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## **Migrants, refugees, internally displaced persons and stateless persons in civil registration and vital statistic systems in Africa**



**APAI-CRVS**  
Everyone visible in Africa



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





## I. Introduction

1. In recent years, there has been a growing recognition of the value of civil registration and vital statistics (CRVS) systems worldwide. Establishing or strengthening such a system has become a priority in an increasing number of African countries in which it may be non-existent or not effective. Concurrently, support for countries in improving the efficiency and completeness of the systems have surged in the international community and among development partners, notably at the regional level.
2. Notwithstanding the clear benefits of CRVS, including to populations affected by forced displacement and those that are at the risk of statelessness, more than 100 developing countries around the world do not have well-functioning CRVS systems. Approximately 40 million births are not registered and 40 million deaths globally (one third and two thirds of the world's annual totals, respectively) are either not registered or incorrectly certified.<sup>1</sup>
3. During conflicts and natural disasters, which are major causes of forced displacement, national and local registration systems are often destroyed or rendered useless. During displacement, civilians may also move far from areas where these systems are available. Among the challenges faced in the implementation of CRVS programmes in Africa is accessibility of civil registration services, including accessibility to remote, hard-to-reach and nomadic populations. Emergencies and displacement also create major challenges for CRVS systems. The displaced, however, are among the groups that are most in need of the protective environment that CRVS systems can help to create.
4. The present issue paper will focus on the effect that population movements have on the implementation of CRVS activities at the national level. In addition, how CRVS enhances access to services of populations affected by forced displacement and those that are at risk of statelessness will be examined.

## II. Legal and policy framework

5. There is a wide range of legal and policy frameworks on CRVS, birth registration and documentation, the right to a nationality and statelessness and migration at the international, regional and national levels. The following sections are some of the most important under the legal and policy framework.
6. At the global level, the Principles and Recommendations for a Vital Statistics System established by the Statistics Division of the Department of Economic and Social Affairs governs CRVS. The importance of CRVS systems was recognized under the framework of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goals 16 (peace, justice and strong institutions) and 17 (partnerships for the Goals).
7. In addition, the 10 principles on identification for sustainable development, designed by more than 15 global organizations, are fundamental to maximizing the benefits of identification systems for sustainable development. They are important in fostering robust and inclusive identification systems that advance sustainable development outcomes.

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<sup>1</sup> See Global Annual Summit on Civil Registration and Vital Statistics, *What is civil registration and vital statistics?* (2013). Available at [www.globalsummitoncrvs.org/crvs.html](http://www.globalsummitoncrvs.org/crvs.html).

8. At the regional level, the implementation of sound civil registry systems, including birth registration, identity documents and travel documents, as part of migration governance, is recommended in the African Union’s migration policy framework for Africa. The Economic Commission for Africa, the African Union Commission and the African Development Bank, with support from partner agencies, are spearheading the improvement of CRVS systems in Africa through the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS). APAI-CRVS brings together various CRVS initiatives on the continent into a common and consolidated policy and advocacy framework, with the overall objective of providing management and programmatic guidance to African countries to improve their systems, using methodological materials and guidelines.<sup>2</sup>

9. In Asia, which has been sharing CRVS experiences with the African continent, the 2014 Ministerial declaration, entitled “Get everyone in the picture”, and accompanying regional action framework, which declared 2015–2024 to be the Asian-Pacific CRVS Decade,<sup>3</sup> is also an example of a regional initiative to enhance CRVS national systems. At the country level, many countries have legislation on CRVS.

10. The right to register a child at birth without discrimination is enshrined in a series of international and African regional human rights instruments and several African national instruments, such as the International Covenant on Civil and Political Rights (art. 24, para. 2); the Convention relating to the Status of Refugees (arts. 25.2, 27 and 28); the Guiding Principles on Internal Displacement (principle 20 and principle 29<sup>4</sup>); the Convention on the Rights of the Child (art. 7); and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (art. 29).

11. Target 16.9 of the Sustainable Development Goals on peace, justice and strong institutions refers to the provision of legal identity for all, including birth registration, by 2030. Similarly, the Office of the United Nations High Commissioner for Refugees (UNHCR) global action plan (2014–2024) to end statelessness outlines a number of actions for States and relevant stakeholders to implement in order to ensure birth registration as a mean to prevent statelessness.

12. Lastly, paragraphs 32 and 71 of the New York Declaration for Refugees and Migrants (A/RES/71/1) refer to States’ commitments to working to provide for the registration of all births on their territories and to encouraging the adoption of measures to facilitate access to civil registration and documentation for refugees. In addition, paragraph 5 (f) of annex 1 to the Declaration also refers to the commitment of refugee-receiving States to working to ensure the immediate birth registration for all refugee children born on their territory and provide adequate assistance at the earliest opportunity with obtaining other necessary documents, as appropriate, relating to civil status, such as marriage, divorce and death certificates.

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<sup>2</sup> See Economic Commission for Africa and African Union Commission, *Civil Registration and Vital Statistics Systems in Africa Report* (Tunis, 8–12 December 2014). Available at [www.uneca.org/sites/default/files/uploaded-documents/Statistics/statcom2014/statcom\\_report\\_on\\_crvs\\_edited\\_en.pdf](http://www.uneca.org/sites/default/files/uploaded-documents/Statistics/statcom2014/statcom_report_on_crvs_edited_en.pdf).

