CIVIL REGISTRATION, VITAL STATISTICS & GOOD GOVERNANCE

What do we learn from international experiences?

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Two questions for our consideration today

• What are the major challenges to improving Civil Registration and Vital Statistics in India?

• What are the opportunities that are afforded by the revision of the Birth and Death Act, 1969
Birth Registration

- Institutional: 93.7%
- 15 States/UTs: 100%
- 10 out of 19 major States: >90%
- Registration: 83.6%
- Excluding UP, Bihar: 93.7%
Death Registration

- Institutional: 42.4%
- 7 States/UTs: 100%
- 5 out of 19 Major States: >90%
- Registration: 67.4%
- Excluding UP, Bihar: 71.8%
A quick overview

CONCEPTS & INTERNATIONAL STANDARDS
Civil registration system

• Civil registration is the **continuous, permanent, compulsory** and **universal** recording of the occurrence and characteristics of vital events.

• Civil registration is carried out primarily for the purpose of establishing the legal documents provided for by law.

• Civil registration records provide the most effective and efficient source of vital statistics for the whole population.
3 Functions of a Civil Registration System

- Legal
- Admin
- Stats
Birth Registration outputs

**Legal**: proving and in establishing, implementing and realizing human rights embodied in international declarations and conventions.

**Birth register**

- Basic official document recording the fact of birth of a child, its date and place of birth. It also records the name of the biological parents.
- Complementary events recorded in the same register – like adoption, change of name etc.
- Required for resolution of judicial disputes

**Birth certificate**

- True extract of the register
Birth Registration outputs

**Administrative –**
information compiled using the registration method provides essential data for national or regional planning in health, education and other sectors; for electoral registers.

Birth registration records can be the starting point for identifying population needing intervention at individual basis such as
- Infants needing immunizations or health care
- New mothers requiring post partum care

Birth event records (or certificates) can be (and necessarily needs to be) linked to national id database
Birth Registration outputs

**Statistical**
- provides statistical data for planning, administration and research at whatever geographic or administrative level

- Basic data on number of births (by place of occurrence and place of usual residence of mother)
- Data on fertility indicators by various characteristics (for example order of birth by age of mother at birth)
- Data on characteristics of birth (for example birth weight)

Only source that provides data on a continuous basis at the lowest geographical level
The vital statistics system

- The vital statistics system compiles, analyzes and dissemination the aggregated information from the individual civil registration records.
- The vital statistics system components are:
  - (a) legal registration,
  - (2) statistical reporting, and
  - (3) collection, compilation and dissemination of statistics pertaining to vital events.
Characteristics of Civil Registration Systems

• Legal framework
• Full coverage of population
• Continuous and permanent
• Confidentiality of personal information
Legal function

• Most important benefit (both for individuals and governments):
  – Recognition of the person’s existence under law
  – Issuance of a legal document that serves as proof of age, place of birth, parentage, family ties and relationships

• Birth registration records are the basis for:
  – Determination of nationality
  – Issuance of ID documents like National ID
  – For obtaining travel documents
Characteristics

• Legal Framework
  – Primary objective of civil registration
    • Obtain legal documents required by law
  – Legal requirements of ideal civil registration system
    • Registration of all vital events
    • Identify agency authorized to register vital events
    • Specify time period for registration of records
    • Penalties for failure to comply with law
    • Compilation or publication of vital statistics
International Law

Translation of international law to national legislation

– International Convention on Civil and Political Rights
– Convention on the Rights of the Child
– Convention on the reduction of Statelessness 1961
– Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage – regarding registration of marriages
CRC Concluding Observations

On the combined third and fourth periodic report of India on 13\textsuperscript{th} June, 2014:

• 39. The Committee expresses its concern at the low level of birth registration in general as well as at disparities in the rates of birth registration across the territory of the State party and the insufficient awareness among the relevant authorities and the population regarding the importance of universal birth registration. It is also concerned at the discordance between the rate of birth registration and the issuance of birth certificates.
Consistency with existing laws in the country

• Constitution – Vision, Rights, Sovereignty
• Nationality law
• Family law, Children’s Acts
  – Juvenile Justice
  – Gender discrimination – (women unable to pass on nationality to children)
  – Birth registration to be done before National ID issued
Consistency with other laws

• Electoral law – voters identified through civil registration
• Civil registration law (a few additional points)
  – Avoid stigmatization and discrimination
  – Legal status: refugees, migrants...etc
  – Protection of privacy
  – Use of technology
Characteristics

