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Decade for Repositioning
of Civil Registration and
Vital Statistics in Africa
2017 to **2026**

Fourth Conference of African Ministers Responsible for Civil Registration

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Issues paper

Civil registration in the context of conflict and emergencies

I. Introduction

1. In Africa, there are multiple forms of emergencies. For example: protracted emergencies that persist even with peace agreements (Horn of Africa, Central African Republic); conflicts that affect surrounding countries (the Lake Chad Basin Crisis); and public health emergencies, such as the Ebola virus disease and natural calamities. All of these emergencies affect a country's capacity to fulfil their responsibility to assist and protect citizens in such times. While the core of humanitarian response is to deal with the basic needs of people (safety, health and education), the provision of civil registration services continues to be a challenge in countries with emergency settings, leading to both short and long-term consequences. In West Africa alone, approximately 750,000 people are stateless, largely due to the lack of birth registration services.¹ In most of Africa, mortality statistics systems do not exist or are weak and often characterized by an uncoordinated and fragmented collection of data from various sources.²

2. Notwithstanding the multiple challenges in emergencies and conflicts, maintaining and restoring basic registration services are of utmost importance for the realization of human rights, an effective state and peacebuilding and for good governance. Understanding the complexities around civil registration systems in such contexts requires an in-depth look at the

¹ Office of the United Nations High Commissioner for Refugees, *Stateless in West Africa* (2015). Available at <http://tracks.unhcr.org/2015/02/stateless-in-west-africa>.

² Economic Commission for Africa, *Improving mortality statistics in Africa – technical strategy 2015 – 2020* (Addis Ababa, 2015-02).

experiences of countries in conflict or emergency situations, or with special circumstances; coupled with research findings and expert opinions globally and specifically from Africa. Developing guidelines and recommendations would improve a country's preparedness, in addition to identifying key risk mitigation strategies that would make civil registration and vital statistics systems resilient in future emergencies and conflict situations.

3. The parallel session on "Civil Registration in Conflict and Emergency Situations" responds to the recommendation of the African Ministers Responsible for Civil Registration at their third Conference. The recommendation is: "To support the development of guidelines and recommendations for maintaining and managing civil registration and vital statistics in conflict and emergency situations as well as special circumstances by making use of experiences from countries having gone through such situations."³

II. Key issues

4. In Africa, multiple emergencies have occurred in recent years with dire consequences on the population arising from conflicts and natural calamities. In 2016, emergencies affected approximately 12 out of 24 countries in West and Central Africa. The region experienced not only protracted conflicts (such as in the Central African Republic and the Democratic Republic of the Congo), but also new humanitarian crises (such as in Northern Nigeria and Mali) that cut across boundaries and severely affected a number of neighboring countries. The sudden natural disaster in Sierra Leone in 2017 resulted in the deaths of more than 500 people and more than 800 people missing.⁴ In Eastern and Southern Africa, the disruption of State systems in Burundi, Somalia and South Sudan have affected their infrastructures resulting in a mass displacement of people. There is also the Greater Horn of Africa drought and famine response affecting Ethiopia, Kenya, Somalia and South Sudan, which has a negative impact on the population, in particular the well-being of children.

5. These emergency contexts infringe on many of the rights of women and children, including the inaccessibility to the right to a name and identity, from which other human and civil rights are founded. Evidence shows that during the process of forced migration people lose their legal documentation, if they did in fact have it in the start. Weak or poor archiving of civil registration records by Governments and the lack of capacity to reconstruct the systems quickly after emergencies are big challenges.

6. In almost all emergency situations, such as in armed conflicts, natural disasters, human-made hazards and mass population displacements, vital event registration systems become dysfunctional, poorly operational and, in extreme cases, entirely collapsed. Birth and death certificates end up lost by population groups exposed to emergencies and entire archives possibly destroyed during or in the aftermath of the crisis. Using civil registration records as the source to target specific population groups has also occurred in a number of crises, which violates one of the principles of civil registration – confidentiality of individual records. Such

³ African Union, *Yamoussoukro Declaration*, the third session of the Conference of African Ministers Responsible for Civil Registration (Yamoussoukro, 2015). Available at www.apai-crvs.org/sites/default/files/public/Yamoussoukro%20Declaration_Eng_0.pdf.

⁴ Linnea Van Wagenen and Peter-Bastian Halberg, "Sierra Leone: landslide and floods. Situation update No. 6" (United Nations Disaster Assessment and Coordination, 25 August 2017). Available at <http://reliefweb.int/sites/reliefweb.int/files/resources/Sierra%20Leone%20Sit%20Update%20no%206.pdf>.

situations could result in individuals' lack of trust in their Governments, as people may be unwilling to register vital events if there are suspicions about how the information is used.

