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OF CIVIL REGISTRATION AND VITAL STATISTICS SYSTEMS  
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**THE CURRENT STATUS OF CIVIL REGISTRATION  
AND VITAL STATISTICS SYSTEMS  
IN LESOTHO**

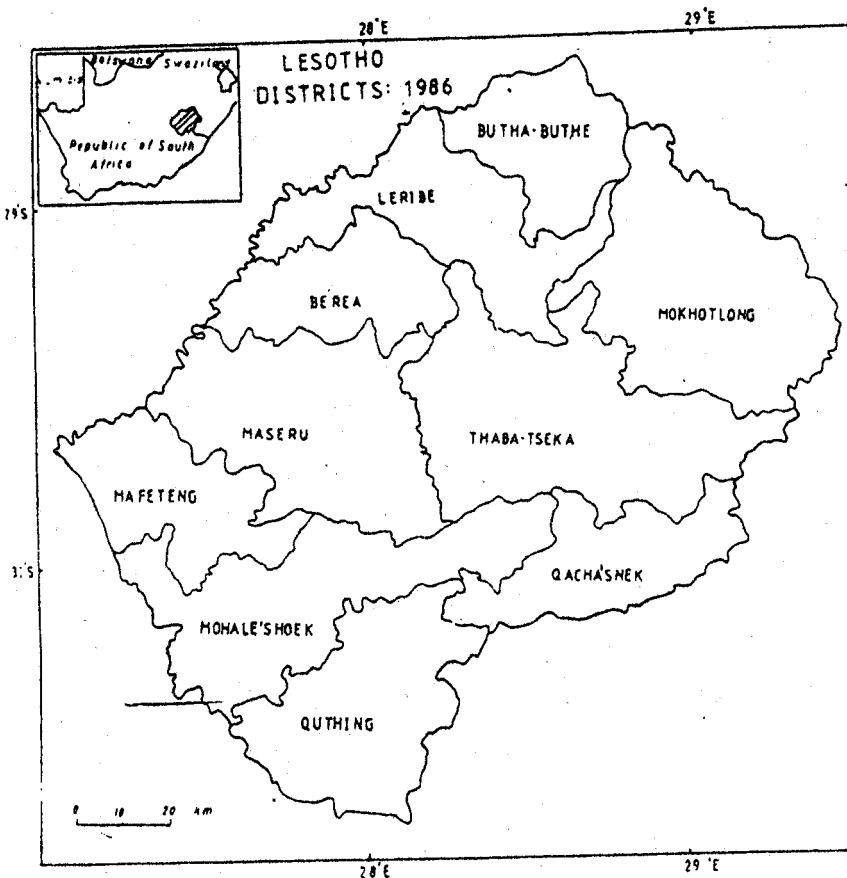
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# A COUNTRY REPORT ON THE CURRENT STATUS OF VITAL STATISTICS AND CIVIL REGISTRATION SYSTEMS

## LESOTHO



FOR

## INTERNATIONAL PROGRAMME FOR ACCELERATING THE IMPROVEMENT OF VITAL STATISTICS AND CIVIL REGISTRATION SYSTEMS

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## **SECTION I: GENERAL BACKGROUND**

### **1.1 Geographic Location**

The Kingdom of Lesotho with a total land area of 30,350 square kilometers is situated in the southern part of the African continent between the southern latitudes 28° and 31° and eastern longitudes 27° and 30°. The country is completely landlocked and surrounded by one country, the Republic of South Africa (RSA). It is bordered by the Natal Province to the east; Cape Province to the south and by the Free State to the north and west.

### **1.2 Culture**

The socio-cultural practices of Basotho (although some change overtime) centre around the importance of the family as a social unit. Marriage is not viewed simply as a union of a man and a woman, but also as an alliance between the two families of the bride and the groom. The prevailing social and cultural values of the Basotho encouraged through families are often pro-natalistic in character, encouraging early marriage between couples and childbearing throughout a woman's reproductive life span.

Marriage is often symbolized by payment of bride-wealth (lobola) as a gesture to validate the marriage and to legitimize the offspring issuing from such a marriage. In a traditional society, if a marriage proves childless, a man may be allowed to marry a second wife without dissolving the first marriage. The practice of polygamy exists on a small scale.

The Basotho culture is also embodied in music, poems, dress and religion to mention but a few. It should also be noted, however, that Basotho culture has greatly been influenced by the Western culture especially in the field of law, medicine, education and religion. Most of the influence ensued in 1830's with the arrival of the christian missionaries; and in 1868 when Lesotho became a British Protectorate.