• Full Coverage of Population
  – Ideally should cover entire country
    • Not always possible due to economic or cultural conditions
    • May only cover certain states or provinces
  – Cover all segments of population
    • Homeless, street children
  – May not include all types of vital events
    • Priority to births and deaths
Characteristics

• Continuous and Permanent
  – Vital records
    • New records continually added
    • Must be preserved
    • Available when needed
Characteristics

- Confidentiality of Personal Information
  - Some details on individuals may be very personal
  - Individual information
    - Ideally should be confidential
      - May improve reporting
      - May improve accuracy
    - No restrictions in some countries
      - Vital records open to public inspection
Global Commonalities

CHALLENGES OF INTER-LINKAGES & COORDINATION
Birth and death at home, unattended by health worker

Birth and death in a health facility, or attended by a health worker

Civil Register

Events reporting

Cause of death reporting

Vital events data

National Statistics Office: Vital Statistics

Produces: Fertility, mortality, inter-census population estimates

Issues: Certificates of births, deaths, marriages etc. as proof of age, place, date of occurrence, legal relationships

Linkages between Civil Registration, National ID, Population Register and Vital Statistics Systems

National ID Data Base (ID from eligible age)

Issues: Passport, Voter ID, Nationality Certificate/ID, Driving license

Demographic data, Personal Identity Verification

National Population Register

Citizen data

Address/ Migration data
National level architecture: why coordination is so important

Cross-sectoral collaboration is essential but generally weak.
Vital statistics system
A Case Study

COMPREHENSIVE ASSESSMENT CRVS IN AFRICAN COUNTRIES
Second Ministerial meeting on Civil Registration and Vital Statistics
Durban, South Africa Sep 3-7, 2012
Background

• First meeting of Ministers in charge of Civil Registration held in Addis Ababa, Aug. 2010
• Provided opportunity to review commitments made in 2010; strengthen new partnerships (Ministers of Health attended for first time), broaden focus beyond vital statistics – covering governance, human rights, equity.
• Attended by Ministers, heads of CR and VS offices, experts, academics, UN agencies – over 500 people from 35 countries all over Africa
Main themes

• CRVS and the African Integration Agenda
  – Linkage of CRVS to the 3 pillars of the Agenda – Political & Governance; Economic and Cultural & Political.

• Review of progress in decisions made in 2010
  – Declaration and Medium Term Plan of Action
  – Analysis of responses to questionnaires (45 out of 54 countries responded)
Themes ....

• Country Case Studies
  – Health Sector partnerships; links with National ID; Application of IT; Monitoring CRVS; Service delivery.

• External Experiences and Resource Mobilization
  – Inter American Development Bank experiences; Private Sector partnerships; African Development Bank perspectives.
Key conclusions and recommendations

• Develop costed national plans of action based on comprehensive assessment with support of Secretariat. To be linked to broader national planning framework.
• Formulate law and policy for ensuring timely and compulsory registration of vital events
• Adopt appropriate technologies for scaling up registration, ensuring integrity and security of records.
Conclusions ........

• Allocate adequate human and financial resources; develop results based M & E systems and tools to monitor CRVS and report progress.

• Invite Independent Expert Group on Information and Accountability for Women and Children’s Health to participate in the APAI-CRVS (Africa Programme on Accelerated Improvement of Civil Registration & Vital Stats)
Case Study

COMPREHENSIVE ASSESSMENT & STRATEGIC PLAN IN NAMIBIA
Observations of the Committee on the Rights of the Child (Namibia; 2012)

• Only two thirds of children under 5 have birth certificates
• Registration levels low in rural areas, particularly in Kavengo and Caprivi Regions
• Legal framework restrictive – creating obstacles to parents who need to produce civil documentation for registration of births
• Difficulties faced by refugees to register names of children (restrictions of movement in Osiri refugee settlement)
• Silence on grant of citizenship to children found in Namibia whose parents are unknown
Milestones in Namibia...
(July – October, 2014)

• Task Teams drawn from all Ministries

• Four Theme Teams
  
  Participation of UN Agencies – WHO; UNHCR; UNFPA; UNICEF.

• Orientation & Training Workshop for task teams
  – International Standards, Adapting Assessment Tool to country conditions,

• Four Regions – drawn from each Thematic Team

• Compiling Assessment Report

• Producing the Strategic Plan.
Major findings and recommendations..

