Integrating civil registration and vital statistics systems and legal identity management in the digital era

Conference theme

Innovative Civil Registration and Vital Statistics systems:
Foundation for Legal Identity Management

I.   Introduction

1.   The need to integrate civil registration and legal identity has become inevitable as Africa responds to the key issues of leaving no one behind, inclusiveness and visibility, as expressed in Agenda 2063: The Africa We Want and the 2030 Agenda for Sustainable Development. As stated in article 7 of the Convention on the Rights of the Child and article 6 of the African Charter on the Rights and Welfare of the Child, children have the right to be named and registered at birth. Furthermore, everyone has the right to recognition everywhere as a person before the law, as enshrined in article 6 of the Universal Declaration on Human Rights and several other international human rights and humanitarian law instruments. Without proof of legal identity, individuals may not be able to acquire a nationality and become stateless. Women and children may also be forced to resort to participation in the informal labour market, and risk being subjected to extremely poor working conditions, trafficking, sexual exploitation, lack of access to justice and more.

2.   The right to legal identity is non-derogable, meaning that it is considered such a fundamental human right that it can never be restricted or suspended, even in an emergency. In the context of international human rights law, all States have the obligation to ensure the legal recognition of individuals in their territory.

3.   One billion people in the world today cannot prove who they are and therefore lack legal identity, of whom approximately half are in Africa. About 650 million of the one billion are children. The adoption of target 16.9 of the Sustainable Development Goals ("By 2030, provide legal identity for all, including birth registration") is key to advancing the 2030 Agenda commitment to leave no one behind, and equally relevant is Goal target 17.19 on supporting statistical capacity-building in developing countries, monitored by the proportion of countries that have achieved 100 per cent birth registration and 80 per cent death registration (indicator 17.19.2).

4.   It is worth noting that 12 of the 17 Goals and more than one third of the Goal targets require data from civil registration and vital statistics (CRVS) systems directly or indirectly. Well-functioning CRVS systems are therefore critical to ensuring that associated Goals are achieved in Africa on the basis of inclusiveness. This has been recognized by Agenda 2063 of the African Union, which echoes inclusiveness as a prerequisite to the continent's growth and development. With this intention, the African Union Heads of State and Government Summit held in Kigali, Rwanda in July 2016 declared 2017-2026 to be the decade for repositioning CRVS in Africa's continental, regional and national development agenda.

5.   Furthermore, the United Nations Legal Identity Agenda 2020-2030, backed by the Deputy Secretary-General, was launched as a One United Nations approach to support Member States in building holistic, country-owned, sustainable CRVS and identity management systems. Its efforts focus on closing the global identity gap, with a benchmark goal of more than 300 million by 2025, and, in turn, providing Member States with the vital statistics and demographic information needed for socioeconomic gains, better public administration, planning and monitoring.

II.   Civil registration and vital statistics as the foundation of identity ecosystem

6.   If the potential of Africa's population is to be unlocked, a life-cycle approach to identity, starting from birth and ending with death, needs to be adopted. The civil registration system

lays the basic building blocks of an identity ecosystem. A fundamental and systemic principle is that the civil registration system should serve as the basis for individual identification and for the recording of 'entry into' and 'exit from' population registers. Birth registration and certification identify individuals by assigning unique identity numbers from birth that link civil registration records, national identity and a multitude of functional identity registers throughout the life of individuals. A birth certificate is considered the foundational document for all individual identity systems, including national identity, and ensures that individuals have access to diverse social services such as health care, education and social welfare. A death certificate permits the removal of an individual from different functional registers and eliminates ghost workers and illegible beneficiaries while also updating electoral rolls.

7.   Despite the remarkable progress achieved in the past few years, there are various challenges still facing African CRVS systems. At the regional level, the average rate of birth registration coverage increased from about 40 per cent in 2012 to 56 per cent in 2015, while death registration remained below 40 per cent over the same period.

8.   CRVS systems are underfunded in more than two thirds of African countries and only 28 per cent of African countries have adequate human resources. As a result, very few countries have maintained a comprehensive and complete CRVS system aligned with international standards.

III.   Integrating civil registration and identity management

9.   In many African countries civil registration and identity management systems are hosted in different government agencies or ministries and remain disconnected from each other. Botswana is one of the few countries that have made progress with integration by creating unique identity numbers at birth that link together civil registration and identification records. For example, the administration of both civil registration and identity management are under the Department of Civil and National Registration within the Ministry of Labour and Home Affairs of Botswana. The unique identity number assigned at birth is used for the national identity card issued at age 16 years and above. Similarly, Namibia has a well-integrated and functioning identity management and civil registration system under the Ministry of Home Affairs and Immigration.

