



# Legal Identity for All: Fulfilling the Promise to *Leave No One Behind*

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# Human Rights and International Law

## What are Human rights instruments?

- Treaties between signatory States for the protection of human rights.
- States assume the obligation to respect, protect and fulfil these rights
- 1948 Universal Declaration of Human Rights
  - Conventions are legally binding under international law
  - Declarations are not legally binding
  - The Declaration of Human Rights is binding under customary law

## Certain rights may never be suspended, even in humanitarian situations:

- The right to life
- Freedom from torture and enslavement
- ***The right to recognition as a person before the law (legal identity)***

# Legal identity, Including Birth Registration in International Law

**There are 9 major international instruments..... all of which reference or are contingent on the right to be recognized as a person before the law (legal identity/birth registration)**

1948 Universal Declaration of Human Rights (article 15)

1961 Convention on the Reduction of Statelessness (articles 1-4)

1965 International Convention on the Elimination of All Forms of Racial Discrimination (article 5)

1966 International Covenant on Civil and Political Rights (article 24)

1979 Convention on the Elimination of All Forms of Discrimination Against Women, (article 9)

1989 The Convention on the Rights of the Child (articles 7-8)

1990 International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (article 29)

1992 International Convention for the Protection of All Persons from Enforced Disappearance, (article 25)

2006 Convention on the Rights of Persons with Disabilities (article 18)

# Convention on the Rights of the Child

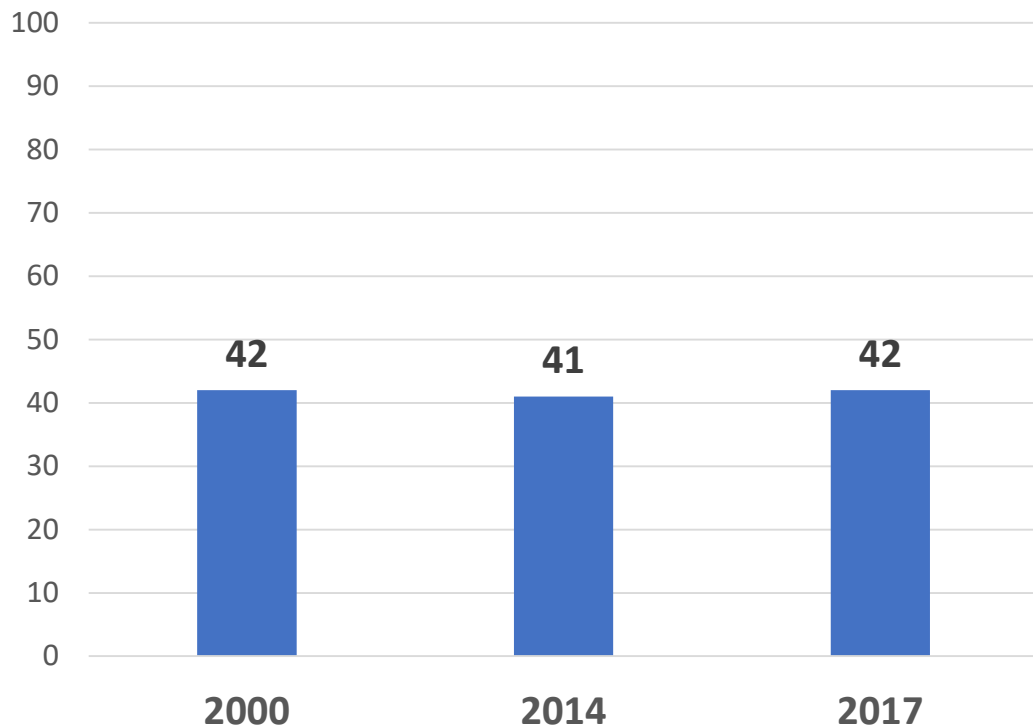
UNICEF has worked on behalf of children for more than 70 years

- Article 7: “*The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality....*”
- Article 8: “ States Parties undertake to respect *the right of the child to preserve his or her identity....*”