<sup>3</sup> The Ministerial Declaration includes an endorsement of the goal of achieving universal and responsive CRVS systems by 2024 and a recognition of the role that responsive CRVS systems play in preventing and reducing the risk of statelessness. The need to tackle disparities in civil registration coverage among hard-to-reach and marginalized populations, including stateless persons, refugees and undocumented people, is also recognized. Available at <http://getinthepicture.org/sites/default/files/resources/Report%20of%20the%20conference.pdf>.

<sup>4</sup> The interpretation of this principle should include ensuring that returnees or resettled internally displaced persons are provided with civil documentation if they have not already been provided.

13. In Africa, the right to birth registration is recognized in article 6 of the African Charter on the Rights and Welfare of the Child, in article 13 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, in aspiration 3 of Africa's Agenda for Children 2040: Fostering an Africa Fit for Children and, in broad terms, in aspiration 6, paragraphs 46<sup>5</sup> and 51<sup>6</sup> of the African Union's Agenda 2063.

14. The jurisprudence of the African Committee of Experts on the Rights and Welfare of the Child reaffirmed this right in its decision No. 002/COM/002/09, *Institute for Human Rights and Development in Africa (IHRDA) and the Open Society Justice Initiative (OSJI) on behalf of children of Nubian descent v. the Republic of Kenya*. In it, the African Committee recommended that the Government of Kenya implement its birth registration system in a non-discriminatory manner, and take all legislative, administrative and other measures necessary to ensure that children of Nubian descent are registered immediately after birth.

15. Lastly, the right to register a child at birth is recognized and compulsory in many African countries according to their national laws.<sup>7</sup> Of 53 national laws reviewed in 2013, the right to birth registration is mandatory under the national laws of 45 countries,<sup>8</sup> mandatory with fees under the law of 3<sup>9</sup> and not mandatory in 5.

16. The right to a nationality is enshrined in a series of international legal instruments, including the Universal Declaration of Human Rights (art. 15), the International Convention on the Elimination of All Forms of Racial Discrimination (art. 5), the International Covenant on Civil and Political Rights (art. 24), the Convention on the Rights of the Child (art. 7), the Convention on the Elimination of All Forms of Discrimination against Women (art. 9), the Convention on the Nationality of Married Women, the Convention on the Rights of Persons with Disabilities (art. 18) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (article 29). The regulation of nationality is also contained in the Convention on the Reduction of Statelessness and the Convention relating to the Status of Stateless Persons.

17. In paragraph 72 of the New York Declaration, Member States recognized that "statelessness can be a root cause of forced displacement and that forced displacement, in turn, can lead to statelessness. ... and [we] encourage the accession to both the 1954 Convention relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Stateless...".

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<sup>5</sup> "Africa shall be an inclusive continent where no child, woman or man will be left behind or excluded, on the basis of gender, political affiliation, religion, ethnic affiliation, locality, age or other factors". Available at [www.un.org/en/africa/osaa/pdf/au/agenda2063.pdf](http://www.un.org/en/africa/osaa/pdf/au/agenda2063.pdf).

<sup>6</sup> "By 2063, African children and youth shall be empowered with full implementation of the African Charter on the Rights of the Child." Available at [www.un.org/en/africa/osaa/pdf/au/agenda2063.pdf](http://www.un.org/en/africa/osaa/pdf/au/agenda2063.pdf).

<sup>7</sup> See the African Child Policy Forum. Available at [www.africanchildforum.org/clr/Harmonisation%20of%20Laws%20in%20Africa/other-documents-harmonisation\\_17\\_en.pdf](http://www.africanchildforum.org/clr/Harmonisation%20of%20Laws%20in%20Africa/other-documents-harmonisation_17_en.pdf).

<sup>8</sup> Algeria, Benin, Botswana, Burundi, Cameroon, Cabo Verde, the Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, the Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Malawi, Mauritania, Mauritius, Morocco, Namibia, the Niger, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Somalia, the Sudan, Swaziland, Togo, Tunisia, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe.

<sup>9</sup> Angola, Burkina Faso and South Africa.

18. At the regional level, although the African Charter on Human and Peoples' Rights does not explicitly include the right to a nationality, the African Commission on Human and Peoples' Rights has tackled both general and country-specific issues relating to nationality and statelessness in communications and resolutions.<sup>10</sup> In its resolution 234, the Commission affirmed that the implication of the right to a nationality is in the provisions of article 5<sup>11</sup> of the African Charter on Human and Peoples' Rights and is essential to the enjoyment of other fundamental rights and freedoms under the Charter.<sup>12</sup> In article 6 of the African Charter on the Rights and Welfare of the Child, the right of every child to be named and registered at birth and the right to a nationality is acknowledged. The African Committee of Experts on the Rights and Welfare of the Child, in its decision No. 002/COM/002/09, *IHRDA*<sup>13</sup> and *OSJI*<sup>14</sup> (*on behalf of children of Nubian descent in Kenya*) v. Kenya, later reaffirmed this.

