



**Fifth Conference of African Ministers Responsible  
for Civil Registration**  
Lusaka, 14-18 October 2019

CRMC5/2019/23

## **United Nations Legal Identity Agenda: fulfilling the promise to leave no one behind**

**Conference theme**

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



**APAI-CRVS**  
Everyone visible in Africa



**Decade for Repositioning  
of Civil Registration and  
Vital Statistics in Africa  
2017-2026**



## **I. Introduction**

1. The African region has come a long way in prioritizing civil registration and vital statistics (CRVS) as a regional policy agenda. It started with the following two elements: commitments made at the first Conference of African Ministers Responsible for Civil Registration, held in Addis Ababa in August 2010, to consider and take steps to reform and improve CRVS systems in the member States; and a call to mobilize and rally political commitment and leadership for the improvement of CRVS systems in Africa.

2. Building on the resolutions and decisions made during subsequent conferences and in acknowledging country-level effort by Governments and partners, through the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS) Core Group, the United Nations Legal Identity Agenda in Africa provides an opportunity for continued support and facilitation towards the achievement of Sustainable Development Goal 16, target 16.9, “legal identity for all”. It is aligned with the commitment to tackle CRVS issues within the context of the 2030 Agenda for Sustainable Development and Agenda 2063 of the African Union through the development of guidelines and recommendations.

3. In addition, Governments and partners have been requested to commit resources for financing and sustaining the implementation of the CRVS agenda, including capacity-building, and to enhance research on CRVS (including methodologies, monitoring and evaluation) as agreed in the Paris, Accra and Busan Declarations on Aid and Development Effectiveness. Member States agreed to increase advocacy efforts through shared information and communications technology assets in support of CRVS systems, and to pursue actively the ideals of “leaving no one out” and “leaving no country out” including refugees, internally displaced person, and stateless people.

4. Other decisions included high-level coordination of stakeholders and partners, and the establishment of linkages between systems in sectors relevant to CRVS systems, hence managing one legal identity and formulating laws and policies that ensure timely and compulsory registration of all vital events occurring in countries, with guarantees that all persons, regardless of nationality or legal status, have equal access to the system. The continent is also focusing on the use of appropriate technologies to accelerate and scale up civil registration, manage civil registration records, and ensure their integrity and security.

## **II. United Nations Legal Identity Agenda**

5. The United Nations acknowledges that everyone has the right to be recognized as a person before the law, as enshrined in Article 6 of the Universal Declaration on Human Rights and several international human rights instruments. To address this, target 16.9 on legal identity for all was established under Sustainable Development Goal 16.

6. As civil registration provides an official record of the existence of the person and the recognition of that individual before the law, it has been the fundamental means of granting legal identity. Furthermore, civil registration is recognized as the ultimate source for producing comprehensive, regular and reliable vital statistics.

7. To deal with the concern that the coverage of civil registration was not universal and complete in all countries of the world, Sustainable Development Goal 17, indicator 17.19.2 was established: “Proportion of countries that... and (b) have achieved 100 per cent birth

registration and 80 per cent death registration”. Legal identity is widely acknowledged to be catalytic for achieving at least ten of the Sustainable Development Goals. Data generated from civil registration and population registers support the measurement of more than 60 Sustainable Development Goal indicators. Legal identity has a critical role to ensure that the global community upholds its promise of leaving no one behind, as espoused in the 2030 Agenda.

8. The equally important “good governance”, as promoted by the United Nations and the World Bank, invariably includes ensuring the proper and universal registration of the occurrence of all vital events (births, deaths, marriages, divorce), issuance of certificates that serve as legal tenders and introduce the lifetime legal identity of the individual and the production of comprehensive, regular and reliable vital statistics based on universal civil registration of vital events.

9. Recognizing that the issue of legal identity for all is of paramount importance in terms of implementing the 2030 Agenda, the United Nations Deputy Secretary-General initiated the establishment of the United Nations Legal Identity Expert Group (UN-LIEG) in September 2018, co-chaired by the secretariat of the United Nations Department of Economic and Social Affairs, the United Nations Development Programme and the United Nations Children’s Fund.

10. The essential purpose of UN-LIEG is to ensure the homogeneous, harmonized and coordinated approach of all agencies and programmes of the United Nations system and the World Bank Group in providing advice and support to member States to ensure a holistic installation and development of civil registration, vital statistics and identity management systems, starting with developing a United Nations operational definition of legal identity. Accordingly, UN-LIEG focuses on ensuring that the United Nations system and the World Bank Group apply both policy and implementation coherence when it comes to supporting countries to strengthen civil registration, vital statistics and identity management systems in an interoperable and holistic manner.

