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## Human Rights and Registration of Vital Events

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## FOREWORD

Human rights are perhaps the most precious heritage of man. In order to implement the various covenants to provide for the rights of individuals, and to safeguard these rights, it is necessary to establish the identity of individuals and their relationships. The different civil registration documents play an essential role in providing evidence of personal identity, age, parental filiation, nationality, marital status, etc.

This study traces the international efforts to promote, protect and to gain realization of human rights. It shows how the various records of civil status serve the individual through his lifetime in enjoying the rights to which he is entitled.

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# Human Rights and Registration of Vital Events

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## INTRODUCTION

The fundamental relationship between human rights and registration of vital events was forged when the International Covenant on Civil and Political Rights proclaimed that "Every child shall be registered immediately after birth and shall have a name . . ." and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages proclaimed that "All marriages shall be registered in an appropriate official register by the competent authority "

The link between human rights and registration of vital events was further emphasized in the United Nations World Population Plan of Action, adopted by the 136 representatives of Governments to the World Population Conference in 1974. In its "Recommendations for Action," the Plan identified a number of areas requiring research in order to fill existing gaps in knowledge and one of these was "The collection, analysis and dissemination of information concerning human rights in relation to population matters, and the preparation of studies designed to clarify, systematize and more effectively implement those human rights. This study seeks to respond to the above recommendation by identifying those human rights that obligate the States to ensure that vital events are registered, as well as those whose realization may depend on civil registration having taken place. In accordance with United Nations' standards, civil registration is defined as the "continuous, permanent, compulsory recording of the occurrence and characteristics of vital events . . ." limited for this study to livebirths, deaths, fetal deaths, marriages and divorces.

The human rights that form the basis of this study are for the most part those set forth in the Universal Declaration of Human Rights, the Declaration of the Rights of the Child, and in the two international treaties known as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. These instruments, couched in general terms, have been supplemented as necessary by others adopted by the United Nations for specific purposes such as The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, The International Convention on Elimination of All Forms

of Racial Discrimination, and the Declaration on the Elimination of Discrimination against Women<sup>1</sup>

## HISTORICAL BACKGROUND

In the United Nations, the development of an International Bill of Human Rights began in 1948 when the General Assembly adopted the Universal Declaration of Human Rights, proclaimed in its preamble as "a common standard of achievement for all peoples and all nations . . ." In the years that have elapsed since it was adopted, the Universal Declaration has exercised an extremely powerful influence throughout the world. Its provisions have inspired a number of international conventions which have significantly influenced national constitutions and legislation. In fact, the Declaration has become a code of conduct and a yardstick against which the degree of respect for, and compliance with, the international standards of human rights might be measured. It has made the attainment of a minimum standard of economic, social, cultural and political rights basic to development.

The first stage of the transformation of these lofty aims and principles into binding and operative instruments of international law occurred when the two international Covenants or treaties were adopted and opened for signature, ratification and accession by the General Assembly of the United Nations in resolution 2200 A (XXI) of 16 December 1966. Important as Covenants are, they exert only moral obligations on States until a sufficient number ratify them. Thus, it was not until 1976 that the most important milestone was reached when the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (together with its Optional Protocol) came into force as legally binding instruments of international law. Additional countries continue to ratify the Covenants every year.

The promotion, encouragement and implementation of human rights and fundamental freedoms has been the mandate of the United Nations Commission on Human Rights since its establishment by the Economic and Social Council in 1946. In

<sup>1</sup>The texts of these international instruments have been published in *Human Rights: A Compilation of International Instruments of the United Nations* (UN Publications: Sales No. : E 73 XIV 2)

1966, however, the Council directed the Commission to consider, as a matter of importance and urgency, the question of the *violation* of human rights, with a view to elaborating measures to halt these violations. As a result of this directive, the subject of human rights has tended to be seen largely in the passive sense of requiring States to abstain from certain acts and forms of behavior which violate human rights rather than in the active or dynamic sense of encouraging implementation. This passive approach tends to obscure the important fact that, in a very real sense, all activities of the United Nations are geared to the promotion, encouragement, protection and realization of human rights, since they all have as their objective the promotion of economic and social progress and the attainment of better standards of living. Of interest in this connection is the promotion of the establishment of civil registration systems, an important activity of the United Nations, most recently recommended by ECOSOC in its World Programme for the Improvement of Vital Statistics in 1968, and by the General Assembly in its affirmation of the World Population Plan of Action in 1974.

## IMPLEMENTATION OF HUMAN RIGHTS

The obligation on States Parties to the Covenants to provide for the rights of individuals carries with it the duty to amend or abolish laws and policies that conflict with the implementation of the rights, and to adopt new laws and policies to conform with and further these rights. However, effective protection of human rights depends not only on the legislation and statutory measures taken to give them effect, but also on administrative procedures designed to safeguard these rights. The right to registration of vital events is no exception. There is no question that very few countries have failed to enact the basic legislation requiring compulsory, nationwide registration of at least births and deaths. Yet, it is a well documented fact that enactment of the necessary legislation has not resulted in complete registration of these vital events. Examination of the degree to which virtually universal registration laws have been implemented reveals that systems covering some 70 per cent of the world's population do not operate effectively. Obviously, the fault must lie in failure to adopt the necessary administrative procedures, including those designed to motivate the public to comply with the law. Because of this failure, the right to register vital events has not been guaranteed in all countries, with the result that a large number of individuals are being deprived of the right to have proof of the occurrence of a birth, death, marriage or divorce. As a

result of this deprivation, these individuals may also be deprived of the rights guaranteed in the Covenants, entitlement to which depends on the concerned person being able to produce proof of identity, age, parental filiation, nationality, marital status, and so forth, all characteristics traditionally certified by documents in the official civil registers.

In one sense, these deprivations may be seen as a denial of the right to registration of vital events, a violation which can be removed or eliminated by the establishment of, and adherence to, administrative procedures necessary to safeguard these rights. Safeguarding the right to civil registration will at the same time more effectively protect certain other human rights, in the implementation of which civil registers have an essential role to play.

