****

**ENSURING ACCESS TO BIRTH REGISTRATION**

**Contribution by ATD Fourth World**

**to the OHCHR study in follow-up to Resolution A/HRC/34/L.24**

**Birth registration, a challenge to vulnerable populations in both developed and developing countries**

It is already a well-recognized fact that the lack of birth certificates, and thus the inability to access education and health services, represents a significant challenge for many children in developing countries. In many countries, the procedures to file and obtain birth certificates -- especially belatedly -- are very costly, time consuming, and extremely complex.  For example, when in the Philippines the local ATD Fourth World volunteers recorded the amount of time it took a young man to register his two children, it totaled 33 hours over a period of 10 days, in addition to transportation costs. It is very difficult for families which are struggling to survive to invest this amount of time and effort into acquiring birth registrations for their children. ATD Fourth World therefore welcomes paragraph 9 of the above resolution, calling for States “to ensure free birth registration, including free or low- fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind.”

However, although it is true that the proportion of children without birth registrations is greatest in developing countries, it is important that the problem be recognized and addressed in developed countries as well.

In Europe, the problem affects the children of several groups of population:

* People who meet difficulties in retrieving their legal documents because the authorities with the official records required to deliver it do not exist anymore (e.g. states of former Yugoslavia);
* Roma families are being left stateless as a result of complex civil registration procedures, having been forced to leave their homes due to the protracted wars (e.g. Ukraine and the states in the Balkans[[1]](#footnote--1)
* The children of refugees and migrants, who, due to the recent influx, face many uncertainties around their legal identity while the entire family awaits the regularization of their status;[[2]](#footnote-0)
* People who are homeless, or whose residences have no address, such as those who live in mobile homes, in their cars, or in camps;
* People whose identities have been erased, because they have carried out a prison sentence, or are seen as potential perpetrators of fraud (in Holland, it is estimated that there are 500,000 *spookburgers*, or ghost citizens).[[3]](#footnote-1)

Target 16.9 of the Sustainable Development Goals, which is to “provide legal identity for ***all,*** including birth registration,” will not be met unless specific measures are taken to remedy the lack of official identities for people in vulnerable populations in developed countries as well as developing, in keeping with paragraph 12 of the above resolution.

**Examples of good practices**

Paragraph10 of Resolution A/HRC/34/L.24 “calls upon States to raise awareness of birth registration continuously at the national, regional and local levels, including by engagement in collaboration with all relevant actors, such as …civil society organizations…” However, in ATD Fourth World’s experience, the role of civil society organizations goes beyond raising awareness of birth registration. It includes supporting people living in extreme poverty in registering children at their birth and/or in obtaining birth certificates or identity papers despite lack of birth registration. Illiteracy, distrust of outsiders due to negative past experiences, difficulties in understanding the steps required, and lack of time are among the factors that prevent or delay these parents in carrying out the legal identity formalities.

***1) Identification papers for the homeless in Belgium***

In Belgium, because homeless people do not have an official address, they are ineligible for welfare allocations, health care, and social housing. In 2006, the government agreed for the *Centres publics d’action sociale* (CPAS) to issue an *adresse de référence* – which could be the address of the CPAS, an association or a supporting individual - to homeless people. These centres are government offices whose mission is to permit all citizens to live in dignity by providing the support needed by certain categories of the population. However, because of the complicated administrative procedures involved and the expenses of providing welfare services to this additional population, this solution was little practiced. The *Réseau Belge de Lutte contre la Pauvreté*and the *Front Commun des SDF*prepared a dossier on the situation and in a first consultation with federal and local authorities in 2017,[[4]](#footnote-2) an agreement was reached on a ‘guide’ simplifying the procedures and defining the responsibilities of the various levels of government involved.

Although it remains to be seen whether this guide will be followed because of the costs involved in providing assistance to the homeless, nevertheless this approach offers one way forward for other countries where children are not registered at birth because their parents’ residence is not recognized.

***2) Recruitment of “local supporters” to help families in poor communities in Tanzania***

In Tanzania, ATD project workers carried out in 2009-2012 a project in three areas to help families register their children.[[5]](#footnote-3) Two of the areas are close to quarries, where the families work as stone breakers for construction projects, and the third is in Dar es Salaam. A large number of refugees from Burundi, the Democratic Republic of Congo, and Rwanda live in one of the areas.

ATD Fourth World first identified a number of people from within poor communities who could serve as “local supporters.” Experience shows that many initiatives, even when the local population has been involved in their design and implementation, do not always reach the poorest people within those communities. Therefore, to ensure that the birth registration project would reach its target group, ATD Fourth World engaged the support of people who themselves have worked and/or lived within the target area for a number of years and are committed to reaching the most excluded populations. They themselves still endured poverty on a daily basis, and knew who were the poorest families within their communities and were trusted by them.

ATD’s project workers in collaboration with the local supporters organized a calendar at the beginning of the year to spend one month in each location, returning three times to each location throughout the year. This allowed the local supporters time to identify families and promote the project knowing when the ATD staff would return to their area.

With the local supporters, a first meeting was held with families in the areas where they lived to explain the steps to follow in order to apply for a birth certificate, and the documents that can be used for this purpose: a *tangazo* (birth announcement), clinic card, baptism card, certificate of primary or secondary school, certificate of marriage, certificate of doctor or letter from the local government. Those who are unable to read and write were provided with assistance.

During a second meeting with families to prepare for filling in the forms at the government office, other people regularly come to listen, thus spreading the information further on how to apply for birth certificates.

When all the documentation was ready, a day was chosen to go to the Registry, Insolvency and Trusteeship Agency (RITA) office. The families were shown the reception, the place to find the application form, the desk where they are to submit the form, etc, in order for them to have a full understanding of the process. The parents were also informed about the fees, since the amount depends on the age of the child. The payment is done through mobile phone or at a bank.