## Target 16.9: By 2030, provide legal identity for all, including birth registration.

Birth registration coverage rates in sub Saharan Africa

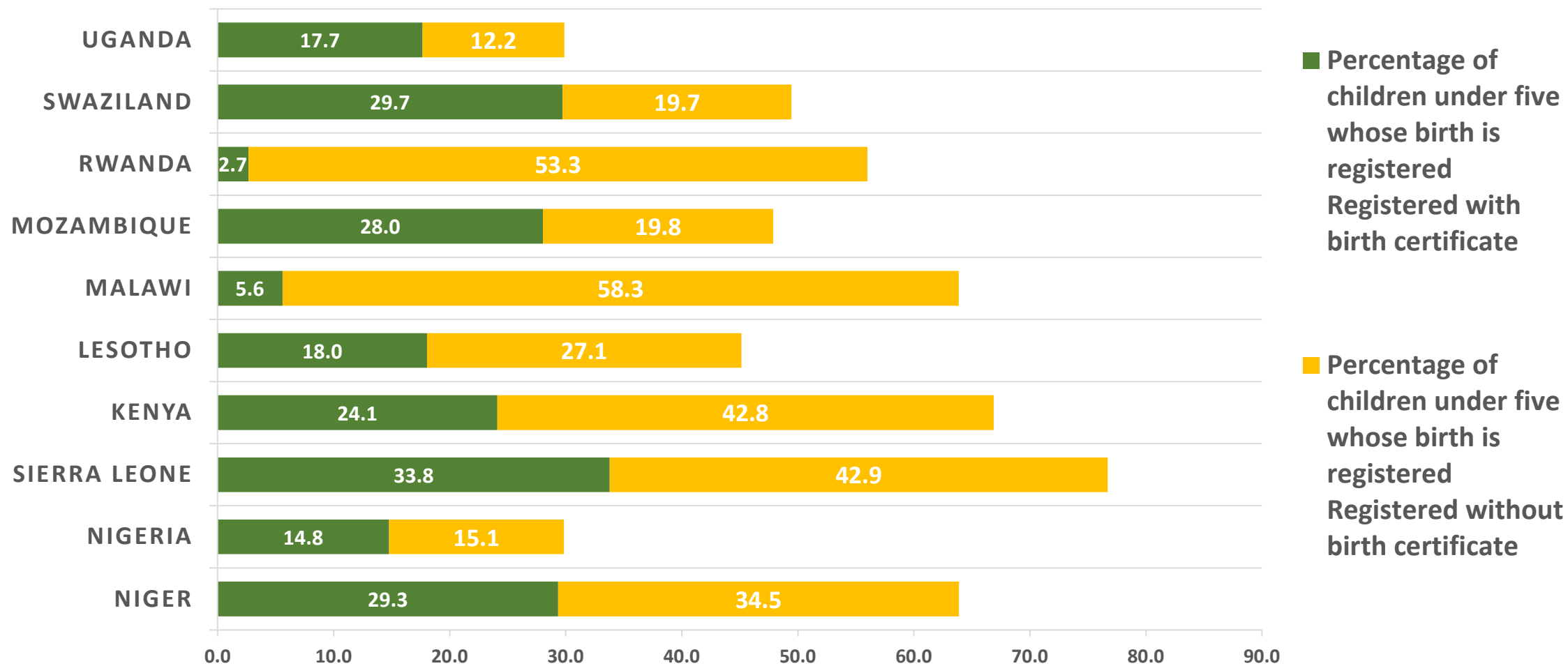


**Indicator 16.9.1:** Proportion of *children under 5 years of age* whose *births have been registered* with a civil authority, by age.