In the discussion that follows, Part A documents the obligation of Signatory States to provide their population with the means to register births, deaths, fetal deaths, marriage and divorce in an official register, by a competent authority, as guaranteed or implied in Articles of the International Covenants and in various international conventions. Part B sets forth a catalogue of human rights other than those in Part A, identifies the Article, paragraph and subparagraph of the international instrument that guarantees each right, and describes how its implementation may depend on having official proof of birth, death, fetal death, marriage and divorce. The summary and conclusions of the study are set forth in Part C.

In this catalogue, the roles played by vital records in implementing selected human rights have been drawn primarily from the experience of developed countries but, since the attainment of the rights to which reference is made are the goals of all nations in their struggle for economic and social development, this experience may serve as a guide to less developed countries in their efforts to establish effective civil registration systems or to improve those already in existence.

## A RIGHT TO REGISTER VITAL EVENTS IN AN OFFICIAL REGISTER

### Right to birth registration

The right to have one's birth registered is proclaimed in the International Covenant on Civil and Political Rights (Article 24(2)) in recognition that birth records are statements of fact, statutorily declared to be legal evidence of the facts recorded, essential to the protection of individual human rights. To provide this protection for a child and for the adult he will become, the International Covenant spells out

the obligation of the State to ensure that "Every child shall be registered immediately after birth . . ."

The official record of live birth, filed within the statutory time period following the birth, usually contains facts certifying to the identity of the child, such as his name, that of the parents and sometimes of the grandparents; the date of birth; the geographic place of birth of the child; the place of usual residence of the mother; the birth order; and a large number of other items dealing with the characteristics of the event, the infant, the mother, the father, the grandparents, the attendant at birth, the informant, the witnesses to the registration, and the registrar who officially inscribed the event in the legal register. The resultant record becomes the legal proof of the fact of the child's birth, available at the time the birth was registered and also at such other time in his life when he might need such proof for protection of human rights.

#### Right to death registration

Neither the Universal Declaration of Human Rights nor the two International Covenants on Human Rights mentions specifically the right to have a death registered. However, the existence of such a right is implied in Article 12(2)(a) of the International Covenant on Economic, Social and Cultural Rights wherein it is stated that, to achieve the full realization of the right to health, the States Parties to the Covenant must make "provision for the reduction . . . of infant mortality . . ." As pointed out in connection with the right to health, the death register can provide the number of infant deaths (deaths under one year of age) that is the basis for the measurement of infant mortality. Without this number, provided by a death register, and the number of livebirths from the register of births, it would not be feasible to compute the infant mortality rate over time and for various population groups. Hence, it would not be possible to monitor the trend of the rate and to plan for and assess its reduction.

The right to death registration is also implicit in connection with the implementation of other human rights, such as the right to inherit, the right to social security and others cited in Part B of this report. It may be assumed, therefore, that death registration in an official register by a competent authority is as much a human right as the registration of live birth.

The register of death usually includes at least ten categories of information, namely, the cause of death, the date of death, the place of death and the characteristics of the decedent, the spouse, the parents, the attendant, the certifier of the cause, the in-

formant, the witnesses to the interment, and the registrar. In addition to being the legal proof of the occurrence of the death, the registration record supplies the information on cause of death required for statistical and research purposes.

#### Right to fetal death registration

As was true for the death register, the only reference to registration of fetal deaths is an implicit one in Article 12(2)(a) of the International Covenant on Economic, Social and Cultural Rights wherein "The provision for the reduction of the stillbirth rate . . ." is set forth as one of the steps to be taken by the States Parties to the Covenant to achieve the full realization of the right to health. As noted in connection with that right, reduction of the stillbirth rate requires assessment of its initial and subsequent levels, following initiation of the provisions designed to achieve its reduction, as required of signatory States. Only a register of fetal deaths (or, as a minimum, a register of late fetal deaths or stillbirths) and a register of live births can provide the data needed for the computation of the stillbirth rate in question.

In most countries, the fetal death register usually contains most of the items of information in the official live birth register, and, in addition, several found in the death register, namely, the cause of the fetal death and the particulars of the interment.

#### Right to marriage registration

Marriage registration became legally binding on States by the coming into force in 1964 of the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, Article 3 of which declares that "All marriages shall be registered in an appropriate official register by the competent authority . . ."

Prior to the adoption of this Convention, marriage registration had been recommended in four General Assembly resolutions, the first of which was 843 (IX) of 17 December 1954 on the "Status of Women in Private Law: Customs, Ancient Laws and Practices Affecting the Human Dignity of Women." In that resolution, the Assembly urged States to take all appropriate measures in the countries and territories under their jurisdiction with a view to abolishing such customs, ancient laws and practices by, *inter alia*, "establishing a civil or other register in which all marriages and divorces will be recorded . . ."

The most recent proclamation on registration of marriage occurred in the 1967 Declaration on the Elimination of Discrimination against Women where Article 6(3) states, *inter alia*, that "effective action,

including legislation, shall be taken to make the registration of marriages in an official registry compulsory " This Declaration is in the process of being converted into a binding Convention. The right to marriage registration as such is not included in the International Covenants on Human Rights, although such a right is implicitly recognized as essential to the implementation of many other rights set forth in the Covenants and cited in Part B.

The legal marriage record usually includes information on the personal and economic characteristics of the bride and groom, such as age, marital status, occupation and the like; the date of the marriage; date of registration; place of residence of the partners; the number of previous marriages of each; place of marriage; the registrar; and the witnesses. The resulting record serves as the legal proof of the occurrence and characteristics of the marriage.

#### Right to divorce registration

As noted in connection with the right to marriage registration, resolution 843 (IX) of the General Assembly on the "Status of Women in Private Law.

