

**United Nations Technical Seminar on Legal Framework for Civil Registration, Vital Statistics and Identity Management Systems, Manila, the Philippines, 17-19 July 2017**

**Conclusions and Recommendations**

1. The technical seminar was organized by the United Nations Statistics Division in partnership with the Asian Development Bank, the Philippines Statistics Authority and the Organization for Security and Cooperation in Europe. It was attended by civil registrars, lawyers, statisticians and other relevant government officials from the following countries from Africa, Asia and the Pacific: Armenia, Cambodia, Egypt, Ethiopia, Fiji, Indonesia, Iran, Kyrgyzstan, Namibia, Philippines, Republic of Korea, Tanzania, United States of America and Viet Nam, and by the representatives of United Nations Economic and Social Commission for Asia and the Pacific, UNICEF Regional office for South Asia, UNHCR Regional Office for South-East Asia, OSCE Office for Democratic Institutions and Human Rights, The Pacific Community, Asian Development Bank, World Bank and the Bloomberg Philanthropies Data for Health Initiative.
2. The seminar was addressed by Mr. Rana Hasan, Director, Development Economics and Indicators Division, Asian Development Bank, and he emphasized that “This seminar is very important as it will undertake technical discussions for updating the UN Handbook on legal framework for civil registration and vital statistics as a follow up action to the updating of the United Nations *Principles and Recommendations for a Vital Statistics System, Revision 3.*” Mr. Hasan also extended a warm welcome to all participants and expressed best wishes for successful proceedings.
3. In her opening statement, read by Ms. Editha Orcilla, Assistant National Statistician, Civil Registration Service, Philippine Statistics Authority, Dr. Lisa Grace S. Bersales, National Statistician and Civil Registrar General of the Philippines, expressed her appreciation to the organizers of this Technical Seminar on Legal Framework for Civil Registration and Vital Statistics and Identity Management Systems. Dr. Bersales also outlined that “We (PSA) want to be part of this endeavour, to share our experiences in formulating policies and introducing reforms to make sure that Civil Registration and Vital Statistics (CRVS) aligns with the international standards in producing quality CRVS. As we go on with our 3-day seminar, we will be discussing more of our activities and programs. We will be learning more from each other.”
4. Mr. Srdjan Mrkic, on behalf of the United Nations Statistics Division expressed appreciation for having this opportunity to address national representatives from the Pacific, Asia and Africa, as well as representatives from international organizations attending the seminar. He emphasized the significance of this seminar in terms of updating international standards in the field of legal framework for civil registration, vital statistics and identity management and outlined a twofold goal: soliciting inputs, comments and suggestions on the annotated outline of the guidelines prepared by United Nations Statistics Division and exchanging of experiences from the participating countries in terms of issues related to the legal framework for civil registration, vital statistics and identity management.
5. Mr. Zoran Djokovic, on behalf on the OSCE Office for Democratic Institutions and Human Rights, outlined the critical relevance of functioning civil registration systems in terms of securing human

rights and democratic processes in general. He also expressed appreciation that OSCE is part of the process of updating international standards in the field of civil registration, vital statistics and identity management systems as this represents one of the core concerns of his office in terms of the freedom of travel.

6. The participants expressed appreciation to the organizers of this seminar as it comes at a very proper time for a number of countries that are in the process of addressing improvements of civil registration and vital statistics systems, and the legal framework is clearly one of the pillars of these activities.
7. The seminar, following the presentation of the second draft *Handbook on Civil Registration and Vital Statistics Systems: Management, Operation and Maintenance, Revision 1*, which is now in the phase of being finalized, raised a number of issues pertinent to both the handbook and the legislative framework. Assigning a unique identification number to each individual at birth in the country, the participants noted, is a facilitator for a successful integration of civil registration and identity management systems and for establishing a population register.
8. The seminar concluded that the integration of civil registration, vital statistics and identity management systems in participating countries has contributed in substantial improvement of rendering services to individuals, realizing human rights, and highlighted their support for introducing such interoperable model as a matter of international recommendation.
9. Recognising the importance of interoperability and data sharing among civil registration, vital statistics, identity management and relevant stakeholders for legitimate uses, the seminar underscored one of the basic principles of civil registration, which refers to the confidentiality of individual information, including building advanced protection systems and protocols to that effect. It was also outlined that the interest for such individual data is extremely high on both the government and the private side – thus, instituting proper legal boundaries and guidance in terms of the use of and access to individual information should be a priority concern.
10. The seminar discussed at length the topic of the ownership of individual information, as opinions at the national level tend to differ with one argument going in the direction of the individual's ownership of his/her data, thus requiring consent for every type of use unless defined by the law, and the other arguing that by delivering the information to the government individuals forfeit the ownership of it.
11. The participants underlined the need to follow international guidance in terms of delineating civil identity, which is understood as the civil status of each individual in relation to the immediate society, distinct from the legal identity, which is registered by the State and facilitates access to contemporary services – both offered by government and private sector. It was emphasized that birth registration, and its legal tender, the birth certificate is the foundation of legal identity.
12. Discussing the issue of “foundlings”, i.e. infants that are found abandoned and without known parents or other relatives, the seminar outlined the need that procedures in such cases are clearly developed in all national legislative instruments.

