

Gender-Discriminatory Nationality Laws Add to Families' Suffering during COVID-19 Pandemic

As the world confronts the COVID-19 pandemic, nationality laws that discriminate on the basis of gender are exacerbating the hardships facing affected families and even causing family separation. From [Lebanon](#) to [Oman](#) to [Malaysia](#), coalition members¹ of the Global Campaign for Equal Nationality Rights have documented the cruel impact of gender-discriminatory nationality laws in the wake of COVID-19 and corresponding responses by national governments.

Today, [twenty-five](#) countries deny women equal rights with men to pass nationality to their own children. Approximately [fifty countries](#) deny women the same right as men to confer nationality on a non-citizen spouse. Because of this discrimination, the children and spouses of female citizens from affected countries often rely on visas simply to reside in their mother/spouse's country. In many of these countries, even children born and raised in their mother's country are considered foreigners and many are rendered [stateless](#) – having [no nationality at all](#).

With the widespread closing of borders to all but citizens in numerous countries across the globe, many families affected by gender-discriminatory nationality laws are facing family separation or the inability to return to their homeland. In [Lebanon](#), a mother fears for her son who was studying abroad and is now unable to return home to his family because his mother but not father is Lebanese. In [Malaysia](#) women lack the same right as men to pass nationality to children born abroad, so many female citizens working overseas – if they are aware of the law's discrimination – travel home to give birth in the country thereby securing citizenship for their child. However, the government is presently [only allowing non-citizen spouses and children of Malaysian women to enter the country if they have already obtained a Long-Term Social Visit Pass \(LTSVP\)](#). Many spouses and children of Malaysian women do not meet the LTSVP requirement. This means that some pregnant Malaysians who were outside the country when the government's Movement Control Order went into effect have to decide whether to return home and give birth without their foreign spouses in order to secure Malaysian nationality for their child at birth, or give birth abroad and face being unable to secure citizenship for their child for years, if at all:

"I was planning to give birth in Malaysia but because of the Coronavirus, travels are restricted. I might not have a choice to give birth in Malaysia, which is a pity for my baby. Because Malaysian women are not able to obtain automatic Malaysian citizenship (upon registration) for their own children, this is just getting more and more impossible." - [Malaysian woman overseas](#)

Families affected by gender-discriminatory nationality laws face other hardships that are now exacerbated by the pandemic. Non-citizen spouses and children of female citizens are often denied access to a range of social services, including healthcare. Though most countries have committed to offer healthcare to COVID-affected persons regardless of status, the economic relief funds being distributed to households in many countries, [including Jordan, will not be made available to the non-citizen members of women's families](#). Women's non-citizen spouses

¹ The following coalition members provided information to inform this statement: [Arab Women Organization](#) (Jordan); [Collective for Research and Training on Development-Action](#) (Lebanon); [Development of Human Resources for Rural Areas](#) (Malaysia); [Foreign Spouses Support Group](#) (Malaysia); [Institute on Statelessness and Inclusion](#); [Omani Association for Human Rights](#); [Solidarity Is Global Institute-Jordan](#); [Statelessness Network Asia Pacific](#).

and adult children often lack access to formal employment, meaning affected families already faced significant financial insecurity pre-COVID. The economic fallout from the pandemic will hit these and other marginalized groups especially hard.

Tragically, experts and the UN Secretary General have acknowledged increases in gender-based violence linked with stay at home orders. Gender-discriminatory nationality laws have only added to the hurdles faced by women trying to extract themselves from abusive relationships at this time. For example, though a Malaysian mother wants to leave her abusive partner and the heightened COVID threat she faces in her spouse's country, her children lack Malaysian citizenship so she is remaining overseas with her abusive spouse. Pre-COVID, a Jordanian mother was forced to provide for her entire family, as her husband and children lack citizenship and therefore access to formal employment due to the country's discriminatory nationality law. Now she is suffering increased violence from her husband because she cannot bring home her normal earnings during the COVID shutdown.

The COVID-19 virus is a natural disaster. But these additional hardships facing families affected by gender-discriminatory nationality laws are man-made, unjust, and unnecessary. To end this needless suffering, the Global Campaign for Equal Nationality Rights calls on governments where gender-discriminatory nationality laws persist to:

- **Ensure the spouses and children of women citizens are permitted to enter the country;**
- **Provide access to healthcare and COVID-related services and economic relief to the families of female citizens on an equal basis with families of male citizens;**
- **Enact reforms to uphold citizens' right to confer nationality on spouses and children and to acquire, change, and retain nationality on an equal basis regardless of gender.**