19. Article 6 (g) of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa also provides for a woman to have the right to retain her nationality or to acquire the nationality of her husband. Unlike the African Charter on Human and Peoples' Rights, article 3.2 of the Draft Protocol to the Charter on the Specific Aspects of the Right to Nationality and the Eradication of Statelessness in Africa already explicitly provides for every person's right to a nationality.

20. At the national level, many countries have adopted laws or codes on nationality that establish the criteria for granting, losing or recovering nationality.

### III. Civil registration and vital statistics and population movements

#### A. Forced displacement in Africa

21. In the past few decades, the African continent has witnessed the large-scale forced displacement of people fleeing persecution, armed conflict or human rights violations. At the end of 2016, African countries were hosting 5.2 million refugees.<sup>15</sup> During the same period, the estimated number of internally displaced persons due to conflict and violence stood at 12.4 million. There is no similar cumulative figure for disaster-related displacement.<sup>16</sup> At the end of

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<sup>10</sup> Communication No. 97/93, *John K. Modise v. Botswana*; communication No. 212, *Amnesty International v. Zambia*; communication No. 159/96, *Union interafricaine des droits de l'homme and Others v. Angola*; communications Nos. 27/89, 49/91 and 99/93, *Organisation mondiale contre la torture and Others v. Rwanda*; communication No. 71/92, *Rencontre africain pour la défense des droits de l'homme v. Zambia*; communication 211/98, *Legal Resources Foundation v. Zambia*; and communication No. 292/2004, *Institute for Human Rights and Development in Africa v. Angola*.

<sup>11</sup> In article 5, it is stated that "Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited".

<sup>12</sup> Communication No. 97/93 (2000), *John K. Modise v. Botswana*, referring to the right to protection by the law, respect of dignity, freedom of movement, the right to leave and return to his own country, the right to participate in his Government, the right to access public services, the right to property and the right to a family life.

<sup>13</sup> IHRDA, Institute for Human Rights and Development in Africa.

<sup>14</sup> OSJI, Open Society Justice Initiative.

<sup>15</sup> Excluding North Africa. For more information, see *Global Trends. Forced Displacement in 2016*, p. 14. Available at [www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html](http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html).

<sup>16</sup> Internal Displacement Monitoring Centre, *2016 Africa Report on Internal Displacement* (December 2016), p. 6. Available at <http://internal-displacement.org/assets/publications/2016/2016-Africa-Report/20161209-IDMC-Africa-report-web-en.pdf>.

2015, the estimated number of migrants living in Africa stood at 21 million.<sup>17</sup> Forcibly displaced persons in Africa live in refugee and internally displaced person camps, in urban or rural areas or remain trapped in increasingly protracted conflict areas.

22. Civil registration systems, which record births, deaths, cause of death and marriage, provide substantial information for policy and humanitarian planning. Whether in camps, rural or urban areas, forcibly displaced persons often do not have access to civil registration and are not included in CRVS national systems. For example, many refugees lack birth certificates, marriage and divorce certificates and death certificates, which renders them vulnerable to statelessness and associated protection risks.

## **B. Refugee and internally displaced persons' access to civil registration**

### **1. Birth registration**

23. Many international and African regional human rights instruments and several African national instruments all recognize the right to register a child at birth without discrimination. Notwithstanding this wide recognition, countries continue to face significant hurdles in realizing this right. According to the United Nations Children's Fund (UNICEF), the births of approximately 25 per cent of the global population of children under 5 years of age were never registered. The lowest levels of birth registration are in Africa excluding North Africa (41 per cent). In East and Southern Africa, only 36 per cent of children are registered by their fifth birthday, while the rate in West and Central Africa is slightly higher, at 45 per cent.<sup>18</sup>

24. In its observations and recommendations<sup>19</sup> to African member States, the African Committee of Experts on the Rights and Welfare of the Child expressed its concern about the low rate explained by a number of factors, such as the lack of decentralized, effective, well-managed and affordable civil registration systems.<sup>20</sup> Consequently, children are not able to exercise other rights, such as access to education, and thus become more vulnerable to all sorts of abuses, including recruitment into armed forces, sexual exploitation, child labour, human trafficking and early marriage.

25. This birth registration rate is even worse among forcibly displaced persons. Most countries hosting a sizeable refugee population have very low rates of birth registration. These include Ethiopia (7 per cent), Chad (16 per cent) and the Democratic Republic of the Congo (28 per cent), according to UNICEF.<sup>21</sup>

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<sup>17</sup> Department of Economics and Social Affairs, *International Migration Report 2015*, p. 1. Available at [www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf](http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf).

<sup>18</sup> United Nations Children's Fund, *Every Child's Birth Right: Inequities and Trends in Birth Registration* (New York, 2013) p. 15.

