

REPUBLIC OF ZIMBABWE

COUNTRY REPORT PRESENTED TO THE EASTERN AND SOUTHERN AFRICA CONFERENCE ON UNIVERSAL BIRTH REGISTRATION “IMPROVING SERVICES TO PROTECT THE RIGHTS OF CHILDREN”, MOMBASA, KENYA, 26 – 30 SEPTEMBER 2005.

Presented by: Zimbabwe Registrar General of Births, Deaths, Still-Births, and National Registration

1. THE COUNTRY - ZIMBABWE

Zimbabwe gained her independence in 1980 after a prolonged bitter liberation struggle from British colonization. It shares common borders with Botswana on the west, Namibia on the north-west, Mozambique to the east, South Africa to the south and Zambia to the north. It covers an area of 390 759 square kilometres (150 873 square miles). It has a population of 11 631 657 as per the 2002 national census composed of 52% female and 48% male. Of the 52% population for females, children in the age groups 0-14 years constitute 20.32% while males constitute 20.27% of the 48% male population. The main languages are Shona, Ndebele and English.

The country is divided into 10 administrative provinces and 59 administrative districts. Plans are afoot to change the district structures in metropolitan provinces of Bulawayo and Harare to have 5 and 8 Districts respectively. This will result in the country having a total of 71 Districts. The Registrar General who is mandated to register and issue birth and death certificates has offices in all the administrative provinces and districts.

1.1 The importance of a Birth Certificate

A birth certificate is an important document that confers or confirms Zimbabwean citizenship on a child once issued after the registration of the birth. If a foreign person either by fraudulent means, misdemeanor or negligence on the part of the registration officer is issued with a Zimbabwean birth certificate he/she becomes a citizen of Zimbabwe.

He/she will have the right to land, social services, ownership of property, participation in governance of the country, employment, education, medical care, or to even become a Minister or the President of Zimbabwe. Strict caution has therefore to be exercised by birth registration officers to ensure that foreigners do not get unlawfully registered and be issued with birth certificates in the process of birth registration.

The Birth Certificate enables a person:

- i. To obtain a National Identity Card
- ii. To obtain a Passport, and for
- iii. Insurance purposes
- iv. Pension purposes
- v. School purposes
- vi. Employment etc.

Types of Birth Certificates issued:

- i. Citizen's birth certificate issued throughout the country by all the District Registries.
- ii. Non-citizen's birth certificate issued by the Registrar General only at Central Registry.

A birth certificate is a classified document because of its nature of conferring or confirming

Zimbabwe Citizenship status on a child. Every child in Zimbabwe is entitled to a birth certificate.

2. BACKGROUND

2.1 History of Birth Registration in Zimbabwe

Birth registration in Zimbabwe started on 10 June 1891 per Cape Colony Proclamation adopted in the then Southern Rhodesia and was done in the main towns including Bulawayo and Harare. This was for non-Africans only. There was no provision for deaths/still births registration until 1 April 1904. From 1 April 1904 births/deaths/still-births registration became compulsory for non-Africans, that is the racially segregated white, Indian and Coloured populations.

Magistrates were responsible for the registration until 30 November 1963 when registration of these vital events were handed-over to the then District Commissioners who were under the Ministry of Internal Affairs with the Registrar General as the Head of Department.

From this date, 30 November 1963, the promulgated Births and Deaths Registration Act (Chap. 30) provided for registration of births, deaths and still-births of Africans. This was voluntary whilst those for non-Africans had been made compulsory by 1 April 1904.

After Independence in 1980, the function was being performed by the District Commissioner's successor, the District Administrator under the Ministry of Local Government, Public Works and National Housing on an agency basis until 1982, when the Registrar General assumed direct control of the functions through his Provincial and District Registrars. Records for the registration of births effected to date are as follows:-

1891 - 1979	2 253 627
1980 - 2004	9 261 966

Birth registration for mostly infants and minors of school going age stands at an average of 370 479 per annum.

2.2 Context and Systems

2.2.1 Legal Framework

The Registrar General, a Public Officer, draws his authority to register births and issue birth certificates from the Constitution of Zimbabwe and the provisions of the following statutes:-

Births and Deaths Registration Act (Chap. 5:02).

Children's Protection and Adoption Act (Chap. 5:06)

Ancillary regulations and manuals.

The Births and Deaths Registration Act (Chap. 30) which was promulgated on 30 November 1963 was amended and replaced by the Births and Deaths Registration Act, No.11 of 1986. This new Act was promulgated by the independent Zimbabwe Government as an improvement from the 1963 Act promulgated by the colonial Government.

