] Health Care* came into force, there was no uniform national Medical Certificate of Birth.
- If the individual [was] not born at a hospital, he/she may not proceed with necessary procedures to obtain the official Medical Birth Certificate issued by the hospital (due to legal restrictions on family size over the recent decades prior, this situation is not unheard of).
- If the individual was orphaned at a young age, or adopted, the official Medical Birth Certificate may have been lost. (Chinese law firm 20 Aug. 2021)

The Chinese law firm provided the following information regarding how an individual might prove their identity in the absence of a birth certificate:

It is in most cases possible for the individual to apply for a Proof of Identification Letter which serves the same function as an official Birth Certificate via an application process at the local police bureau where the individual resides. The application will normally require the individual applicant's personal Identification Card and official Household Registration (Hukou) along with the Identification Card and official Household Registration of the applicant's parents. (Chinese law firm 20 Aug. 2021)

The China Researcher at HRW reported that "as an adult" and "jumping through some hoops," one can acquire "a certificate showing [they] were born somewhere sometime" and this "can serve as a birth

certificate" (HRW 18 Aug. 2021).

9. Notarial Birth Certificates

According to the Lecturer of law, the notarial birth certificate (*chusheng gongzhengshu* 出生公证书) is "not a notarised copy of an original medical birth certificate" (Lecturer of law 1 Sept. 2021). In a telephone interview with the Research Directorate, a Regulated Canadian Immigration Consultant (RCIC) and a member of the Immigration Consultants of Canada Regulatory Council (ICCRC), the "national regulatory body" overseeing "regulated immigration and citizenship consultants" (ICCRC n.d), reported that notarial birth certificates can serve "immigration purposes" (Canadian immigration consultant 27 Aug. 2021). The Lecturer of law stated that "it is possible" to obtain a notarized copy of a medical birth certificate, "but it is probably more common to have a notarial birth certificate for immigration purposes" and "it is possible" to obtain a notarial birth certificate without having a medical birth certificate by "proving relevant birth information" (Lecturer of law 1 Sept. 2021). According to the Canadian immigration consultant, notarial birth certificates are in "bound book form" with Chinese and English content, and include the following information:

- the person's name, date of birth, and parents' names;
- a "Chinese stamp";
- the phrase "notarial certificate" written in English;
- a serial number at the bottom left, "usually in red";
- the name of the issuing notary office and the issuing date at bottom. (Canadian immigration consultant 27 Aug. 2021)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The Lecturer of law reported that "some institutions might still use the old version until 31 March 2019" (Lecturer of law 1 Sept. 2021).

[2] The Lecturer of law stated that "once a name is printed on a certificate, it will be difficult to change," and "[a]ny request to make changes needs to be made timely [as i]t can be very difficult, if not impossible, to make changes to a Medical Certificate of Birth" (Lecturer of law 1 Sept. 2021).

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Attachment

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