



Submission Identity Rights Working Group (IDRWG) for the OHCHR study on the impact of mental health challenges on the enjoyment of human rights by young people, pursuant to Human Rights Council resolution 57/30.

19 February 2026

INTRODUCTION

1. The IDRWG¹ welcomes the opportunity to provide inputs for the OHCHR study on the impact of mental health challenges on the enjoyment of human rights by young people, pursuant to Human Rights Council resolution 57/30.
2. The organizations within the IDRWG represent a wide range of civil society groups and UN agencies working on issues linked to preservation of identity including birth registration, nationality and/or family relations as established in Arts. 7-8 CRC. This submission examines the intersection between lack of these identity elements and impact on mental health.

Impact of belonging on mental health

3. Having an identity allows a child to belong. A child's development needs are closely linked to their identity including their cultural and community network, physical or emotional needs, physical and mental health considerations and educational needs.²
4. Not having a birth certificate means that the child is legally invisible. Not having a nationality leaves a child stateless and excluded from society.

Art. 7 CRC

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. 2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Art. 8 CRC

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference. 2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

¹ The Identity Rights Working Group (IDRWG) brings together more than 25 civil society organizations and international agencies working across the child protection and child rights landscape, united by a shared commitment to advance children's identity rights. Our members work in diverse contexts and are connected through the intersecting issues of the right to legal identity and nationality.

² UNHCR (2021) UNHCR Best Interests Procedure Guidelines <https://www.refworld.org/policy/opguidance/unhcr/2021/en/122648>

Not knowing family relations origins can limit the child's enjoyment of their family's "ethnic, religious, cultural and linguistic background"³ as well impact physical health.

5. Not having such essential elements of one's identity can have lifelong and inter-generational adverse consequences including on the child's mental health. Whenever a child is missing identity elements, States have an obligation to speedily re-establish them. A State's failure to preserve a child's identity and restore missing elements is a source of frustration affecting mental health.⁴

Impact of having a legal identity on mental health

6. A child's legal existence is first acknowledged through birth registration. A birth certificate provides proof of age. UNICEF notes that "in some places, children who are unable to prove their age are at greater risk of being forced into child marriage, child labour or recruitment by armed forces. They may become vulnerable to trafficking and illegal adoption. (...) In young adulthood, official identification is required for basic but critical transactions, like opening a bank account, registering to vote, receiving a passport, entering the job market, and buying or inheriting property. Economic opportunities are severely limited for those without a birth certificate – raising their risk of falling into, or remaining trapped in, poverty."⁵
7. Having a legal identity is an essential child protection measure, intrinsically promoting mental health and psychosocial wellbeing as it can safeguard from such risks and enables them to participate in society.

Impact of having a nationality on mental health

8. Developmental work by the European Network on Statelessness with its members has suggested that "experiences of intergenerational discrimination, marginalisation, and injustice, prolonged insecure residence and nationality status, feelings of being misunderstood, ignored or not belonging, complex migration journeys, and separation from family and community, are just some of the factors that can lead to or exacerbate mental and physical health challenges for stateless people."⁶
9. Similar findings on adverse impacts on mental health have been found among particular groups of stateless people and in other regions such as Kuwaiti Bidoon refugees living in the UK,⁷ people left stateless due to gender discriminatory citizenship laws in Malaysia,⁸ Rohingya refugees,⁹ ethnic minorities in Thailand,¹⁰ and people impacted by statelessness in South Africa.¹¹

"It is especially important that stateless persons and communities understand this big picture to make sure that nothing that is important to people with lived experience is missed. For effective results, you cannot work on statelessness from a legal perspective alone. Statelessness is also a mental health issue, it is a social issue, and everything needs to be considered in relation to one another to create a successful response."

Aleksandra Semeriak Gavrilienok (2023) [Interview with ENS](#)

³ Art.20(3) CRC

⁴ IDRWG (2024) Submission to the CRC Committee on upcoming General Comment 27 on access to justice and effective remedies https://www.child-identity.org/wp-content/uploads/2024/05/IDRWG_Submission_Access-to-justice-6-August-2024-EN.pdf

⁵ UNICEF (nd) Birth registration Without legal proof of identity, millions of children born today do not 'officially' exist. <https://www.unicef.org/protection/birth-registration>

⁶ European Network on Statelessness (2024) Briefing: Statelessness and mental health: What we know and what we don't (unpublished available on request)

⁷ Zard, S. (2024). Statelessness and Mental Health Experiences among Kuwaiti Bidoon People Living in the UK: An Interpretative Phenomenological Analysis. UCL (University College London).