Because of the number of refugees in the area, RITA staff are very careful to identify the children born in Tanzania. They ask the parents questions about their documents and parents are sent to different desks. Moreover, the instructions given by the staff are not clear or complete. The result can be that some parents are confused and do not have a full understanding on how to apply for a birth certificate.

When the application process was completed, the parents were asked to return after one or two weeks to collect the certificate. The project workers agreed with the parents on the day to go, accompanying them so as to ensure they understood the procedures. Sometimes typing errors are made on the birth certificate, and so it is important for the parents to understand the procedure for ensuring the proper correction.

Using this approach, most of the parents were able to obtain birth certificates. About 40% of the children who received a birth certificate were under the age of 6, which means they will face no difficulties in registering in pre- or primary school.

The four local supporters performed their role on a volunteer basis, demonstrating commitment, enthusiasm and courage to ensure others in their communities could access the right of birth registration.

***3) Support for a government birth registration campaign in Senegal***

In 2003, a birth registration campaign was launched by the Senegal government. A concerted effort was made to inform and raise awareness throughout Senegal through such means as television and radio announcements, and cultural activities. However, ATD Fourth World observed that many of the families with whom it was in contact in very poor areas of Dakar were not taking advantage of this campaign in spite of the low rates of birth registrations in such neighbourhoods.

ATD Fourth World therefore carried out a project in six poor neighbourhoods to ensure that all sectors of the population, could benefit from the birth registration campaign.

The project consisted of three stages:

1. *An information gathering and awareness raising strategy:*

In the initial phase ATD Fourth World carried out interviews with groups of people that they knew from running projects in very poor neighborhoods. The first objective was to inform people about the campaign. Parents were also asked why they had not registered their children in order to gain a full understanding of the problem, and subsequently build a knowledge base from which future proposals could be made.

The first problem identified was that despite the efforts of the Government, the most excluded populations remained unaware of the campaign. Using outreach techniques, going door-to-door, and interviewing people one-by-one, ATD Fourth World volunteers corps members were able to begin reaching families with children who had not been registered. As a result, awareness of the campaign grew by word of mouth. It emerged that rather than out of ignorance or indifference, parents did not register their children as they had to prioritize day-to-day survival. Parents also spoke of: the time needed to complete the lengthy formalities required for birth registration, lack of money to pay hospital fees to obtain the birth certificate, and the necessity for both parents to have identity cards in order to register their child.

*2) Meeting officials to raise awareness of barriers faced by families living in poverty:*

Meetings were organized between government officials and people experiencing poverty. These enabled officials working on the campaign to hear directly about the specific difficulties very poor parents faced. As a result solutions were found to overcome barriers and practical means were put into place to support people to register their children. Sufficient time was taken to allow the most disadvantaged parents to engage in the campaign, having overcome their fear and mistrust. This allowed parents to find the courage to explain why they had not registered their children and to speak out in front of others about this – something quite exceptional in Senegal where discretion is the norm.

3*) Provision of practical support to help families obtain birth certificates:*

ATD Fourth World provided support to those who needed it to carry out the process in keeping with the agreement reached with the officials. One of the main factors of success was the fact that ATD Fourth World had already a significant and long term presence in very poor neighbourhoods of Senegal and enjoyed a trust and confidence that had already been built up over years.

The outcome of the project was as follows:

(1) Special consideration was given by officials to people living in poverty: Very poor parents, accompanied by volunteer corps members, were successful in working with officials to reduce the administrative procedures that families faced to register their children. They were able to benefit from the campaign and register their children because

the officials simplified the procedures and in some cases waived the registration fee,

(2) There was an increased number of birth registrations as a result of the collaboration between ATD Fourth World, the Senegalese authorities and the families themselves: The evaluation of the work highlighted that without the active participation of ATD Fourth World, as an NGO with a long-time presence in the area, a substantial part of the population would have remained unaware of the campaign. Moreover, parents were now convinced of the importance of registering their children and understood what needs to be done to undertake the process. The stressed they would register all their children without waiting until they were older.

(3) Parents gained faith in the process: In one meeting, a group of parents, despite not being able to fulfill all the criteria necessary (such as both parents needing to have an identity card), were able to complete the process in dialogue with the officials. This encouraged other parents to engage in the process and register their children.

Janet Nelson and Quyen Tran

31 October 2017

1. See: European Roma Rights Centre (ERRC), the Institute on Statelessness and Inclusion (ISI), and the European Network on Statelessness (ENS), *Roma Belong – Statelessness, Discrimination and Marginalisation of Roma in the Western Balkans and Ukraine*, Budapest, Hungary, October 2017. http://www.errc.org/cms/upload/file/roma-belong.pdf?utm\_medium=email&utm\_campaign=Lack+of+birth+certificates+leaves+Romani+...&utm\_source=YMLP&utm\_term= [↑](#footnote-ref--1)
2. Situations of numerous undocumented children admitted in nursery and primary schools in 2016, as described at the Consultation meeting on SDG4-Education 2030 for Regional Groups I and II, UNESCO, Paris, 24-25 October.  [↑](#footnote-ref-0)
3. See <https://www.ad.nl/amsterdam/bijna-half-miljoen-spookburgers-in-nederland~a162601b/>  [↑](#footnote-ref-1)
4. http://www.cathobel.be/2017/10/25/une-adresse-pour-les-sans-abris/ [↑](#footnote-ref-2)
5. See [http://betterlives.org/2013/12/dar-es-salaam-tz-birth-registration](http://betterlives.org/2013/12/dar-es-salaam-tz-birth-registration-31-dec-2013/) [↑](#footnote-ref-3)