

Chapter

04

Registration of Birth, Death, and Foetal Death

Why it is important: For individuals, birth registration is the foundation of legal identity and facilitates access to key population services, such as education and healthcare. For government, the collection of critical information about vital events and the compilation of vital statistics based on this data, provide critical information about the population for decision making. Complete registration of vital events, particularly births and deaths, is essential for realizing human rights and promoting better health outcomes.



1. Universal application

Best Practice: There must be a legal requirement for the civil registration authority to register all births and deaths, and to record foetal deaths in a separate register for statistical purposes. In keeping with the UN principles for a CRVS system, registration should be inclusive and compulsory, and should capture all vital events occurring in every geographical area and every population group in the country.¹

Guidance: Describe whether birth, death, and foetal death registration is compulsory and, if so, for whom. Indicate whether the law applies to all births, deaths and foetal deaths that occur in the country. Consider all forms of discrimination that may take place, including geography; racial, ethnic or religious groups; marital status (i.e. is registration refused to unwed mothers); nomadic, displaced, native or aboriginal populations; refugees or asylum seekers within the country; foreign nationals born in the country; temporary workers; or any other characteristics. Indicate whether and how the law applies to citizens of the country residing abroad. Consider whether the law requires the government to take affirmative steps to register people who might not otherwise be able to, such as persons with disabilities, persons who speak other languages, and persons who live in remote areas. In the comments section, describe whether the law aligns with best practice and note any recommendations for regulatory reform.

a. Is registration of birth, death and foetal death compulsory and provided for all, regardless of:

	Birth	Death	Foetal Death
Race, gender, religion, ethnicity, or population group	Yes _____ No _____	Yes _____ No _____	Yes _____ No _____
Nationality, residency, or refugee/ asylum status	Yes _____ No _____	Yes _____ No _____	Yes _____ No _____
Geography (e.g. remote areas)	Yes _____ No _____	Yes _____ No _____	Yes _____ No _____
Objections by person or the family	Yes _____ No _____	Yes _____ No _____	Yes _____ No _____
Marital status	Yes _____ No _____	Yes _____ No _____	Yes _____ No _____
Other characteristics (e.g. prisoners, persons with disabilities, or who speak native or foreign language)	Yes _____ No _____	Yes _____ No _____	Yes _____ No _____

Is civil registration available to citizens living abroad for:

Birth: Yes _____ No _____ Death: Yes _____ No _____ Foetal Death: Yes _____ No _____

¹ 36 United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 34.

Citations:

Comments:

2. Definition of vital event and other key terms

Best Practice: Clear definitions are required to establish a system for collecting high-quality data. Definitions should align with international standards; this will help countries track development progress and meet international reporting requirements.

The UN definition of “live birth” is the following: “the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, which, after such separation, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or any definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.”

The UN definition of “death” is the following: “the permanent disappearance of all evidence of life at any time after live birth has taken place (post-natal cessation of vital functions without capability of resuscitation).” This definition therefore excludes foetal deaths.

“Foetal death” is defined by the WHO as “death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of the pregnancy. The death is indicated when, after such separation, the foetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.”

Tracking foetal deaths is important for public health purposes, and some countries therefore maintain a separate foetal death register. Because these foetal deaths are registered separately, foetal deaths should not be registered in the birth register, as they do not affect civil status. Countries should differentiate between a foetal death, which should be registered in the foetal death registry, and a child death, which is a birth and a death soon thereafter, and which is registered in the birth and death registries.

For international comparability, the World Health Organization (WHO) recommends reporting of late foetal deaths – for example, third-trimester stillbirths – at ≥ 1000 g birth weight, ≥ 28 completed weeks of gestation, and/or ≥ 35 cm body length, with birth weight given priority over gestational age. While birth weight and gestational age are closely linked, they cannot be used interchangeably, since there is a range of “normal” birth weights for a given gestational age and gender, with substantial regional variations. Therefore, a gestational age threshold has been recommended as a single parameter, because it is a better predictor of viability than birth weight, and information about gestational age is more likely to be available than birth weight for stillbirths.²

