

Guidance on Civil Registration, Citizenship Determination and Statelessness

Introduction and Summary

This paper seeks to clarify the relationship between civil registration and the determination of nationality or citizenship; and to provide guidance on key attributes of a strong civil registration legal framework that can help to reduce or prevent statelessness.

Civil registration and determination of nationality are governed by two separate legal and administrative processes. Civil registration, in particular the registration of births, is a necessary pre-requisite for determining an individual's citizenship, but civil registration alone does not confer citizenship.

The right to birth registration is a fundamental human right enshrined in international conventions. Ensuring that every birth is registered provides benefits to governments, society and individuals.

The right to a nationality is also a human right recognized in a series of international legal instruments including Article 15 of the 1948 Universal Declaration of Human Rights.¹ Like many other rights, the right to a nationality is *dependent* on civil registration. However, civil registration and determination of nationality are distinct processes. Understanding the distinction between these two processes is important as the misconception that birth registration by a state, on its own, confirms nationality, may result in the denial of registration to children born of non-nationals which increases the risk of statelessness, marginalization and discrimination.²

The right and process to register a vital event (such as a birth) is based on a state's civil registration laws. Nationality is determined upon meeting criteria set out in nationality laws (typically found in the country's constitution or founding document³) or granted by a competent authority pursuant to naturalization laws.⁴

Birth registration is fundamental to the prevention of statelessness and is essential to protect children born to parents who are in an irregular migration situation, or to refugee or asylum-seeking parents. Registering the births of children born to parents in irregular migrant situations is important to ensure accurate national data on the population in the host country and to support a child's repatriation and return to his or her country of origin where appropriate.⁵ While birth registration in itself does not confer citizenship on a child, it can demonstrate the link between an individual and a State, by documenting where a child was born and who the child's parents are. When a child's birth is not registered, they are at heightened risk of statelessness if, for example, they lack evidence to prove their right to a nationality and the State refuses to acknowledge them as a citizen.

Improving civil registration and preventing statelessness are important complementary strategies for achieving sustainable development goals. Addressing barriers to civil registration and preventing statelessness will help countries meet their commitment under the second principle of the 2030 Agenda for Sustainable Development to Leave No One Behind.⁶

¹ United Nations, 1948, Art 15 "Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."

² UNHCRS, Conclusion on Civil Registration, Geneva, 2013, at: <https://www.unhcr.org/media/conclusion-civil-registration>

³ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management, 2019, par. 127.

⁴ UNHCR, Good Practices Paper Action 7: Ensuring birth registration for the prevention of statelessness, New York, 2017. p.3.

⁵ Report of the United Nations High Commissioner for Human Rights, A/HRC/39/30, Best practices and specific measures to ensure access to birth registration, particularly for those children most at risk, 2018.

⁶ <https://unsdg.un.org/2030-agenda/universal-values/leave-no-one-behind>

Civil Registration of Births

Civil Registration is “*the continuous, permanent, compulsory, and universal recording of the occurrence and characteristics of vital events pertaining to the population, as provided through decree or regulation in accordance with the legal requirements of a country*”.⁷ (Vital events include births and deaths as well as marriage, divorce and adoption)

All people have a right to birth registration. It is a fundamental right, recognized by various international conventions including:

- The International Covenant on Civil and Political Rights, Article 24, paragraph 2
- The Convention on the Rights of the Child, Article 7.⁸

In addition, Sustainable Development Goal, Target 16.9, calls upon States to provide legal identity for all, including birth registration.⁹ Likewise, Action 7 of the UNHCR's Global Action Plan to End Statelessness 2014-2024 calls on States to ‘ensure birth registration for the prevention of statelessness.’¹⁰

Civil registration has three functions, which are necessary for the effective, efficient and fair functioning of government:

First, it serves a legal and administrative function as it enables the registration of vital events, keeping of official records concerning a person's civil status, and issuance of certificates which are legally valid proof of vital events. **These certificates are used to prove a person's identity, family relationship, and civil status**, and to enable the enjoyment of basic rights and access to services.¹¹

Second, it serves a statistical function and is the most reliable source of vital statistics as it provides a continuous and current record of vital events.¹² Vital statistics provide government with accurate and timely information for public health and socioeconomic policymaking and planning.