District and Provincial Registrars as well as Deputy and Assistant Registrars who are part of the Registrar General's staff carry out births, deaths, and national identity document registration functions on behalf of the Registrar General at District and Provincial levels throughout the country.

Circulars for enforcement are given to officers from time to time.

(a) **Promulgation of the Births and Deaths Registration Act (Chapter 30)**

This Act became operative on the 30th November 1963 and incorporated the registration of births for Africans for the first time in addition to the Non-African birth registrations, which had been covered by the 1891 Cape Colony Proclamation.

This provided for current and late registration of birth for Africans for the first time. The registrations that were applied for were mainly for children who were going to sit for Grade Seven Examinations. In fact by about 1968, education authorities made it a requirement for a child sitting for Grade Seven Examinations to produce a birth certificate.

Even with this requirement, birth registration among Africans was not that high as the demand was low because it was not compulsory for parents to register the births of their children.

(b) **Promulgation of the Births and Deaths Registration Act No. 11/86 now**

Chapter 5:02

The Registrar General, realising that some of the provisions of the Births and Deaths Registration Act (Chap. 30) were not friendly to African circumstances, brought about amendments to the Act, to make it amenable to the generality of the Africans bearing in mind the Zimbabwean cultural set-up. The amendments resulted in the promulgation of the Births and Deaths Registration Act (No. 11/86), which came into effect on 20 June 1986. Some of the amendments incorporated allow a child born

out of wedlock to be registered in its father's names after the father's death on a joint request basis from the nearest next of kin of the father and the mother. It also made the registration of births compulsory. In addition, it gave the Registrar General authority to use his discretion, in particular to amend a surname in deserving cases without the need for a notarial deed of change of surname.

The notarial deed is now unaffordably expensive for the majority of Zimbabweans. This amendment, which allowed the details of a deceased father to be included on the child's birth certificate had a far reaching positive effect to children born out of wedlock. Such children were not accommodated before the said amendment as the previous Acts did not allow for the inclusion of father's particulars on the child's birth certificate in the event that he is deceased and cannot acknowledge paternity of the child. This law was especially welcomed by those children many of whom had been denied their rightful identity.

On 31 March 2000, a Statutory Instrument was put in place to allow children from birth to 6 years to be issued with birth certificates free of charge on registration of their births. This is to encourage parents to register their children before they go to school and alleviate the burden of parents failing to obtain birth certificates due to lack of financial resources. This is still in force. Despite the requirement that children are required to produce a birth certificate on enrolment at school, they are however, not denied entry into school or to write public examinations. Nevertheless, no effort is spared to ensure that they have their births registered and issued with birth certificates.

2.2.2 Powers of the Registrar General and District Registrars.

(a) The Registrar General

He has the power and authority to: -

- (i) Register births of children born in Zimbabwe of diplomatic staff and some who are non-citizens whose births occurred in Zimbabwe on receipt of the prescribed notice of the birth of a child form duly completed by registration officers and signed by the persons giving the notice of birth.
- (ii) Register the birth of a child born outside Zimbabwe whose father or mother is a citizen of Zimbabwe other than by descent on receipt of the aforesaid notice of birth of a child.
- (iii) Authorize the registration by a District Registrar of the birth of an adopted child.
- (iv) Amend/correct births registration records kept at Central Registry and in turn authorize the District Registrars to amend similar records kept at their District Registries.
- (v) Cancel any birth or death registration record where he is satisfied false information was given.
- (vi) Cause the registration of the birth of an abandoned child, a foundling and an orphaned child.
- (vii) Cause the registration of the birth of a child for legitimation purposes and for any other reason once he is satisfied with the evidence presented before him.

(viii) Cause or investigate the intended registration of any birth which does not meet the basic legal requirements with a view to registering or authorizing the District Registrar to register the birth once he is satisfied with the evidence presented before him using his discretion.

(ix) Issue copies of birth certificates for registrations done by the District Registrars throughout the country and cause such records to be filed at Central Registry.

(x) Call upon any person to appear before him/her and give him/her to the best of his knowledge and ability such information as may be in his/her possession as to the registration of a birth whose notice he/she has received.

(b) The District Registrar

(i) He/she has the power and authority to register the births of children born in his/her district.

(ii) He/she keeps and maintains birth indexes and registers of births registered by him/her and can issue copies of birth certificates.