### **1.3 Economy**

Subsequent to the closure of the diamond mine in 1982, Lesotho was left with limited natural resources to exploit. Only 13 percent of land is arable while the rest is used for settlement and pastoral farming. Agriculture contributed 17 percent to real GDP at factor cost during 1985-89. It also contributed to at least 50-70 percent of total job opportunities and 40 percent of merchandize export earnings. However, the problems related to agriculture such as the dwindling amount of arable land, low farming productivity associated with poor quality of land, a system of land tenure that encourages overgrazing and inefficient use of arable land, extensive soil erosion cannot be overlooked.

Migrant labour remittances accounted for 60 percent of the gross national product (GNP) during 1986-90. This source of income has been vulnerable to adverse shocks like labour disturbances and retrenchment. The per capita GDP and GNP at constant prices in 1992 were \$298 and \$488 respectively.

### **1.4 Political and Administrative Characteristics.**

Lesotho gained her independence in October 1965 after being a British protectorate for one hundred years. Basotholand National Party (BNP) marginally won elections against

Basotholand Congress Party (BCP) and was the government after independence. In 1970, BCP won the elections and BNP vetoed the elections and stayed in power until January 1986 when the Lesotho Defence force overthrew the BNP government. The army (afterwards labelled Royal Lesotho Defence Force) government worked towards restoration of democracy and in March 1993, elections were held and BCP won in all the constituencies. After 500 days in office, King Letsie III dissolved BCP government and Parliament and suspended some parts of the constitution. This endeavor lasted for a month and BCP is back in power.

After independence, Lesotho became a democratically ruled sovereign state under a constitutional monarch and a bicameral parliament. However the parallel systems of administration that existed during the colonial rule i.e the chieftainship system created by king Moshoeshoe I and modern administration through government district administrators still exists. There were formerly nine administrative districts, the tenth district of Thaba-Tseka was created in 1980. Below the district level are twenty four administrative units (Wards) headed by principal and ward chiefs from which at village level the chieftainship system remains. Since 1986, democratically elected Village, Ward and District Development Councils were established of which chiefs chair with ex-officio status.

## **SECTION II: DEMOGRAPHIC AND BASIC INFORMATION OF THE COUNTRY.**

### **2.1 Population size and Inter-censal Growth Rates.**

The main source of demographic data for Lesotho is censuses. Although the history of censuses dates as far back as 1875, the censuses of 1966, 1976 and 1986 using enumerator method are considered as the most reliable in terms of content and coverage.

Population size is presented in de facto and de jure forms since more than half of the able-bodied Basotho men migrate to RSA mines to work. The de facto populations in 1966, 1976 and 1986 were 852,000, 1,064,000 and 1,448,000 respectively while the de jure populations were 970,000, 1,217,000 and 1,606,000 respectively for the same periods. Urban population formed 18% of the total de jure population.

The rate of growth of population is increasing from 2.3% between 1966 and 1976 to 2.6% between 1976 and 1986; the reason being constant fertility and declining mortality. The crude birth rate is estimated at 38-40 per 1000 population, crude death rate at 12-14 per 1000 and infant mortality rate at 85 per 1000 live births.

### **2.2 Age-Sex composition and Population Distribution.**

The sex composition through effects of fertility, mortality and migration changes with age. The sex ratio at birth obtained from the 1986 population census results was 102 males to 100 females. The effects of mortality were noticed after 14 years when it dropped to 94 males to 100 females. Mortality of males worsens as age advances, dropping to below 80 at age 70 and above. Migration affects the de facto population sex ratio severely the higher the age. The overall sex ratio was 95 and 62 for the de jure and de facto populations respectively. The sex ratio for those aged under 15 was 101 for both de jure and de facto; whereas for the age-group 15-64 the de jure sex ratio was 95 and the de facto 69. The de jure and de facto sex ratios for those aged 65 years and above were 66 and 61 respectively.

Lesotho is also characterized by a young population comprising 41 percent aged 0-14 years and only 4.6 percent being over 65 years. Dependency ratio of children and the aged to economically active population is 84 to 100.

### **2.3 Distribution by Major Administrative Divisions.**

Lesotho is sub-divided into ten (10) administrative districts shown in the table below. Because of its topographic nature, Lesotho is further sub-divided into four ecological zones namely Lowland, foothills, Orange River Valley and Mountain.

Table 1 Land Area, Population Distribution and Sex ratios by District

District	Area (Sq Km)	% Population Distribution	Sex Ratio	
			De facto	De jure
Butha-Buthe	1767	6.65	85	97
Leribe	2828	17.16	83	96
Berea	2222	9.33	83	95
Maseru	4279	19.51	84	93
Mafeteng	2119	12.89	83	97
Mohale' Hoek	3530	10.90	82	96
Quthing	2916	7.51	83	95
Qacha's Nek	2349	4.28	82	93
Mokhotlong	4075	4.99	89	98
Thaba-Tseka	4270	6.78	88	97
Total Lesotho	30,355	100 (N=1,575,096)	82	95

Source: 1986 Population Census Analysis Report, Volume III.

