THE RARE CASE WHEN A WOMAN GIVES BIRTH IN FLIGHT

News / Airlines

What happens to a baby if it's born 35,000 feet in the air over the Pacific Ocean? Well, the answer isn't so cut and dry. In fact, there isn't even an answer that applies to every birth that happens in the skies.

Most airlines set restrictions about how late into a pregnancy a woman is allowed to travel. Southwest Airlines recommends against air travel beginning the 38th week of pregnancy. American Airlines says that if the due date is within 30 days of flying, there must be a doctor's note stating the passenger is fit to fly. JetBlue states pregnant passengers expecting to deliver within seven days need a doctor's certificate saying the passenger is fit to fly. United Airlines states that passengers traveling during the ninth month of pregnancy must show the original and two copies of an obstetrician's certificate dated within 72-hours of the departure, while Delta does not restrict flying for pregnant women at all, so no certificate is required to travel.

In case of an in-flight birth, it's up to the crew to determine if the plane needs to make an emergency landing.

In the rare instance when a pregnant passenger does board — with or without a doctor's certificate — and gives birth while the plane is in the air, there isn't much the crew can do. Flight attendants are not trained to deliver babies so if a woman goes into labor, the first step is usually to consult with the passengers in hopes that there are medical professionals on board. The crew examines each instance on a case-by-case basis to determine if an emergency landing is necessary or if the birth can take place and the flight can continue as planned.

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Let’s say the baby is delivered on board with no issues. Everyone is happy and a healthy baby is now in its mother’s arms — yay! But then the questions begin: What is the baby’s citizenship? Is it that of the mother’s or the same as the airline’s? Or does the baby become a citizen of the country the plane happened to be flying over at the time of its birth? Unfortunately, those answers aren’t so clear and can vary from case to case as there is nothing set-in-stone, although most countries do have a jus sanguinis principle that gives the baby the same citizenship as its parents.

Other circumstances can also play a role. The status of the baby’s citizenship also depends on the location of the aircraft when the baby is delivered. Generally, if the baby is born over the ocean — not that far of a shot considering that oceans cover 71 percent of the earth’s surface — there are a number of possibilities. The first is that the baby is a citizen of the country that the aircraft is registered in, so if the aircraft is registered in Norway, the baby could be Norwegian. The second possibility is that the baby takes the mother’s citizenship, so if the mother is Italian, the baby could also be Italian.

The baby's citizenship partially depends whether the baby is born over water or land.

As for births that occur over land, there are different possibilities for the baby’s citizenship in addition to the jus sanguinis principle. According to an NPR article, many nations have made broad claims about how much airspace they own above their respective borders — some say their territory extends 43 miles up while others say it extends 99 miles up. Some countries grant citizenship to flyover babies (meaning babies born in their airspace) while others don’t.

The US, for example, grants citizenship to babies born in its airspace even if the newborn has foreign parents, so long as the birth takes place in US airspace or waters. Other countries do not — a baby born in British airspace, for example, is not granted UK citizenship.

In 2015, there was outrage in Taiwan after a Taiwanese woman who was late in her pregnancy (past China Airlines’ pregnancy restriction of 32 weeks) lied about it and boarded a flight bound for Los Angeles. The plane was later diverted to Alaska, where the baby was then born in the US and therefore granted US citizenship. The mother has since faced backlash in her home country because of her dishonesty when boarding the plane and what her motivations were for doing so in the first place.

Virgin Atlantic gave an in-flight baby free flights until the age of 21.

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There’s also a rumor that babies born on planes will receive free flights for life, but unfortunately for them, it doesn’t seem to be true in all instances. Of the children who were born in the air, very few are known to have received free flights for life. The only airlines known to have given this privilege to children born in their metal are Thai Airways, Asia Pacific Airlines, AirAsia and Polar Airlines. In one case, Virgin Atlantic granted an in-flight baby free flights until the age of 21.

Although it’s probably not the ideal situation for most expecting mothers, sometimes in-flight births do happen. At the end of the day, there’s always the possibility that a sky-born child will someday return to his or her roots by becoming a flight attendant.

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