13. Notifications from institutions to the civil registration authority regarding the occurrence of vital events are of particular importance and require an even stronger emphasis in both the *Handbook* and the *Guidelines*.
14. The seminar discussed the advantages of a functioning identity management system at the national level as an enabler of e-government.
15. Upon the presentations of training tools that are available to countries at this moment in terms of legislative framework for civil registration, vital statistics and identity management systems, the seminar emphasized that these tools are harmonized and build upon the United Nations principles and recommendations, thus ensuring consistency in presenting international standards and their implementation. It was also noted that these training tools will provide inputs into the development of the *Guidelines on the Legislative Framework for Civil Registration, Vital Statistics and Identity Management*.
16. The participants welcomed the presented annotated outline of the *Guidelines on the Legislative Framework for Civil Registration, Vital Statistics and Identity Management*. They acknowledged the changes in the structure of the publication compared to the earlier version of the document and emphasized the timeliness of its preparation.
17. Discussing the annotated outline, the seminar underscored the need to underline strongly the approach of developing a generic and flexible civil registration law, and a much more specific set of accompanying regulations and operating instructions, to ensure that the focus of the need for flexible law is not lost in elaborating details, taking into consideration that enacting a new law or amending it is a time consuming technical and political process.
18. Participants discussed the importance of having a legal framework that emphasizes the active responsibility of governments to reach all population groups, including homeless persons, refugees, migrants, stateless persons and internally displaced persons, and ensure civil registration of all events occurring in the country. Rather than instituting penalties for failing to comply with registration, the government should be held accountable for not enabling full registration.
19. The content of the birth and death certificates as mandated by law was a subject of debate as well. A number of countries currently include sensitive information, such as cause of death, in the death certificates. It was highlighted that the *Guidelines* should address this with specific advice in terms of content and nature of relevant certificates.
20. The seminar discussed at length the procedures related to registration protocols in the case of changes of sex and same sex marriages, where they are permitted by the legal framework. In essence, it was concluded that the basic logic of civil registration, that is, maintaining the integrity of the initial recording and introducing amendments that will reflect the real situation of individuals, should be the guiding principle, coupled with the flexible legal framework that can accommodate changes in social constructs.

21. In the same context the seminar outlined the issues related to the registration of birth of children born with undetermined sex, and concluded that medical or scientific evidence needs to be the leading criteria put forward by the legal framework, including the option of a third sex category.
22. Similarly, the seminar concluded that the same approach is suitable for issues of surrogate motherhood, in countries that allow for such arrangements. The initial registration has to reflect the birth mother, while protocols related to amendment of the record due to adoption should then be triggered.
23. As for the dual citizenship, it was outlined that the practice and legal arrangements vary from one country to the other and that it would be ineffective and even inappropriate to attempt providing international guidance on this issue, albeit even from the point of view of registration procedures.
24. The role of having in place a legal framework that mandates coordination at the national level and allows for data sharing among relevant stakeholders was emphasized time and again. Some countries acknowledged that, in the absence of explicit mandates, the use of Memoranda of agreement or understanding is of great usefulness. Thus, the Guidelines should contain advice on this issue.
25. A number of additional comments and suggestions regarding the annotated outline of the *Guidelines* was presented, in terms of, for example, the need for the civil registration law and related legislation to ensure provisions related to facilitating registration of vital events for persons with disabilities and the need for translation in all applicable languages; to emphasize quality assurance and quality assessment of the registration process, rather than inspection; the need to consider civil registration and identity management in the broader setting of governance; privacy and data security protection, and so forth. Copious notes of all comments were taken and will be used in the preparation of the first draft of the *Guidelines*.
26. In that context, participants were urged to provide all their additional contributions and comments within the next four weeks, thus providing even more valuable input for the document.
27. The seminar took full advantage of informative, substantial and well-prepared presentations from representatives of participating countries. Those presentations displayed a wealth of innovative approaches and solutions that are being implemented at national level.
28. In the context, the seminar concluded that all participating countries, albeit at different levels of functioning of civil registration and vital statistics systems and their linkage to identity management system, are fully committed to improve civil registration processes, starting from the development of legislative framework, while at the same time realizing that it takes a considerable period of time to put in place.
29. Participants highlighted the importance of having political commitment and dedication in the process of improving the legal framework of civil registration, vital statistics and identity management; without such commitment, the seminar concluded it would not be possible to achieve the current results.