



# PROOF OF BIRTH

Published in *Proof of Birth* in 2015 by Future Leaders ([www.futureleaders.com.au](http://www.futureleaders.com.au))

## CHAPTER 10

# A planned approach to universal birth registration

Jack Regester

UNICEF<sup>1</sup> estimates that every year, around 57 million births go unregistered.<sup>2</sup> For over 60 years, UNICEF has been conducting programs to improve the rates of birth registration. This work has involved implementing programs in 75 countries and advocacy to governments in many more.

Despite the fact that the number of births that go unregistered around the world, every year, is increasing, many developing countries, such as Bosnia and Herzegovina, Cuba, Ukraine and Uzbekistan, have achieved universal rates of registration.

As enshrined in the Convention on the Rights of the Child (CRC), every child has a right to a name and a nationality.<sup>3</sup> The International Covenant on Civil and Political Rights (ICCPR) and the CRC require registration

‘immediately’ after birth.<sup>4</sup> As well as being a right in itself, birth registration provides the foundation for the protection and enjoyment of many of a child’s civil, political, economic, social and cultural rights. Birth registration is the first right of a child and their passport to protection throughout their life.<sup>5</sup>

The Committee on the Rights of the Child (the Committee) has recognised that universal birth registration has not been achieved in Australia, commenting:

The Committee urges the State party to review its birth registration process in detail to ensure that all children born in Australia are registered at birth, and that no child is disadvantaged due to procedural barriers to registration, including by raising awareness among the Aboriginal population on the importance of birth registration and providing special support to facilitate birth registration for illiterate persons. It further urges the State party to issue birth certificates upon the birth of a child and for free.<sup>6</sup>

Children who are not registered at birth are hindered from accessing core social protections and basic services such as education, health and social security, which can have lasting impacts throughout a person’s life.

In Australia, without birth registration it can be difficult to access other documents that help people to establish their identity and citizenship. A lack of such documentation can limit a person’s ability to access crucial services such as a bank account, driver’s license, passport, and tax file number.<sup>7</sup> When an individual does not have a legally

recognised identity, they are often unable to exercise their rights or access the benefits of citizenship, and may not be provided the full protection of the state.

This chapter outlines some key features of successful approaches to universal birth registration from UNICEF programs and international advocacy. It highlights specific initiatives that have proved most effective in different international contexts and that may contain valuable lessons to improve birth registration rates in Australia.

### **Features of a successful approach**

UNICEF's global experience and efforts in the developing world present several characteristics relevant to the Australian context. Although these may seem obvious, it is useful to consider the factors that are emerging as drivers of change through the work of UNICEF and other agencies across the world.

The starting point for UNICEF in working towards universal birth registration is emphasising that the responsibility of guaranteeing the right to birth registration rests with governments. Efforts by UNICEF and partners to improve rates of birth registration seek to reinforce the resolve of government to register the births of children in a timely fashion, within a properly established legal and policy framework.<sup>8</sup>

UNICEF's experience suggests that for sustained and sustainable progress to be made towards universal birth registration, it is necessary to work towards generating political commitment and strategic partnerships, as well as ensure a routine national birth registration system rather

than an ad hoc system comprising externally funded campaigns.<sup>9</sup>

Generating political commitment and strategic partnerships is essential in establishing and implementing birth registration legislation, policies and initiatives. The development and implementation of coordinated multi-sectoral approaches, in collaboration with stakeholders, is necessary to improve civil registry systems. Some states, such as Brazil, Guatemala and Peru, have successfully coordinated this collaboration and the sharing of responsibility through the development of cross-department national plans.<sup>10</sup>

Political commitment generating strong partnerships can ensure interoperability of birth registration with other services. *Passport to Protection*, UNICEF's guide to birth registration programming, identifies the potential to utilise opportunities through other government departments including:

- making use of the health service infrastructure to enable greater access to families in rural and remote populations;
- connecting with education to review the registration of school-aged children;
- using the growing scope and reach provided by social protection programs to provide an opportunity to reach the most vulnerable; and
- linking civil registration with the resources that are being invested in national identity document (ID)

systems to afford the possibility of integrated identity management systems.<sup>11</sup>

UNICEF's global experience is that central control of birth registration services is essential. While centralising control, concurrent steps must be taken to address the issues of distance and cost that may arise in a centralised system. Distance and cost can be obstructive impediments to birth registration in developing countries, and indeed, for some people in Australia.

Government buy-in and system-strengthening ensures improved rates of birth registration can be sustained after initial support from partner organisations. Ideally, ad hoc externally funded campaigns should be avoided; the establishment or strengthening of a routine national birth registration system is preferable. Externally funded campaigns should link in to a national system and assist in the registration of people who were not registered at birth. To be effective, it is important that these programs complement national efforts, have clear and fixed objectives and a limited duration.

Externally funded campaigns should be complemented by efforts to raise awareness of the birth registration process and its importance, and also address barriers that affect people's willingness to interact with state authorities.

### **Key areas of programing**

Working to the approach described above, UNICEF supports governments and other partners and advocates

for change in a number of areas, the most effective of which are:

- legal reform;
- policies, plans of action and strategies;
- clearing the backlog of unregistered children; and
- online/computerised birth registration systems.