• Birth – 89.3%; Death – 88.5%  (Census 2011)

• Law and Policy
  – Alignment with international standards;; fixing loop holes – ban on registration of births without names; production of vital statistics from civil registration;

• Management and Ops
  – Distance and cost barriers to registration; inter-operability of data bases; addressing cultural barriers; services for hard to reach; discouraging late registration
Findings and Recommendations

• Advocacy and Communication:
  – Increase timely registration: Continue the work with Health for ANC messaging on importance of registration; outreach through churches and community leaders; link incentives through social protection

• Resources
  – Offices to have adequate staffing levels; manuals and guidelines including for pastors and marriage officers; training for marriage officers; strong rooms, office space, furniture.
Findings and Recommendations ..Contd. 2..

• ICT
  – Linking systems to communicate with each other – interoperability; increase bandwidth of internet connections; establish a mobile birth and death notification;

• Vital Statistics
  – Ensure data captured for VS meets international standards; share aggregate data with researchers; release CR data on timely and regular basis; ensure private health facilities periodically transmit their data
PROFILE OF A POORLY PERFORMING REGION

Kavengo
% registered before the age of 1
(in different Regions of Namibia)

Kavango Region
Marital Status of Parents

- Never married (Don't stays with their spouse)
- Married Traditionally/Married with Certificate/Consensual Union
- Widowed

Timely registrations
Late registrations
Household Income per Month

- No Income
- 1-400
- 401-800
- 801-1600
- 1601-3200
- 3201-6400
- 6401 or more

Timely registrations
Late registrations
Educational levels
Media Through Information on BR was obtained
Reasons for registering

- Medical Aid: 14% (Timely), 7% (Late)
- Child identity/Nationality/Law: 83% (Timely), 16% (Late)
- Grand Registration: 2% (Timely), 22% (Late)
- Requirement for school: 52% (Timely), 1% (Late)
Example from Tanzania

REVIEWING THE BUSINESS PROCESSES
Current Business Process in Tanzania

1. Birth & Death at Hospitals/Health Facilities
   - Notification
   - District Office (DC – DAS)
     - Registration Certification
     - Payment
     - Letter
       - Ward Executive Officer
2. Birth & Death at Homes
   - Supporting Docs
3. Quarterly Reports
   - RITA HQ DAR
Revised Business Processes

Birth at Hospitals/Health Facilities
Births at Home (regardless of age)

Data transmission thru phone

Health Facility
Registration Hand Written Birth Certificate

District Council
Electronic Birth Certificate

Regional Office (RITA)
Scanned Registers

RITA HQ DAR

Birth at Homes (regardless of age)

Ward Executive Officer
Registration Hand Written Birth Certificate

Hard Copy of Registers
BUILDING THE STRATEGIC PLAN FOR CRVS
IMPROVED QUALITY OF LIFE REALIZATION OF HUMAN & CIVIL RIGHTS & NATIONAL SECURITY

IMPROVED GOVERNANCE

THEME D: STRENGTHEN IDENTITY & RIGHTS

THEME E: CREATE USEFUL VITAL STATISTICS

THEME C: IMPROVE CIVIL REGISTRATION DATA

THEME B: IMPROVE EFFICIENCY

THEME A: LAY THE FOUNDATION
For costing; assigning responsibilities; for monitoring progress

BALANCED SCORE CARD
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<th>Objective</th>
<th>Target</th>
<th>Initiatives</th>
<th>CP</th>
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<td>C3. Improved Timely Birth &amp; Death Registration</td>
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<td>1. Improve supervision at all CR points; ensuring all demographic variables correctly captured, incl. addresses</td>
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<td>3. Address cultural barriers to registration, incl. delayed name giving, relocations, mother’s surname, uncertain or absent father</td>
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<td>5. Enable issuing of ID numbers at birth</td>
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<td>6. Capture backlog of B&amp;D registrations</td>
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<td>7. Involve traditional leaders to do birth notifications</td>
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<td>8. Ensure Death registrations are only done by means of MCCD issued by medical officer</td>
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<td>9. Prevent burials without death certificates by means of training community leaders and pastors; traditional leaders/council to notify and later register</td>
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<td>10. Enable bodies to be registered; Handling of corps at Mortuary; removal to cemetery …</td>
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**NAMIBIA CRVS SYSTEM TOTAL STRATEGIC BUDGET**

**Financial years**
legal identity as the first target in its goal to “Ensure Good Governance and Effective Institutions.” The target called for “free and universal legal identity, such as birth registrations.”