Three districts of Qacha's Nek, Mokhotlong and Thaba-Tseka are in the mountains and most areas in the mountains are not accessible by road, a horse is used as the main mode of transport in such areas. The mountain zone is sparsely populated with the density ranging from 20-40 per square kilometre and from 41-60 in the foothills to above 60 in the lowlands.

## **SECTION III: THE CIVIL REGISTRATION SYSTEM**

### **3.1 Legal Frame of the System**

Lesotho is faced in general with a dilemma and to some extent an obvious confusion where two systems of law i.e Customary and Roman Dutch Common Law exist side by side. Therefore the two systems of law mainly affect marriages, divorce and adoption under which civil registration is most articulate. Customary law in Lesotho has an ancient origin and was originally administered through traditional chiefs' courts. The customary laws first written in 1903 are known as the laws of Lerotholi. These rules covered pertinent aspects of Basotho life. Now having left the chiefs with arbitration powers, the local and central courts administer the law, appeals being allowed to the Magistrates' Courts and ultimately the Court of the Judicial Commissioner. The Roman Dutch Common Law adopted from the Cape Province of RSA rule 1871-83 first became the law of Lesotho in 1884. One example of the problem, the dualism in Sesotho law is that a person becomes a major at the age of 21 years or earlier when a person marries; on the other-hand Customary law treats a man as minor until he marries, whereas a woman is regarded a perpetual minor under her father before marriage and under her husband after marriage.

Lesotho has in place the following legislation concerned with the Civil Registration:

(a) The registration of Births and Deaths Act. of 1973, which commenced in April, 1975 was preceded by a Colonial Birth and Death Proclamation No. 17 of 1947. The current law was subsequently supplemented by the Registration of Births and Deaths Regulations of 1974.

(b) Since it could be concluded that marriage is an important event that occurs between birth and death, the Marriage Act was promulgated in 1974 and came into operation from the 2nd of August in the same year, to make provision for solemnization and registration of marriages. Though there is provision for enactment of the regulation, so far the main law has no such a support. The Marriage Act of 1974 supersedes the Colonial Marriage Proclamation No.7 of 1911.

(c) The divorce law which correlates with marriage does not exist in statute but remains a matter of Common Law from such cases only decided by the High Court. This situation could be attributed to the fact that divorce is very rare in Lesotho's Customary and Civil marriages.

The registration of the birth of a child whether born alive or still-born, and death of any person is compulsory (Registration of Birth and Deaths Act 1974, section 3). The registration of marriages is discretionary on the part of the first marriage in custom (Marriage Act No. 10 of 1974, section 3); whereas the registration of civil marriages is compulsory (Marriage Act No. 10 of 1974, section 35). However it could be noted that the overall situation is complicated that a large number of persons contracting a customary marriage end up in a civil marriage.

### **3.2 Administrative Arrangement of the System**

At present there are in essence two levels where civil registration takes place. The district Headquarters being the primary unit whereas the office of the Registrar-General

located centrally in the Ministry of Law and Constitution forms the secondary unit. However there are provisions that for Lesotho citizens civil registration be effected in the country's diplomatic missions overseas.

Lesotho is divided into ten administrative districts which vary in terms of area and population size. The nine district Headquarters (Towns), are more situated along the borders, with the exception of Thaba-Tseka (Town), which is situated inner country. The densely populated lowlands districts are more accessible by road and have more social infrastructure than the disadvantaged mountain districts which are mostly characterized by scattered population.

The civil registration is a duty placed in the District Secretary's Office at the primary level and routine work done by the District Secretary staff while the actual registration is either performed by the District Secretary or the Deputy District Secretary. All officials are committed to eight hours work for five working days (Monday to Friday). Numbers of events registered per annum, as a matter of fact are regulated by occurrences in individual primary unit, but as a whole looking at the national statistics registration of births and marriages rank high followed by registration of deaths; and divorce ranking the lowest. The office of the Registrar-General as we mentioned earlier is a government institution where in the final analysis national records are kept and registration takes place.

### **3.3 Procedures for registration.**

Since the legislation provides guidelines for procedures to be followed registration is standardized and uniform in relation to a particular event, and as such these are followed by the units nationwide. Preliminary information forms, books and registers are printed in bulk by government printers and distributed to registration units on request. The above documents are made of a high quality paper whether in loose leaf in the case of preliminary information or bound books in the case of Registers therefore any ink entered is also preserved.