Third, it serves as the foundation for national identity management by providing continuous and accurate input into an identity management system or population register,¹³ which provides credentials for establishing identity for public administration and public and private transactions and services.¹⁴ As with civil registration, maintaining a person's information within a national ID system and/or population register do not confer citizenship. A person's nationality (whether of the host state or otherwise) is one of the pieces of information that may be recorded within those systems.

Civil registration is not only a human right in itself but is also an important tool to facilitate the enjoyment of other human rights. Many rights enshrined in the Universal Declaration of Human Rights and other conventions, such as the right to a nationality and the right to vote, own property, receive education, and work, require individuals to establish and prove legal identity.¹⁵

⁷ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 279.

⁸ Report of the Office of the United Nations High Commissioner for Human Rights, A/HRC/27/22, Birth registration and the right of everyone to recognition everywhere as a person before the law, 2014

⁹ United Nations, Transforming our world: The 2030 Agenda for Sustainable Development A/RES/70/1, par. 4. Sustainable Development Goal 16, Target 16.9, calls upon States to provide legal identity for all, including birth registration.

¹⁰ UNHCR, Global Action Plan to End Statelessness 2014-2024, 2014, at: <https://www.unhcr.org/ibelong/global-action-plan-2014-2024/>

¹¹ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management, 2019, par. 55-56.

¹² United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 281.

¹³ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management, 2019, par. 63.

¹⁴ *Id.*, par. 10.

¹⁵ *Id.*, par. 109.

Nationality and Citizenship

Nationality is defined as “*The legal bond between a person and a State, which entitles the individual to the State’s protection as its national and entails legal rights and responsibilities. Nationality can be established at birth by a person’s place of birth (jus soli) and/or bloodline (jus sanguinis) or can be acquired through naturalization. The concept is referred to as citizenship in some national jurisdictions.*”¹⁶ Citizens are persons who have been recognized by a State as having an effective link with it.¹⁷

Nationality is acquired through the operation of a state’s nationality law or constitution. Each state determines its own rules for acquisition, change and loss of nationality.¹⁸

A child acquires nationality either by acquiring the nationality of their parents (*jus sanguinis*), the nationality of the country of birth (*jus soli*) or a combination of both approaches.¹⁹ As nationality is acquired automatically in these cases, birth registration serves as the legal record and primary proof of a person’s identity and link to the state based on the place of birth or parentage.²⁰

A person may also acquire nationality by application, through the state’s naturalization processes.²¹ Civil registration records are also relevant in these cases, to prove the person’s identity, age, previous nationality, marriage, and other personal circumstances that prove eligibility for naturalization.

The citizenship rules of each State dictate whether the State applies *jus soli* or *jus sanguinis* (or both) and explain the requirements for naturalization.

In States that apply pure *jus soli*, an individual acquires the citizenship of that State by being born on the State’s territory, regardless of the citizenship or immigration status of the individual’s parents. The *jus soli* rule affords the greatest protection against statelessness, as children automatically acquire citizenship of the country of birth.²² However, some countries still impose restrictions based on racial, ethnic, and religious grounds.²³

In States that apply pure *jus sanguinis*, it does not matter where an individual is born; if at least one of the individual’s parents is a citizen of the country, citizenship will pass from the parent to the child.²⁴ (A number of countries, however, provide that only the father may pass his nationality on to his children.)²⁵

Some countries such as the United States and the United Kingdom, adopt a combination of *jus soli* and *jus sanguinis*. In the U.S., children born on U.S. territory are automatically U.S. citizens, as are children born abroad to U.S. citizen parents.²⁶ In the United Kingdom, in addition to *jus sanguinis*, *jus soli* is applied with restrictions, that is, an individual may acquire citizenship by birth on the territory, provided that the individual’s parents were “legally settled” in the United Kingdom at the time of the individual’s birth.²⁷

¹⁶ UNHCR glossary of terms <https://www.unhcr.org/glossary>

¹⁷ See the judgment of the International Court of Justice of 6 April 1955 in the *Nottebohm* case (*Liechtenstein v. Guatemala*).