" urged the establishment of a divorce register in 1954. In addition, Council resolutions 1068 F of 10 July 1965 recommended that "a divorce or judicial separation shall be granted only by a competent judicial authority and shall be legally recorded "

Nevertheless, the right to divorce registration has not been explicitly included in the Bill of Human Rights despite the fact that both the Universal Declaration (Article 16(1)) and the International Covenant on Civil and Political Rights (Article 23(4)), give implicit recognition of the right to divorce registration in referring to the entitlement of men and women to equal rights "as to marriage, during marriage and its dissolution " The Covenant further enjoins States Parties to "take appropriate steps to ensure equality of the rights and responsibilities of spouses. . . ." and specifies that "in case of dissolution, provision shall be made for the necessary protection of any children." Such steps may be construed as inclining the need to establish an official register of divorces in which, *inter alia*, the disposition of the children of the union is spelled out.

The contents of divorce registers are not as standardized as are the official registers of birth, death and marriage, due primarily to the fact that they are not necessarily "civil" registers but are often registers of the court where the legal action took place. Nevertheless, divorce registration itself is proof of the fact that the marriage was dissolved by legal rather than natural means, and the identity of

the divorcees can be attested by the personal characteristics inscribed.

#### B RIGHTS WHOSE REALIZATION MAY DEPEND ON CIVIL REGISTRATION OF VITAL EVENTS

As pointed out above, a large number of the human rights set forth in the International Covenants rely for their realization or implementation on the individual seeking to enjoy the right of being able to prove identity, age, nationality, marital status, the age, number and birth order of children, and so forth. Some of these rights require proof of only one characteristic, supplied by one vital record, while others need evidence on more than one characteristic derived from one or more records. Since the rights identified as requiring proof from civil registers do not lend themselves to categorization by the number or type of characteristics involved, they have been arranged in English alphabetical order in the catalogue that follows. Under each right, one or more of the civil registers that play a role are discussed separately.

#### Right of child to a name (filiation)

The entitlement of a child to a name was first set forth in Principle 3 of the Declaration of the Rights of the Child, proclaimed by the General Assembly of the United Nations on 20 November 1959 in the following words: "The child shall be entitled from his birth to a name and a nationality " This right became part of international law through Article 24(2) of the International Covenant on Civil and Political Rights which states that "Every child shall be registered immediately after birth, and shall have a name." The joining of the right to birth registration with the right to a name is recognition of the fact that the only legal document that can certify to the true, legal name of the child at birth is the official birth record.

*Birth register.* The "right to a name" is, in truth, the right to an identity, provided by parental filiation. The name inscribed in the register of birth usually consists of a given name and surname or family name. The given name is a matter of choice, but the surname is shared by the members of the same family and it appears on the certificate of birth as the name of the father and/or mother of the child. In some cases, the names of the grandparents are also given. The family name thus determines the relationship of the child to its father and its mother.

In theory, establishment of filiation of a person born in wedlock would ultimately be dependent on proof of the marriage of the parents, but because marriage is considered to be the usual or normal situ-

ation in most parts of the world, the birth record is usually accepted as proof of filiation. For a person born out of wedlock, the birth record can be used to establish maternal filiation, but establishment of parental filiation in such cases would usually require judicial procedures.

#### Right of child to a nationality

The Universal Declaration of Human Rights states categorically in Article 15(1) that "Everyone has the right to a nationality." However, Article 24(3) of the International Covenant on Civil and Political Rights brings this human right to the level of international law in the following more limited terms: "Every child has the right to acquire a nationality," a formulation that is more in accord with the Declaration of the Rights of the Child, wherein Principle 3 states that "The child shall be entitled from his birth to a name and a nationality."

*Birth register.* In its simplest form, a nationality is usually acquired at birth by virtue of the child having been born within the legal boundaries of a particular State or, if born abroad, to parents who were citizens of the country of nationality. In either case, proof of the inscription of the birth by a competent authority in the appropriate official register normally can be used as proof of nationality.

However, proof of nationality through birth registration has been a problem for many newly emergent independent countries because colonial registration systems often failed to cover the entire population of the country, with the result that births in the dominant native or ethnic group were not registered systematically. Even in those countries that had a comprehensive system of birth registration, compliance with the law was very deficient in some instances, especially in rural areas. Without certificates of birth, such countries were hard pressed, when independence came, to identify nationals, and many began at that time to develop or improve their civil registration systems.

Certificates of birth as proof of nationality are especially needed in connection with the implementation of the Convention on the Nationality of Married Women, entered into force, 11 August 1953. The Contracting States pointed out in the Preamble of the Convention that "conflicts in law in practice with reference to nationality by women as a result of marriage, of its dissolution or of the change of nationality by the husband during marriage." But the Contracting States also recognized that the Universal Declaration of Human Rights had proclaimed 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." Hence they agreed, in Article 1 of the Convention "that neither the celebration nor the dissolution of a marriage between one of its nationals and an alien, nor the change of nationality by the husband during the marriage, shall automatically affect the nationality of the wife." The nationality conferred by the birth record of the wife could be of inestimable value in implementing this provision of the Convention to protect the rights of the married woman.

#### Right of child (juvenile) offenders to special treatment

As might be assumed, many articles of the International Covenant on Civil and Political Rights deal with the right to justice upon lawful arrest or detention on a criminal charge. In discussing the minimum guarantees everyone is entitled to in the determination of criminal charge, the Covenant, in Article 14(4), declares that "In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation." Article 10(2)(b) points out that "accused juvenile persons shall be separated from adults . . ." and when convicted "shall be segregated from adults and be accorded treatment appropriate to their age and legal status." Finally, Article 6(5) points out that "Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age . . ." The importance of age in connection with juvenile offenders is very clear.

*Birth register.* In this situation, proof of age is of maximum importance and for this purpose, the record of birth, contained in the official register is essential for safeguarding the rights of the child offender.

#### Right to parental support and protection (maintenance)

The right to parental support and protection is guaranteed by Article 24(1) of the International Covenant on Civil and Political Rights which states: "Every child shall have, without any discrimination . . . the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State." According to the United Nations' *Study of Discrimination Against Persons Born Out of Wedlock*, "In general, the obligation of maintenance refers to the duty of a person to furnish to another, for his support, the means of living, including food, clothing, shelter and, in case of a minor, education . . . Among the duties that human beings have towards their offspring, none is more fundamental than that of maintaining them until they become self-sustaining. This generally means that a

child must be supported until he reaches a specified age. Normally, maintenance obligations are legally binding once filiation has been established with full legal effect.