7. Loss of identity documents make people increasingly vulnerable at the time of an emergency. While children without birth registration are at risk of becoming stateless, women and girls are at risk of exploitation and abuse. An emergency may hinder having access to entitlements and services in the short and long term. Child marriage might be rampant if the rule of law fails. People without legal identity may become victims of criminal groups and face exploitation. Thought of as vulnerable, upon returning to their homes they face limited opportunities for education, work and free movement, especially without legal documents (e.g., birth certificates) to prove their identity.

8. Another challenge created by conflict and emergency situations is the backlog of unregistered children, that is, those not registered in the legal delay or through late registration procedures. In such situations, the administrative system is not able to capture vital events and subsequently, these events remain unrecorded. After an emergency, there is a high demand on civil registration services that may not perform well. In such situations, it is the vulnerable population (the poor, children and women) that suffer the most, including population groups living in hard to reach areas.

9. To date, even in stable countries, many civil registration and vital statistics systems lack State ownership, effective coordination and integration into broader government systems. In an emergency, it is even more difficult for the often underfunded and underresourced civil registration services to provide quality services at the desired scale, especially to vulnerable population groups. Not only could State capacities be insufficient, but also the trust and collaboration between the State and its population may be lost.

10. A country in an emergency faces multiple challenges. Notwithstanding these challenges, maintaining civil registration systems is vital, as even in crises people continue to give birth and people die. Weak civil registration systems impede progress towards achieving national development plans and the goals in the 2030 Agenda for Sustainable Development. It also impedes the individual's right to be acknowledged and planned for by their own Government; the right to have access to fundamental opportunities and services; and the ability to claim their rights or to participate in the governance process. Civil registration and vital statistics is a tool for effective State building, peace and good governance. Maintaining or re-establishing civil registration and vital statistics systems require effective liaison with strong coordination mechanisms of humanitarian assistance, investments in public administration and work with communities and civil societies. Emergencies can also provide an opportunity to strengthen State systems by the State continuing to sustain investments in increased human resources, capacity-building and the revision of work protocols, which can bring in more long-term results.⁵

III. Issues for discussion

⁵ United Nations Children's Fund, *Care and protection of children in the West African Ebola Virus Disease epidemic. Lessons learned for future public emergencies* (Dakar, 2016). Available at <https://childprotectionallianceblog.files.wordpress.com/2017/01/final-ebola-lessons-learned-dec-2016.pdf>.

A. Prevention and response to the breakdown of civil registration systems in emergencies

11. Civil registration systems may collapse in conflict situations or during natural or man-made calamities because of erosion. In some cases, emergencies are localized in a few districts or lower administrative regions while in others it might affect the country as a whole. Often times emergencies cross boundaries and affect neighbouring countries. It is critical to strengthen the resilience of civil registration systems so that the disruption arising from emergencies will not render them dysfunctional. The following questions are for consideration and discussion:

(a) Who are the most affected? How can resilient civil registration and vital statistics systems protect these groups?

(b) How can the resilience of civil registration systems be improved, in the context of fragile States and countries facing emergencies? Propose key mitigation strategies.

(c) What can countries facing emergencies do to ensure the security of the civil registration systems and the confidentiality of information collected during registration of vital events?

(d) What are the collaborative arrangements needed among key stakeholders to improve the coordination of actions in support of re-establishing and maintaining civil registration systems in emergencies?

(e) How can innovations and new technology support the resilience of civil registration systems?

(f) What governance functions are missing? What policies need to be in place?

B. Sustainability of actions

12. Country leadership and ownership, along with clear legal frameworks, are critical for the success of a civil registration system. To operate the system in conflict situations, a country might need technical support and to mobilize development finance to cover budget gaps in the short and medium term. The following questions are for consideration and discussion:

(a) How can Governments maintain their role and leadership in the realization of human rights and in the efforts to achieve the 2030 Agenda and national development plans in the context of an emergency when there are issues with the current civil registration system?

(b) What are the roles of development partners, civil society organizations and others in their support of countries facing emergencies; and in the reconstruction of a country's civil registration system during conflict and in post-conflict periods?

(c) How can finance, capacity, structures, technology and other pillars be improved for a functioning civil registration system when emergencies exacerbate weak systems?

(d) What can Africa learn from countries in other regions that have managed to restore civil registration and vital statistics systems and services during and post-emergencies?