Guidance: Provide the definition of “live birth”, “death”, and “foetal death” contained in the law. Note: Definitions for vital events are also considered in Chapter 2, Section 1. For the purposes of this section, pay particular attention to whether the definitions, read together, are coherent and whether the definitions of live birth and death create any other legal issues. Indicate whether and how the law deals with recording of foetal deaths. If there are any other key definitions related to live birth, death or foetal death, note these below in section (d) (Other key terms) and indicate whether they align with UN definitions or otherwise advance or delay the registration work. In the comments section, state whether the law aligns with best practice, and describe any gaps and/or opportunity for regulatory reform.

a. Definition of Live Birth:

² Making Every Baby Count: Audit and review of stillbirths and neonatal deaths, World Health Organization, 2016, page 18.

b. Definition of Death:

c. Definition of Foetal Death:

d. Other Key Terms:

Citation(s):

Comments:

3. Information Captured at Registration

Best Practice: In addition to the legal information necessary for registering a vital event, additional information is recommended for statistical purposes. The UN recommends topics that should be recorded for statistical purposes, including high-priority topics as well as topics that are a less urgent goal, for registration of births, deaths, and foetal deaths.³

While the registrar should strive for complete legal and statistical information, an informant's inability to provide information for any one data field should not prevent registration.⁴ For example, the need to name a father in the case of a birth to a single mother can be a major barrier to registration. While it is preferable that both parents are detailed in the registration record (in accordance with the Convention on the Rights of the Child), the legislation should not prevent the registration of a child's birth if the mother cannot or will not name the father, or if the father refuses to acknowledge the child. For certain population groups, requiring disclosure to a government agency of citizenship status, nationality, ethnicity, religion, or other characteristic may act as a disincentive and registration should be possible without disclosing this information.

Guidance: In order to compare the various requirements against best practices, complete the worksheet below.

In addition, below the worksheet, state what, if any, information is absolutely required, without which registration would be denied. In the comments section, state whether the law aligns with best practice, and describe any gaps and/or opportunity for regulatory reform.

3A. Worksheet: Information collected at Registration: Fill in the "Actual Practice" column for Live Birth, Foetal Death, and Death based on current practice in your country. Place an "X" in the box if the information is collected.

³ *Principles and Recommendations for a Vital Statistics System, Revision 3*, United Nations Publication, Sales No.E.13.XVII.10, United Nations, 2014, paragraph 66, Table III.1

⁴ United Nations, *Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems*, New York, 2019, Para. 292, 357.

	Best Practice: Live Birth	Actual Practice: Live Birth	Best Practice: Foetal Death	Actual Practice: Foetal Death	Best Practice: Death	Actual Practice: Death
Characteristic of Event [●=High Priority, ○= Lower Priority]						
Date, (Time) and Place of Registration	●		●		●	
Date, (Time) and Place of Occurrence	●		●		●	
Attendant at birth	●		○		●*	
Type of place of occurrence (hospital, home, etc)	○		○		○	
Type of Birth (twin, triplet, etc.)	●		○			
Cause of Death			○		●	
Manner of Death					○	
Whether autopsy findings used to establish COD					○	
Death occurring during pregnancy, childbirth, puerperium					○	
Certifier			○		●	
Characteristics of Newborn/Foetus [●= High Priority, ○= Lower Priority]						
Sex	●		●			
Weight at birth	●		○			
Delivered in wedlock			○			
Characteristics of Mother/Father/Decedent [▼=Mother (C), ▽=Mother (R); ▲=Father (C), △=Father (R); ■=Decedent (C), □=Decedent (R)]						
Date of birth	▼/▲		▼/▲		■	
Sex	-/-		-/-		■	
Marital Status	▼/▲				■	
Educational Attainment	▼/▲		▽/△		□	
Literacy status	▽/△		▽/△		□	
Ethnic and/or national group	▽/△		▽/△		□	
Citizenship	▽/△		▽/△		□	
Economic activity status	▽/△		▽/△		□	
Usual occupation	▽/△		▽/△		□	
Whether birth was registered*					□	
Born in wedlock*					□	
Place of usual residence	▼/▲		▼/▲		■	
Place of usual residence of mother*					■	
Duration of residence in usual place	▼/△		▽/△		□	
Place of previous residence	▽/△		▽/△		□	
Place/country of birth	▼/△		▽/△		□	
Date of last menstrual period	▽		▽			
Number of prenatal visits	▽		▽			
Month of pregnancy prenatal care began	▽		▽			
Children born alive to mother during her entire lifetime	▼		▼			
Children born alive to mother during her entire lifetime and still living	▽		▽			
Foetal deaths to mother during her entire lifetime	▼		▼			
Date of last previous life birth	▼		▼			
Date of marriage	▼		▼			
Additional Information for Legal Registration [●=High Priority, ○=Lower Priority]						

