



Background Note on Gender Equality, Nationality Laws and Statelessness 2018

Uneven ability of women to confer nationality on their children

The table below uses a color scheme to divide the laws of the 25 States into three categories. The laws of the first group of countries (red) have nationality laws which do not allow mothers to confer their nationality on their children with no, or very limited, exceptions— these laws create the greatest risk of statelessness. The laws of the second group of countries (orange) have some safeguards against the creation of statelessness (for example making exceptions for mothers to confer nationality if the father is unknown or stateless). The laws of the third group of countries (yellow) also limit the conferral of nationality by women but additional guarantees ensure that statelessness will only arise in very few circumstances.

Bahamas	Malaysia
Bahrain	Mauritania
Barbados	Nepal
Brunei Darussalam	Oman
Burundi	Qatar
Iran	Saudi Arabia
Iraq	Somalia
Jordan	Sudan
Kiribati	Swaziland
Kuwait	Syria
Lebanon	Togo
Liberia	United Arab Emirates
Libya	

Overview of nationality laws

Middle East and North Africa

A great deal of progress has been achieved in recent years, with reforms in five States since 2004. However, twelve countries in the Middle East and North Africa (MENA) region do not yet grant equality to women with regard to the right to pass their nationality to their children.

The law in **Qatar** does not allow mothers to confer nationality on their children, without exception, even if this would result in statelessness. The law in **Kuwait** also allows only fathers to confer their nationality on their children in all circumstances. If a Kuwaiti mother has a child with a father who is unknown or whose paternity has not been established, the individual concerned may apply for Kuwaiti citizenship at majority. In such cases, nationality is granted by Decree based on the discretionary recommendation of the Minister of Interior. However, this is an extraordinary measure that occurs rarely in practice.

The nationality law of **Lebanon** also allows only Lebanese fathers to confer their nationality on their children in all circumstances. Women can only confer their citizenship if the child is born out of marriage and recognized while a minor by the Lebanese mother. The nationality laws of **Jordan**, **Libya**, **Saudi Arabia**, and the **United Arab Emirates** do not allow women nationals married to foreign nationals to pass their nationality to their children. However, they do permit women nationals to confer their nationality on their children in certain circumstances such as where fathers are unknown, stateless, of unknown nationality or do not establish filiation.

In **Iraq**, although the Iraqi Constitution of 2005 establishes gender equality by providing that nationality is acquired by descent from either men or women, Iraq's 2006 nationality law limits the ability of Iraqi women to confer nationality on children born outside the country. For such births, the child of an Iraqi mother may apply for Iraqi nationality within one year of reaching majority, providing that the child's father is unknown or stateless and the child is residing in Iraq at the time of the application.

In **Syria**, mothers can only confer nationality if the child was born in Syria and the father does not establish filiation in relation to the child. Syria has a safeguard in place to prevent statelessness among children born in the territory but is not clear that this is implemented in practice.