Of the 1.1 billion people  
without a legal  
identity... **650 million**  
**are children** who  
never had their birth  
registered



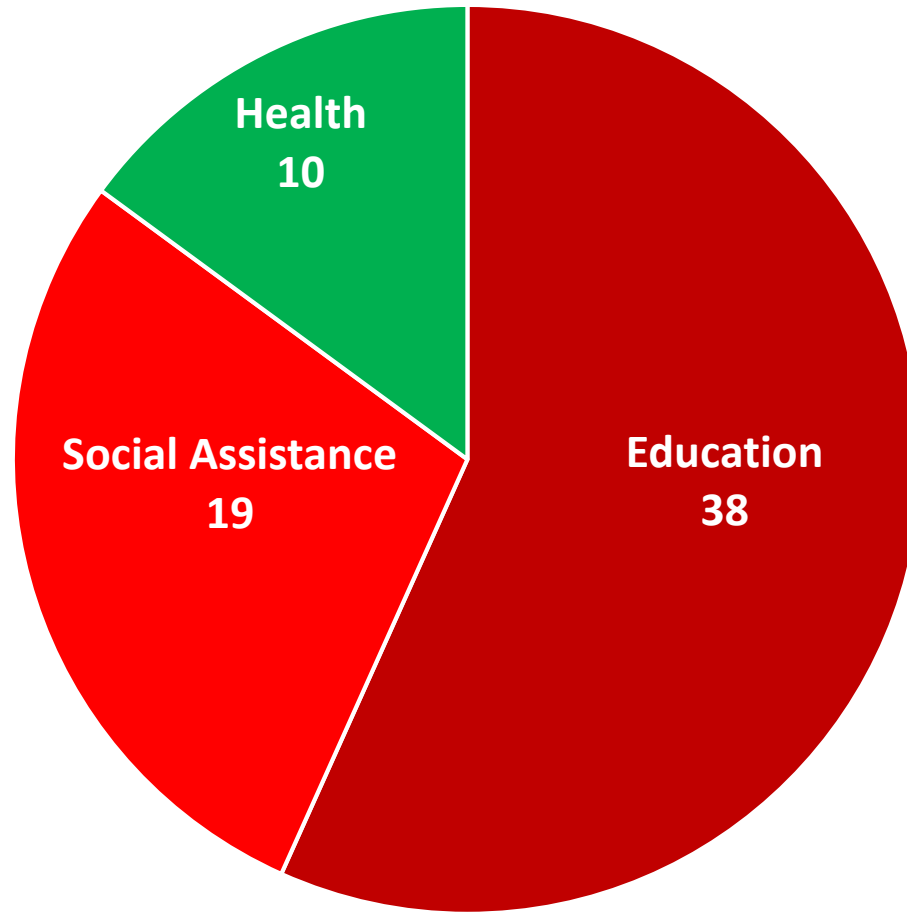
## Drop off from registration to certification of births in select countries



Source: Adapted from Bhatia et.al. (2017) *Who and where are the uncounted children?* \*Based on DHIS and MICS Data



## Number of countries in Sub-Saharan Africa which require a birth certificate to access the following services



Source: A Snapshot of Civil Registration in Sub-Saharan Africa (2017) extracted from [data.unicef.org](https://data.unicef.org)



4 QUALITY  
EDUCATION



38 countries in Sub-Saharan Africa require  
a birth certificate for education services





# Education & Birth Registration

- Schools and early childhood development centres can be mobilised to increase birth registration in local communities through their use as a base for registration services.
- Deploy mobile registration units on school enrollment days
- Mandate teachers to notify the local registration office when a child does not have a birth certificate
- Provide information for parents on the importance of and process for birth registration



**How can birth  
registration  
coverage be  
increased in  
Africa?**

# Social Cash Transfers to Increase Birth Registration Coverage

1 NO POVERTY



# Social Cash Transfers, and Birth Registration

- 149 countries have various forms of social protection programs
- Each year, social support programs lift 69 million people from absolute poverty and 97 million people from relative poverty
- Cash transfer programs linked to formal bank accounts have shown to be effective in increasing the number of “banked” individuals.