¹⁸ Hague Convention of 1930 on Certain Questions relating to the Conflict of Nationality Laws, Articles 1 and 2.

¹⁹ UNHCR Handbook on Protection of Stateless Persons, Geneva, 2014, para. 25-26, 32-35.

²⁰ *Id.*, para. 32-36.

²¹ *Id.*, para. 32-36.

²² UNHCR, *Citizenship and Statelessness in the Member States of the Southern African Development Community*, 2020, p. 18.

²³ For examples in Africa and Asia and Pacific, see: B. Manby, *Citizenship Law in Africa: A Comparative Study*, 2016, p. 5-6 and *Nationality For All, Statelessness Encyclopedia Asia Pacific*, 2023, p. 15-16

²⁴ See for instance *See Act of 15 February 1962 on Polish Citizenship*, § 2 (Poland).

²⁵ For examples in Africa and Asia and Pacific, see: B. Manby, *Citizenship Law in Africa: A Comparative Study*, 2016, p. 5-6, 64 and *Nationality For All, Statelessness Encyclopedia Asia Pacific*, 2023, p. 15-16

²⁶ See 8 U.S.C. § 1401.

²⁷ British Nationality Act, 1981 c. 61, § 1 (United Kingdom).

Some countries also provide a presumption of nationality for foundlings²⁸ where the foundling child is presumed to have been born within the country of discovery to parents possessing the nationality of that State, or provide explicit safeguards against statelessness by granting citizenship to children born within their territory who would otherwise be stateless.²⁹

Statelessness

The UN Convention Relating to the Status of Stateless Persons defines a “stateless person” as “a person who is not considered a national by any State under the operation of its law”.³⁰

Statelessness often has a severe and lifelong impact on those it affects. The millions of people around the world who are denied a nationality often fight for the same basic human rights that most take for granted. Often, they are excluded from cradle to grave— being denied a legal identity when they are born, access to education, health care, marriage and job opportunities during their lifetime and even the dignity of an official burial and a death certificate when they die. Many pass on statelessness to their children, who then pass it on to the next generation.

Because statelessness leads to the denial of fundamental rights and freedoms and a cycle of insecurity and marginalization,³¹ various international conventions recognize the right to a nationality as a human right and set out country obligations to prevent statelessness and protect stateless persons:

- The Universal Declaration of Human Rights³² provide that “everyone has the right to a nationality,” and that “no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.”
- The 1954 Convention on the Status of Stateless Persons affirms that stateless persons are entitled to enjoy fundamental rights and freedoms as favorable as nationals. These include, but are not limited to, the right to education, employment and housing. Importantly, the 1954 Convention also guarantees stateless people a right to identity, travel documents and administrative assistance.
- The 1961 Convention on the Reduction of Statelessness lays out specific obligations of contracting parties to prevent and reduce statelessness. However, this convention has been acceded to by only 82 countries.
- The Convention on the Rights of the Child *and* the Convention on the Elimination of all Forms of Discrimination Against Women recognize the right to a nationality and provide safeguards against statelessness.³³ Most countries in the world have ratified or acceded to these two treaties.³⁴

The relationship between civil registration, citizenship and statelessness

As stated above, civil registration and determination of nationality are distinct processes, but determining nationality is dependent on civil registration. Misconceptions that birth registration on its own confirms nationality or can impact what state a person is a citizen of, may result in the denial of registration which increases the risk of statelessness, marginalization and discrimination.³⁵

²⁸ Examples include Cambodia, Indonesia and the Philippines. D. Petcharamesree and B. Napaumporn, Legal Identity of All Women and Children in ASEAN: A Regional Synthesis, Vietnam, 2020, p. 109-129, at: <https://asean.org/book/legal-identity-of-all-women-and-children-in-asean-a-regional-synthesis/>, p. 54-55, 130-132, see also: UNHCR, Citizenship and Statelessness in the Member States of the Southern African Development Community, 2020, p. 21 to 22.