10.   An integrated and holistic approach has three pillars:

- The civil registration function is distinct, as procedures for issuing legal tenders related to the civil status of individuals require adequate and strict protocols. The establishment and maintenance of population registers, in this model, go hand in hand with the civil registration function.

- The vital statistics function remains with the national statistical authority, which is responsible for producing regular vital statistics based on records submitted by the population register or the civil registration agency.

- The identity management function is firmly incorporated by accessing population registers and issuing biometric identity credentials at different points in the lifetime of an individual.

IV. Role of information and communications technology in civil registration and vital statistics and identity management

11.   The Fourth Conference of African Ministers Responsible for Civil Registration encouraged African Union member States to develop shared information and communication technology assets in support of effective CRVS systems for the continent that are built to common standards and are interoperable with other governmental systems, such as health and identity management. It further requested the Economic Commission for Africa, as the secretariat of the Africa Programme for Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS), to lead the development of common information communication technology assets to support effective CRVS systems across Africa, ensuring the highest standards of data protection and confidentiality of personal data, in order to promote interoperability among civil registration, health and identity management systems, and having the flexibility to meet the needs of all African countries. This was further driven by the Secretary-General's call to the Executive Committee in January 2018 for a coherent United Nations approach on CRVS and legal identity, which culminated in the formation of the United Nations Legal Identity Expert Group, in which the Economic Commission for Africa was mandated to bring together the existing APAI-CRVS and the United Nations Legal Identity Agenda (2020-2030).

12.   In recent years, many African countries have come to embrace new technology for digital identity without the proper legal frameworks in place for modern identity management systems. Different technology suppliers have sprung up in the region with disconnected individual digital identity systems that are not harmonized within a country, let alone across countries. Many of these initiatives on digital identity systems also bypass the civil registration infrastructure, the foundational identification platform for affordable and sustainable legal identity systems. Such ad hoc and fragmented projects are costly and unsustainable and may have detrimental effects for countries and regions in the context of their trade and economic integration agenda. This is the case for e-commerce development in the context of the African Continental Free Trade Area (AfCFTA), considering that issues related to integrity and trust in conducting online transactions, including the identification of buyers and sellers, are among the main impediments to the expansion of e-commerce in Africa. It is in this context that regional integration initiatives in support of greater harmonization of foundational legal identity systems would support the realization of AfCFTA. In this context, countries could also agree to facilitate the establishment of common regulations for robust and sustainable legal and digital identity systems and platforms, with a view to further boosting intra-African trade.

13.   While digital identity brings much-needed opportunities for Africa's regional economic integration process, it will also give rise to increased risks associated with the need for cybersecurity and the protection of personal data. The challenge of managing and controlling digital data will become more difficult as the digital economy expands. The main reasons for this include the lack of policy and regulatory frameworks, weak governance and institutional capacity, poor information and communications technology infrastructure and connectivity, limited technical capacity, and vendor lock-in risks (in the absence of local institutional capacity and expertise on how to manage, protect and use the data). Once again, AfCFTA could play a critical role in enacting common regulations that address many of these risks and challenges, with a view to improving digital and identity management in the continent and unlocking its potential benefits.

14.   In many African countries the existing laws are outdated and do not take into account the digital nature of modern registration systems that ensure efficient data capture, storage and interoperability with other identity systems. Many African countries are still fully dependent on paper-based registration system and only a third of them (33 per cent) capture birth and death records electronically at all local registration offices.

V.   Approach to integration

15.   An integrated approach will enable States to adopt and implement a holistic approach to the civil registration of all vital events, the production of vital statistics, and the establishment and maintenance of population registers and identity management apparatus from birth to death. There should be full interoperability between these functions in a simultaneous manner, in line with international standards and recommendations. This will entail integrating the current work under the APAI-CRVS secretariat and the United Nations Legal Identity Agenda 2020-2030.

16.   From the normative aspect and mandate, an integrated approach focuses on expanding the existing international methodological framework on CRVS to cover identity management in a single system that ensures legal identity for all from birth to end of life. Countries will be advised to adopt this solution.

17.   From an operational and coordination perspective at the continental level, an integrated approach to CRVS and identity management will be incorporated into the existing APAI-CRVS secretariat and Regional CRVS Core Group, which will require the mandate of these two structures to be expanded and identity management stakeholders and digitization partners to be incorporated into them. This approach will be replicated at national levels, where national core groups of partners and national coordinating committees of government ministries and departments will be formed.

VI.   Discussion issues

- How can Africa contribute to the United Nations target of closing the global identity gap, with a benchmark goal of 'more than 300 million by 2025'?

- What are the challenges that countries face in establishing a holistic approach to civil registration and identity management?

- What are the opportunities that can be provided by information and communications technology and what are the risks?

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