## HOWEVER...

- Countries spend relatively small amounts on social transfer programs
- Significant coverage gaps (on average only 20 percent of the poor are reached)
- Limited impact on global poverty reduction.
- Almost all cash transfer schemes require registration of some form, often a birth certificate

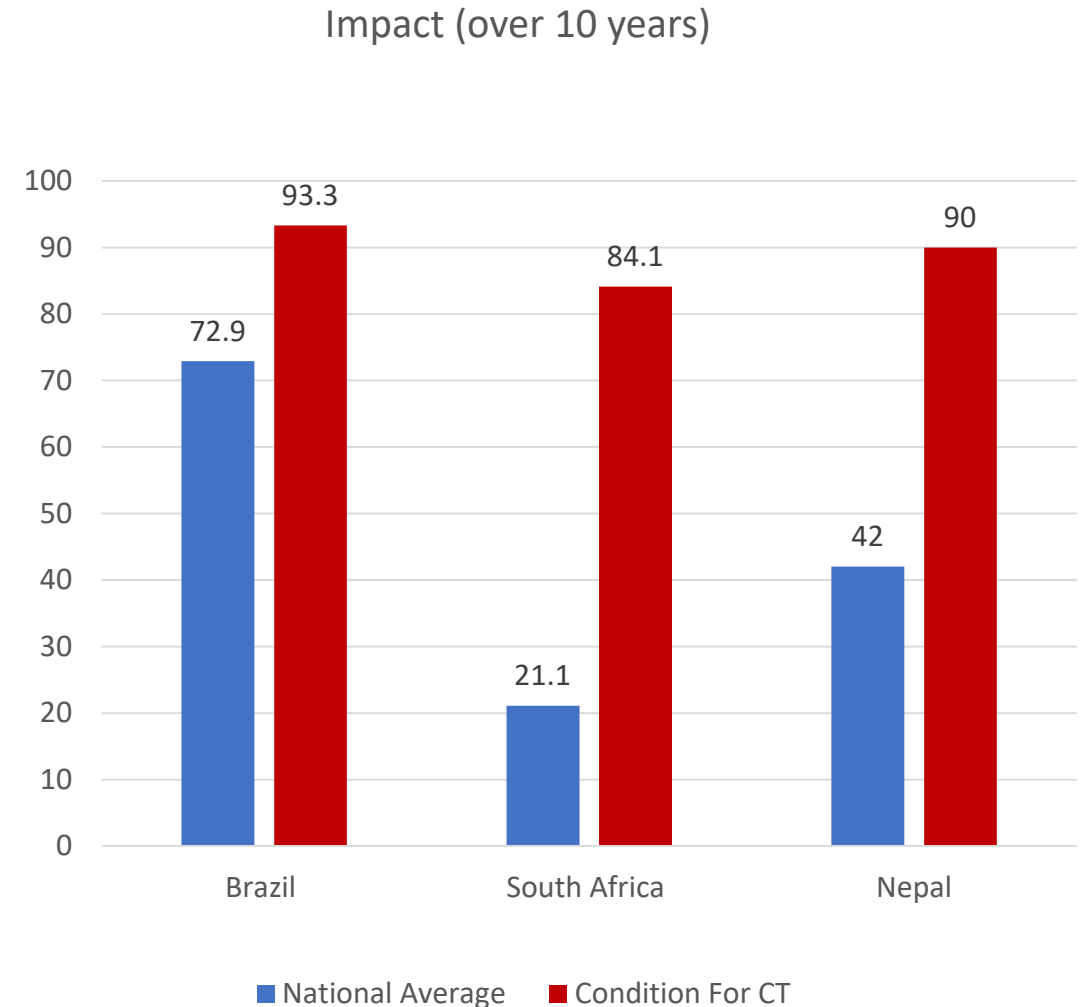


## Incentives for Improving Birth Registration Coverage: A Review of the Literature

- Framework of supply and demand factors that affect birth registration coverage rates
- Review of the empirical literature on incentives that have increased birth registration coverage- specifically in the context of cash incentives and social transfers.
- More than 200 articles were reviewed, and 42 (23 academic and 19 grey) were selected for this study based on relevance.