11. UN-LIEG, under the purview of the United Nations Sustainable Development Group’s Strategic Results Group on Sustainable Development Goal Implementation, functions around four pillars: coordinated United Nations system-wide approach for the implementation of legal identity agenda to advance the 2030 Agenda; research and evidence for country-level action; communications and advocacy; and technical support and financing country-level implementation.

12. From the normative aspect and mandate, UN-LIEG focuses on expanding the current international methodological framework on CRVS to cover identity management in one whole system that is ensuring legal identity for all, from birth to end of life. In addition, UN-LIEG developed an operational definition of legal identity, agreed upon by all its members and the World Bank Group, as follows:

(a) For the purpose of the operational United Nations definition, **legal identity** is defined as the basic characteristics of an individual’s identity (e.g., name, sex, place and date of birth) conferred through registration and the issuance of a certificate by an authorized civil registration authority following the occurrence of birth. In the absence of birth registration, legal identity may be conferred by a legally-recognized identification authority; this system should be linked to the civil registration system to ensure a holistic approach to legal identity from birth to death. Legal identity is retired by the issuance of a death certificate by the civil registration authority upon registration of death;

(b) In the case of refugees, member States are primarily responsible for issuing proof of legal identity. The issuance of proof of legal identity to refugees may also be administered by an internationally recognized and mandated authority.

13. UN-LIEG developed its programme of work around four pillars. The following list is an illustration of several of the deliverables for each pillar:

(a) Coordinated approach for implementation, focusing on developing and adopting an operational definition of legal identity, developing coordinated strategy paper on achieving legal identity for all, formulating the United Nations Legal Identity Agenda, and producing the United Nations country team guidelines for implementation of the Legal Identity Agenda at the national level;

(b) Evidence for Action, focusing on developing hard data for illustrating the costs of inaction, both in terms of securing legal identity for all and for failing to properly monitor the implementation of the 2030 Agenda, and on tackling issues relating to legal identity in humanitarian settings;

(c) One Voice, focusing on developing guidelines for communication for development in the context of the United Nations Legal Identity Agenda for stakeholders at national level, ensuring that the Legal Identity Agenda is promoted to as broad an audience as possible by developing a UN-LIEG communication and advocacy strategy and ensuring the promotion of the Legal Identity Agenda at high-level events;

(d) Financing the implementation of the United Nations Legal Identity Agenda, focusing on animating donors and establishing a Multi-Partner Trust Fund.

14. The major accomplishment of UN-LIEG is in defining the Legal Identity Agenda, based on the operational definition of legal identity (as mentioned above) and lining up all UN-LIEG members behind it. In a concise manner, the United Nations Legal Identity Agenda calls upon all member States to ensure universal civil registration of all vital events, translated into regular, reliable and comprehensive vital statistics, resulting in legal identity for all.

15. In terms of implementation at the level of African countries and in the context of progress already achieved under the APAI-CRVS framework, the United Nations Legal Identity Agenda refers to a holistic approach to ensure the universal civil registration of all vital events, 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<sup>1</sup> between these functions in a simultaneous manner, according to international standards and recommendations and in compliance with human rights of all people concerned, including the right to privacy and confidentiality of individual records. All member States that will be participating at the fifth Conference of African Ministers Responsible for Civil Registration should adopt and implement the Legal Identity Agenda as a systematic and perpetual mechanism for ensuring legal identity for all.

---

<sup>1</sup> Interoperability in this context refers primarily to ensuring that systems are using the same set of definitions, classifications and methodology, and technologically compatible platforms allowing for full harmonization of interfaces and access protocols. Interoperability between functions does not infer allowing full access and manipulating records and content of any single system.

16. In their efforts to establish the legal identity of all persons on their territory, member States should not create barriers to the enjoyment of human rights by all and to accessing basic services. They should promote full inclusion of otherwise marginalized and poor communities and should not leave them further behind in the spirit of implementing the essential principle of universal civil registration as per international standards.

17. Member States have the responsibility to recognize every individual present on their territory as a person before the law, without prejudice to nationality (or lack thereof), legal status, gender or duration of stay. In the case of displaced persons whose official credentials may have been lost, destroyed or confiscated in the course of human conflict or natural disasters, member States should honour the temporary credentials issued by an intergovernmental body such as the Office of the United Nations High Commissioner for Refugees, until such time as the legal identity of the individual is reaffirmed by either the country of origin or the country of refuge.<sup>2</sup>