(iii) In the event where the District Registrar is unable to register the birth of a child because basic requirements are not met or is in doubt about his/her authority to register the birth, he/she forwards the notice of birth forms with a narrative report and any supporting documentary evidence to the Registrar General for authority to register. These are

generally rare cases.

(iv) Submit monthly returns of all births registered in his/her district to the Registrar General for record keeping.

(v) Investigate with a view to register a birth where basic requirements are not met.

(vi) Has the power to call upon any person to appear before him/her and give him/her to the best of his knowledge and ability such information as may be in his/her possession as to the registration of a birth whose notice he/she has received.

3. RECENT ACHIEVEMENTS

3.1 Computerised Birth, Death and National Identity Card Registration

The computerisation of civil registration in the Registrar General's Department started in 1997. The purpose of computerisation was to bring about an efficient and effective record keeping, retrieval of data and improve service delivery. We have an online registration system with a centralised database accessible to and from all the ten (10) Administrative Provinces and some Districts, which are now computerised. So far 27 Provincial and District Registry Offices have been computerised with a target to computerise all District Registry Offices. Since the introduction of computers, the Registrar General's Department now produces computer generated identity numbers on birth certificates for children when they are registered. The number will be used by the child throughout its life, until death.

3.2 Birth Confirmation Record

In 1990 the Registrar General Department designed and produced a birth confirmation record form for children born in medical institutions and was launched in 1991. This birth confirmation record is bound in book form and is distributed to all medical institutions with maternity facilities.

In addition a similar birth confirmation record was designed in 1998 and will be launched soon for use by traditional leaders in respect of children born out of medical institutions particularly those in villages. This is also in book form. This idea is to eventually do away with the need for declarants (witnesses) in the case of a child born out of a medical institution, which will be a relief on the public's expenses. The form is in both the main vernacular languages and English. Traditional leaders are provided in the law to play a part in facilitating birth registration for their communities, hence the production of a birth confirmation record form in the main vernacular languages for children born in the villages. They can even give notice of birth of children who are orphaned and are born within their villages and give the information from personal knowledge.

3.3 Mobile Registration/ Outreach Programmes

In addition to the decentralized situation of the District Registries throughout the country and the establishment of Sub-Offices, annual out reach programmes are carried out, in the form of Mobile Registration Exercises since 1981. These mobile exercises carry a full package of births, deaths, national and voter registrations. These exercises are meant to alleviate people from travelling long distances and encourage them to register their children's births by bringing the services almost to their doorsteps. The mobile registration exercise normally runs for one or two months depending on availability of funds. The following are some statistics of registrations carried out during the 2004

mobile registration exercise: -

Year	Births Registered	Deaths Registered	National registration effected
2004	584 872	60 190	444 100

Some of the constraints in the exercises are lack of caravans and necessary camping equipment for use by personnel and four wheel drive pick –up vehicles for use in rural areas where there is bad terrain and poor road network. Zimbabwe birth registration is carried out on daily basis and outreach programmes are complimentary to this.

The general cost factor for a mobile exercise is over Z\$100 billion.

3.4 **Public Awareness of Mobile Registration Exercises**

The department carries out public awareness before embarking on each mobile registration exercise through the print and electronic media, local authorities i.e. Rural Districts and Urban Councils, Provincial and District Administrators, school authorities and traditional leaders. The public is made aware of the venues to be visited by the mobile units, the time and the duration of the visit at each venue.

3.5 **Sub- Offices**

In order to bring services nearer to the people, Government has embarked on a decentralisation programme where the Registrar General’s Department has further decentralised its functions from Provincial and District Registry level to Sub-Office level.

The positional status of Sub-Offices in the Department is as follows:-

Province	Total identified Sub-Offices	Operational Sub-Offices	Non Operational Sub-Offices

Midlands	27	13	14
Mashonaland Central	24	15	9
Matabeleland South	25	14	11
Matabeleland North	21	20	1
Mashonaland West	19	17	2
Masvingo	21	18	3
Mashonaland East	29	20	9
Harare Metropolitan	9	9	-
Manicaland	20	15	5
Bulawayo Metropolitan	6	5	1
TOTAL	201	146	55

Despite the desire by the Department to have all the identified Sub-Offices operational, it has constraints such as lack of office and residential accommodation for staff including furniture and equipment. This requires erecting necessary buildings and the purchase of furniture and other essential equipment and materials. While it is appreciated Government is doing its best to provide funding for the Sub-Offices, it must be borne in mind that its financial statutory obligations and social responsibilities are many for its financial cake to meet all its obligations.