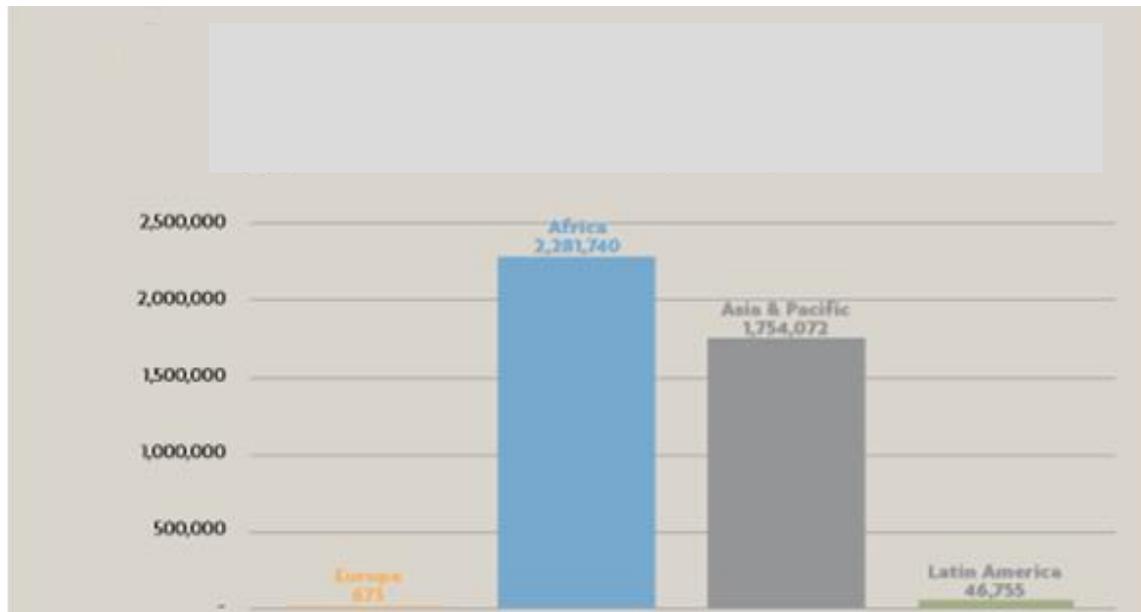
<sup>19</sup> See recommendations and observations sent to the Governments of Burkina Faso, Cameroon, Kenya, Libya, Mali, Uganda and the United Republic of Tanzania. Available at <http://acerwc.org/state-reports/>. Accessed 3 October 2013.

<sup>20</sup> General Comments on article 6 of the African Charter on the Rights and Welfare of the Child, p. 4.

<sup>21</sup> *UNHCR statistical Year Book 2014*, p. 72. Available at [www.unhcr.org/56655f4c16.html](http://www.unhcr.org/56655f4c16.html).

Figure

**Number of refugees who have not been registered at birth, if the proportion is the same as for the population of the country of asylum (Millions)**



*Source:* Office of the United Nations High Commissioner for Refugees 2014 Statistical Yearbook.

26. Notwithstanding the increasing awareness of birth registration systems and efforts to improve them, many refugees, internally displaced persons and persons who are at risk of statelessness often face significant barriers with respect to registering the birth of their children (see figure above). These obstacles include the breakdown of infrastructure destroyed or rendered non-functional owing to insecurity in times of conflict; physical barriers (lack of services and infrastructure in rural and camp areas); economic barriers (registration fees and cost of travelling to towns to register); and lack of awareness of the importance of civil registration and procedures for birth registration. Other obstacles include legal issues (absence of laws that allow civil registration for non-nationals, including refugees and stateless people) and administrative barriers (obligations for the parents of the child to present first an identification document to register the child and being issued with a birth certificate). In addition, there is a reluctance to approach civil authorities to register their births, marriages and deaths, owing to fear of deportation or detention in case they lack a clear legal status.

27. In situations of displacement, birth registration is an important protection tool. At a basic level, birth registration establishes a child's identity, but its importance goes far beyond this, given that not having a birth registration can lead to serious barriers for these children, including the following:

(a) Non-recognition as a citizen (statelessness). Children without birth registration and documentation may have problems proving their links to a State, which puts them at risk of becoming stateless;

(b) Denial of access to services. Children without birth registration may have difficulty in gaining access to education, health care and social security. For example, birth registration is sometimes a prerequisite for school enrolment in primary school and for taking

national exams. As an adult, it is often a prerequisite for eligibility to marry, to enter the labour market, travel, gain access to banking systems and to register the birth of one's children;

(c) Increased risk of violence and abuse. Children without birth registration are more vulnerable to protection risks such as trafficking, child labour, child marriage, illegal adoption, sexual exploitation and recruitment into armed forces and groups;

(d) Risk of being treated as an adult. Children without birth registration may be treated unjustly as adults in asylum or judicial proceedings.

28. For the country and other stakeholders, birth registration is important because it enables the State to do the following:

(a) Obtain information and knowledge about the population in the national territory to improve State administration and governance;

(b) Obtain indicators for the measurement of progress towards the achievement of the Sustainable Development Goals. The completeness in death and cause of death data, including foetal death in combination with birth registration data, is important in monitoring the achievement of the Goals, in particular the Goal 3 targets relating to maternal and child health among refugee and internally displaced populations;

(c) Achieve the Sustainable Development Goals through the inclusion of forcibly displaced persons in application of the principle in which no one should be left behind;

(d) Determine where to integrate services for host communities and displaced populations into countries to ensure a more effective delivery of services and facilitate people's access to basic rights (e.g., education, health and employment);

(e) Facilitate, in the medium and long term, the return of refugee and internally displaced populations to their areas of origin;

(f) Gather information on broader migration issues so as to improve the State's management of migratory movements;

(g) Act appropriately to prevent statelessness.