*Birth register.* The birth register normally contains information on maternal and paternal filiation as well as the age of the individual under consideration. Therefore, it can usually suffice to guarantee the right of the child to support and protection from his parents who, in turn, are obligated to supply it. The birth certificate can also be used to prove that a child has gained the age of majority, after which parental authority and obligation legally ceases.

*Marriage register.* The existence of a registered marriage and that fact that the child concerned was born of that marriage, are facts legally required to establish filiation of an individual born-in-wedlock, although in the preponderance of cases, the official birth certificate suffices. In the case of children born out-of-wedlock, the birth certificate serves usually to establish maternal filiation only. Support and protection would not normally be forthcoming from the father of the child until legitimation was accomplished by marriage of the parents subsequent to the birth of the child or by other legal means.

#### Right to protection from child marriage

Child marriages have been prohibited by the Universal Declaration of Human Rights (Article 16(1)) and by the International Covenant on Civil and Political Rights (Article 23(2)) in the sense that attainment of "full" or "marriageable age" has been made a prerequisite for entering into a valid marriage. The Convention on Consent to Marriage, Minimum Age for Marriage and the Registration of Marriages also makes the attainment of a minimum age a restriction on marriage (Article 2).

*Birth register.* As noted in connection with the right to marry, the intended bride and groom must produce proof of having attained marriageable age before a legal marriage can be performed. Certificates of birth are the proof required to certify age.

*Marriage register.* The record of marriage in the legal register contains, *inter alia*, the age of the participants, which is proof of their having attained the minimum age specified by law. If such age had not been attained, the register must contain information on the dispensation as to age allowed "for serious reasons, in the interest of the intending spouses," as provided in Article 2 of the Convention.

#### Right to protection from forced marriage

To judge from its prevalence in international instruments, the right to "full and free consent" on

the part of the intending spouses before a marriage may be solemnized is an important part of international law dealing with marriage and the family. Such a right was included in the Universal Declaration (Article 16(2)); it is set forth also in Article 23(3) of the International Covenant on Civil and Political Rights, in Article 10(1) of the International Covenant on Economic, Social and Cultural Rights and in Article 1(1) of the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. The Covenants do not spell out how this "right to consent" can be ensured, but the Convention states that "such consent [is] to be expressed by them [the intending spouses] in person after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law."

*Marriage register.* Registration of marriage "in an appropriate official register by the competent authority" is itself a human right. Such registration automatically provides the means of proving that the right of "free and full consent" was ensured because items of information in the register of marriage such as the identity of the competent authority and of the witnesses to the ceremony certify to these facts.

#### Right to clothing

Like the right to food and housing, the right to clothing is guaranteed by Article 11(1) of the International Covenant on Economic, Social and Cultural Rights, whereby "The States Parties . . . recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing . . ." The same rights appeared first in the Universal Declaration, Article 25(1).

*Birth register.* Public satisfaction of the guarantee usually takes the form of the State conferring differential advantages to allay family expenses for clothing. Such advantages may consist, for example, of price rebates to families in low-income groups that have one or more dependent children under a stated age. In such cases, entitlement depends on proving the number and age of the dependent children, both items are susceptible of proof through the use of the official certificates of birth.

#### Right to education

Article 13(1) of the International Covenant on Economic, Social and Cultural Rights transformed into international law Article 26(1) of the Universal Declaration and the subsequent Principle 7 of the Declaration of the Rights of the Child in the following words: "The States Parties . . . recognize the right of

everyone to education " Article 13(2) goes on to recognize that achieving full realization of this right will require specific provisions, among which is that "Primary education shall be compulsory and available free to all." The question arises as to how compulsion can be enforced

*Birth register* The register of birth alone can supply a case list of potential first grade students, who, by law, are required to enter school by a certain age Without such a list as a mechanism of enforcement, the concept of "compulsory education" is meaningless Because of the unique applicability of the birth register to this problem, most educational systems take advantage of it to learn the probable size of the child population approaching the age at which attendance at school is compulsory and also to identify and locate the individual children involved If a child is not registered at birth, his existence will not automatically come to the attention of the school authorities and he will not, automatically, be advised of his right to free primary education On the other hand, a valid birth certificate could be used by the parents or guardian to prove the right of the child to receive free primary education, beginning at the age specified by law

The utilization of the official register of birth as a list of potential entrants to free compulsory primary education would go far to ensuring "parity of enrollment at the primary level of education," that is, the right of girls and women to education, equal to that of men and boys, as emphasized in Article 9 of the Declaration to the Elimination of Discrimination against Women

Birth certification may also play a part in assuring that secondary and higher education "shall be made generally available and accessible to all by every appropriate means," as provided in Article 13(2)(b) and (c) of the International Covenant on Economic, Social and Cultural Rights The cost of secondary and higher education is included in child maintenance for which various types of recurrent income increments for independent children can be received by the family unit The measures relating to the cost usually differentiate between "large" and "small" families, proof of which can be had from birth certificates that also prove the age of each child

#### Right to employment (work)

Article 6(1) of the International Covenant on Economic, Social and Cultural Rights recognizes the right to work (originally set forth in Article 23(1) of the Universal Declaration of Human Rights) but Article 10(3) of the Covenant goes further and states

specifically that "States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law " This important restriction is in strict accord with Principle 9 of the Declaration of the Rights of the Child which states that "The child shall not be admitted to employment before an appropriate minimum age " The same text has been inserted in the draft Convention on the Rights of the Child, under discussion by the UN Commission on Human Rights How can the employer be protected against charges of exploiting child labor? How can a young person prove his right to work?