	Best Practice: Live Birth	Actual Practice: Live Birth	Best Practice: Foetal Death	Actual Practice: Foetal Death	Best Practice: Death	Actual Practice: Death
Name and surname	●				●	
Name and surname of parents	●				●	
Nationality	●				●	
Nationality of parents	●					
Identity, Signature, and Seal of Registrar	●				●	
Identity document & registration data relating to birth					●	

* For deaths under 1 year

Describe what, if any, information is absolutely required to register an event; in other words, without this information registration will be denied. Examples might include paternal information (for live birth registration) or cause of death (for death registration)

Live Birth:

Foetal Death:

Death:

Citation:

Comments:

DRAFT

4. Informants

Best Practice: Registration records should be completed as soon as possible after the vital event. The simplest and quickest method to achieve this is to require an informant to provide the needed information soon after the event has occurred.⁵ The informant is the person who is legally required to report to the local registrar the occurrence and details of a vital event within the prescribed time limit.⁶ The informant is important because the registrar can only register a vital event on the basis of the informant's declaration, either verbally or in writing.⁷ The law should clearly and unequivocally ensure that there is one and only one person primarily responsible for serving this role; however, the law may designate individual alternatives.⁸ The appropriate informant, in priority order of preference for birth, deaths and foetal deaths are given below.⁹

⁵ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 281.

⁶ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Paras. 349, 356.

⁷ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 351.

⁸ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 352.

⁹ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management Systems, New York, 2019, paras. 257, 312, 318.

Informant	Live Birth and Foetal Death	Death by Natural Causes	Death by Unnatural or Suspicious Causes
Head of the institution, or designee, in which the event occurred; or health professional under whose supervision event occurred	1	1	1
Mother	2		
Father	3		
Nearest relative of the mother	4		
The nearest relative (e.g., the surviving spouse or partner; or a brother, a sister, the father or mother of the decedent)		2	3
Any other adult person having knowledge of the facts. ¹⁰	5	3	4
Medico-legal officer (police, coroner, medical examiner)			2

When vital events occur in health institutions, the most effective approach is to designate the head of the institution as the primary informant for the event.¹¹ Similarly, when a birth or death occurs at home under the care of a health professional (e.g., midwife, birth attendant, nurse, doctor), many countries find it effective to designate the health professional as the primary informant for the event.¹² In certain circumstances, especially those involving external causes (i.e. accident, suicide, homicide) and deaths occurring outside of health facilities, police and other officials with knowledge of the facts should bear responsibility for informing the registrar of the vital event. In particular, deaths by external causes and deaths occurring outside of health facilities are often underreported because many CRVS systems rely on families (rather than government authorities) to report these deaths. Further, there should be a clear requirement for someone other than family members to refer suspected deaths by external causes for investigation. The requirement should also indicate who should report the suspected death by external causes, who should receive this information, and the procedures for doing so.¹³

When no other informant is able to report the vital events, any adult with knowledge of the facts should be required (or at least permitted) to report the vital event. Responsibility might be placed on other government officials, such as local government representatives, tribal leaders, coroners, medical examiners, or community health workers.¹⁴ Religious actors who might be responsible for notifying home births or deaths could include priests, imams, or others presiding over naming ceremonies or funeral/burial ceremonies. Funeral directors may also be required to provide information to the registrar based on particulars collected about the decedent from next of kin.¹⁵ Countries should consider how best

¹⁰ Principles and Recommendations for a Vital Statistics System, Revision 3, United Nations Publication, Sales No.E.13.XVII.10, United Nations, 2014, paragraph 352 - 355.

¹¹ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 350.

¹² United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management Systems, New York, 2019, Para. 257, 312, 318

¹³ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management Systems, New York, 2019, Para. 318.

¹⁴ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management Systems, New York, 2019, Para. 257, 312, 318.

¹⁵ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 350; Model State Vital Statistics Act and Model State Vital Statistics Regulations 2011. Revision, p. 29, lines 1219-1223.

to ensure that information from these possible informants is shared with the civil registrar – whether through an obligation to notify within a specified time period or by keeping a register that is shared with the civil registrar on a periodic basis.

