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IRB – Immigration and Refugee Board of Canada

China: Requirements and procedure to obtain a birth certificate; appearance and security features; administrative transactions that can be performed with a birth certificate (2017–October 2020) [CHN200327.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Birth Certificates

According to sources, China started to issue birth certificates in 1996 (Lecturer 24 Sept. 2020; Australia 3 Oct. 2019, para. 5.47). Australia's Department of Foreign Affairs and Trade (DFAT) reports that in 1996 China's Law on Maternal and Infant Health Care "introduced a nation-wide official birth certificate system" and that "[t]he Ministry of Public Health issues birth certificates through the hospital or facility where the child is born" (Australia 3 Oct. 2019, para. 5.47).

According to article 23 of the Law of the People's Republic of China on Maternal and Infant Health Care, "[m]edical and health institutions and midwives engaged in home delivery shall, as prescribed by the administrative department of public health under the State Council, issue uniformly prepared medical certificates for childbirths" (China 1994). A Chinese international lawyer and lecturer of law at Flinders University in Australia, in correspondence with the Research Directorate, stated that there are issues with the issuance of birth certificates; for example, "there could be irregularities in the process of obtaining a Medical Certificate of Birth and it is not unheard of that some hospitals/delegated institutions might not do their job for no reason even if all documents are provided" (Lecturer 24 Sept. 2020). Sources also report that single mothers may have difficulty obtaining birth certificates due to the ramifications of bearing children out of wedlock (Australia 3 Oct. 2019, para. 3.205), or not apply for one due to "cultural and social stigma" (Lecturer 24 Sept. 2020). According to Australia's DFAT, "[s]ingle mothers with children born out-of-[family-planning]-policy ... are still denied legal documents" and "[s]tate subsidies for maternal and child services are available only with the permission of family-planning authorities, who require proof of marriage" (Australia 3 Oct. 2019, para. 3.205).

2. Requirements and Procedure to Obtain a Birth Certificate

The Lecturer outlined the procedure to obtain a Medical Certificate of Birth, for a child born in a medical institution, as follows:

If a child is born in a hospital or a medical institution, a parent or their authorised person needs to go to the birth hospital/institution of the newborn to apply for a Medical Certificate of Birth. The following document/information is required to apply for a Medical Certificate of Birth:

1. Name of the newborn: once a name is printed on a certificate, it will be difficult to change;
2. Authorisation Letter, if someone who is not a parent is authorised to manage the application process;
3. Original and a copy of the ID cards of both parents and the authorised person;
4. Marriage Certificate of one parent or a single mother statement (if not married);
5. Application/registration form (出生医学证明自填单/登记表); and
6. 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) might be required by some hospitals. (Lecturer 24 Sept. 2020)

Sources report that in order to obtain a Medical Certificate of Birth for a child born outside a medical institution, documentation including parental identification and a statement of the parent-child relationship must be submitted to a county-level or higher health administrative department for review (HiTouch n.d.a; Lecturer 24 Sept. 2020). The Lecturer stated that "a DNA test report issued by an authorised institution" is also required in order to issue a Medical Certificate of Birth (Lecturer 24 Sept. 2020). The Lecturer further stated that

[t]he application should be made within a reasonable period of time (from two days to two months after the birth of the newborn). The hospital/delegated institution may require additional information if the application is made two months after the birth of the child.

...

Parents/Guardians should check the information in the Medical Certificate of Birth upon receipt of the document and may request amending relevant information if there is any mistake. Any request to make changes needs to be made timely. It can be very difficult, if not impossible, to make changes to a Medical Certificate of Birth. (Lecturer 24 Sept. 2020)

3. Appearance and Security Features

According to sources, the fifth and sixth editions of Chinese birth certificates include the following security features: a background image of the Great Wall of China, light variable ink, holographic aluminum stamping, microtext, rainbow printing and both optical and black and white watermarks (HiTouch n.d.a; Lecturer 24 Sept. 2020). A sample of a sixth edition Medical Certificate of Birth from the National Health Commission of China is attached to this Response.

Sources report that the sixth edition of the birth certificate, current as of 1 January 2019, is the same as the fifth edition, apart from name of the issuing authority changing to "National Health Commission of the People's Republic of China" [from "National Health and Family Planning Commission of the People's Republic of China" (Lecturer 24 Sept. 2020)] (China 25 Dec. 2018; Lecturer 24 Sept. 2020).