⁸ Family Frontiers https://familyfrontiers.org/wp-content/uploads/2025/01/The-Lived-Experiences-of-Malaysian-Women-and-their-Children-Born-Outside-Malaysia-due-to-Malaysia_s-Unequal-Citizenship-Laws.pdf

⁹ Milton, A., Rahman, M., Hussain, S., Jindal, C., Choudhury, S., Akter, S., Ferdousi, S., Mouly, T., Hall, J., & Efid, J. (2017). Trapped in Statelessness: Rohingya Refugees in Bangladesh. *International Journal of Environmental Research and Public Health*, 14(8), Article 942. <https://doi.org/10.3390/ijerph14080942> and Riley, A., Varner, A., Ventevogel, P., Taimur Hasan, M. M., & Welton-Mitchell, C. (2017). Daily stressors, trauma exposure, and mental health among stateless Rohingya refugees in Bangladesh. *Transcultural Psychiatry*, 54(3), 304–331. <https://doi.org/10.1177/1363461517705571>

¹⁰ Herberholz, C. (2022). 'We are inferior, we have no rights': Statelessness and mental health among ethnic minorities in Northern Thailand. *SSM - Population Health*, 19, Article 101138. <https://doi.org/10.1016/j.ssmph.2022.101138>

¹¹ Warriall, A. and Chikadzill, V. (2022) Statelessness, Trauma and Mental Well-being: Implication for Practice, Research and Advocacy, *AHMR vol.8 n.3 Cape Town Sep./Dec. 2022* https://scielo.org.za/scielo.php?script=sci_arttext&pid=S2410-79722022000300002

Impact of having a full identity in family relations on mental health

10. A child's family including their connected identity in family relations contributes to their well-being, upbringing and development.¹² Having full information about one's family relations (genetic, gestational, social and legal) and origins can have positive effects on a child's development. UNHCR notes that *"the feeling of being wanted and valued is the basis for a healthy emotional life. Such feelings are rooted in family relations and broaden as a person matures into increasingly larger circles that encompass relatives, peers, the community and society. The need to feel valued grows into a need to belong to social groups and have a place in society."*¹³ When alternative care becomes necessary, extended family, kinship, and community-based care can contribute positively to children's mental health, noting the harm caused by institutionalisation.
11. While many children in street situations benefit from family tracing and reunification contributing to their mental health, we also recognise that this is not always in their best interests, for example, where there is a risk of violence, abuse, or neglect.
12. The mental health impact of not having full information about one's family relations and origins can be clearly seen in adoptees' lives. This can be compounded by the systemic illicit nature of adoptions and was the subject of a joint statement by relevant UN treaty bodies and special procedures.¹⁴ Emerging research shows that adoptees often face trauma that has led to their adoption which may contribute to mental health challenges,¹⁵ with disproportionately higher rates of suicide among adoptees, although further research is needed in this area.¹⁶
13. For children born through third party reproduction, missing information equally affects mental health. The Association Origines contends that *"knowledge of one's origins contributes to personal continuity, emotional stability, and the capacity to situate oneself within a family and a lineage. Conversely, the impossibility of accessing this information creates a persistent psychological void. Mental health professionals have long observed that such deprivation may generate anxiety, identity confusion, depressive symptoms, and difficulties in self-projection."*¹⁷

Impact of having a full identity and access to education

14. The impact of not having a legal identity and/or nationality can have massive ramifications on accessing other rights such as education. Indeed, many of these were outlined in IDRWG's submission for the first session of the Open-ended intergovernmental working group on an optional protocol to the Convention on the Rights of the Child concerning the right to education in May 2025, including testimonies of mental health issues that children face when excluded in this way.¹⁸

Recommendation

15. States should promote and protect the mental health and psychosocial wellbeing of every child by ensuring all elements of their full identity are protected. This includes legal identity (name and birth registration), nationality, and family relations; and where these elements may be unfulfilled or partially realised, that States are held to account, and made to speedily re-establish them in accordance with principles of the best interests of the child, and in line with their obligations under the Convention on the Rights of the Child.

¹² Art. 18(1) CRC

¹³ UNHCR (2021) UNHCR Best Interests Procedure Guidelines <https://www.refworld.org/policy/opguidance/unhcr/2021/en/122648>

¹⁴ https://www.ohchr.org/sites/default/files/documents/hrbodies/ced/2022-09-29/JointstatementICA_HR_28September2022.pdf

¹⁵ See list of research on trauma in adoptions on Intercountry Adoptee Voices website <https://intercountryadopteevoices.com/post-adoption-support/trauma/>

¹⁶ See available statistics in Gustafsson, R. and Fronek, P. (2021) Intercountry Adoption And Suicide In Australia: A Scoping Review <https://www.dss.gov.au/system/files/resources/intercountry-adoption-and-suicide-australia-scoping-review.pdf> and

¹⁷ Kermalvezen, A. (2026) Lifelong Mental Health Impact of Being Deprived of a Complete Identity <https://associationorigines.com/>

¹⁸ https://www.child-identity.org/wp-content/uploads/2025/05/IDRWG_OHCHR-Submission.Final_.pdf