Guidance: For each vital event, indicate the enumerated informants, any hierarchy, and whether each is permitted or required, as well as any special procedures for informing the civil registrar. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Live Birth Informants (note any hierarchy and whether informant is permitted/required to act):

Citation:

b. Death Informants (note any hierarchy and whether informant is permitted/required to act):

Citation:

c. Foetal Death Informants (note any hierarchy and whether informant is permitted/required to act):

Citation:

Comments:

5. Place of Registration

Best Practice: A legal framework might limit registration of vital events to a primary registration area in a certain location: (1) the place of the event's occurrence, (2) the decedent's/mother's usual residence (for death/birth), or (3) either location. Allowing registration at the place of the event's occurrence, rather than requiring that it occur at the place of residence, should facilitate and accelerate registration of vital events. If registration at both place of residence and place of occurrence is not practical, it is preferable to require vital events to be registered at the place of occurrence.¹⁶In the case of births, even where registration is limited to place of occurrence, the place of mother's usual residence should still be recorded for statistical and legal purposes.¹⁷

As CRVSID systems become more networked within countries, it may be possible to register a vital event at any point where the informant can access the system, as the information would go directly to a central database.¹⁸

Guidance: Describe where registration of vital events must occur (i.e., place of residence vs. place of occurrence vs. either, or anywhere the system may be accessed). In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Live Birth:

¹⁶ United Nations, Handbook of Vital Statistics Systems and Methods Volume I: Legal, Organizational, and Technical Aspects, New York, 1991. p. 20, paras. 177-179.

¹⁷ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 358.

¹⁸ Principles and Recommendations for a Vital Statistics System, Revision 3, United Nations Publication, Sales No.E.13.XVII.10, United Nations, 2014, paragraph 92.

Citation

b. Death:

Citation:

c. Foetal Death:

Citation:

Comments:

6. Time Allowed for Registration

Best Practice: Uniform processes and time periods for registering vital events should be applied throughout the country. The maximum time period allowed for registration should be as short as possible so as to facilitate current and accurate registration, and the timely production of population statistics. Deadlines are often between 14-30 days for birth registration and around 3 days for death registration, but vary by country.¹⁹ A grace period of up to one year after the event has occurred may be allowed for extenuating circumstances.²⁰

As a practical matter, hospitals and health facilities should be able to notify births almost immediately if the system is computerized and linked to the registrar, while notification of out-of-facility events often take longer. To address this, the legislation may provide a maximum timeframe in which an event must be reported and the regulations may set a shorter time frame for specific circumstances, such as events that occur in facilities with computerized systems.²¹

Guidance: Describe the deadlines for timely registration. Pay attention to whether different stakeholders have different deadlines. Indicate who, if anyone, has authority to modify these deadlines and under what circumstances. Note: Late and delayed registrations are discussed in Section 9 below. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Live Birth:

Citation

b. Death:

Citation:

c. Foetal Death:

¹⁹ United Nations, Handbook of Vital Statistics Systems and Methods Volume I: Legal, Organizational, and Technical Aspects, New York, 1991. Pp. 20-21, paras. 180-184.

²⁰ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 363

²¹ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. XXX

Citation:

Comments:

7. Cost of Current Registration

Best Practice: UN principles for a registration system state that there should be no charge for registering a birth, death, or foetal death.²² Payment of any fee to register these vital events before the statutory deadline would act as a disincentive to timely registration. While some countries impose a fee if an event is registered after the deadline, this too may act as a disincentive to registration.

Guidance: Include details of all fees and deadlines related to registration of births, deaths, and foetal deaths. Note that costs of receiving certificates are analyzed in Section 10. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Fees for live birth registration:

Citation

b. Fees for death registration:

Citation:

c. Fees for foetal death registration:

Citation:

Comments:

8. Proof Required to Register

Best Practice: Registrars should require proof of the veracity of the information to be registered. The level of proof or evidence required for registration must be sufficiently stringent to provide assurance of the accuracy of the information without being so burdensome as to discourage registration.²³ Verification of the vital event can be achieved through documentary or oral evidence. Documentary evidence is always preferred, with the most common form of documentary evidence being a medical notification of birth, a medical notification of death, and a medical certificate of cause of death (MCCD) or a coroner's report. Ideally, this documentary evidence is issued by the health facility or health professional with knowledge of the event (or the coroner for unnatural or suspicious deaths), and is submitted directly to the civil registrar. However, if an event occurs without medical supervision, documentary evidence may not always be available and, in such cases, a witness to the event may be requested for registration.²⁴ (For

²² United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 364.