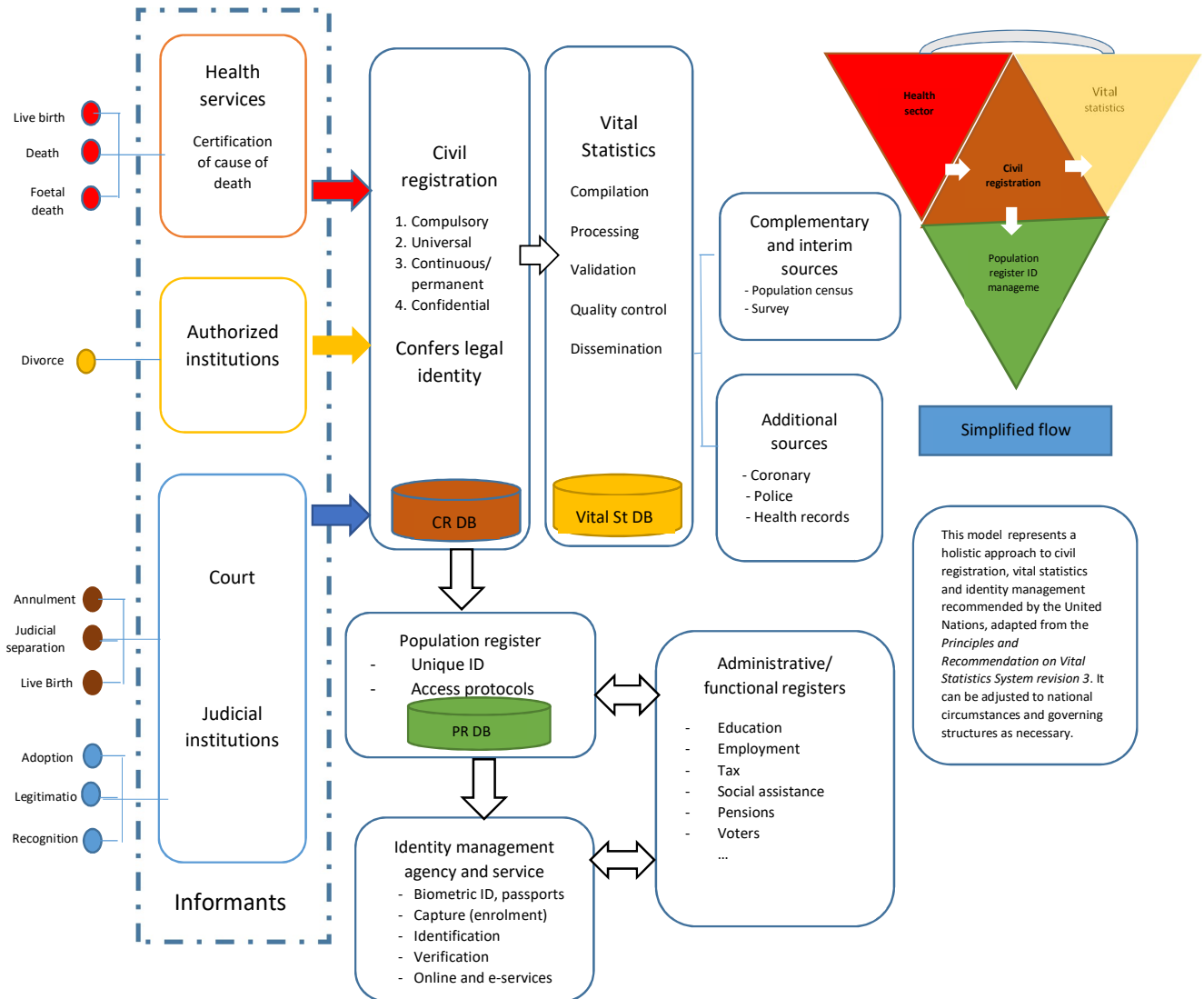
18. Protection of personal data and the rights of the individual to privacy and consent with how their data are processed, managed and accessed by both public and private bodies is of fundamental importance. Since the collection, use, sharing, accessing, merging and otherwise processing of personal data in legal identity systems constitutes an interference with the right to privacy and other rights, member States must demonstrate that each of these acts has a legitimate objective and represents the necessary and proportionate means to achieve that objective. All member States should adopt comprehensive data protection and privacy laws that secure the identity data of individuals, and allow individuals to see how their data are collected, used, shared, merged, accessed and otherwise processed by public and private bodies and for what purpose. In addition, individuals should be given the right to object to the processing of personal data, if this does not frustrate the purpose of providing legal identity; and to rectify or delete irrelevant or false personal data.

19. The figure below presents a model that is being introduced and implemented in a number of countries developing holistic approaches to this process by linking the civil registration function, identity management and vital statistics function. By its very nature, the civil registration function, in terms of its legal implications, is still distinct as its procedures for issuing legal tenders relating to the civil status of individuals, by definition, 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 office, 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 into the process by accessing the population registers and issuing biometric identity credentials at different points in the lifetime of an individual.