## **2. Registration of marriage, divorce and death**

29. The life events of marriage and divorce are part of the group of 10 vital events recommended for civil registration and is the second category of priority vital events that need to be recorded accurately. The registration of death and the recording of cause of death are also enshrined and mandatory in many national CRVS laws in Africa.

30. As with all individuals, refugees and internally displaced persons have the right to have their births, marriages, divorces and deaths recorded in a civil registration system and to be provided with the appropriate documentation and certification. This is a fundamental responsibility of Governments in the territory of asylum, as set out in international human rights law and conventions. In many camps for refugees and internally displaced persons, there is no record of a majority of deaths. The deaths recorded are mostly those that occur in hospitals. Refugees do not report deaths of relatives for various reasons, including the fear of having the family size on their ration cards reduced. Even for recorded deaths, there is no issuance of death

certificates. To overcome the underreporting and registration of deaths, some partners acting in refugee or internally displaced camps use incentives to bring the statistics up-to-date.

31. Failure to issue death certificates may create legal difficulties, including with regard to the rights of survivors, both in the country of asylum and that of the country of origin, which, as a matter of law, depend on proof of death.

32. Most marriage ceremonies that take place in camps, as is the case in most African countries, are solemnized in accordance with the traditions and customs of the refugees. Such marriages are not registered, and consequently marriage certificates are not issued. Some refugees undergo church ceremonies and get a certificate of “Christian marriage” from their churches. The law in many countries, however, does not recognize such certificates, even if it does in others, such as in Kenya, in which refugees obtain from their religious leaders’ marriage certificates free of charge, given that Kenyan law recognizes civil, Hindu, Muslim, Christian and African customary marriage.<sup>22</sup> The situation of the registration of divorces is even worse than that of marriages.

33. Failure to notify and register marriages and divorces has had a number of implications. First, the absence of the notification of marriages makes it possible for early and forced marriages to take place unnoticed. It also makes it easier for a person to have more than one spouse, which is illegal under some national laws. Second, it can hinder the birth registration in countries in which a marriage certificate of the parents is mandatory for the registration of the birth. Third, it can make it difficult to exercise inheritance rights or to acquire nationality through marriage. Lastly, in cases in which marriages and births have taken place in the country of asylum, refugees may encounter obstacles in gaining access to resettlement procedures as a family unit if they lack civil documents, such as birth or marriage certificates. A lack of divorce certificates denies women, in particular, the right to inheritance and other benefits, including the right to remarry.

34. With regard to urban refugees in many African countries, they have access to birth, marriage, divorce and death registration processes but must pay the same or higher fees that apply to foreigners in order to receive marriage, birth and death certificates.

### **C. Refugees and internally displaced persons’ access to documentation**

35. There is a distinction between the civil registration of a vital event and the possession of formal proof that it took place, in the form of legal documentation.

36. One essential output of the CRVS systems is to provide legal documentation of civil registration to individuals and families for legal and administrative purposes. There is a strong link between legal documentation and a broad range of rights and activities, in particular legal identity.

37. Owing to the circumstances in which they are sometimes forced to leave their home country, refugees are perhaps more likely than other aliens to find themselves without identity documents (e.g., documents were lost, burned in the house during conflict, had been lost from an earlier displacement or the persons never had any). This is also the case of those internally displaced by conflict. Moreover, while other aliens can turn to the authorities of their country

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<sup>22</sup> Office of the United Nations High Commissioner for Refugees, “Analysis of refugee protection capacity in Kenya”, based on research by Danny Turton (UNHCR Consultant Strengthening Protection Capacity Project, April 200), p. 29.

of origin for help in obtaining documents, refugees do not have this option and are therefore dependent on the authorities of the country of asylum or on UNHCR for assistance in this regard.

38. The Convention relating to the Status of Refugees obliges contracting States “to deliver or cause to be delivered under their supervision to refugees such documents or certifications as would normally be delivered to aliens by or through their national authorities” (art. 25.2) and to issue identity papers (art. 27) and travel documents (art. 28) to any refugees in their territory. This, however, is not always the case. In countries where Governments are ready to issue documents to refugees, these documents can be costly and difficult to obtain. Inconsistencies in issuance processes, renewal lengths and eligibility criteria for documentation are among the many complications in obtaining basic identity documents and marriage, birth and death certificates.

39. With regard to internally displaced persons, principle 20 of the Guiding Principles on Internal Displacement and article 13.2 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa both have specific provisions on registration and documentation of internally displaced persons.

40. In situations in which the vital events of refugees and other displaced children, such as births, are registered, many are not issued with a birth certificate but rather a birth attestation or birth notification. The reason behind this is that some Governments equate the issuance of vital documents, especially a birth certificate, to granting of nationality to refugees. Consequently, for a refugee, the lack of identity documents issued by the country of asylum may be far more than a source of inconvenience. In almost all countries, an alien must be able to prove not only his identity, but also that his presence in the country is lawful. In some countries, aliens without appropriate documentation are vulnerable to detention and sometimes even to summary expulsion. Such measures are very serious for a refugee who, upon returning to his country of origin, could face the risk of persecution or death. Even when the consequences of being without documentation are less drastic, a refugee, in order to benefit from treatment in accordance with internationally accepted standards, needs to be able to establish vis-à-vis government officials not only his identity, but also his refugee status. Often, the documentation also serves as evidence of the right to reside and work in the country and to have access to international protection, basic services and durable solutions.

