

Universal birth registration



Adam Hinton



Liba Taylor

**Permanent proof
of identity in
a turbulent world**



Adam Hinton

Introduction

Every child should be registered at birth. It is estimated that, each year, the births of over 48 million children are not registered¹. Although the vast majority of unregistered children live in developing countries, the issue of unregistered children is a global problem.

So why do 48 million children remain unregistered every year?

Poor nation states often lack the resources and the political will to fulfil their responsibility to ensure that every child is registered after birth.

Parents are forced to travel long distances to a major city because civil registries are often centralised. Also, because the birth registration process is usually initiated in hospital, babies born at home are less likely to be registered.

Other factors that prevent registration include mistrust of authorities due to the fear of discrimination or persecution and cultural practices that conflict with birth registration systems.

Furthermore, where the child survival rate is low, parents may be reluctant to register their child because they do not want to incur the cost of doing so.

Other, informal ways for providing proof of identity do exist. For example, parents can produce vaccination cards and even horoscopes to prove the name and age of their child. However, a birth certificate is better than these other methods. It provides legal proof of identity right from the start.

“None among my seven brothers and sisters have a birth certificate; our parents decided to register our births only when we will be about 10 years old, as they do not want to waste time in declaring births of babies who might die at any moment.”

A child who took part in a Plan Cameroon consultation for a birth registration campaign.

Why is birth registration important?

A rights issue

Birth registration is a key event in a child's life. This is because it provides legal proof of the identity of the child. Unregistered children find it more difficult to access the rights and privileges to which they are entitled.

● Education for all

Education is the key that unlocks the door to many of life's opportunities, but in some parts of the world, it is a legal requirement to produce a birth certificate in order to enroll in school. This has a negative effect if birth registration is not universally accessible.

In Nepal, birth registration coverage is just 34 per cent². However, the Nepalese Ministry of Education instructs District Education Offices that a birth certificate is mandatory for admitting a child to school. According to research undertaken for Plan Nepal, this action has become a barrier to school attendance. Although there are cases where school principals do not follow the government's instructions and allow children without a birth certificate to attend school, they are not officially registered as a student. As such, they are unable to access the free course books provided to registered children. Nor do they receive a registration number which means they are unable to sit for examinations or enter into higher education.

Many countries specify an age for compulsory education in their national legislation, but this cannot be effectively implemented if parents and the state do not know how old a child is. This means that children of extremely varied ages and levels of ability may be put in the same class – a situation that can make the learning environment ineffective.

A survey of children in rural schools produced for Plan Ghana found that many children – even literate ones – freely admitted that they did not know their own age. Eighty per cent of those who did give their age were found to be incorrect when their answer was compared to the date of birth given in the school register (which also tended to be hugely incomplete). In the case of one boy who gave his age as 10 years old it emerged, after lengthy investigation, that he was actually 17 years old.

● Child soldiers

As many children are unable to legally prove that they are too young to work or serve in the military, the Optional Protocol to the United Nations Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (which raised the age limit for the recruitment and deployment of soldiers from 15 to 18 years) cannot be enforced.

In addition, unregistered children rescued from their situation of exploitation as child soldiers are likely to find that their repatriation and reintegration into society problematic. This is often because they lack any legal document proving their age, family links or country and place of birth.

² UNICEF (2004)

At the 2004 First West and Central Africa Birth Registration Conference organised by Plan/UNICEF/ UNFPA, a child delegate from Sierra Leone, representing the African Movement for Working Children and Youth, talked about the experience of an ex child-combatant who had asked for help in gaining a birth certificate so that he could enter school. The movement managed to trace his background. Though they were not able to find out his actual birth date, they were able to establish his likely age and a birth certificate was made based on this information and the ex child-combatant was accepted into school.

● A ticket to good health

Every year, millions of children die of preventable diseases before reaching the age of five. Ineffective systems of birth registration play a role in this crisis since some countries do not give unregistered children access to health care services or insist that they pay more than the registered child. In countries such as Kenya and Thailand, a child without proof of identity is also denied access to free or subsidised vaccination programs.

In Nicaragua, Plan works with a local organisation which brings local government authorities and communities together in order to increase the number of children registered at birth. During vaccination campaigns the municipality now accompanies health unit teams on their visits to communities where they set up a mobile registration desk. Mothers bringing their children for vaccination are therefore also able to register the birth of their children.

● Juveniles need justice

Children are entitled to receive special legal protection in the justice system. This includes being held separately from adults and immunity from capital punishment. A birth certificate may provide children under arrest with some protection against prosecution as an adult by providing proof of age.

At the 2003 Third Asia Regional Conference on Birth Registration organised by Plan and UNICEF, an example was given of a child sentenced to the death penalty. His lawyers attempted to get relief for him under the Convention on the Rights of the Child. However, because he did not have a birth certificate he could not prove his exact date of birth.

● In times of crisis

Without a birth certificate, children find it difficult to prove to officials they are eligible for assistance at times of personal and national crisis. Without identity papers, children and their families may experience problems such as qualifying for food aid and refugee status.

Children displaced by conflict and born in refugee camps across national borders are also vulnerable since receiving states may refuse to recognise and register their births. This means that they become 'stateless children' and may have difficulty claiming their right of residence when returning to their home country.

Furthermore, children lost or abandoned in such upheavals and who lack papers cannot easily be legally adopted. As a consequence they may end up living in institutions or on the streets.