In Lesotho civil registration is not done at the place of occurrence per se. For instance births, deaths are registered in a particular district where they occurred. Marriages are registered by the District Secretary who solemnize the marriage or a Church Authority if a wedding took place in a particular church. Divorce cases with no exception are registered by the Law Office after due decision by the High Court.

Though the law requires that notification of birth or death reach the District Registrar within 14 days (Registration of Births and Deaths Act No.22 of 1973 Section 31) in the urban areas; and reach the District Registrar within 7 days (Reg. of Births and Deaths Act. No.22 1973 Sect. 39 (2) and Sect. 40 (2) in the rural areas for earliest registration, actually a grace period of one year is allowed and on late registration (after one year) a minimal fee of M4.00 is paid on late birth registration and M2.00 on late death registration. These fees are payable at the office of the Registrar General. Marriages are registered immediately after contracting. There are no fees involved except the parties contribute M0.40 and M0.50 revenue stamps to be affixed to the original and duplicate certificate respectively. In a case the contracting parties need a special license, a M10.00 = US \$ 3.1 is required. However as required by the law the bride and the groom have to show evidence of identity as prove of age to Marriage Officer. Local Registrars are prohibited in all cases from taking any other fees than those specified in the law. Duplication of registration may only happen incidentally, otherwise single registration is allowed and the fault may be detected by the office of the Registrar



## **General.**

### **3.4 The local registrars.**

In Lesotho the civil registrars are the District Secretaries, the highest government Authority in the District who assume the District Registrar powers by the status of that appointment. The Deputy District Secretaries are assistant Registrars who assume powers by gazettelement. In the case of marriages, Ministers of religion who gazetted as marriage officers (Marriage Act. No.10 of 1974 Sect.7(1) also register marriages in the church missions situated all over the country. On this point, registration of marriages is far more decentralized than the birth and death registration. The District Secretaries and the Deputy District Secretaries are civil servants/government officials. But the office of the District Secretary is more political and inclined to change with the political wave. As a matter of fact, there is no specific training on civil registration except that one acquires knowledge on the job training, and gathers experience as registration happens almost every working day. So far there are no manuals/handbooks for faster guidance for local registrars, one has to study the legislation and be fully informed about the laid down procedures, on civil registration and vital statistics.

### **3.5 The Informant.**

The information required for civil registration in all events accrues from the locality where events occur. The first information on birth of a child as a matter of duty is laid in the hands of the parents (father and mother) alternate informer being the occupier of the dwelling in which such a child is born, a person in charge of hospital or institution in which such child is born; or each person present at the birth; and in the case of a child born alive, the person having the charge of a child. The first information on death is a duty placed in the hands of every adult relative of the deceased person, the alternate informer being any adult person present at death, or the occupier of the dwelling in which the death occurred. The information on notice of birth or death is in turn recorded on prescribed forms by the chief and forwarded to the District Registrar.

The notice of the marriage is usually given to the Marriage Officer (District Secretary or Minister of religion) by the parents of the parties who intend to contract in marriage. Then the marriage officer publishes the bans in audible manner on three successive sundays preceding the solemnization of the marriage or by posting bans up in conspicuous place for an unbroken period covering three sundays. (Marriage Act No.10 of 1974 Sect. 17 (1), (a), (b)). Alternatively the contracting parties may themselves give notice of marriage if both have attained the age of maturity which in this case is 21 years. Notice for intended action of divorce is placed with the registrar of the High Court for a period of three weeks before really sued takes place.

In all these events, relevant forms have been well prescribed and the informants are guided on particulars provided.

### **3.6 Civil Registration Archives**

The legislation in some parts does refer to the proper safekeeping of civil registration records. However what we may refer to as preliminary information records usually provided and contained in loose-leaf forms after transactions are posted to the relevant files at primary registration unit. Such files are labelled and arranged by title of the district, event and the sequence number with corresponding files. A separate index of all the files of the unit is kept, and this serves as a guide to all the records. Since the District Secretaries (Primary Units) still occupy the old Colonial Office buildings modelled for use in those olden days, the question of space adequacy leaves much to be desired, as office personnel and the records themselves kept on expanding over the period. Office equipment such as filing cabinets and cupboards can no longer accommodate the records which now hang exposed to all dangers of destruction. This situation reveals that there is no protection against public consumption which in fact makes any form of confidentiality impossible. We need also mention that as a matter of procedure all the files have to be transferred to the national archives after such files have been closed for a period of five years. This period indeed counts, for time they remain classified closed but still kept at the primary registration unit.

The registers per se are sufficiently protected and appear in a durable cover and bound high quality paper and follow a sequence numbering while it may be easy to extract pages from these documents, still access to make default entries by unauthorized persons is possible because of insufficient space for safekeeping. The registration is not alphabetical but is entered numerically following the sequence and dates on which the events were reported and ultimately the year of registration. Therefore the certificate number of the event is eventually posted in the register.

