



Une association pour

ré-agir au féminin

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No birth registration, no rights

1. Issue

In 2010 Regards de femmes wondered why the MDG were not going to be achieved. We searched for invisible people, apart from radars of development projects and we have been confronted with billions of people without legal identity.

In refining our research, we found that in a large number of countries women do not have the legal or customary ability to report the birth of their children.

We therefore considered it essential to put this issue on the agenda of women's rights

UN Women immediately supported us for this action

We acted with our African partners to ensure that this fundamental issue is included in the Sustainable Development Goals, so that no one is left behind.

It's SDG 16,9 Each State must provide legal identity for all, including birth registration

Indicator 16,9,1 Proportion of children under 5 years of age whose births have been registered with a civil authority, by age

This allowed us to continue our action to reach our goal : each woman ,irrespective of her marital status can be entitled to assert her right to declare the birth of her child

The issue

60 million children by year worldwide don't have a birth registration (UNICEF). The absence of any birth certificate creates a mechanism of social exclusion.

In some countries, birth registration is hindered by the patriarchal laws concerning a child's nationality, sexist discriminations forbidding a mother to register her child and forbidding girls to enroll in school or accessing health care.

Girls without birth certificates are at greater risk not to be granted education or health care. Without an identity, they are invisible and excluded from all fundamental and universal rights and they are more likely to become victims of human trafficking.

Their existence is denied. These girls are not mentioned in the register of civil status. They are civilly dead. Their rights are violated. In general, these girls come from ethnic

minorities, living in rural areas where their mothers haven't had access to basic education. Exclusion and poverty carry on this way.

Getting out of this vicious circle and replacing it by a virtuous one enables a sustainable development of humanity. It is essential to make visible these invisible girls, so they might access many action programs targeting different traditional, patriarchal, financial and geographical constraints. Such programs allow their security and emancipation.

Since 2011, during the Commission on the Status of Women at the UN in New York, Regards de femmes organized workshops to:

- Alert and inform States, NGOs and the public opinion on this crucial violence,
- Demonstrate the importance of a public service of civil registration for the States and the population from a legal, social and demographic point of view,
- Pinpoint how to identify the absence of birth registration,
- Introduce good practices to ease birth registration.

2. Context

Although every child has the right to a name, a nationality and to be registered at birth, one in two children in the world do not have a birth certificate: in South Asia, the proportion reaches 64 percent, in Sub-Saharan Africa 62 percent, whilst in Afghanistan and in Ethiopia only 6 or 7 percent of the children are registered.

In legal terms, these children do not exist. As their age is not known, they will not have the minimal protection conferred to minors against early marriage, child labor, detention, legal proceedings and recruitment of the armed forces. They do not benefit from any protection against abuse and/or exploitation. To a child trafficker, an unregistered child will be a more attractive commodity. The discrimination, neglect and the abuse that unregistered children may be the victims of is more likely to remain unnoticed. Later on, it will be impossible for an unregistered child to apply for a passport or formal job, open a bank account, get a marriage license, vote or stand for elective office.

Huge disparities have been observed between rural and urban zones. Women in a rural area give birth in their village, even if in the urban area they would have easier access to a maternity hospital where the registration is simplified. In West Africa and the Ivory Coast the rates are respectively 36 % and 80 %, in Mali 42 % and 72 %, in Senegal 40 % and 72 %.

Beyond the political, administrative, economic and geographic barriers, the discriminations between men and women prevent birth registration.

The banning of women to intervene during the process results in an impossibility to register if the father is absent. The difficulty to do so is increased for single mother and in cases of rape.

One can also observe the exclusion of children from a second or third spouse while polygamy is authorized (Nepal). Within societies who give preference to the male sex, boys are more often registered than girls, increasing female infanticides.

During conflicts, civil strife, In refugee camps, migratory routes and natural disasters, State capacities to fulfil their responsibilities for CRVS severely undermined. Systems are not resilient enough.