*Birth register* Proof of age for every young person engaged for work can be supplied by the official certificate of birth The birth record, as proof of age, may also be very important to qualify for employment programs restricted as to entrance age, such as those funded by Governments in times of widespread unemployment The same proof may be utilized to terminate employment without dispute at a prescribed retirement age, such as 65 or 70 years

In addition to age, some employment opportunities require proof of nationality In such cases, including government civil service and service in the military forces, the proof provided by a certificate of birth may be crucial

Provisions for preferential admission to publicly-financed employment may hinge on an individual being a parent of a large number of dependent children The official records of the birth of the children could suffice to prove eligibility as to number and age

*Marriage register* Preferential admission to publicly-financed employment may also vary according to whether the candidate is married or unmarried An official certificate of marriage may help implement the right to employment in such cases

#### Right of family to protection

Both the Universal Declaration of Human Rights (Article 16(3)) and the International Covenant on Civil and Political Rights (Article 23(1)) state that "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State " Article 10(1) of the International Covenant on Economic, Social and Cultural Rights puts it as follows: "The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children " The inclusion of this right in so many instruments attests to its importance

*Birth register* The two principal forms of protection of the family are 1) recurrent income increments, called "family allowances" and 2) birth or maternity benefits, which are lump sum, nonrecurrent grants. Entitlement to both types of protection begins, as a rule, on the birth of a child. Therefore, both types of support are contingent upon proof of the birth and, in some cases, on proof of filiation, proof of nationality, and proof of place of birth. The legal certificate of birth is the accepted proof of these characteristics for entitlement.

In some pronatalist countries, benefits and allowances may be paid only to very large families, while in countries with different population policies, the benefit or allowance may be payable only for the first or second child. The size of the benefit or allowance may also vary according to the number of children in the family. Where birth benefits and allowances are contingent on the birth order of the child, most birth records can supply the information.

Another type of birth benefit not related specifically to childbirth is relief from taxation, based on proof of having a child dependent in the family. A child born to a family is, by law, a dependent who is entitled to maintenance and support until he reaches a stipulated age. Again the birth record is the accepted proof of the fact of birth as well as of the age of the child. Birth records can also provide proof of age for the mother of the child in those countries where benefits and allowances are granted only to mothers under a specified age.

#### Right to food and nutrition

Article 25(1) of the Universal Declaration of Human Rights includes the right to food under the umbrella of the "right to a standard of living adequate for the health and well-being of himself and of his family . . ." The International Covenant on Economic, Social and Cultural Rights (Article 11(1)) guarantees "the right of everyone to an adequate standard of living for himself and his family, including adequate food. . . ." Both the Universal Declaration and the Covenant stress the entitlement of motherhood and childhood to special care and assistance in relation to the right to adequate food.

*Birth register.* One of the most important devices adopted by a number of countries to implement or ensure the special right of mothers and children to adequate food is a supplementary feeding program for babies and postpartum mothers. The birth register can serve as the most comprehensive case list for the administration of such programs. If the birth is not registered, both the child and the mother might be deprived of the food supplements as well as of

advice on proper nutritional practices that might contribute markedly to a reduction in maternal and child mortality, one of the goals of the right to health.

Supplemental food programs are often carried over to the elementary school level where lunches or other foods are supplied free to students. The right to such food depends on being an enrolled student, a status which can be achieved more easily if the birth is registered and the register is used as a guide to children who are obliged to enter school at a specified age. (See "Right to education.")

When food is in short supply and a rationing system to regulate its general distribution is required, proof of entitlement becomes of major importance. The birth certificate can supply such proof for each member of the family and, in addition, confirm entitlement to special food for very young and very old members. The same proof of entitlement can be used to administer supplementary food programs for low-income or needy families.

*Death register.* The register of death plays no direct part in implementing the right to food though it is used as a means of removing deceased family members from a supplemental food program. On the other hand, the need for certain kinds of food can be revealed by the incidence of nutritional diseases that cause death, especially those that operate among young children in rural and economically depressed areas. The register of deaths, including a medically-certified statement of the cause of death, provides the elements for the calculation of the probable incidence of nutritional deficiencies in various segments of the population, as reflected in the death rates for specific causes, such as avitaminosis. Recognition of such deficiencies can initiate steps to remedy the situation and help promote the exercise of the right to food.

#### Right to health

The Universal Declaration of Human Rights made the first important statement concerning the right to health when, in Article 25(1), it proclaimed that "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care. . ." This right was reiterated in the Declaration of the Rights of the Child wherein Principle 4 states that the child "shall be entitled to grow and develop in health; to this end, special care and protection shall be provided both to him and to his mother, including adequate pre-natal and post-natal care. . ." The International Covenant on Economic, Social and Cultural Rights (Article 12) puts it this way:

1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

2 The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

(a) The provision for the reduction of the stillbirth rate and of infant mortality and for the healthy development of the child;

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

The question arises as to how to identify the child and his mother, in order to provide for their "healthy development" as called for by the Declaration and the Covenant

*Birth register.* In many instances, the only guide to the existence of a child and a mother is the record of the birth in the official birth register. Where most births occur in hospitals, there is no problem in delivering postnatal care. But in developing countries, where births occur primarily at home with or without the help of midwives, arrangements are often made with the civil registration officials to advise the public health authorities weekly or even daily of the names and addresses of newborn infants, so that the necessary postnatal care can be administered to the infant and the mother. Since child clinics, as well as other public health units, often depend on the register of live births for their roster of cases, failure to register the birth of a child could deprive him of the care he needs and might otherwise have had. He may also be deprived of the immunizations that should take place in the early months and years of childhood to guard against infectious diseases such as measles, diphtheria, smallpox and the like. The child could, of course, be enrolled in such immunization programs as he grows older, but the likelihood of this happening if the birth was not registered is not great

Article 10(2) of the Covenant provides that "Special protection should be accorded to the mother during a reasonable period before and after childbirth. . . ." Failure to register the birth of a child and thereby link the mother through the child to the medical care unit that deals with maternal health, may also deprive her of her right to postnatal care

The birth register has an important part to play in providing a comprehensive case list of such mothers. The current register of births has also been used to identify women in the population who, having just given birth, might be interested in learning about family planning