²³ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para 365-366.

²⁴ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Paras. 365-366, 368; United Nations, Handbook of Vital Statistics Systems and Methods Volume I: Legal, organizational and technical aspects, New York, 1991, paras. 189-192.

documentary evidence that is required for late or delayed registrations, see Section 9.)

While the health sector should be the primary informant in accordance with best practice, if the family is the informant the health sector should be obliged to issue a medical notification of birth or death to the family — free of charge — for all medically attended events. A medical notification of birth or death constitutes critical documentary evidence of the occurrence of a event, which can be used to satisfy civil registration verification requirements. Consequently, it is important that the medical notification be issued free of charge in a uniform format throughout the country.

UN documents acknowledge that, although cause-of-death information is essential for public health purposes, it should not be an absolute requirement to register a death.²⁵ However, in some countries, notification of the “fact of death” is verified by submitting the MCCD to the registrar. In places or circumstances where an MCCD is not available, this may create an impediment to registration. In addition, if a country designates next of kin as informant (rather than the health sector, as recommended), the next of kin will have access to COD information. This potentially could lead a the physician to modify the COD on the MCCD if the death is due to a stigmatized cause, such as HIV or suicide, which could bias COD statistics for health policy- and decision-making.

Rules should provide guidance on how to determine the place and time of the vital event. This will be especially important where the event was unattended and there are no reliable witnesses. For example, jurisdictional questions may arise with unattended deaths, such as persons who are found dead or brought-in-dead to health facilities. As a default, death is generally pronounced either (a) in an institution at the time when a medical practitioner observes the death, or (b) when and where a body is discovered, regardless of when the death occurred. Medical examiners, coroners, or medical-legal officer may declare a more accurate place and time of occurrence after further examination and investigation. There should also be rules to determine time and place of unattended births, such as a child discovered without any known guardians (foundlings), or when the location is necessary for determining nationality. Children without a provable date and place of birth are particularly vulnerable, so the country should have clear rules emphasizing the best interest of the child and avoiding any possibility of statelessness. There should also be rules for determining the place of occurrence when the event occurs on a moving vehicle, such as a car, train, ship, or airplane

Guidance: Describe the documents or other evidence required to register a vital event *within the statutory deadline*. Describe any requirement for medical professionals and/or the health sector to submit a medical notification of birth or medical notification of death to the registrar. If family is the primary informant, describe any payment required for the issuance of a medical notification of birth or death to the family. Describe whether an MCCOD or other proof of COD is required to register a death (separate the requirements for medically attended deaths and deaths that occur at home without medical supervision).

In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Evidence requested to notify live birth (medically attended and not medically attended):

Citation

b. Evidence requested to notify death (medically attended and not medically attended):

Citation:

²⁵ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 321

c. Evidence requested to notify foetal death (medically attended):

Citation:

Comments:

9. Provision for late and delayed registration

Best Practice: A late registration occurs after the legally specified time period, but within a grace period, usually one year after the vital event.²⁶ Delayed registration occurs after the grace period.²⁷ Deadlines for birth registration are often between 14-30 days and around 3 days for death registration, but vary by country.²⁸ While late registration should be discouraged so that vital events are registered in a timely manner, the procedures should not be so restrictive that they prevent late registration of events. Procedures should take account of the difficulties in finding or verifying evidence of past events while striving to maintain the integrity of the records.²⁹ In addition, fees and penalties for late/delayed registration are generally not effective in preventing late/delayed registration, but instead act as a disincentive to registration.³⁰

Guidance: Describe the process and timelines for late and delayed registration of vital events. Note whether fees, the required proof, or other requirements are different for late and delayed registration. Indicate whether fees can be amended without legislative action. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Late and delayed live birth notification (time periods, evidence requested, fees):

Citation

b. Late and delayed death notification (time periods, evidence requested, fees):

Citation:

c. Late and delayed foetal death notification (time periods, evidence requested, fees):

Citation:

Comments:

²⁶ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 363.

²⁷ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Paras. 369-370.

²⁸ United Nations, Handbook of Vital Statistics Systems and Methods Volume I: Legal, Organizational, and Technical aspects, New York, 1991. P. 21, para. 182.

²⁹ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 281-283, 353-354.