“no person – regardless of ethnic, gender, geography, disability, race or other status – is denied universal human rights and basic economic opportunities”
16.9 “by 2030 provide legal identity for all including birth registration”

17.18 by 2020, enhance capacity building support to developing countries, including for LDCs and SIDS, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.
And funding opportunities..


Propose to raise USD 3.5 billion
For the Future

• A special push in the low performing States – UP and Bihar?
  – Need for Political Commitment
  – Would a Comprehensive Assessment type of intervention work in India?

• A stronger partnership with Health?
  – Linking with Post- MDG agenda
  – Improving quality of Statistical Outputs
What are vital events?

- Vital events refer to events concerning life and death of individuals, as well as their family and civil status.
  - Live births
  - Deaths – causes of death
  - Foetal deaths
  - Marriage
  - Divorce
  - Annulment
  - Separation, judicial
  - Adoption
  - Legitimation
  - Recognitions
Survival and development (access to services)

- Birth registration vital for infant health service planning, maternal reproductive health planning, immunisation, malaria and neonatal HIV services, and so forth – all concretised in treaties such as CRC
Non-discrimination

• Lack of registration violates non-discrimination principle – creates different classes of citizens as the UN HRC emphasizes
• Especially if typified by exclusion of certain ethnic or marginal groups (nomads, persons with disabilities, rural dwellers, children with disabilities)
• No discrimination should be permitted between children born in and out of wedlock, or any other ground pertaining to parent’s status
Right to identity

• Irrespective if whether state grants nationality;
• Therefore migrant/refugee/non-national children must still enjoy birth registration rights, and states cannot avoid this obligation by providing systems only for nationals and citizens
• Question of registration of name of father if unwed mother: positive obligation to know both parents in CRC (article 7).
Early childhood development

• See CRC Committee General Comment no 7: very youngest children must be respected as persons in own right: requires acknowledgement of their personhood via registration

• Young children may be denied basic health and social services through non-registration – as ECD is a priority area, birth registration as young as possible should be goal (can’t wait for primary school for registration)
Harmful cultural practice (including early marriage)

- Birth registration is frontline tool in combatting of early marriage, since parents and care-givers cannot inflate age to disguise child marriage.
- Links to other harmful practices: eg Virginity testing, traditional male circumcision and forced begging.
- Birth registration makes concealment of PWD more difficult.
Child rights in juvenile justice

• Impossible to implement an effective rights-based juvenile justice system without effective proof of age:
  • (1) cannot ensure application of juvenile justice principles and objectives to all persons under 18
  • (2) cannot exclude adults, which discredits special processes and *fora* for children in conflict, and risks flooding separate institutions with non-qualifying older adults
Child rights in juvenile justice

• 3) cannot ensure that sentencing practice takes account of age and youthfulness, eg alternative sentences applicable or allow a discount in sentences involving deprivation of liberty

• 4) cannot ensure prohibitions on life imprisonment and death penalty for persons below 18 upheld
Implementing FPE has been hindered by govt's inability to conduct proper planning - for teachers, classrooms, books and learning materials
Intercountry adoption

- Effective Birth registration system with integrity is a critical tool to combat illicit and unethical practice in intercountry adoption
- Forged documents prevail, and mask a child’s ineligibility for adoption
- Also existing family ties can be concealed
- BR facilitates knowledge of the child’s family, including broader kinship circle, which can promote domestic solutions
- Death registration and registration of marriages also critical
Child labour

- child labour, including in its most exploitative forms such as servitude, sale of children and slavery, proliferate in systems where children are both unregistered and their ages are unknown.
- ILO Worst Forms of Child Labour Convention
- A minimum age of admission to employment is pointless if proof of age does not exist – it cannot be enforced, even with the best intentions
Protection against sexual exploitation

• All countries set a minimum age for sexual debut, and provide for ages below which children cannot legally consent to sexual intercourse
• This is part and parcel of the mandate to protect the young from rape, sexual abuse and exploitation, AND from enticement and defilement
• Real protection is elusive in the absence of certainty about age, be it 12, 16, 18 or anywhere in between
• Cannot pursue criminal prosecutions against perpetrators – allows sexual violence against girl children to proliferate