After registration of every event, the primary registration units submit copies of the registration certificates to Law Office for entry into the central Register. For instance copies of the following documents- birth certificate, death certificate and marriage certificate are forwarded and form report of civil registration at the central level. Since the certificates are issued at primary registration units, persons who report for late registration of birth or death fill in affidavits at the office of the Registrar General (Law Office) and pay the prescribed fees. The affidavits from the Law Office are evidence for issuance of certificates and registration by the (local) primary registration units who later submit copies of return to the Central Registration Office. Birth certificate is mostly used by the holder for the purposes of prove of age to register in educational institutions, obtain identity cards e.g passports, driving license etc; and to enter into marriage. Death certificates are mostly used on matters relating to insurance, estates and in heritage. While on the other hand marriage certificate is used as prove for marital status. In a case where a certificate gets lost or destroyed, the registration unit issues a certified copy of the duplicate.

Storage and retrieval of records though highly organized at the central level, manual excerpts and transcripts are used in the absence of computers and the like.

### **3.7 Assessment of the Civil Registration System.**

The legislation cited in chapter III of this paper i.e The registration of birth and death act and the marriage act were enacted and came into operation almost 20 years ago. The registration of birth and death act has supporting regulations while the marriage act appears under the main law only. It may appear strange that no subsequent amendments have been effected, but however the legal framework, though comprehensive still needs to stand a test

of time. While it may be advantageous that the civil registration be done at district Headquarters level, in this case a primary registration unit in Lesotho, it should be noted that in the case of birth and death, these points are too far from most of the population; and since such registration is compulsory, it appears desirable that more units be established at subdistrict levels. This arrangement could help speed up information leading to registration. The marriage Act in addition to District level registrars has provided and designated Ministers of religion as Marriage Officers, with equal registration powers. Ministers of religion also issue out to the faithful, the baptismal certificates which are legally recognized for purposes of proof of age. These certificates bear the similar information to that of birth certificate. There are so far no adverse thinking towards the system by the population as such. Therefore the system may be rated as good but needs improvement in administration, co-ordination training and monitoring aspects.

The registration coverage for births could be referred to as fair (80-90%), and the yard stick applies to death registration coverage since facilities, that is forms containing information for registration are provided to chiefs in every village. While registration of foetal deaths usually brings confusion, but such registration at primary units could be classified as poor (80%) for lack of clarity on the side of registrars.

Reasons hampering full coverage of civil registration in Lesotho could be briefly summarized as follows:

- (a) Primary registration centres are inaccessible and located far from the sources of information and such persons providing information have to travel long distances. Postal services especially in the rural areas where most of the population reside are unreliable and information easily gets lost along the process.
- (b) Lack of training facilities and training programmes for the personnel assigned civil registration duties.
- (c) Insufficient co-ordination and consultation between the institutions handling civil registration in order to clarify the question of civil registration for the legal point to practical benefits of the society and individuals.
- (d) Lack of monitoring to keep the process of vital registration balanced and regularly fill the gaps whenever they arise.
- (e) Insufficient technical guidance to designated registrars and the rest of the personnel handling civil registration at the primary units.
- (f) Shortage of personnel at primary unit to handle, process and keep civil registration records.

### **3.8 Uses of Registration Records.**

The registration records have very important use of service that could be derived by individual persons and the society as a whole.

The records serve as a permanent reference where an individual keeps track of important particulars, pertinent to himself/herself and could always draw from the provided information personal or legal benefit. For instance, one needs birth certificate to enroll for education, and to enroll with insurance and ultimately derive benefits from such investment. Marriage records are used to resolve inheritance and estate issues and form an advantage on the part of individual. In relation to family as it concerns an individual, civil registration records are helpful for one to establish and keep trace of the roots of his/her relatives especially in following customary rites.

The records play a major role in helping set up required planning and administrative mechanisms for the society. It is through the information acquired from the records that the population growth could be projected and as result forward planning be reached to make available at local levels required infrastructure, administrative arrangements and social services. Comprehensive health programmes and family education programmes decentralized to critical areas, including social security schemes heavily rely on information obtained from civil registration records. The records also play another major role in the preparation of electoral rolls and as such for the determination of the electoral centres and for the electoral constituencies.