As a first step to increasing birth registration rates, UNICEF advocates to, and works with, governments to promote legal reform to ensure birth registration is free of charge and undertaken immediately after birth. The cost of birth registration has been identified as a significant barrier.<sup>12</sup> These legal reforms can involve:

- updating and simplifying legislation, including the abolition of indirect fees (for example, procedural fees and late registration penalties) to ensure that birth registration *and* the issuance of birth certificates are performed free of charge;
- ensuring that the birth registration system is non-discriminatory, including towards children born to unmarried parents; and
- ensuring legal provisions facilitate access for older children to register their births and obtain a certificate.<sup>13</sup>

Cross-government and cross-sector coordination and programs within departments and organisations as part of a national birth registration system must be guided by human rights-based policies and strategies. UNICEF has

provided technical guidance and support for the development and implementation of policies, plans and strategies. This has included national plans as well as strategies to ensure access for difficult to reach and excluded populations such as Indigenous peoples.<sup>14</sup>

There are several effective approaches to clearing a backlog of unregistered children and adults. These differ depending on circumstances in particular countries.<sup>15</sup>

Birth registration systems have been greatly assisted by advancements in communications technology and increased access to the internet. New technology has been used effectively in both digitising national registration systems and conducting catch-up campaigns. The use of mobile technology in rural and remote areas has proven particularly effective.

### **Case study: Uganda**

As part of strengthening the national system of birth registration, Uganda has placed registration services in hospitals, in maternity and paediatric wards, so that mothers can register their children's births immediately after delivery, or when they return for immunisations or for health check-ups for their children. While this is not unique, it is the next step that has revolutionised the process in Uganda. Once triggered at a health service, records are then transferred to a web-based application linked to a government database. After verification by a hospital administrative officer, an official birth certificate is printed, all within minutes.

Outside major hospitals, the Mobile Vital Record System, developed with the help of UNICEF and Uganda Telecom, enables communities to register births via telecommunications. Even in a remote village, a mother can report a birth to a local government notifier, who then enters the information via mobile phone to the central database. When the notifier goes to the village to verify the birth, they don't need to carry log books, but simply their mobile phone. Revisions to records can be made on the spot via the mobile phone.<sup>16</sup>

### **Conclusion**

Australia is not alone in facing a need to improve rates of birth registration. It is, however, in the relatively privileged situation of having the resources to address the issue. As a developed state with a commitment to human rights, Australia should have a clear goal of achieving universal birth registration, and pursue that goal vigorously.

Government must acknowledge their obligations under the CRC and IICPR to immediately register the birth of each and every child and take heed of the recommendations of the Committee that Australia to 'issue birth certificates upon the birth of a child and for free'.<sup>17</sup>

Attempts to improve the system in Australia would benefit from adopting some of the features of UNICEF's program, as well as other partners' work on birth registration internationally, such as Plan International (see Chapter 9, by Sophie Shugg).



## Acknowledgements

The author would like to acknowledge the contribution of Jacqui McKenzie for her research on universal birth registration while at UNICEF Australia and also Amy Lamoin, Head of Advocacy at UNICEF Australia.

## Endnotes

- 1 UNICEF is the United Nations Children's Fund. It operates in 190 countries around the world to promote and protect the rights of children.
- 2 UNICEF, *Every child's birth right: inequities and trends in birth registration*, UNICEF, New York, 2013.
- 3 *Convention on the Rights of the Child*, opened for signature 20 November 1989, 28 ILM 1448 (entered into force 2 September 1990) art 7.
- 4 Article 24 of the *International Covenant on Civil and Political Rights* and Articles 7 and 8 of the *Convention on the Rights of the Child*.
- 5 UNICEF, op cit.
- 6 UN Committee on the Rights of the Child (CRC), *UN Committee on the Rights of the Child: concluding observations: Australia, 28 August 2012*, CRC/C/AUS/CO/4.
- 7 See, P Gerber, 'Making Indigenous Australians "disappear": problems arising from our birth registration systems', (2009) 34(3) *Alternative Law Journal*, 158; and M Castan et al., 'Indigenous Australians' access to birth registration systems: A breach of international human rights law?', *Australian Journal of Human Rights*, (2011) 17(1).
- 8 UNICEF, *Every child's birth right: inequities and trends in birth registration*, UNICEF, New York, 2013.
- 9 UNICEF, *A passport to protection: a guide to birth registration programming*, UNICEF, New York, 2013.
- 10 Ibid.
- 11 Ibid.
- 12 Although birth registration is free in Australia, the cost of obtaining a birth certificate has been identified as a barrier to people registering a birth. Why register the birth if you are not going to get a birth certificate? See, P Gerber et al., 'Does the right to birth registration include a right to a birth certificate?', *Netherlands Quarterly of Human Rights*, (2011) 29(4) 429.
- 13 UNICEF, *Good practices in integrating birth registration into health systems (2000–2009) case studies: Bangladesh, Brazil, The Gambia and Delhi, India*, UNICEF, New York, 2010.

- 14 UNICEF, *A passport to protection: a guide to birth registration programming*, UNICEF, New York, 2013.
- 15 Examples can be found at UNICEF, 'Child protection from violence, exploitation and abuse: Birth registration', retrieved from [http://www.unicef.org/protection/57929\\_58010.html](http://www.unicef.org/protection/57929_58010.html) (viewed 12 January 2015).
- 16 K Li, 'In Uganda, seeking to improve birth registration across Africa', UNICEF, 2013, retrieved from [http://www.unicef.org/infobycountry/uganda\\_70674.html](http://www.unicef.org/infobycountry/uganda_70674.html).
- 17 UN Committee on the Rights of the Child (CRC), above n. 6.