²⁹ Convention on the Reduction of Statelessness, Art. 2. See also: UNHCR, Citizenship and Statelessness in the Member States of the Southern African Development Community, 2020, p. 23-24

³⁰ The 1954 Convention relating to the Status of Stateless Persons Article 1

³¹ UNHCR Handbook on Protection of Stateless Persons, Geneva, 2014, para. 11.

³² Universal Declaration of Human Rights, Art. 15.

³³ Convention on the Rights of the Child, Art. 7, (ratified by 195 States); and Convention on the Elimination of all Forms of Discrimination Against Women, Art. 9. (ratified by 189 States).

³⁴ D. Petcharamesree and B. Napaumporn, Legal Identity of All Women and Children in ASEAN: A Regional Synthesis, Vietnam, 2020, p. 94-97, at: <https://asean.org/book/legal-identity-of-all-women-and-children-in-asean-a-regional-synthesis/>

³⁵ UNHCR, Conclusion on Civil Registration, Geneva, 2013, at: <https://www.unhcr.org/media/conclusion-civil-registration>

The right and process to register a vital event is based on a state's civil registration laws whereas nationality is determined by operation of law upon meeting criteria set out in nationality laws, typically found in the country's constitution or founding document,³⁶ or granted by a competent authority pursuant to naturalization laws.³⁷

For civil registration, there is typically an agency or authority identified in civil registration laws, that has powers to register a vital event. In terms of process, in general, an 'informant' is required to report the occurrence of a vital event to civil registration authorities, in the prescribed form, along with documentary requirements.³⁸ (The informant is designated in the law and may be a family member, a health facility or community worker). These documentary requirements include notification of birth from the health sector or, in its absence, testimony or affidavits of witnesses.³⁹

The process for acquiring or determining nationality can be automatic, or by application. In the case of determination of nationality, the competent authority depends on the mode of acquisition. In automatic modes of acquisition, whether by *jus soli* or *jus sanguinis*, there is no competent authority in the sense of 'determination.' No additional steps are required to acquire nationality, meaning that birth registration is needed as evidence of the automatic acquisition of nationality.⁴⁰ Relevant authorities merely clarify status by providing documents (as in the issuance of birth certificates, national identity cards or passports). In non-automatic modes, it is the agency designated by law to assess an application for naturalization that is considered the competent authority.⁴¹ In naturalization, the process and documentary requirements depend on the country's naturalization laws and typically results in the issuance of a naturalization certificate.

Although civil registration does not confer nationality, it serves as proof of the facts of birth, name, date, place, and parents. These facts of birth can be used to confirm nationality and, in the case of naturalization proceedings, enables the acquisition of nationality.⁴² The following are examples of the role of civil registration in the confirmation or acquisition of nationality and prevention of statelessness:

1. In acquiring citizenship by *jus sanguinis* or *jus soli*, birth registration is the legal record and source of proof of a person's legal identity, place of birth, and family relationships which in turn are the bases for confirming citizenship by descent or place of birth.⁴³
2. In cases of state succession or the replacement of one state by another in the responsibility over a given territory,⁴⁴ birth registration also serves as evidence of a person's previous nationality when it is needed to confirm withdrawal of such nationality⁴⁵ and acquisition of, or entitlement to acquire, the successor state's nationality.⁴⁶
3. In naturalization proceedings, civil registration provides evidence of either entitlement to be naturalized, as in the case of naturalization based on marriage,⁴⁷ or of the applicant's identity, previous nationality, age, or civil status.
4. Civil registration also enables determination of statelessness and facilitates naturalization as the documents derived from birth registration (birth certificate, national identity card, or extracts) are

³⁶ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management, 2019, par. 127.