## SECTION IV: THE NATIONAL VITAL STATISTICS SYSTEM

### 4.1 The Legal Frame of the System

The Vital Registration System which was authenticated to include participation by the Bureau of Statistics in 1973 is fully backed by the Registration of Births and Death Act of 1973, supplement No. 3 to Gazette No. 12 of 22nd March, 1974. According to this act, the Ministry of Home Affairs is responsible for registration of births and deaths. The District Registrars, appointed by the Minister are responsible for informing themselves as far as possible of every birth or death which occurs within their respective districts and to ensure that every birth or death which comes to his notice is recorded on the prescribed form and that such form is fully and accurately completed. Registration of a birth or a death is done free of charge if reported within one year of its occurrence. The Bureau of Statistics, on the other-hand, is authorized by the 1965 Statistical act to collect data of all types in Lesotho.

### 4.2 Administrative Arrangement of the System

Vital Registration system in Lesotho: Registration of births and deaths is a joint venture by

1. Ministry of Home Affairs
2. Law Office
3. Bureau of Statistics

#### 1. Some Historical Perspective

The system of registration of births and deaths was launched in 1973 and only 10% coverage was effected until 1975. Currently the whole country is covered although problems of responsibility sharing existed recently such that registration of births suffered more than a year of administrative dilemma in most areas.

#### 2. Responsibilities

The following responsibilities were understood to be divided among these three Government departments.

##### Ministry of Home Affairs

- Printing of Birth and Death registration forms
- Provision of Chiefs for registration of births and deaths at village level
- Provision of District Registrars and/or Assistant Registrars for signature on certificates

##### Law Office

- Registration of Births and Deaths Act 1973.
- Issuance of Birth certificate forms

##### Bureau of Statistics

- Design of Birth and Death Registration forms
- Training of chiefs on how to handle the VR forms

Provision of clerical staff for typing of birth and death certificates  
Monitoring and Evaluation of the Vital Registration system  
Data processing, analysis and dissemination.

### **4.3 Procedures of Reporting and Monitoring**

This system of reporting whereby a village chief is charged with the responsibility of filling in forms EL and F for universal reporting of births and deaths respectively was considered ideal in Lesotho's situation for the following reasons:

Every village has a chief who is recognized as such by the villagers and he is easily accessible. The recognition of hospitals and health centres was also considered but since not all events occur in these institutions, the system still fell back to the chiefs. The Chiefs and the district Registrars fall under one ministry, the Ministry of Interior currently known as The ministry of Home Affairs.

#### **4.3.1 Procedures of Reporting**

The forms for births and deaths bound in a booklet form are filled at a village level by a chief who is recognized as such under the offices of Chief Order 1970. These forms are filled in triplicate, white and pink forms are perforated and are sent in loose sheets to the District Registrar's office soon after a reporting while the not perforated copy remains with the chief. The District Registrar, after satisfying himself of the validity of the information on the forms, signs them and issues a certificate of a birth or death as requested. It is only then that a pink form is sent to the Bureau of Statistics for processing. There are more than 10,000 villages in Lesotho. They vary in size, ranging from 200-500 inhabitants in rural villages to 400-1500 in urban areas. The office of the village chief is his home and it is open at all times; all events including foetal deaths are reported to the chief.

#### **4.3.2 Monitoring**

Since the Bureau of Statistics (BoS) vested interest lay beyond just registration but on coverage and content, it took interest in the campaigns to the Chiefs and the District Registrars of the importance of VR, so much that they, the chiefs and district registrars labelled VR the BoS concept. The BoS also trained the chiefs in the filling of birth and death forms which are in a book form. Upon completion of the book, the chiefs give back the book in exchange of a new book. The next task was to monitor progress by district registrars at a district level. The typists and typing equipment were contributed by BoS. The District Registrars known as District Secretaries have several administrative assignments which keep them out of the office most of the time. Their absence affects vital registration adversely. Data processing, as a result has been done but results never published due to coverage problems.

### **4.4 Procedures of Statistical Processing**

Data processing was originally done manually. It is recently computerized using three desk-top PC's using DBASE IV programme.

#### **4.4.1 Data Processing**

The variables used for births are: District of Registration, name of child, sex of child, date of birth, type of event, district of birth, home district, nationality of father, occupation of father, age of father, age of mother, number of children born alive before this birth, children surviving, children dead and place of birth whether a hospital, health center or home.

The variables used for deaths are: district of registration, relationship of person reporting to the deceased, date of reporting, name of deceased, sex, age, date of death, occupation, if prior to present occupation, the deceased worked in the mines, causes of death, place of death, village of origin, district of origin.

#### **4.4.2 Tabulation Plan**

No tabulation plan on vital statistics has as yet been drawn up.

#### **4.5 Publication and Dissemination of Vital Statistics**

No publication has been made since data from vital registration system still suffer from serious administrative predicament.