³⁰ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 30

10. Unique Identity Code

Best Practice: A Unique Identity Code (UIC) is a numeric or alphanumeric code assigned to an individual for life. Use of a UIC is a common way to share information across databases. However, not all countries use a UIC and in some countries the use of UIC to link information across databases is not legal due to privacy concerns.³¹

For countries that use a UIC, a UIC should be assigned at birth registration, which facilitates linkage with the identity management and other data systems.³² A UIC is assigned to only one person, and a person should have only one UIC within a jurisdiction.³³ A UIC generally cannot be changed except under specified circumstances, such as identity theft, and is retired or deactivated upon death.³⁴ Country practices vary on the reuse of a UIC after closure. In some countries a UIC is never reused; in others a UIC is not reused for at least 50 to 100 years after the person's death.³⁵

The content of the alphanumeric characters in the UIC has important implications for security. In many countries, character sequences were traditionally based on personal information, such as date and place of birth. Today, random sequences (also referred to as “unintelligible sequences”) are preferred, as character sequences based on personal information may be easily comprehended, allowing the information and/or UIC to be used fraudulently or for discriminatory purposes (for example, if a person can be identified as a refugee based on the UIC).³⁶

Guidance: State whether UICs are in use in the country. If so, describe whether a UIC is assigned to all persons within the country (without discrimination) and at what age. Describe the character sequence of the UIC, including whether the character sequence is unintelligible, and whether a UIC sequence may be reused for another person after a period of years after retirement of the UIC. In the comments section, describe whether the law aligns with good practice and note any recommendations for regulatory reform.

a. Are UICs in use in the country? ____ Yes ____ No

Citation:

b. Is a UIC assigned to all persons without discrimination? At what age is a UIC assigned?

Citation:

c. Describe the character sequence of a UIC and note any potential reuse:

Citation:

Comments:

³¹ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 104-105.

³² United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 437-440.

³³ However, it is possible to have a UIC in more than one jurisdiction if a person is a resident or citizen of more than one jurisdiction.

³⁴ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 94.

³⁵ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para 465.

³⁶ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 441.

11. Certified copies of vital event information

Best Practice: A key responsibility of the registrar is to issue birth and death certificates, which serve as official evidence of the information on vital events listed in the register. A certificate is a document, in paper or electronic format, issued by the registrar and containing all or part of the exact information included in the original vital record, and which, when issued by the registrar, has the full force and effect of the original vital record.³⁷ These certificates come in several forms, including a computer printout, a photocopy or reproduction of the original record, or a separate form with handwritten or typed information. Depending on the information required, the certificate may contain all the information from the register (full- or long-form) or limited information (partial- or short-form).³⁸

The receipt of a birth or death certificate, which is required for access to certain services, is often a significant incentive for registration. UN principles provide that issuance of the original certificate should be free of charge.³⁹ Charging for the original certificate at registration can serve as a disincentive for registration. However, the civil registration authority may charge for the issuance of additional copies of a certificate.

Only interested parties or their legal representatives should be able to request full certificates. Short-form certificates, which contain limited information, may contain only information that is in the public domain – such as full name, name of parents, sex, place and date of birth, marriage, and death. Other information may be sensitive – e.g. issues of paternity and wedlock, cause of death information, etc - and disclosure to the wrong person could violate the right to privacy. Only the immediate family, spouses, heirs, and third parties with a legitimate interest should have access to such sensitive information.⁴⁰ The local registrar should have authority to determine the legitimacy of such requests. Government agencies may also require such information for legitimate purposes.

Note that foetal death registration is for statistical, not legal, purposes, so certificates may not be provided for foetal deaths. However, some countries require a certificate be issued in order to bury or cremate foetal remains if the family has planned a formal burial or cremation process.⁴¹

Guidance: Indicate who is able to receive certified copies of information on vital events contained in the register, what evidence is required to prove the identity of the requester, and what information is contained in the certified copy, whether full or partial. Include details of all fees payable in connection with receipt of the certified copy. Differentiate original vs. additional copies, if applicable. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Birth Certificate (information contained in; who can request and proof of identity; fees for original and duplicate):

³⁷ Model State Vital Statistics Act and Model State Vital Statistics Regulations 2011 Revision, p. 4, lines 140-144. 81-

³⁸ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 284, 359.

³⁹ United Nations, Principles and Recommendations for a Vital Statistics Systems, Revision 3, New York, 2014. Para 364.