³⁷ UNHCR, Good Practices Paper Action 7: Ensuring birth registration for the prevention of statelessness, New York, 2017. p.3.

³⁸ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Paras. 355-356 and United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 387-388.

³⁹ *Id.*, Para. 264.

⁴⁰ UNHCR Handbook on Protection of Stateless Persons, Geneva, 2014, para. 35.

⁴¹ UNHCR Handbook on Protection of Stateless Persons, Geneva, 2014, para. 30-36

⁴² United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 41.

⁴³ UNHCR Handbook on Protection of Stateless Persons, Geneva, 2014, para. 32-36.

⁴⁴ Nationality of Natural Persons in relation to the Succession of States, 1999. Art. 1.

⁴⁵ Nationality of Natural Persons in relation to the Succession of States, 1999. Art. 20.

⁴⁶ Nationality of Natural Persons in relation to the Succession of States, 1999. Art. 21.

⁴⁷ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management, 2019, par. 120.

among the acceptable evidence of a person's identity and personal history.⁴⁸ Death registration is also relevant in determination of statelessness insofar as it affirms the need to resort to other evidence to confirm nationality, in cases where a person's parents have passed away while being stateless.

Improving civil registration legal frameworks to prevent statelessness

Having a strong legal framework is crucial in establishing a well-functioning civil registration system that is able to meet the needs not just of the general population but, more particularly, stateless populations and those at risk of statelessness. A comprehensive review of the country's civil registration legal and regulatory framework is an important first step in reforming a civil registration system towards a more accessible, efficient, and inclusive system. Below are some international best practice recommendations to consider in strengthening a civil registration legal framework to prevent statelessness:

1. **Universality** – based on the principle of universality, civil registration services must be provided to all individuals without discrimination or distinction as to race, religion, ethnicity, sex, status as a member of nomadic, displaced, native, indigenous or aboriginal population, or status as a refugee, asylum seeker or foreign national born in the country, or migrant worker, or any other characteristic.⁴⁹ Countries should also consider the unique barriers faced by marginalized groups, and empower the civil registration authority to institute special procedures to address them.⁵⁰

Some countries have denied birth registration to children born to non-nationals because of the misconception that birth registration confers nationality. For these countries, it may be helpful to clarify in legislation that birth registration is not limited to nationals and to introduce specific provisions to ensure registration of stateless persons and persons at-risk of statelessness such as refugees, undocumented migrants, internally displaced persons and members of nomadic, indigenous or aboriginal populations.⁵¹ For example, Ethiopia issued separate proclamations allowing registration of children of foreigners and refugees.⁵² Thailand, Cambodia and Vietnam have also recently issued laws clarifying that all children born in their countries shall have their birth registered, regardless of the nationality or legal status of their parents.⁵³

2. **Access** – local civil registration offices should correspond to the minor civil divisions of the country, to ensure complete coverage and accessibility.⁵⁴ The civil registration authority should also be empowered to establish additional registration sites in locations where vital events occur in large numbers, and to deploy mobile registration to reach remote areas,⁵⁵ refugee camps, and marginalized groups.⁵⁶ Countries may also consider deputizing government workers who have the most interaction with communities, or conducting registration drives around activities that attract unregistered populations.⁵⁷ For example, the civil registration authority may deputize health workers to serve as informants upon becoming aware of an unregistered child during vaccination drives or pediatric visits.⁵⁸ The civil registrar may also conduct registration drives in schools to enable registration of unregistered children prior to enrollment.⁵⁹

⁴⁸ UNHCR Handbook on Protection of Stateless Persons, Geneva, 2014, para. 84.

⁴⁹ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 296.

⁵⁰ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 33.