#### **4.6 Assessment of Vital Statistics System**

The realization of the importance of VR system is now gaining momentum at a grass root level and this awareness and demand of services exerts pressure on the administrators at a district level. The talks with Ministry of Home Affairs, Law Office and the Bureau of Statistics are essential for the strengthening of VR in the country.

#### **4.7 Uses of Vital Statistics.**

Vital registration, is the registration of the demographic events occurring in a population and the basic source of information on its dynamics. The basic requirement for VR is keeping records of official documents confirming the birth, marriage or death of each individual. The requirement is also supplemented by the increasing demand for quantitative information for the various purposes of forward planning.

The advantages of a VR system maybe summarized as follows:

- Legal and protective advantage to individuals
- Administrative advantage
- Statistical advantage

Legal and protective advantage to individuals

A certificate of birth, death, marriage or divorce is of foremost importance to the individual since it bears a legal connotation. The certificate of birth, for instance is the most important document portraying proof of identity. A death record can be used to provide information leading to an inquest in case the cause of death is mysterious. Proof of death is also essential in the settlement of inheritance or insurance claims. The occurrence of a marriage must be accompanied by such proof to ensure legal responsibility for family support and to bestow legitimacy while a divorce record establishes the right to remarry.

## Administrative Advantage

Statistics in general and vital statistics in particular are fundamental elements in public and private administration. For some administrative purposes it is important to keep records on an individual basis but for most administrative purposes statistics of quantitative nature are adequate. We shall cite but a few examples of uses of vital statistics:

- 1) **Vital statistics as used by Public Health:** Statistics of births, deaths and even foetal deaths are required for planning, running and evaluating of programmes in the field of public health. Excessively high maternal mortality rates suggests remedying the situation by finding the underlying causes and working out workable solutions.
- 2) **As used by other government Agencies and Society:** Other uses of vital statistics are meaningful presented in a quantitative form. The statistics on births, deaths and marriages are essential to planning in the fields of housing, social security systems, insurance, health, education, employment etc.
- 3) **As used by Commercial Interests:** Perhaps the most important consumer of statistics on population broken down by age and sex is the businessman. The study of population size in setting up a business is important and the study of the population composition gives the guidelines as to what the type of business is viable.

## Statistical Advantage

A comprehensive civil registration has a number of statistical advantages over other methods of obtaining vital statistics. Civil registration generates records which are relatively free from certain types of response error and which are not subject to sampling error. It is a continuous and relatively inexpensive process.

The vital statistics are of great importance in the analysis of population for planning purposes. The vital statistics are important in providing basic data on estimation of population size using a simple equation  $P_t = P_{t-1} + (B-D) + (I-E)$  where  $P_t$  is the estimated population in year  $t$  and  $P_{t-1}$  is population in year  $t-1$ ,  $B$  is births,  $D$ , deaths,  $I$ , immigration and  $E$ , emigration in year  $t$ . Vital statistics also provide a basis for population projections through knowledge of past trends of natality, mortality and migration. More in-depth analysis of population dynamics and their interaction with other socio-economic data form a powerful basis for population planning and decision making.



## **SECTION V: COORDINATION AMONG GOVERNMENT INSTITUTIONS**

### **5.1 Vital Registration**

Vital Registration system in Lesotho as stated earlier involves more than two ministries in the registration of births and deaths. These are

1. Ministry of Home Affairs
2. Law Office under the Ministry of Justice and Constitutional affairs
3. Bureau of Statistics under the Ministry of Planning

Duties of the Ministry of Home Affairs as agreed between them and the Bureau of Statistic before the launching of vital registration system in 1973 were stipulated as follows:

- (a) Printing of Birth and Death registration forms
- (b) Provision of Chiefs for registration of births and deaths at village level
- (c) Provision of District Registrars and/or Assistaht Registrars for signature on certificates
- (d) Provision of other books of records to facilitate the registration.

The Law Office is charged with the responsibility of

- (a) Registration of Births and Deaths Act 1973.
- (b) Issuance of Birth certificate forms and
- (c) Issuance of forms for late registration

Bureau of Statistics on the other-hand is responsible for

- (a) the design of Birth and Death Registration forms
- (b) training chiefs on how to handle the VR forms
- (c) provision of clerical staff for typing of birth and death certificates
- (d) monitoring and evaluation of the Vital Registration system
- (e) data processing, analysis and dissemination.
- (f) the appointment of clerical staff at a district level to assist the District Registrar in typing of certificates and other clerical duties.

### **5.2 Civil Registration system**

At the moment there are two government institutions dealing with Civil Registration; namely the Ministry of Home Affairs and the Ministry of Law and Justice. However Religious missions, a non-governmental body, also play a major role in civil registration.