Recommendation to eradicate this social plague

We will not wait another 10 years to get out of the infernal cycle and replace it with a virtuous circle

States and families must be informed about the importance of birth registration. Community leaders, media and organizations play an important role in raising awareness.

Regards de femmes have built a platform to raise awareness and inform people about the importance of legal identity

The platform lists

- the obstacles on legal identity
- State services, international organizations and local associations who act to eradicate this scourge, that require civil status agents trained and paid throughout the all country
- best practices to disseminate

Regards de femmes advocates for :

1- Elimination of discriminatory legislation against women

The absence of financial resources does not justify discriminatory legislation There is no excuse. There is no question of financial means but of political will and the political will must be created

governments need to eliminate discriminatory laws and practices against women and girls. This includes ensuring equality of spouses in their right to apply and collect birth certificates

2-Improvement of mechanism

Partnership interoperability between Health and civil Registration, coordinated response for eradicating childhood stateliness

UNICEF has found that coupling birth registration with programming in other sectors such as social assistance and education can lead to measurable results as well.

For example, when birth registration services are integrated with health services such as immunization

3-Innovative approaches must be promoted, such as the use of ICTs, (information and communication technology), SMS technology and online birth registration systems. pilot new digital approaches

Un women and Mastercard foundation develop a credit cards program in Nigeria for businesswomen. The credit card contains all their biometric data and becomes their identity card, giving access to the right to vote and other citizens' rights

We ask that

- each State implements a public civil registration system, free of charge, mandatory and opened to all individuals living in the territory, irrespective of their marital status, ethnic origin, political opinions, economic status, language, place of residence;
- birth registration and issuance of birth certificate should be free of charge, birth registration process should be simplified and facilitated by all possible means of communications, through the adoption of national laws;

And declare that

- ensuring universal birth registration is essential for both the child and the nation. It must guarantee that each and every child enjoys their full right to an identity and citizenship.
- birth registration gives a child a recognized legal existence and identity. It is the sign that a child 'belongs' to a family, a community and a nation. It shows that a child has a place and a stake at all three.
- it ensures that all individuals can fully participate to the social, cultural, civil life of their country.

To conclude I will recall three advances on which our plea was heard

- The political decision of the Ivory Coast to provide each child with schooling a document of civil status
- Phumzille Mlambo Ngunka's intervention at the opening of the CSW 63

The public service provision of something as basic as a birth certificate or identity card can have huge consequences for women's ability to access benefits and services, and important public and private service goods, from banking, land ownership and voter registration, to reclaiming property after conflict or climate disasters or after the death of a spouse.

- the agreed conclusions of CSW 62 and 63

25. The Commission notes the vital importance of birth registration for the realization of all human rights, including the right to social security, as well as access to social protection systems and expresses concern at the low levels of birth registration amongst some indigenous women and girls, women and girls with disabilities, migrant women and girls, and those women and girls in rural areas, and expresses further concern that all persons without birth registration may be more vulnerable to marginalization, exclusion, discrimination, violence, statelessness, exploitation and abuse.

p. Guarantee the universal registration of births and ensure the timely registration of all marriages, including by removing physical, administrative, procedural and other barriers that impede access to registration and by providing, where lacking, mechanisms for the registration of births and marriages, including customary and religious marriages, bearing in mind the vital importance of birth registration for the realization of the rights of individuals including the right to social security as well as access to public services;

It seems essential to us to take action as well, in France:

- The children in metropolitan France but also in France's overseas territories and departments are concerned by this problem, namely Romanies and isolated minors without documents of birth certificates (According to UNICEF's 2010 report it is estimated that more than 4000 children are left to themselves¹ in France, among which 10 to 20 % are girls and 3000 minors arrive here each year.).

¹ Exiled children (minors coming from all regions ravaged from war and ethnic conflicts), mandated children (China), exploited children (victims of human trafficking, eastern Europe), runaways, errants (children from the street), or children joining another adult

- The autonomous regions have to be informed about this problem to be able to help, in the actions of co-development, and support France to install a system of public services of civil registration in developing countries.