⁵¹ *Id.*, para. 299.

⁵² UNHCR, Citizenship and Statelessness in the Horn of Africa, 2021, p. 38.

⁵³ D. Petcharamesree and B. Napaumporn, Legal Identity of All Women and Children in ASEAN: A Regional Synthesis, Vietnam, 2020, p. 46 and 76-78, at: <https://asean.org/book/legal-identity-of-all-women-and-children-in-asean-a-regional-synthesis/>

⁵⁴ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Paras. 340-346.

⁵⁵ *Id.*, Paras. 347.

⁵⁶ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 299.

⁵⁷ *Id.*, para. 177.

⁵⁸ *Id.*, para. 260.

⁵⁹ D. Petcharamesree and B. Napaumporn, Legal Identity of All Women and Children in ASEAN: A Regional Synthesis, Vietnam, 2020, p. 38-49, at: <https://asean.org/book/legal-identity-of-all-women-and-children-in-asean-a-regional-synthesis/>

3. **Fees** – on-time registration of births, deaths, and marriage should be free.⁶⁰ In case of late or delayed registration, fees should be avoided or minimized as it serves as a disincentive to registration. If fees are imposed, there should be a process for waiving the fee for indigents, and for those who are unable to access registration services within the deadline due to other vulnerabilities such as indigents, those in geographically isolated locations, internally displaced persons, undocumented immigrants, etc.⁶¹
4. **Process** – civil registration processes should be as simple and as efficient as possible. To remove the burden of registration on the individual and ensure that all births with medical attendance are registered, the health sector should be responsible for directly notifying all vital events that occur in a health facility or under medical care to the civil registrar.⁶² For births that occur outside the health facility and without medical attendance, both parents should have equal authority to register the birth in the absence (or in case of refusal) of the other,⁶³ whether or not the child is born out of wedlock.

The legal framework should also specify the deadline for timely registration and the process and requirements for late and delayed registration. (Late registration when the vital event is notified after the deadline but within a grace period, and delayed registration when the vital event is notified after the grace period.) The procedures and requirements should be sufficient to allow verification of evidence of past events and maintain the integrity of records but should not be so restrictive as to prevent late or delayed registration. In some countries a court order is required for late or delayed registration of births⁶⁴ presenting a significant barrier to registration.⁶⁵ Shifting to administrative processes which in most cases are more accessible, less costly, and less time-consuming will not only help encourage late or delayed registration but also help decongest court dockets.

The civil registration authority should also be empowered to establish special procedures to register vulnerable or marginalized groups, such as foundlings and children born to asylum-seekers, refugees, and undocumented migrants.⁶⁶ Digitalization of the civil registration system may also help simplify the process and minimize documentary requirements for registration for timely, late and delayed registration.⁶⁷

5. **Documentary requirements** - The proof required must be stringent enough to ensure accuracy, but not so burdensome as to serve as a barrier to registration. For timely registration of births, notification of birth from the health sector is preferred. In its absence, testimony or affidavits of witnesses may be accepted.⁶⁸ The local civil registrar should also be trained and empowered to evaluate if information provided by the informant is sufficient (without additional proof), or if alternative proof presented is acceptable for registration.⁶⁹

In some countries, identity documents are also required from the parents of the child to register a birth. Because stateless persons and persons at-risk of statelessness do not usually have legal proof of identity, legislation should allow for alternative documents and witness statements to

⁶⁰ United Nations, Guidelines on the Legislative Framework for Civil Registration, Vital Statistics, and Identity Management, 2019, 33.

⁶¹ *Id.*, para. 37.

⁶² *Id.*, para. 34.

⁶³ UNHCR, Birth Registration and Statelessness in the Member States of the Southern Africa Development Community, 2023, p. 18.

⁶⁴ UNHCR, Citizenship and Statelessness in the Member States of the Southern African Development Community, 2020. p. 60-61.

⁶⁵ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 273.

⁶⁶ *Id.*, para. 39.