41. During the high-level plenary meeting on addressing large movements of refugees and migrants, held in New York in 2016, Member States committed themselves to enhancing refugee protection on their territory through the adoption of measures to facilitate gaining access to civil registration and documentation for refugees, including early and effective registration and documentation, as a protection tool and a means to facilitate the provision of humanitarian assistance; immediate birth registration for all refugee children born on their territory; and the provision of adequate assistance at the earliest opportunity with obtaining other necessary documents, as appropriate, relating to civil status, such as marriage, divorce and death certificates.<sup>23</sup>

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<sup>23</sup> Paragraphs 32 and 71 and paragraph 5 (f) of annex I of the New York Declaration for Refugees and Migrants.

#### **D. Vital statistics on refugees and internally displaced persons**

42. Refugees and internally displaced persons' access to civil registration has obvious advantages, not only for the purposes of international protection, but also in terms of the planning and implementation of assistance programmes and the promotion of durable solutions. The registration of vital events of all refugees in a country, the documentation of these and the production and dissemination of vital statistics (based on civil registration records) is primarily the State's responsibility. Many countries leave this task to UNHCR or to the Government and UNHCR to carry it out jointly. With regard to the Governments that provide this function solely, the quality of their vital statistics on refugees in the countries is poor. On the other hand, when UNHCR is the provider of these functions, significant backlogs and the limited recognition of UNHCR-issued documentation are the overriding concerns. It is therefore of paramount importance that Governments include refugees in their CRVS systems. It is also important that, in carrying out their responsibility to register refugees and to document vital events such as birth, marriage, divorce and death, they work in close collaboration with UNHCR to ensure quality civil registration processes and data.

43. By the end of 2015, the number of reported internally displaced person population related only to displacement caused by conflict and violence. According to the Internal Displacement Monitoring Centre,<sup>24</sup> data on internal displacement linked to slow-onset disasters and development-projects are often unavailable. There are scarcely any data collected on the numbers of people affected, their situation and their needs. Even for displacement linked to conflict and violence, which has been monitored for a longer period of time, there are gaps in data.

44. Some of the gaps are due to poor or inconsistent survey methodologies, others to a lack of resources for long-range monitoring, obstacles to access or assumptions about how quickly people are able to go home. Whatever the reason, these gaps result in blind spots regarding where people and their protection and assistance needs should be, as well as an incomplete basis for Governments and international partners to plan a tailored response to the needs of internally displaced persons. These gaps in data hamper efforts to provide effective protection and assistance to those displaced.

45. Reliable data on population movements are vital to ensure a timely and well-targeted operational and policy response. Evidence of the multiple causes of displacement and its influence on development priorities, such as food security, education, health and the protection of vulnerable groups, can inform a more holistic action by Governments and aid agencies. Accordingly, there is a need for more and better data on internal displacement presently off the radar to bring the "invisible internally displaced persons" into focus and to ensure that lasting solutions and better protection are available.

46. In summary, the exclusion of forcibly displaced persons from national CRVS, making them "invisible", is likely to increase their protection risks and expose them to a lack of freedom of movement owing to the absence of identification documents, detention and deportation, denial of access to education, health services and employment, and prevention from reacquiring property upon return to areas of origin. In addition, failure to prove the age of girls may expose them to early marriages and exploitation. They remain "invisible to the law" and

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<sup>24</sup> Internal Displacement Monitoring Centre, *2016 Africa Report on Internal Displacement*, (December 2016) p. 31. Available at [www.internal-displacement.org/assets/publications/2016/2016-Africa-Report/20161209-IDMC-Africa-report-web-en.pdf](http://www.internal-displacement.org/assets/publications/2016/2016-Africa-Report/20161209-IDMC-Africa-report-web-en.pdf).

may not benefit from the State's protection. In the context of protracted situations, forcibly displaced persons run the risk of losing their connection with their country of origin and of facing difficulties in acquiring documentation, which may result in statelessness, in particular in subsequent generations.

#### **IV. Civil registration and vital statistics and migrants**

47. Demographic data collection does not represent mobile populations and individuals very well. Those that carry out censuses often undercount the homeless and migrants, especially undocumented migrants and the highly mobile, although other subgroups are just as difficult to enumerate.<sup>25</sup> In Africa, 19 per cent of countries did not have a recent data source on total migrant stock, while 43 per cent and 36 per cent of countries did not have recent data on the age or origin of international migrants, respectively.<sup>26</sup> For these reasons, migrants and other population groups are most likely not registering and documenting their births and other vital events, which place them at a heightened risk of violation of their human rights and of being vulnerable to statelessness. These are descendants of historical and contemporary migrants and their children and cross-border populations.