Reduction of the stillbirth and infant mortality rates, called for in Article 12(2)(a), is an obligation on the States Parties to the International Covenant on Economic, Social and Cultural Rights, as steps toward achievement of the full realization of the right to health. Irrespective of whether reduction can be accomplished, the first step is to determine the current level of the two rates. These rates are computed by dividing the number of stillbirths (late fetal deaths), on the one hand, and the number of infant deaths (deaths under one year of age) on the other, by the population at risk, defined for simplicity as the number of live births in the same population, for the same time period. Only the register of births can provide the required component for the denominator of the stillbirth and infant mortality rates on a continuous basis. Availability of the number of births from the birth register makes it possible to monitor the trend of the rates over any selected time and for small as well as large geographic areas

*Death register.* The death register provides the number of infant deaths (deaths under one year of age) required for the computation of the infant mortality rate referred to above. Without such a register, computation of this important rate on a continuing basis would be impossible. Registration of death, especially the cause of death, also provides the information required for the statistical determination of maternal mortality rates, as well as of the incidence of various diseases that cause death. These data serve to guide public health authorities in the development of programs designed to protect and improve the health of the population and thus help guarantee everyone the right to health. They are necessary to ensure that, as provided in Article 12(2)(a) and (c) of the International Covenant on Economic, Social and Cultural Rights, States can take the steps necessary for "the healthy development of the child" and "the prevention, treatment and control of epidemic, endemic, occupational and other diseases." Analysis of the official records of the causes of death also provides guidance to fruitful avenues of medical research.

*Fetal death register.* Just as the death register provides the number of infant deaths, the register of fetal deaths provides the number of stillbirths (late fetal deaths) needed for the calculation of the still-

birth rate, utilizing the corresponding number of live births as the denominator of the rate or ratio. Since the incidence of fetal deaths is relatively small, it would not be possible to obtain the required numbers from any source other than the civil register of fetal deaths. Nor, would it be possible to monitor such endices over time and for small geographic areas as required for designing efforts to reduce them.

#### Right to housing

Housing is one of the subsidiary rights (together with food and clothing) mentioned in connection with the right to an adequate standard of living in Article 25(1) of the Universal Declaration, and in Article 11(1) of the International Covenant on Economic, Social and Cultural Rights. Programs designed to supply adequate housing to under-privileged groups usually take the form of State subsidies for the rental or purchase of housing units, such as rental allowances, grants, loans, exemption from taxation and the like. Entitlement to participate in such programs is usually dependent on a formula in which the number of persons in the household and their relationship to the head play a role. The number of young children often is a decisive factor. Proof of the existence of a family group that meets the requirements of the law can be had only from official records of birth and marriage.

*Birth register.* Official records of birth can be used to prove not only the number of household members to be accommodated, but also their ages and relationships which, in turn, help determine the size and type of accommodation for which the family is eligible.

*Marriage register.* Entitlement to assistance for housing may depend on proof of marriage of the parents\* and thus the existence of a legal family unit. The marriage certificate provides such proof.

#### Right to an identity (name)

See Right of child to a name (filiation), page 4.

#### Right to inherit

The right to inherit either by testamentary succession (by will) or intestate (by law) is not specifically mentioned in either the Universal Declaration or the Human Rights Covenants, but it is cited in Article 5(d) of the International Convention on the Elimination of All Forms of Racial Discrimination, which entered into force 4 January 1969. Article 5(d) spells out a series of civil rights which States Parties undertake to guarantee; among these is (vi) "the right to inherit." "The right to acquire, administer, enjoy, dispose of and inherit property" is also guaranteed

in Article 6(1)(a) of the Declaration on the Elimination of Discrimination against Women, proclaimed by the General Assembly in Resolution 2263 (XXII) of 7 November 1967.

According to the United Nations *Study of Discrimination Against Persons Born out of Wedlock*, "the formal establishment of filiation is of crucial importance in the matter of inheritance rights, more so than in regard to any other right. The title to succeed by operation of the law and to share in the deceased's estate, is parental filiation. The establishment of parental filiation is indispensable for the purposes of succession by operation of law."

*Birth register.* Proof of parental filiation and hence the right to inherit by law can be had from the birth certificate, since that legal document contains not only the name of the inheritor in terms of a surname and a given name, but also the names of the father and mother, and, in some cases, those of the grandparents as well. Proof of identity required in implementing the right to inherit by testamentary succession can also be had from the birth register.

*Death register.* As noted in connection with the birth register, if succession is by law, the first requirement is proof of parental filiation with the deceased person, a proof that can only be established by the legal birth record. But equally important to the right to inherit is the official proof that the person who held the property has, indeed, died. The official death record certifies to the fact of death, as well as to its time and place of occurrence.

*Marriage register.* The role of the marriage register in implementing the right to inherit is supplementary to the role of the birth and death record. Proof of marriage provided by the certified copy of the marriage recorded in an official register automatically ensures the right of a surviving spouse to inherit, in accordance with the law, and may also substantiate the claim of a surviving child.

#### Right to marry

According to the Universal Declaration (Article 16(1)) and the International Covenant on Civil and Political Rights (Article 23(2)), men and women of full (marriageable) age have the right to marry. "Full or marriageable age" in this context means the age set by law as the "minimum age for Marriage," a minimum designed to prohibit child marriage. Reference to such a minimum may be found also in Article 2 of the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages which entered into force 9 December 1964. How can the State be sure that the intending spouses are in-

deed of "full age" as defined by the laws of the country?

*Birth register* In most countries, the bride and groom are required to produce a birth certificate to prove that they have met the age qualification for entering into a legal marriage. Thus, the certificate or extract from the official register of birth is essential for proving the right of the man and woman to marry.

Since it contains information on parental filiation, the birth certificate can also provide proof that the intending spouses are not related by blood to the degree that would deny them the right to marry on the basis of consanguinity.

*Death register* In addition to the age and consanguinity constraints, the right to marry assumes that the intending spouses have a personal status that allows them to enter into a marriage, according to the law of each country. In countries where monogamy prevails, this means that they should be unmarried at the time, that is, they may be either "never married," "widowed" or "divorced." In the case of widowhood, the right to marry requires proof of death of the previous spouse. Documents from the official register of death suffice as proof of widowhood.