⁴⁰ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 285-286, 360-361.

⁴¹ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 315.

Citation

b. Death Certificate (information contained in; who can request and proof of identity; fees for original and duplicate):

Citation:

c. Foetal Death (information contained in; who can request and proof of identity; fees for original and duplicate):

Citation:

Comments:

12. Incomplete records, amendments, and corrections

Best Practice: The law should contain clear provisions for amending records, including correcting errors and disputed entries, and name changes, legitimations, adoptions, and other changed circumstances. The civil registration agency should have authority to correct errors such as obvious spelling, date or typographical errors, and these types of changes should be permitted free of charge. Adding omitted information - such as late naming of a child or uncontested paternity information - should also be within the power of the civil registration authority. This relieves the applicant of having to spend time and money applying to the courts, and relieves the court of additional workload.⁴² For corrections or amendments that involve changed circumstances or involve the rights of others (e.g., a spouse or a child), a registrant or their legal representative generally must apply directly to the courts. These types of amendments usually include adoption, surrogacy, paternity, divorce, annulment, judicial separation, and name change. In some jurisdictions, change of sex on a birth record and identity documents requires a court order and may also require proof of sex reassignment surgery. However, this is changing in some countries, which now allow a change of sex on birth certificates identity documents without this overly burdensome requirement.⁴³

In some cultures, a child is not given a name until after a naming ceremony. Registration practices should be sensitive to those customs to minimize the number of name changes required, while ensuring timely registration of the birth. One way to achieve this is to register the birth with a “temporary” name of “baby boy/girl” and permit the addition or amendment of a name within a defined number of days — at which point the child’s name will be changed.⁴⁴

Guidance: Describe which types of amendments the registrars can make on his/her own and which can only be made following judicial intervention/court order. Describe all procedures facilitating or impeding delayed naming of a child pursuant to naming ceremonies or similar customs, including time periods,

⁴² United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Paras. 408-412.

⁴³ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Paras. 413-418.

⁴⁴ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 295-296.

certificates to be delivered, etc. Note any process for legitimation or adoption of a child following initial registration of birth. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Corrections/amendments that can be made by registrar (for example, errors, omissions, uncontested information and late naming (if applicable)). Distinguish between amendments that can be made by a local registrar and those that require approval from a higher level, such as the national registrar:

Citation:

b. Amendments requiring a court order (e.g. adoption, surrogacy, paternity, divorce, annulment, judicial separation, name change and sex change):

Citation:

Comments:

13. Registration linked to access to key services and other incentives

Best Practice: Complete registration of births and deaths will be affected by demand from citizens for birth and death registration and certificates. Linking access to key services to birth/death registration can increase demand. Key services might include national IDs, passports, voter registration, drivers' licenses, access to the national health system or national insurance plan, burial permits, access to pensions (or the pensions of loved ones who have died), inheritance, and other property rights. Marriage and divorce may also be linked to birth or death registration. For example, a birth certificate may be required to prove age of consent to marry, and a deceased spouse' death certificate may be required to permit re-marriage. Some private companies may require certificates for access to services, such as life insurance, banking, cellphones, or Internet access.⁴⁵

While requiring a certificate to access key services will certainly increase demand for civil registration, overly strict requirements can reduce access these services —an unintended consequence that may violate the human rights of the unregistered person. For example, if a birth certificate is mandatory for school attendance, a child should not be deprived of an education if their family did not register them, but rather birth registration should be facilitated at the time of school enrollment.⁴⁶

There may also be incentives to register other than access to services. For example, some countries provide newborn kits (with items such as diapers, bottles and baby clothing) with birth registration, and subsidize costs for burial with death registration.⁴⁷

Guidance: Summarize whether and which civil registration documents are required to access key services, such as those listed above. Indicate whether registration is sufficient for access to the service or whether the person or family must present the certificate. In those cases, indicate whether the certificates are mandatory for access to the services or whether any alternative documents are permitted to access the system. Note that these rules are rarely included in the civil registration law, but are usually

⁴⁵ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 555-569.

⁴⁶ UNICEF, A Passport for Protection: A Guide to Birth Registration Programming. Ch. 2, pp. 66-67.