⁶⁷ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Para. 382.

⁶⁸ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 264.

⁶⁹ United Nations, Principles and Recommendations for a Vital Statistics System, Revision 3, New York, 2014. Paras. 366-367.

enable registration,⁷⁰ and the registrar should be authorized to use discretion to register the vital event with available information and documents.⁷¹

6. **Inter-agency cooperation** – The civil registration system involves more than one government body. Other agencies are involved and play a role in registering vital events, while others may use the information recorded by the system. Thus, coordination and collaboration across these agencies are necessary. This coordination can either be through an inter-agency committee on civil registration that has identified membership and is required at least annually, or by designating a civil agency empowered to coordinate activities.⁷² Coordination across agencies is especially important in preventing statelessness as the agencies involved in statelessness determination and naturalization are different from the civil registration authority.

Cooperation with consular offices is also necessary as consular offices are responsible for recording or registering vital events of nationals who are temporarily residing abroad,⁷³ especially in countries where nationality is acquired by descent. For instance, Namibian and South African children born abroad must be registered with the relevant consulate abroad.⁷⁴ In such cases, efforts should be made to make civil registration services accessible through consulates, by establishing civil registration offices or through special consular missions. For example, in 2012, Ethiopia issued a proclamation to provide consular missions that serve as civil status offices abroad.⁷⁵ The Philippines' civil registration authority also regularly coordinates with the Department of Foreign Affairs and Department of Social Welfare and Development (DSWD) to conduct special consular missions and register births of undocumented children of Filipino migrants in other countries.⁷⁶

7. **Bilateral cooperation** - Collaboration need not be limited to the country. For births of nomadic populations and undocumented migrant populations, bilateral cooperation with neighboring countries will help facilitate birth registration.⁷⁷ There have been well-documented good practices where issues on statelessness were addressed through cross-border or bilateral cooperation. For example, the Governments of Lao PDR, Viet Nam, and Thailand entered into bilateral agreements to address civil registration and nationality issues of irregular migrant workers.⁷⁸ Likewise, the Governments of Indonesia and the Philippines have established a joint program to resolve citizenship issues of persons of Indonesian descent residing in the Philippines. In 2016, Ghana and Côte d'Ivoire entered into an agreement to facilitate the transcription of Ghanaian birth certificates into Côte d'Ivoire's civil registry, for refugee children born in Ghana whose families have decided to repatriate to Côte d'Ivoire.⁷⁹

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<https://www.advocacyincubator.org/what-we-do/our-public-health-advocacy-programs/civil-registration/legal-and-regulatory-review-toolkit-for-crvsid>

⁷⁰ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 299.

⁷¹ *Id.*, para. 266.

⁷² *Id.*, para. 197.

⁷³ *Id.*, para. 34 and 296.

⁷⁴ UNHCR, Citizenship and Statelessness in the Member States of the Southern African Development Community, 2020. p. 29.

⁷⁵ UNHCR, Citizenship and Statelessness in the Horn of Africa, 2021, p. 46.

⁷⁶ D. Petcharamesree and B. Napaumporn, Legal Identity of All Women and Children in ASEAN: A Regional Synthesis, Vietnam, 2020, p. 75, at: <https://asean.org/book/legal-identity-of-all-women-and-children-in-asean-a-regional-synthesis/>

⁷⁷ United Nations, Guidelines for the Legislative Framework for Civil Registration, Vital Statistics and Identity Management Systems, New York, 2019, Para. 299.

⁷⁸ D. Petcharamesree and B. Napaumporn, Legal Identity of All Women and Children in ASEAN: A Regional Synthesis, Vietnam, 2020, p. 72 - 78, at: <https://asean.org/book/legal-identity-of-all-women-and-children-in-asean-a-regional-synthesis/>

⁷⁹ UNHCR, Good Practices Paper Action 7: Ensuring birth registration for the prevention of statelessness, New York, 2017. P. 8.