*Divorce register* As noted in connection with the death register, in order to marry, one must show that the intending spouses are free to marry, *i e*, in monogamous societies that they are not legally married at the time of the new marriage. Just as the death certificate of a spouse can provide proof of "freedom to marry," the official divorce record also qualifies a person to enter into a second or subsequent marriage.

### Right to own property

Article 17(1) of the Universal Declaration of Human Rights stated that "Everyone has the right to own property alone as well as in association with others." In Article 6(1)(a) of the Declaration on the Elimination of Discrimination against Women (proclaimed 7 November 1967) this basic right was elaborated in the following terms: "The right to acquire, administer, enjoy, dispose of and inherit property, including property acquired during marriage." Subsequently, the International Convention on the Elimination of All Forms of Racial Discrimination, which entered into force on 4 January 1969, committed signatory States to guarantee "The right to own property alone as well as in association with others" (Article 5(d)(v)).

*Birth register* The birth record provides proof of identity for the exercise of the right to own prop-

erty, as well as proof of having attained the age prescribed for enjoyment of the right, if such exists in national law.

### Right to migrate

The right of everyone "to leave any country, including his own, and to return to his country" was proclaimed first in the Universal Declaration of Human Rights (Article 13(2)). It became part of international law when the International Covenant of Civil and Political Rights (Article 12(2)) came into force in 1976.

*Birth register* Rights to freedom of movement and choice of residence are usually subject to certain restrictions, such as the possession of a valid passport and visas as required by law. The record in the official register of birth attests to the nationality (citizenship) of the person in question by virtue of his having been native born. Hence the birth record entitles him to a passport or other travel document, issued by his country of citizenship. Naturalized citizens would require other proof of citizenship.

### Right to a name (identity)

See Right of child to a name (filiation), page 4

### Right to a nationality

See Right of child to a nationality, page 5

### Right to special security

"Everyone . . . has the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control," according to Article 25(1) of the Universal Declaration of Human Rights. The International Covenant on Economic, Social and Cultural Rights made this right part of international law by Article 9, which proclaims that "The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance."

The Covenant goes on to state in Article 10(2) that "Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period, working mothers should be accorded paid leave or leave with adequate social security benefits." This is in accord with Principle 4 of the Declaration of the Rights of the Child, wherein it is stated that "The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end, special protection shall be provided both to him and to his mother, including adequate pre-natal and post-natal care." Principle 5 proclaims that "The child who

is physically, mentally or socially handicapped shall be given the special treatment, education and care required by his particular condition "

*Birth register* In the event that the family cannot, for whatever reason, provide for the welfare of a member (child or adult) or in case this person is ill, disabled or otherwise handicapped, the certificate of birth, certifying to age, nationality and relationship to head of the household, can serve to prove entitlement to social security benefits. When benefits are restricted to minors, the proof of age is especially important. For adults, eligibility for invalidity pensions are often based on years of service in employment before a determined age, as well as on nationality. Again the birth record can provide proof of these characteristics.

Orphans' benefits are similarly dependent on proof of birth at entry into the system and their duration is governed by age of the orphan. The birth record is used to prove eligibility in these cases. In some countries, parents or grandparents may be the beneficiaries of a pension upon the death of a child or grandchild for whom they were responsible. Entitlement depends on proof of the relationship contained in the records of birth of the child and his parents.

Widows benefits are often conditional on the woman being a national and on having reached a certain age or on having a certain number of dependent children. Entitlement in such cases is dependent on having a birth certificate for the mother, as proof of her age and nationality, and of each child, as proof of filiation and age.

The claim of a mother for prenatal and post-natal maternity leave with pay or benefits requires proof of birth of the child, provided by a birth certificate. Childcare grants also depend on proof of birth of the child and the duration of such grants is determined by the age of the child as proven by the certificate.

Entitlement to old-age benefits requires official proof of having attained the required age. Private pension systems as well as insurance benefits require the same type of age proof, provided by an official record of birth.

*Death register* The right of a family unit to protection may arise when the breadwinner dies without providing for the continued well-being of the family. In such cases, the family is entitled to such allowances or insurance as may be available from the State or other authority provided proof of the death of the breadwinner can be provided. A certified copy of the death record provides the necessary proof. The death certificate is also the proof of death re-

quired for establishing beneficiary status in respect of private pensions.

*Marriage register* Proof that a surviving partner of a marriage is entitled to public assistance by virtue of widowhood can be had from the certificate of marriage filed in the official register. In some cases, persons other than nationals are entitled to survivors benefits if their last (preceding) marriage was to a national. In such cases, the official marriage certificate is of vital importance to prove the marriage did occur.

#### Rights of spouses to custody of children

Article 23(4) of the International Covenant on Civil and Political Rights requires signatory States to "take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage, and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children." In cases where the dissolution of the marriage is due to the death of one partner, protection of children, including custody, is generally assigned to the surviving spouse. In case of a legal dissolution, arrangements are made for child custody with the spouse most likely to provide best for their protection. In some countries, the age of the children is a determining factor.

*Birth register* Proof that a child is indeed an offspring of the spouse in question can be obtained from a certificate of registration of the birth. Records of legitimate births contain the names of both parents; records of illegitimate births may contain only the name of the mother.

Birth certificates are also required to prove the age of the offspring where this is a determining factor.

*Death register* The right of the surviving spouse to custody of the children of the marriage would require proof of the death of the other partner in the marriage of which the children are the offspring. The death register provides such proof.

*Marriage register* In case of the death of one partner, the certificate of a legal marriage protects the surviving spouse from illegal treatment with respect to many marital rights, including custody of the surviving children.

*Divorce register* When the marriage is dissolved by divorce (or other legal means) the official divorce record usually contains information on the court's disposition of the surviving children of the marriage. It thus protects both partners in the dissolved marriage from illegal treatment in respect of the custody of the children.