⁴⁷ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 564, 566

contained in laws related to the particular subject area (i.e., insurance rules are contained in the insurance laws and regulations). Note that foetal death registration is for statistical, not legal, purposes, so there should not be services linked to foetal deaths. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. What services are linked to birth registration/certificate? (e.g., school, health, national ID document). Are alternative documents accepted?

Citation:

b. What services are linked to death registration/certificate? (e.g., life insurance benefits, pension of deceased spouse, remarriage). Are alternative documents accepted?

Citation:

c. Services linked to other vital event registration/certificate? Alternative documents accepted?

Citation:

Comment:

14. Burial permits and disposal of bodies

Best Practice: UN guidance recommends that a country's legal framework should require all deaths to be registered as a condition to issuing a permit for burial, cremation or other disposal of human remains.⁴⁸ This requirement may be included in national laws on cemeteries/crematoria, in municipal laws/regulations, or in the civil registration law.

The need for a permit to transport or dispose of a body is a significant incentive for ensuring that the death is registered.⁴⁹ However, the registration requirement for burial permits may be difficult to comply with, particularly in locations where registration offices are difficult to access or where local or religious customs require burial within a short time after death. It may further be difficult to enforce in settings where burials don't all occur at officially designated sites.

Where death registration is a prerequisite for issuing a burial permit, the permit issuing authority may be required to share permit records with the civil registrar to assist with monitoring. In addition, funeral homes, cemeteries, and crematoria may be required to request a copy of a burial permit or proof of death registration before providing services and to share records with the registrar to assist with monitoring. Where death registration is not required before issuing a burial permit, it may be appropriate to place responsibility on the permit issuing authority to be the informant or to notify the civil registrar of all deaths. Similarly, if death registration is not required to obtain a burial permit, funeral facilities, cemeteries and crematoria may constitute an alternative entry point for ensuring that deaths are notified and/or registered.

Guidance: Describe the process for issuing a permit to bury, cremate or otherwise dispose of a body, including who issues the permit, whether death registration (including cause of death certification) is

⁴⁸ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 362.

⁴⁹ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 363-365, 567.

required for permit issuance, and any timelines. If applicable, describe the process for issuing a permit in the case of foetal deaths. Describe if the issuing authority is required to share permit records with the civil registrar, or act as informant or notifier for unregistered deaths. Discuss whether funeral homes, cemeteries and crematoria must request a copy of a burial permit or request proof of death registration. Indicate whether these service providers are required to share records with the civil registrar, or act as informant or notifier for unregistered deaths. In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Requirements for permit to dispose of body (issuing authority, whether death registration is required prior to issuance, and any timelines):

Citation:

b. Permit issuing authority required to share records with civil registrar? Permit issuing authority required to act as informant or notifier of unregistered deaths?

Citation:

c. Requirements for funeral, burial and cremation (e.g., whether burial permit or proof of death registration is required);

Citation:

d. Funeral, burial and cremation service providers required to share records with civil registrar? Funeral burial and cremation service providers required to act as informant or notifier of unregistered deaths?

Citation:

Comments:

15. Monitoring and evaluation of institutional processes

Best Practice: Completeness of registration can only be achieved if the legal obligation to inform or notify vital events is monitored and enforced. A system of supportive supervision and monitoring is likely to be more effective than a system of fines and penalties, in part because the infrastructure required to adjudicate fines and penalties may not be available (overworked court systems, appeals procedures, collection of fines, etc.).⁵⁰ In contrast, a good system of reporting, monitoring, and feedback (for example, regular reports from those obliged to inform or notify vital events, such as health facilities, community health workers, or funeral homes, that are compared against birth and death registers) may be more feasible and effective.

Guidance: Describe any documented system of fines, incentives, or oversight to ensure institutions are complying with the legal requirement to inform or notify vital events. Include a description of the monitoring system and the amount of fines or penalties, as well as parties subject to fines or penalties. (Note that this section applies to institutions with an obligation to inform or notify, e.g. the health sector.

⁵⁰ United Nations, Principles and Recommendations for a Vital Statistics Systems, Revision 3, New York, 2014. para. 294

Monitoring of local civil registrar offices is discussed in Chapter 2). In the comments section, state whether the law aligns with best practice and describe any gaps and/or opportunity for regulatory reform.

a. Oversight of health sector (monitoring, fines, incentives):

Citation:

b. Oversight of other institutions with obligation to notify (e.g., funeral homes, cemetaries, crematoria)
(monitoring, fines, incentives):

Citation:

Comments:

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