

# Informal Consultative Meeting

## **Birth Registration** Protecting Children of Concern

22 November 2011



# Why is birth registration important?

- ❑ Birth registration establishes basic facts about a person's identity, in particular
  - Date of birth
  - Parentage
  - Place of birth
- ❑ In the absence of birth registration there is an increased risk of
  - Denial of education
  - Early marriage
  - Illegal adoption
  - Military recruitment
  - Child labour
  - Trafficking

# Birth registration and durable solutions

- Lack of documentation as to birth and identity can interfere with a refugee's ability to return and re-establish him- or herself in the country of origin
- Lack of documentation as to birth and identity can cause problems in relation to resettlement, especially for parents who cannot prove that the child is their own

# Birth registration and the prevention of statelessness

- Right to birth registration and right to acquire a nationality are distinct rights
- At birth, acquisition of nationality under the law is generally automatic
- Birth registration does not therefore confer nationality, but it can be used as evidence to establish one's nationality
- Birth registration documents the most important links for the acquisition of nationality
  - Parentage (relevant for *jus sanguinis* countries)
  - Place of birth (relevant for *jus soli* countries)
  - Or combination of both

**!** Birth registration is essential in the context of migration so that children acquire their parents' nationality by *jus sanguinis* and can prove their identity, thereby avoiding complications for the country in which they are born

# Birth registration rates for children of concern

- ❑ UNHCR 2010 baseline data from Global Strategic Priorities
  - In 107 camps, only 50% of newborns are issued a birth certificate
  - In urban areas 74% of newborns are issued a birth certificate
- ❑ To place this data in perspective UNICEF reports that
  - In developing countries, only 50% of children under the age of five are registered
  - In least developed countries, only 29% of children under the age of five are registered

# UNHCR's activities to improve birth registration rates



- **ADVOCACY** for inclusion of refugees, displaced, stateless children (e.g. Georgia, Thailand)
- **INFORMATION CAMPAIGNS** (e.g. Ecuador)
- **SUPPORT** to national authorities – financial or logistical or capacity building (e.g. Colombia, Kenya, Angola)
- **TECHNICAL ADVICE** – deployments in coordination with Plan International
- **STRENGTHENING PARTNERSHIPS:** e.g. MoUs, coordination at country level

# Birth registration in previous ExCom conclusions

ExCom has addressed birth registration on a number of occasions but references have generally been brief:

- ❑ Protection of asylum-seeker and refugee children (22 and 47)  
*- appropriate measures to register the births of refugee children*
- ❑ Durable solutions (101) - *recognition of the civil status of returning refugees in country of origin + documentation or registration proving that status, issued by authorities in the country of asylum or elsewhere, taking into account the special situation of returning refugee women*
- ❑ Addressing specific wider environmental or individual risks factors (105 and 107) - *Birth registration and certificates to document identity, including parent-child relationship*
- ❑ As a means to prevent statelessness (conclusions 95, 106, 107, 108) - *Calls on States to facilitate birth registration and issuance of birth or other appropriate certificates as a means to providing an identity to children and where necessary and when relevant, to do so with the assistance of UNHCR, UNICEF, and UNFPA*

# An ExCom Conclusion on birth registration would:

1. Draw on universally accepted standards and the good practices of States, UN agencies and NGOs
2. Provide guidance on legal and policy frameworks to ensure compulsory and timely birth registration
3. Promote institutional measures to improve accessibility of birth registration, including late registration
4. Encourage outreach to and sensitization of populations and other relevant actors
5. Set out the roles of States, UNHCR, UNICEF, UNFPA and other partners eg. on
  - Technical advice on legislation
  - Information/registration campaigns
  - Modernization of civil registration systems



*A displaced Roma woman in Serbia shows her son's birth certificate.*