The Ministry of Home Affairs through the District Secretaries and the Deputy District Secretaries is charged with the function of solemnizing and registering marriages at district level, (the primary registration unit) keeping the relevant records and district marriage

register; handing in the reports on registration to the Office of the Registrar General (Law Office, Maseru).

The church missionaries are upon application appointed marriage officers, therefore have to solemnize and register marriages in their respective church denominations (the primary registration units) keep the relevant records and marriage register, hand in the registration to the office of the Registrar General (Law Office).

The Ministry of Law and Justice, through the office of the Registrar General is placed at central level, receives reports of registration from the primary units i.e Districts and Missions, and subsequently enters those in the central register., receives reports of divorce cases from the High Court and accordingly processes registration. The Register General keeps records and the general register of marriage and divorce

It should be noted however, that so far there is no coordinating mechanism in place, except that each institution performs its functions and simply relays the end product. Since civil registration is such an important venture needing coordination and cooperation by the institutions, it is desirable that a coordinating body be formed.

## SECTION VI: CONCLUSION AND RECOMMENDATIONS

### 6.1 Conclusion: Vital Registration

The registration of births and deaths since its initiation in 1973 has not functioned as smoothly as expected. Although the registration is free, resistance developed among the people and the chiefs for political and other reasons. The chiefs at some stage demanded remuneration for the services they rendered and some used VR as platform for their political disputes. The Ministry of Home Affairs were initially in agreement of the launching of the VR but did not coordinate their roles properly to the extent that they labelled Bureau of Statistics (BoS) as the rightful executing agency and the forms for registration of births ran out for more than a year.

The District Registrars were also not fully aware of VR as being part of their duties. They are assigned numerous other administrative duties in the districts that occupy them full-time and they do not treat VR as a priority. There is also no clear agreement between BoS and Home Affairs concerning the administration of clerical staff seconded to the district offices.

The question of safe-keeping of the records especially at the primary level leaves much to be desired. Lack of proper storage, space, filing and retrieval facilities are of highest concern. Much effort must be taken in this regard.

### 6.2 Recommendations: Vital Registration

The recommendations made here follow the problems we, as the users and publishers of the Vital Statistics are facing to date. The recommendations, if adhered to, we believe, will achieve timely and accurate information.

1. Campaigns to the general public be made on the importance of vital registration system. The birth certificates should be used as irrevocable forms of identification at schools, passport offices, employment bureaus and other public service points that require identification of an individual. Death certificates should also be available for claims of insurance or in disputes of inheritance.
2. The chiefs should make it their duty to record every birth and/or death that occurs in his/her village. Chiefs should also receive intensive training by the Bureau of Statistics on how to fill the forms accurately. The training should place more emphasis on the handling of the causes of death. A comprehensive manual of instruction should accompany training.
3. Regular workshops organized jointly by Ministry of Home Affairs and BoS for District Registrars and Assistants Registrars need to be convened in order to identify and solve vital registration related problems.
4. The Bureau of Statistics should set up an office responsible for handling vital statistics

only.

5. Records of Vital events be computerized at a district level and offices be revamped.

6. We also observed that forms prescribed to give notice/provide information in case of birth or death occurrences are well distributed to chiefs down at village level. The particulars contained have sufficient details. However we recommend that in cases of late registration, the relevant affidavit forms obtainable at the office of the Registrar General should be amended to include the information in the birth or death notice form which is an information originating document.

7. Separate buildings with secure equipment are a necessity, and in turn a central Archives with modern equipment and technology should be given urgent attention.

### **6.3 Conclusion and Recommendations: Civil Registration**

In conclusion, several observations could be drawn from the perspective given above in relation to civil registration in Lesotho, and due recommendations be made for the improvement of the system.

The legislation governing civil registration is an important instrument. However this legislation formulated twenty years back, surely needs to be reviewed and revised in line with other development aspects of the society. Nonetheless the question of simplicity and clarity should be maintained to facilitate understanding by every person. It is also recommended that the divorce law which has practically remained under the common law should be promulgated in statute.

The primary registration units for a long time have been centralized at the district Headquarters comparatively far from where the events occur. The powers of registration, with the exception of marriage events are also centralized at the district headquarters to the District Secretary and his deputy.

It is recommended that while the office of the District Secretary should maintain district registration authority, more units be set up at Ward level and religious missions close to the people and the place of occurrence. Accordingly such powers of registration be delegated to the units. The district Headquarters would then serve as a central point for the entire district.

Different Ministries/Departments dealing with Civil registration and Vital Statistics in the country, simply do their individual assignments with less consultation and coordination. We would recommend that for success of the system an office charged with coordination, supervision, training and monitoring functions be established. This office should also have capacity to supply technical back-stopping at different levels of registration. It is our feeling that both registrars and the supporting staff should receive thorough training in civil registration and vital statistics.