4. GENERAL ENVIRONMENT ON BIRTH REGISTRATION

We have two modes of birth registration namely:

- (i) **Current** - which is a registration effected within 42 days of birth.
- (ii) **Late** - which is a registration effected after 42 days of birth up to any age of the child.

These registrations involve children:-

born at home (i.e. out of medical institutions where there are no written records).

born in medical institutions where there are written records.

In rare cases, children whose exact birthplace and parentage is unknown as is the case of those **abandoned** and the **foundlings**, the Registrar General may issue a birth certificate on a gratis basis, e.g. the poor Doma tribe (in the Kanyemba area of Mashonaland Central) and the San (Bushmen) tribe in Matabeleland North.

5. BASIC REQUIREMENTS FOR BIRTH REGISTRATION.

5.1 Current Birth Registration (children registered within 42 days from the date of birth).

5.1.1 Children born in Medical Institutions

(a) Where parents are legally married, the following documents are required:-

- (i) Mother and father's national identity cards.
- (ii) Birth Confirmation Record.
- (iii) Marriage certificate.
- (iv) Either of the parents can register the birth of the child if born in wedlock.

(v) Where one or both parents are deceased, relevant death certificates are required. A surviving spouse or relatives can register the child's birth as applicable.

(b) Where parents are not legally married, the following documents are required:

(i) Mother and father's national identity cards.

(ii) Birth Confirmation Record issued by the medical institution where child was born.

(iii) Both parents must be present to sign the declaration of paternity.

(iv) Where one or both parents are deceased, relevant death certificates are required. The surviving spouse or relatives can register the child's birth as applicable.

(v) Single mothers are free to register their children's births using their maiden names, if the biological father refuses to acknowledge paternity or his whereabouts are unknown.

Note: In the event that the biological father eventually decides to acknowledge paternity, both parents must make a request to the Registrar General who will then de-register the original registration and authorize a re-registration which will include father's particulars.

5.1.2 Children Born out of Medical Institutions

(a) Where parents are legally married, the following documents are required:

- (i) Mother and father's national identity cards.
- (ii) A marriage certificate.
- (iii) One declarant (witness) with a national identity card, preferably a midwife. In the case of a child born on a farm, a declarant (witness) or a letter from the farm owner.

Note: The declarant (witness) must give the required information from personal knowledge.

- (iv) Either of the parents can register the birth of the child if born in wedlock.
- (v) Where one or both parents are deceased, relevant death certificates are required. The surviving spouse together with relatives of the deceased can register the child's birth, as applicable.

(b) Where the parents are not legally married, the following documents are required:

- (i) Mother and father's national identity cards.
- (ii) One declarant (witness), with national identity card if the child is under 16 years of age, preferably a midwife. In the case of a child born on a farm, a

declarant (witness) or a letter from the farmer.

(iii) Both parents must be present to sign the declaration of paternity.

(iv) Where one or both parents are deceased relevant death certificates are required. The surviving spouse together with a relative of the deceased can register the child's birth as applicable.

(v) Single mothers are free to register their children's births under their maiden names if the biological father refuses to acknowledge paternity or his whereabouts are unknown.

5.2 Late Birth Registration (i.e. children whose births are registered after 42 days from the date of birth)

5.2.1 Children born in Medical Institutions

(a) Where parents are legally married, the following documents are required:

(i) Mother and father's national identity cards.

(ii) Marriage certificate.

(iii) Birth Confirmation Record.

(iv) Either of the parents can register the child's birth.

(ii) Children who are sixteen years old and above must be present at the time of registration and must produce their identity cards where applicable.

(iii) A school letter from the school head confirming whether the child submitted a birth certificate or not.

(b) Where the parents are not legally married, the following documents have to be produced:

(i) Mother and father's national identity cards.

(ii) Birth Confirmation Record.

(iii) Both parents must be present to sign the declaration of paternity.

(iv) Where one or both parents are deceased, relevant death certificates are required. The surviving spouse together with a relative of the deceased can register the child's birth as applicable.

(v) Single mothers are free to register their children's births under their maiden names, if the biological father refuses to acknowledge paternity or his whereabouts are

unknown.

- (vi) Children who are sixteen years old and above must be present at the time of registration and must produce their identity cards where applicable.
- (vii) A school letter from the school head confirming whether the child submitted a birth certificate or not.