---

<sup>2</sup> The Office of the United Nations High Commissioner for Refugees registers and provides proof of legal identity to many refugees, internally displaced persons and stateless persons, in accordance with the relevant international framework, including the 1951 Convention on the Status of Refugees, articles 25, 27 and 28, the United Nations Guiding Principles on Internal Displacement, Principle 20, and the New York Declaration for Refugees and Migrants, New York Declaration for Refugees and Migrants, Comprehensive Refugee Response Framework, paras. 5 (d) and (f).

Figure  
Civil registration, vital statistics and identity management system



### III. Issues for discussion

20. The United Nations Legal Identity Agenda is to be introduced in 2019 in response to the challenges that member States face in achieving the Sustainable Development Goals, specifically Goal 16, target 16.9, which refers to ensuring legal identity for all by 2030. All member States participating at the fifth Conference of African Ministers Responsible for Civil Registration will be called upon to adopt and implement this agenda as a systematic and perpetual mechanism for ensuring legal identity for all, building on the achievements of the APAI-CRVS programme adopted at previous conferences (see the annex for a list of conferences).

#### **IV. Framing questions**

- How will the implementation of the United Nations Legal Identity Agenda impact the current and ongoing APAI-CRVS activities in the member States in terms of ensuring a holistic and interoperable approach to civil registration, vital statistics and identity management?
- What is the probability of ensuring universal civil registration, regular production of comprehensive vital statistics and legal identity for all by 2030 in each of the States participating at the fifth Conference of African Ministers Responsible for Civil Registration?



## Annex

### Decisions of previous ministerial conferences on CRVS in Africa

Fourth Ministerial Conference decisions that:

1. *Reaffirmed* the commitment of African Union member States in addressing civil registration and vital statistics issues within the context of the African Union Agenda 2063 and the 2030 Agenda for Sustainable Development, paying particular attention to the demographic dividend and population movement, and *support to* the development of guidelines and recommendations in the use of civil registration and vital statistics for harnessing developmental potentials;
2. *Requested* the African Union to engage in and commit resources to capacity-building of the functional areas relevant to civil registration and vital statistics within the Department of Economic Affairs of the African Union Commission;
3. *Encouraged* the Economic Commission for Africa, as the secretariat of the APAI-CRVS, to enhance research and development efforts, which foster methodologies that improve the processes pertaining to civil registration and vital statistics among African Union member States;
4. *Encouraged* African Union member States to develop shared information and communication technology assets in support of effective civil registration and vital statistics systems for the continent, which are built to common standards and are interoperable with other governmental systems, such as health and identity management.

Third Ministerial Conference decisions that resolved to:

1. Implement a clear strategy on sustainable capacity development on CRVS on the continent, including through intra-Africa cooperation arrangements;
2. Pursue actively the ideal of “leaving no country behind” and “leaving no one out” especially the vulnerable including the refugees, internally displaced person (IDP) and stateless people as well as implement the General Comment on Article 6 of the African Charter on the Rights and Welfare of the Child;
3. Support the development of guidelines and recommendations for maintaining and managing CRVS in conflict and emergency situations as well as special circumstances by making use of experiences from countries having gone through these situations;
4. Commit to financing and sustaining national CRVS plans and, when necessary, mobilize resources to cover the financing gap;
5. Establish strong working arrangements with health and other relevant sectors to improve registration service delivery at the most appropriate administrative level;

6. Establish solid linkages between civil registration and national identity systems in efforts to manage one legal identity and to improve governance and service delivery;
7. Recommend that the Heads of State and Government declare 2015-2024 as the decade for repositioning CRVS in Africa's continental, regional and national development agenda and urge governments to respond with appropriate action.

First and Second Conference decisions that resolved to:

1. Formulate laws and policies that ensure timely and compulsory registration of all vital events occurring within our countries, with guarantees of equal access to the system for all persons, regardless of nationality or legal status (also a decision of the first conference);
  2. Adopt appropriate technologies to speed and scale up civil registration, manage civil registration records, and ensure their integrity and security;
  3. Accord high priority to CRVS and ensure allocation of adequate human and financial resources for CRVS in order to ensure sustainability and country ownership;
  4. Call upon our development partners to continue to support our efforts in capacity-building and resource mobilization and align their support to the national CRVS plans, consistent with the Paris, Accra and Busan Declarations on Aid and Development Effectiveness;
  5. Establish high-level coordination mechanisms involving all relevant stakeholders for efficient functioning of CRVS systems, taking into account the multisectoral and integrated nature of civil registration services;
  6. Develop results-based monitoring and evaluation systems and tools to monitor and report on progress on CRVS and provide technical support to reinforce the capacity of member States in CRVS operations and management (through technical advisory services, workshops, training, provision of guidelines and establishment of regional research and knowledge hub on CRVS);
  7. Intensify awareness-raising campaigns on the procedures and importance of CRVS systems, to ensure their effective functioning (also a decision of the first conference).
-