##### **A. Descendants of historical migrants and contemporary migrants and their children**

###### **1. Descendants of historical migrants**

48. Among the populations with the greatest difficulty in obtaining documentation of nationality from the country of their birth and where they reside, and who are at high risk of statelessness, are the descendants of those who migrated before independence, for whom the transitional provisions adopted in the laws at independence were not adapted or had been amended or manipulated to exclude targeted populations from having access to nationality and the range of rights attached to citizenship. In some countries, a person with a family name that sounds "foreign" is likely to face consistent difficulties in establishing nationality. A number of countries, including Côte d'Ivoire in 2013, have undertaken law reforms to enable such a category to acquire nationality through having access to special temporary naturalization procedures.

###### **2. Contemporary migrants and their children**

49. In a 2013 survey conducted by UNHCR and the International Organization for Migration (IOM) in the Niger and Togo targeting 172 migrants, 60 per cent mentioned documentation as the most urgent requirement rather than transport, food, health care, shelter and other needs. More than half the migrants lacked any travel document, with many of the documents confiscated by the police in the various countries of transit and many undocumented migrants detained. In most cases, however, even though it is possible for undocumented migrants to re-establish the paperwork of their home country, this may require the assistance of humanitarian agencies such as IOM, which will assist migrants stranded in another country in returning home when appropriate.

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<sup>25</sup> Sara Randall, "Where have all the nomads gone? Fifty years of statistical and demographic invisibilities of African mobile pastoralists", *Pastoralism: Research, Policy and Practice*, vol. 5, No. 22 (November 2015), p. 3.

<sup>26</sup> Department of Economics and Social Affairs, *International Migration Report 2015*, p.4 Available at [www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf](http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf).

50. Not all the undocumented migrants transiting through or living and working in a country are stateless. In some parts of the world, research on immigration detention has found many cases of stateless persons who have spent months incarcerated for the simple reason that they cannot prove their nationality and regularize their immigration status, and that there is no country for them to go to when deported. Similar cases have been identified in African countries.

51. Children of migrants are most at risk, especially in countries that provide no right to nationality based on the birth in the country (*jus soli*) nor the possibility of naturalization, even if the person remains resident there until the age of majority and beyond and if children born abroad cannot acquire the nationality according to the legislation of the country of origin of the parents. When only citizenship by descent (*jus sanguinis*) is provided for, it can be impossible for the descendants of those who have migrated from another country (even if many generations ago) to become recognized as nationals of the country of residence. This leaves them excluded from civil registration and, consequently, from the enjoyment of their civil, economic and social rights, putting them, in some circumstances,<sup>27</sup> at risk of statelessness. If, in theory, they will have access to the nationality of their parents who migrated, then in practice establishing that nationality may be impossible, especially if they do not have resources to assert their claim.

52. In addition to the various instruments guaranteeing the right of every child to birth registration, in article 29 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, it is stipulated that each child of a migrant worker shall have the right to a name, to registration of birth and to a nationality. Going further, the United Nations<sup>28</sup> recommends that all people residing in a country be given the right to register vital events, irrespective of whether they are citizens.

## **B. Cross-border populations**

### **1. Nomads and pastoralists**

53. Nomadism and pastoralism are a lifestyle and means of livelihood for millions of people in Africa. There is considerable interest in the numbers and population dynamics of mobile African pastoralists, given the difficulties in enumerating mobile individuals. There is also recognition that many data sources undercount or exclude these populations. Not only are African mobile pastoralists invisible in a considerable number of statistical sources and indicators, but the nature of their invisibility is often couched in obscurity. As a result, underenumeration is almost guaranteed even when huge efforts are made to include them in censuses.

54. In addition to and because of the fact that they are undercounted and excluded from data sources, nomadic and pastoralist populations continue to face practical and political challenges, given that many nationality laws are not designed to accommodate them. Whether they are Tuaregs, the Fulani/Peul or the Mbororo Fulani, most of them do not have identity documents. Even though they can cross borders without any papers while State institutions may barely exist in remote rural regions, documentation is a critical problem for the pastoralists who often have

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<sup>27</sup> This is in case the legislation of the parents' country of origin does not provide children born abroad with a nationality.

<sup>28</sup> See Department of Economic and Social Affairs, Statistics Division, *Principles and Recommendations for a Vital Statistics System (Revision 2.)* (New York, 2001).

no proof of identity nor nationality, even though they have been resident in a country for many years and sometimes generations.

55. On birth registration, the common problems identified among the nomadic and pastoralist populations include a lack of awareness of the need for or usefulness of birth registration and other documents, such as identity cards; difficulty in obtaining birth certificates, passports and other documents; and difficulty in gaining access to schools or other public facilities to register the births. Given the lack of documentation, some of them have been the target of mass expulsions,<sup>29</sup> and the poorest and most marginalized members of such communities, are at high risk of statelessness.

56. Member States have made extensive efforts to deal with issues relating to cross-border pastoralism. These include the Economic Community of West African State framework on freedom of movement, bilateral and multilateral agreements to facilitate cross-border movement, West African Economic and Monetary Union policies on the regulation of the free movement of animals among its eight member States and the 2010 African Union policy framework for pastoralism in Africa. These documents, however, do not deal with the issue of CRVS and the nationality of the pastoralists themselves; rather, they focus more on facilitating the conflict-free movement of livestock than on the people concerned.<sup>30</sup>

57. Although the availability of demographic and statistical data on mobile pastoralists are improving, it is impossible to document with accuracy any transformation in the numbers of these populations during the past 50 years. During the regional seminar to exchange and discuss best practices on CRVS from Africa and Asia and the Pacific, held in Addis Ababa in June 2016, improving accessibility of civil registration services, including accessibility to remote, hard-to-reach and nomadic populations, was identified as a common challenge in the implementation of CRVS programmes in both regions and various mitigating strategies adopted by countries.