# Key results from the literature

- **Requiring a birth certificate to access cash transfer programs had substantial impact on birth registration coverage rates.**
- **However, policies must be in place to ensure populations who do not have a birth certificate are not excluded from services, but supported to obtain a birth certificate.**



# Integrating civil registration with existing community networks: Water, Sanitation & Hygiene committees in Nigeria

6 CLEAN WATER AND SANITATION





# Leveraging Communities: Water, Sanitation & Hygiene Committees in Nigeria

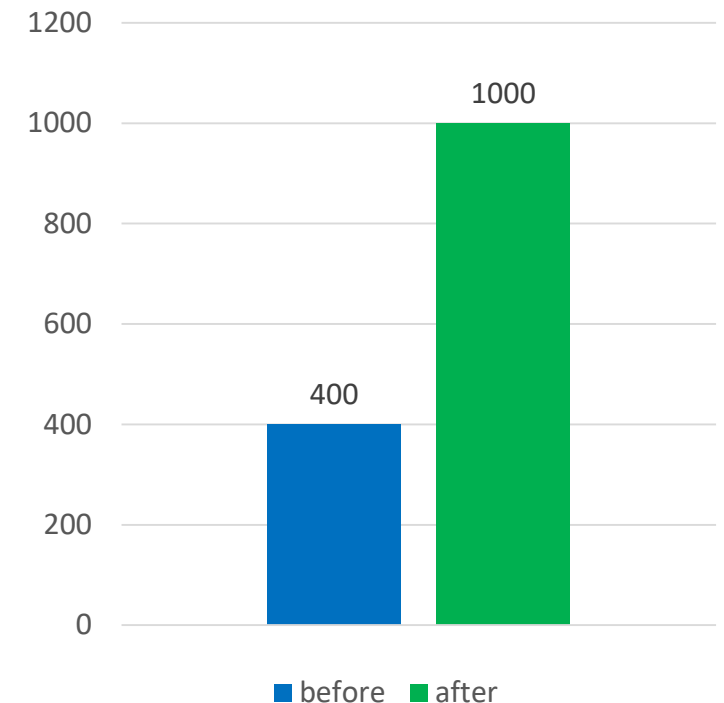
## Overview:

- UNICEF Nigeria WASH program covers 22,000 communities across 70 Local Government Areas in 21 states
- Water, Sanitation and Hygiene Committees (WASHCOMs) in Nigeria provide an opportunity for civil registration, child survival interventions in these communities.
- WASHCOMs provide vaccination services, and promoted birth registration, exclusive breastfeeding, immunization and antenatal care in the communities.

