SESSION 8. NATIONAL-LEVEL DESIGNATION OF RESPONSIBILITIES AND ORGANIZATIONAL STRUCTURES OF A CIVIL REGISTRATION SYSTEM

UNITED NATIONS STATISTICS DIVISION
Workshop on the Principles and Recommendations for a Vital Statistics System, Revision 3 for Central American and Caribbean countries
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Two components

- **Legal framework**
  
  a) *Principles and Recommendations*, para 304-305
  b) *Handbook on Civil Registration and Vital Statistics System: Preparation of a Legal Framework*

- **Organisational structures** at the national level
  
  a) *Principles and Recommendations*, para 306-315
  b) *Handbook on Civil Registration and Vital Statistics System: Management, Operation and Maintenance*, para 29-81
Legal framework at national level

- **Constitution**
  - Highest law of the land
  - Major concepts such as individual rights, citizenship …
  - Generic in character

- **Law(s)**
  - Derived from the Constitution
  - Substantive as well as procedural provisions
  - Some laws are more substantive than others (Family Law, Criminal Law)
  - Others are more procedural (Law on Criminal Justice Procedure, Civil Registration Law)

- **Regulation(s)**
  - Derived from laws
  - Procedural provisions
  - Easier to enact
Legal framework – civil registration

Principles of civil registration legislation

- Principle of legality – civil registration reflects reality, i.e. the events that occurred, once registered, become legally valid
- Protecting interest of the individual – providing ready access to the service, full information on procedure and outcomes, ensuring confidentiality and privacy of individual information, easy retrieval
- Principle of official status – the law must give the registration agency the power and authority to promote registration; update or correct entries in the register; ensure the integrity of the civil registration system
- Compulsoriness of registration – the law has to spell out the obligation to register; to outline that entries in the civil registration constitute the only official and legal proof of civil status
- Simplification of the service
- Free service
Legal framework - components

- General provisions
  - Definitions of vital events
  - Compulsoriness of registration
  - Collection of statistical items
  - Confidentiality
  - Privacy
  - Access and safekeeping
  - Storage and preservation of records

- Civil registration infrastructure
  - Agency in charge of registration
  - Chief registrar – authority, responsibilities
  - Local registrar – authority, responsibilities
  - Registration units, notifiers, informants
Legal framework - components

- **Sphere of competence of the civil register**
  - Responsibility of the register for completeness and place of registration

- **Making entries in the register**
  - General content of the register
  - Deadlines

- **Specific registers**
  - Indicates specific procedures for registering births, deaths, marriages …
  - Designates informants for each type of event
  - Incentives for registration
  - Sanctions for non-compliance

- **Amendment of registration records**
  - Spelling out authorization and procedures for amending records
Legal framework - components

- **Proof of registration**
  - Authorizing officials to issue documents certifying the facts of registration

- **Statistical reports**
  - Specify the agency where statistical forms need to be sent
  - Deadlines for submitting statistical forms
  - Cooperation and division of labor

- **Inspection and penalties**
  - Oversight procedures and authority
  - Penalties

- **Funding**
  - Designates source of funding
  - Funding procedures
Organizational structures

- Law on civil registration
- Depending on the judicial, political and administrative circumstances
- As well as history, tradition
  - Assigns the authority for registration of vital events
  - A newly formed or existing institution
  - Centralized or decentralized
Centralized civil registration system

- **Centralized system is characterized by**
  - Central agency responsible for civil registration
  - National standards
  - Uniform registration procedures
  - Administering and managing the system nation-wide
  - Supervision
  - Evaluation
  - Coordination with other – statistics, health services
Centralized civil registration system

Advantages

- Standard legal frame for the registration system, promoting uniform legislation
- Facilitates the interpretation and enforcement of norms and regulations
- Allows for uniform procedures for recording, including certification and release
- Maintenance and control over the entire system
- Facilitates nation-wide research based on uniformity
- Easier training of registrars, updates of procedures
- Easier introduction of new standardized technologies
Decentralized civil registration system

- In a decentralized system – civil registration can be administered at the level of major civil division
- Common in countries with federal political system
- Need for an agency at the national level to harmonize procedures, definitions, classifications
- The role of central statistical agency increases
  - May act as the clearinghouse
  - Standardization of methodology
Concluding remarks on organizational structure

- Irrespective of the organizational paradigm – centralized or decentralized – the registration takes place at the local level
  - Consequently, the structure of the civil registration units is the building block of the system
  - So is the role of the local registrar
- Inter-agency coordination body
- Sustained emphasis on the role of civil status and civil registration by the Government