## Right of spouses to equality

"Equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution . . ." is guaranteed in Article 23(4) of the International Covenant on Civil and Political Rights wherein States Parties to the Covenant are enjoined to "take appropriate steps to ensure equality . . ." How can such a right be realized?

*Birth register* Registration of each child born to the union would ensure that each spouse was recognized as a legal parent with the rights inherent in that status

*Death register* Marriages dissolved by death of one spouse require registration of the death in an official register to protect the interests of the surviving spouse as to assets, children, death benefits, the right to remarry and so forth

*Marriage register* As indicated elsewhere, the right to protection from child marriage and forced marriage is guaranteed by the official registration of marriage by a competent authority. A legal marriage, properly registered, also protects the wife as well as the husband from illegal treatment in respect of many marital rights, such as custody of children when the marriage is dissolved by death, divorce or other legal action; right to inherit and bequeath property; independent ownership of property; right to work without husband's consent; right to remarry; right to separate legal domicile and so forth

*Divorce register* Safeguarding the rights of the wife and the children of the marriage rests on requiring that divorce be recorded in an official register to protect women from unilateral divorce procedures. Such registration will also afford them such protection as is available by law, such as child support, child custody, enforceable alimony rights and the sharing of jointly owned assets

## Right to vote and to stand for election

"Universal and equal suffrage," proclaimed in Article 21(3) of the Universal Declaration of Human Rights, became Article 25(b) of the International Covenant on Civil and Political Rights, guaranteeing that "Every citizen shall have the right and the opportunity . . . to vote and to be elected . . ." Enjoyment of both the right to vote and to stand for election may, however, be constrained by a minimum age and citizenship requirement.

*Birth register* The minimum age for voting differ from one country to another, but whatever the level, the certificate of birth from the official birth register is the document most often used to prove that an individual has reached the required legal age

to exercise his franchise. Proof of citizenship can also be had from the birth record in the case of persons born within the country concerned or of parents who are nationals. For naturalized as opposed to native-born citizens, proof of naturalization would also be required

## C SUMMARY AND CONCLUSIONS

The United Nations has achieved a major goal, set at its inception, by the coming into force of two legally binding international agreements for the protection and promotion of human rights and fundamental freedoms. These agreements are the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights with its Optional Protocol that came into force in 1976. Together with the Universal Declaration of Human Rights on which they are based, these Covenants constitute the first International Bill of Human Rights

While there are a number of major international instruments dealing with particular human rights, some of them providing more specific measures for implementation, the International Covenants on Human Rights cover a wide range of rights—economic, social, cultural, civil and political—to which men and women everywhere are entitled, by virtue of their inherent dignity as human beings

The Covenants also set forth some measures for implementation of these rights. For example, Article 2(1) of the International Covenant on Economic, Social and Cultural Rights states that "Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures."

Article 2(2) of the International Covenant on Civil and Political Rights puts the same concept this way: "Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant."

By international law, the burden of establishing and maintaining a reliable civil registration system for births and marriages falls squarely on States Parties to the Covenant and the Convention in which

these two rights are respectively cited. With respect to the registration of deaths, fetal deaths and divorces, there is abundant evidence of the need to provide proof of these events in order to assist in the implementation of other rights and hence, an implicit obligation on the States to provide for their registration also. The obligation of the States to give effect to the right to register vital events entails undertaking the measures necessary for the realization of the rights, as well as refraining from subjecting individuals to circumstances that would impede the proper exercise of the rights.

Since rights and obligations are two sides of the same coin, individuals also have an obligation to make themselves aware of their rights and to exercise them. There is no question that the ordinary man or woman is not always aware of the standards set by the United Nations, nor of the relationship of these standards to everyday life. For example, this study has shown that the registration of births and marriages are themselves human rights. In addition, as many as 23 of the 24 other human rights considered can be shown to be dependent for implementation on the official birth certificate. In fact, the contribution of the birth record to the implementation of human rights is almost unique in its widespread application, making it by far the most important document issued by the registrar. Proof of marriage is the second most needed document, followed by proof of death and divorce, in that order. Since vital records can be shown to be such a potent force in the exercise of human rights, it is perhaps fair to say that if individuals were more fully aware of the ways in which these records could be of importance in their lives, they might take steps to see that their rights in these matters were safeguarded.

This is a strategic time to review the relationship of civil registration and human rights for at least two reasons that might serve to enhance the awareness of men and women in respect of human rights. First is the fact that 1979 is being celebrated as the International Year of the Child. In expressing its deep concern over the status of children throughout the world, but especially in developing countries, the General Assembly of the United Nations noted that

"Far too many children are undernourished, and are without access to adequate health services, are missing the basic educational preparation for their future and are deprived of the elementary amenities of life." As has been shown above, birth registration can be a powerful force in bringing children to the attention of the authorities in charge of health programs, nutrition services, educational programs and other social services.

The second event of importance in regard to human rights is the World Conference on the United Nations Decade for Women which will be convened in Denmark in 1980. Its mandate is to review and evaluate the progress made and obstacles encountered since 1975 in attaining the objectives of the United Nations Decade for Women 1976 to 1985, and to chart an action-oriented program for the next five years. Recognition by women of the importance of registering births, deaths, marriages and divorces would go far toward improving their status in education, marriage and its dissolution, health care, social security; in short, in all areas where proof of identity, age, nationality, marital status, motherhood, and widowhood are factors of importance.

Finally, it should not be overlooked that an important by-product of improving civil registration is the consequent improvement of the fertility, mortality, nuptiality, and divorce statistics derived from vital records. Vital statistics are an essential component of the data base required for the review and appraisal of both the World Population Plan of Action and the World Plan of Action for the Implementation of the Objectives of the International Womens' Year, and their improvement is in itself a worthy goal.

In view of the above, it is hoped that showing the role that civil registration of births, deaths, fetal deaths, marriage and divorce can play in the implementation of a large number of human rights may serve to further the establishment throughout the world of efficient civil registration systems as well as the improvement of the vital statistics derived from the vital records. Alternatively, civil registration should be considered a national institution for the promotion and protection of human rights.