● In the firing line

During conflict and in times of civil unrest, the probability of having a birth, name and nationality registered is particularly low; systems of birth registration collapse and existing identification papers are misplaced or destroyed. As a result, adults and children become officially 'lost' and unaccounted for by the government system.

Plan Nepal has found that conflict is hindering birth registration efforts because many of the officials in Village Development Committees have left their posts to move to safer areas. As a result, villagers have to go to the District level in order to register births which is both time consuming and expensive.



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● No to early marriage

Early marriage is determined as marriage below the legal minimum age which, in many countries, is 18 years old. Registering girls at birth can help protect them from this. The absence of a birth certificate makes it difficult for law enforcement personnel to verify the age of the girls concerned.

In Bangladesh, marriage of a child under 18 is prohibited by law. However, a mere declaration regarding the age of the bride is enough for marriage registration. The incidence of early marriage could be reduced if all marriage registrars asked for birth certificates and proof of age. With this in mind, the government bodies in Gazipur, Dinajpur and Nilphamari, supported by Plan and working with the Bangladesh National Women Lawyers Organisation, arranged a one day workshop with 60 marriage registrars. At the end of the orientation the participants came up with an action plan on how to use birth certificates to reduce early marriage.

● Child trafficking

The lack of a legal status and identity means that children may be more prone to being trafficked. The absence of a birth certificate can also hinder repatriation efforts.

Plan Togo is working with communities, local organisations and the government on child trafficking. Part of their strategy involves the promotion of birth certificates. This is because very young people who are trafficked often forget who their parents are.

● Stopping hazardous child labour

Birth registration can play an important role in combating hazardous child labour. Government agencies acting to eliminate exploitation will find it difficult to enforce the International Labour Organisation's (ILO) minimum working age regulation without being able to easily confirm the age of the child concerned. Similarly, without proof of age, it will also be difficult to prosecute the child's employers.

Recent research conducted for Plan Ghana found that children below the age of 16 are working full time in hazardous circumstances on cocoa farms. In order to stamp out this practice, Ghana's government is trying to prosecute cocoa farmers engaging in these exploitative practices. However, in order to prosecute they need to know the child's age. The absence of a birth certificate makes this very difficult.



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● As children grow up

Unregistered children may face continuing problems as they grow up. The lack of a birth certificate may make it difficult to get work, obtain credit and inherit property. They may also be denied welfare support and the right to vote.

In Uganda, where women and young children have traditionally not owned property, Plan is working in partnership with the Federation of Women Lawyers (FIDA) to provide legal aid and assistance to widows and AIDS orphans. Plan and FIDA work to reduce incidences of property grabbing and increase levels of birth registration

by conducting legal awareness seminars and improving understanding of laws related to inheritance, marriage and property among men, women and children. Community volunteers support these efforts by attending training sessions and conducting further awareness raising activities in the community.

Data Collection for Planning

The importance of birth registration also goes beyond the individual child. It is a critical element of civil registration systems which provide information on vital events including live birth, death and foetal death.

Birth registration data can play an important role in the planning of a country's economic and social development by helping to identify geographic, social, economic and gender disparities within national boundaries. This improves a state's ability to plan, implement, monitor, evaluate and report on the impact of its social and economic policies.

A registrar in the rural city of Chinandega, Nicaragua tells Plan about difficulties in providing welfare organisations with accurate population data:

"Many organisations visit to help us, but they ask for assessments about how big our population is and its different age groups, and we can't answer because the Supreme Electoral Council's census is insufficient. We know that we have a high number of unregistered people."

● Monitoring the Fourth Millennium Development Goal

As part of effective civil registration systems, improved rates of birth registration in all countries will assist the international community in monitoring progress towards the Millennium Development Goal of reducing under-five mortality by two-thirds by 2015.



Caroline Irby

“The child shall be registered immediately after birth and shall have the right from birth to a name [and] the right to acquire a nationality”

Article 7 of the United Nations Convention on the Rights of the Child (CRC)

Plan's response

192 countries have now ratified the Convention on the Rights of the Child (CRC). Despite the legal duty that this places on them to register each child at birth, millions remain unregistered.

With the launch of its first ever global advocacy campaign, Plan is now calling on all governments to accept their responsibilities under the Convention and actively promote the issue of birth registration.

Plan is already working with governments in over 40 countries worldwide to increase levels of child registration. Much has already been achieved.

- 1998 saw Plan Asia set up the Unregistered Children Project (UCP). Two important regional conferences on birth registration followed
- Successful lobbying by Plan and other NGOs resulted in birth registration receiving priority in the Action Plan from the 2002 UN General Assembly Special Session on Children (UNGASS) – a remarkable achievement as this issue was not even mentioned in the 1990 World Summit for Children
- In Indonesia, Plan has helped draft a new civil registration law in relation to birth registration and developed a new training manual for civil registrars
- In Cameroon, Plan ran a Birth Registration Stakeholders' Workshop which resulted in a National Action Plan to coordinate future birth registration activities

Plan's work focuses on the poorest children in areas that have the most serious birth registration problems. An integral part of our approach is the meaningful participation of children themselves in promoting birth registration.

Children are often the best advocates of all, persuading their parents and the wider community to register new babies and older children who do not have birth certificates. They can also have a direct impact on policy decisions at the national and international level.

Plan is now committed to expanding its birth registration activities to cover the Americas as well as Asia and Africa. Achieving universal birth registration is the organisation's goal. It is possible, but it is a universal responsibility.

To find out what you can do to help Plan achieve universal birth registration and to read more about the campaign go to:

www.writemedown.org

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