The Lecturer described the fifth version, in use from 1 January 2014 to 31 December 2018, of the birth certificate as the first to be printed on A4 size paper, to not have a hard cover and

[i]n terms of the content, the fifth version has added parents' information, including not only the ID number of parents, but their residential addresses. The fifth version has three parts: a front page (official page), a side page (duplicate) and a stub. The fifth version does not have a stamp of Ministry of Health (which was included in the fourth version), but on the back with 'Under Supervision of the National Health and Family Planning Commission of the People's Republic of China'. (Lecturer 24 Sept. 2020)

HiTouch Consulting (HiTouch), a Chinese consulting and business solutions provider (HiTouch n.d.b), describes the previous birth certificates as follows:

First Edition

Since January 1, 1996 (certain remote areas [were using it] from March 1st), it has been used. It was printed with special pattern watermark paper, the watermark pattern was the gear mark; under the ultraviolet light, it appeared the "Chinese maternal and child health" round mark. The secondary page was displayed, but the "Birth Number" that matched the front page was not printed.

Second Edition

It was put into use since January 1, 2000, a colorless fluorescent "five stars" anti-counterfeiting mark showed under the ultraviolet light was added to the upper right of the "Chinese maternal and child health" circular mark.

Certain texts of the first edition of the birth certificate were revised, and the English translation was changed from "Birth No." to "Birth Certificate No."; The English version of the "Birth Medical Certificate" on the right indicates that the lowercase "c" in "China" is changed to uppercase "C", and the "□" after "ID number" has been increased from the original 16 to 18. The secondary page is printed with a "Birth Certificate Number" that matches the front page.

Third Edition

It came out on January 1, 2003. On the basis of the original anti-counterfeiting printing technology, the watermark graphic was changed to the five stars of the gear center ring. One more page was added on the "Birth Certificate".

Fourth Edition

It was launched on December 1, 2004, an electronic watermark anti-counterfeiting barcode was added to the certificate. (HiTouch n.d.a)

For further information concerning the appearance and security features of birth certificates, see Response to Information Request CHN106035 of January 2018.

4. Administrative Transactions that Can Be Performed with a Birth Certificate

Information on administrative transactions that can be performed with a birth certificate was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

According to sources, a birth certificate is used to register for Hukou (household registration), social security,

medical services and education (HiTouch n.d.a; Lecturer 24 Sept. 2020).

Australia's DFAT report states that "[p]arents must register births in the police station of their hukou. Relevant branches of the Ministry of Public Security assess the issuing of hukou, and sources report that family planning records are the most important documents required for this purpose" (Australia 3 Oct. 2019, para. 5.47).

The Lecturer stated that "[i]t would be very difficult but theoretically possible to get household registration without a Medical Certificate of Birth" and that a medical birth certificate can be used to apply for a National ID Card (Lecturer 24 Sept. 2020). Additionally, sources report that a birth certificate can be used to apply for a Notarised Birth Certificate and Passport (Lecturer 24 Sept. 2020; US n.d.).

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.

References

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HiTouch Consulting (HiTouch). N.d.a. "[New Birth Certificate for Your Babies Has Come Out](#)." [Accessed 28 Sept. 2020]

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United States (US). N.d. Department of State, Bureau of Consular Affairs. "[China Reciprocity Schedule](#)." [Accessed 6 Oct. 2020]

Additional Sources Consulted

Oral sources: Associate professor of East Asian politics at a Canadian university; China-based American immigration lawyer; freelance China researcher; LawyersChina.net; lecturer in a Malaysian university who conducts research on comparative citizenship, migration, diaspora and deportation studies; director of Institute for Population and Development Studies at Xi'an Jiaotong University; professor at the Fairbank Center for Chinese Studies, Harvard University; regional country of origin information expert; US-based immigration attorney.

Internet sites, including: Chinalawinfo; China – State Council; Chodorow Law Offices; Denmark – Danish National ID Centre; ecoi.net; EdisonTD; EU – Public Register of Authentic Travel and Identity Documents Online (PRADO); European University Institute – Global Governance Programme; Institute on Statelessness and Inclusion; Keesing Technologies – Documentchecker; LawyersChina.net; Plan International; Security Document World; UN – International Labour Organization; Refworld, UNICEF; World Bank.

Attachment

China. 25 December 2018. General Office of the National Health Commission and General Office of the Ministry of Public Security. [Medical Certificate of Birth](#). Translated by the Translation Bureau, Public Services and Procurement Canada. [Accessed 28 Sept. 2020]

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