## In 2016, Nigeria supported the combining of civil registration

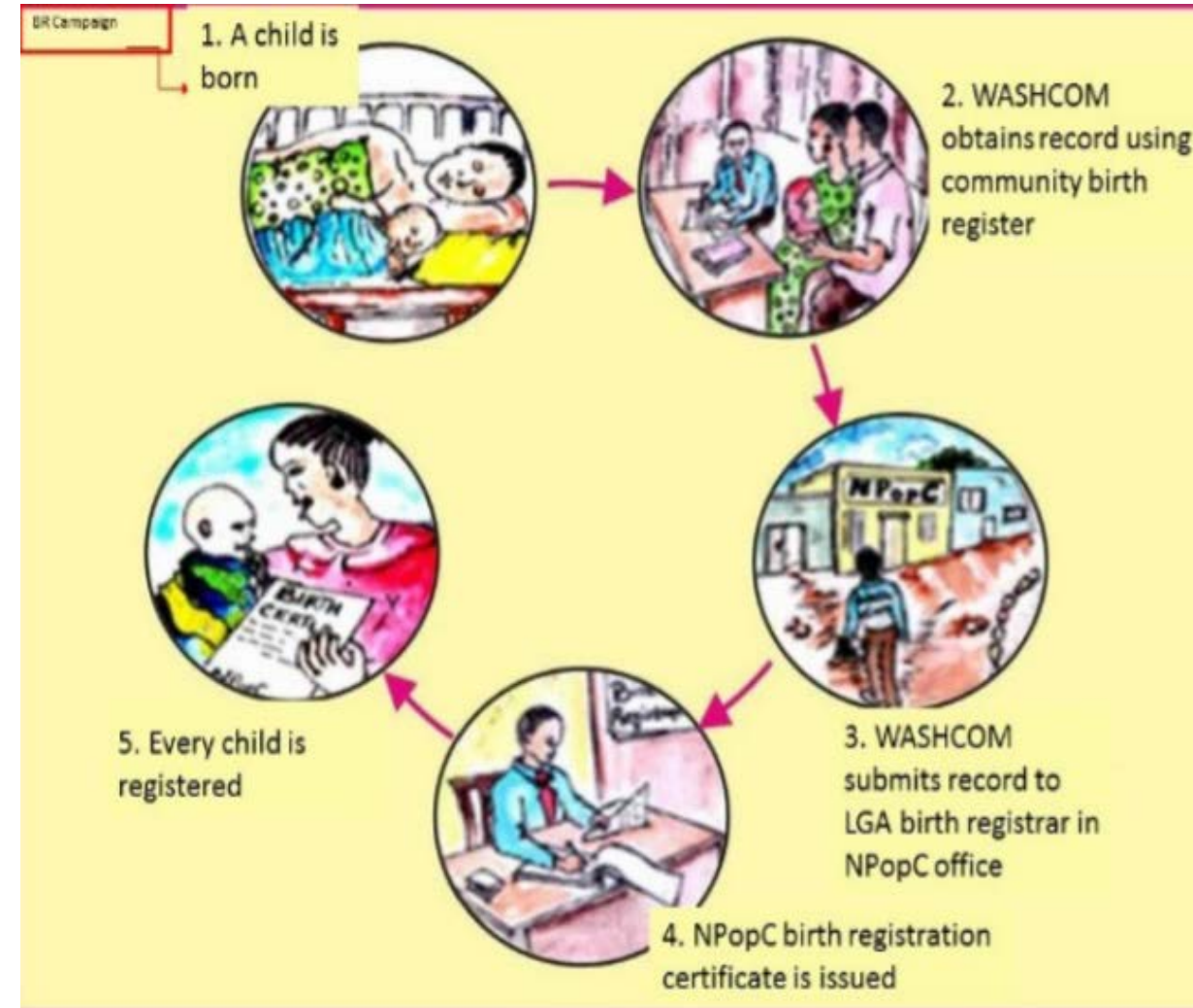
- Trained 4,500 WASHCOMs in 29 communities
- Achieved a 100% registration rate for the community
- Registering over 1000 births monthly, (compared to under 400 a month prior to their intervention)

Number of births per month registered in pilot communities



# Process

- Carried out a birth registration and immunization campaign (generate demand)
- Went to each household to list all children due for immunization and checked for birth certificates for all children (0- 17 years)
- Submitted the information to the District Birth Registrar who validated, registered and issued birth certificates
- Birth certificates were picked up and distributed by WASHCOMs to households (removed distance barrier 3x)
- New births and deaths occurring in the community are promptly documented for registration and immunization, **reaching 100% birth registration coverage in the community.**



# Why should civil registration be prioritized?

## **Human Rights Imperative- first line of defense against:**

- Trafficking
- Recruitment into armed forces
- Harmful labor
- Child marriage

## **Monitor progress of the Sustainable Development Goals**

- 230 indicators. Of which 67 can be measured effectively by using data derived from fully functioning CRVS systems
- These indicators cover 12 of the SDG 17 goals (Goals 1 - 5, 8 – 12, 16 & 17)

## **Good Governance and Accountability**

- Provides demographic data needed for planning and for administrative functions
- Provides gender data and statistics for monitoring gender disparities
- Can help states adequately plan for services and reduces fraud
- Increases the number of children completing school and entering the formal workforce
- Unique ID number from birth

# The way forward

We must shift from the current siloed/parallel ID and one-off efforts

We need to coordinate better so that identity solutions and resources are aimed at life-cycle of identity starting with birth through civil registration systems.

- Long term sustained investments
- Multi-sector support and coordination
- Jointly developed knowledge products between development community

**SDG 16.9 will only be reached when every child's birth is registered and their legal identity is preserved in a fully functioning and universal civil registration system**



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for every child