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- (i) Mother and father's national identity cards.
- (ii) Marriage certificate.
- (ii) One declarant (witness) with national identity card, preferably a midwife, if the child is under sixteen years of age and two declarants (witnesses) if the child is sixteen years and above. In the case of a child born on a farm, a declarant/s (witness/es) or a letter from the farm owner.
- (iii) Where one or both parents are deceased relevant death certificates are required. The surviving spouse together with a relative of the deceased can register the child's birth as applicable.

- (iv) Children who are sixteen years of age and above must be present at the time of registration and must produce their identity cards where applicable.
 - (v) A school letter from the school head confirming whether the child submitted a birth certificate or not.
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 - (iii) Both parents must be present to sign the declaration of paternity.
 - (iv) Where one or both parents are deceased relevant death certificates are required. The surviving spouse together with relative of the deceased can register the child's birth, as applicable.
 - (v) Single mothers are free to register their children's births under their maiden name, if the biological father refuses to acknowledge paternity or his whereabouts are unknown.

- (vi) Children who are sixteen years and above must be present at the time of registration and must produce their identity cards where applicable. If the child has not obtained an identity card he/she will be issued with one on being issued with a birth certificate.
- (vii) A school letter from the school head confirming whether the child submitted a birth certificate or not.

6. SPECIAL CASES

Self-registration can be effected under exceptional cases for adult registrants at the discretion of the Registrar General or to the delegated District Registrar.

6.1 Abandoned and Foundling Children

These cases are normally of children who are dumped and whose parentage is unknown including their birthplaces and dates of birth. They are documented at the initiation of the Department of Social Welfare in terms of the Children's Protection and Adoption Act (Chapter 5:06). Generally these are children who will have been placed in homes or under foster care by the Department. This category includes street children as well. The Registrar General cannot register these children's births unless and until the Department of Social Welfare has carried out its investigations regarding parentage, place and date of birth and then recommend to the Registrar General the registration of the birth.

6.2 Orphans

The Registrar General is approached from time to time by Orphanages to assist in the registration of orphans and has always obliged by sending teams to register the children.

These are children where both parents are deceased but are under the guardianship of either parent's relatives or care of the Department of Social Welfare.

In such cases the relatives can register the births of the children or the social welfare officer in the Department of Social Welfare.

It should be noted that the above special cases generally have a high component of discretionary decision on the office of the Registrar General.

7. CHALLENGES

It is worth noting that the birth certificate is now a sought after document for most transactions and as such the Registrar General's Offices are inundated with clients who need birth certificates for their children. The major challenges are:

- (i) The HIV/AIDS pandemic has taken its toll resulting in a number of children being left by their parents without birth certificates and the burden of acquiring them is left to the relatives who in some cases are overwhelmed by the responsibilities and fail to register the births. This is despite the readily available facilities for birth registration throughout the country.

- (ii) The ongoing decentralisation of the department and the establishment of Sub-Offices in all the districts coupled with the annual mobile outreach programs are meant to alleviate travel expenses for the people by bringing services closer to them. The department has experienced problems of office and staff accommodation in addition to furniture and equipment.
- (iii) Inter-marriages between Zimbabwean citizens living at border areas with the neighbouring communities has made it difficult to distinguish eligible persons for registration. Thorough interviews have to be carried out.
- (iv) The department also experiences problems relating to the registration of foreigners who are mostly on farms, at border areas and even in urban areas who are desirous to obtain Zimbabwe birth certificates. These people would want to circumvent the legal process of acquiring Zimbabwean citizenship by obtaining birth certificates at whatever cost.

8. WAY FORWARD

Whilst the Government of Zimbabwe has single handedly strived to register and issue birth and death certificates to all eligible persons with the limited resources available, there is also need for stakeholders to complement the Registrar General's efforts by providing financial and material resources in the following areas:

- a) The continuation of the decentralisation of birth and death registration to Districts and Sub-offices.
- b) The provision of information communication technologies (ICT).

- c) The construction of office and staff accommodation.
- d) The provision of vehicles suitable to access remote areas of the country and other material requirements for mobile registration exercises such as tents, caravans, generators, lamps, stretcher beds and other camping equipment.
- e) Provision of financial and material resources to carryout awareness campaigns and for monitoring and evaluation exercises.

9. CONCLUSION

The Government of Zimbabwe has never had any input on the resources mentioned above from any organisation although the Department of the Registrar General has made requests to the said stakeholders and/or organisations for such assistance. The Registrar General recognises that the registration of births and other vital events in the Department are critical to the well being of the people of Zimbabwe and is succeeding in this mission.

T.T. Mudede
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TTM/sm.