58. In the 2030 Agenda, the expectation is that everyone will be counted and their characteristics measured. It is therefore important to develop appropriate strategies for including mobile pastoralists and other hard-to-reach populations.

## **2. Ethnic groups divided by international borders and populations affected by transfer of territory**

59. Populations divided by international borders and those affected by the transfer of territory are vulnerable to statelessness and other violations of their rights, given their lack of documentation and that they face difficulties in gaining access to civil registration.

60. To achieve target 16.9 of the Sustainable Development Goal on peace, justice and strong institutions, which refers to providing legal identity for all, including birth registration by 2030, it is important to develop appropriate strategies for including mobile pastoralists and other hard-to-reach populations. This will be in accordance with all relevant international, regional and national instruments enshrining the right to birth registration and paragraph 32 of the New York

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<sup>29</sup> For example, the expulsion of Fulani pastoralists (allegedly originated from Guinea) by Sierra Leone in 1982, the expulsion of Fulani pastoralists by Ghana in 1988 and 1989 and the expulsion of Fulani pastoralists by Senegal in 1989.

<sup>30</sup> Bronwen Manby, *Nationality, migration and statelessness in West Africa: a study for UNHCR and the International Organization for Migration* (June 2015) p. 85.

Declaration, in which States committed themselves to working to provide for the registration of all births on their territories.

61. Accurate, consistent and timely data on international migration are essential for assessing current and future needs and for setting policy priorities to promote inclusive and equitable development for all.

## V. Civil registration and vital statistics and statelessness

62. Having an effective birth registration system in place is an important initial step to ensuring the protection of children. Birth registration does not itself confer nationality upon a child. The process for registering births is distinct from the process that individuals go through to acquire nationality, which usually happens automatically at birth. Birth registration is nevertheless important for the prevention of statelessness because it establishes a legal record of where a child was born and who the parents are. This constitutes a key form of proof of whether a person has acquired nationality by birth on territory (*jus soli*) or descent (*jus sanguinis*), which are the most common bases for acquisition of nationality at birth.

63. According to global statistics, one child is born stateless every 10 minutes in the world, and the problem is growing. The main causes, in addition to the above-mentioned lack of birth registration, include gaps in nationality laws. The effects of being born stateless are severe worldwide. For example, in more than 30 countries, children need nationality documentation to receive medical care; in at least 20 countries, stateless children cannot be legally vaccinated; and in other countries, stateless children are not eligible for primary school or must pay a fee to attend school.

64. Second, displaced persons run the risk of losing their connection with their country of origin and of facing difficulties acquiring documentation, which may result in statelessness, in particular in subsequent generations. For example, refugees have specific needs because they have lost the protection of their state of origin. Appropriate laws are necessary to this process, although there are challenges that law reform alone cannot solve. While the laws of many countries in principle allow for the naturalization of refugees on the same or similar terms as other foreigners through the normal procedures, to have access to the naturalization process can be very difficult in practice, which leaves some at risk of statelessness. Refugees, not regarded as ordinary residents in some countries, are excluded from normal naturalization procedures.

65. Third, while there is no automatic right to citizenship of the host country for people who are themselves migrants, there is an urgent need to ensure that law and practice do not exclude their children from acquiring citizenship in one of the countries to which they have a connection. This is according to articles 1 (a) and 4.1 of the Convention on the Reduction of Statelessness that focuses on the prevention of statelessness at birth and requires States to grant citizenship to children born on their territory or born to their nationals abroad, who would otherwise be stateless. In the same vein, article 6.4 of the African Charter on the Rights and Welfare of the Child, obliges States parties to undertake to ensure that their Constitutional legislation recognizes the principles according to which a child shall acquire the nationality of the State in the territory of which he has been born if, at the time of the child's birth, he is not granted nationality by any other State in accordance with its laws.

66. While the most recent economic migrants will not be stateless, failure to act on integrating them and especially their children into the host country creates the risk of multigenerational statelessness of whole communities that have no connection with any other country and no full

integration into the country in which they live. For these “settled” migrants, it is important that States take measures to ensure that their naturalization procedure and law provides for the right to nationality for persons born in the country who would otherwise be stateless and that the State respects these provisions through the issuance of documents in practice. Without this minimum right, there is a risk of creating a class of persons excluded from citizenship, even if they are living in the only country that they have ever known and to which they have by far the strongest connections.<sup>31</sup>

67. On this point, the Convention relating to the Status of Stateless Persons, to which 25 African countries are parties, obliges contracting States to provide administrative assistance to stateless persons in their territory in obtaining documents. They also have, as set out in article 25, the obligation “to deliver or cause to be delivered under their supervision to stateless persons such documents... as would normally be delivered to aliens by or through their national authorities”. In addition, contracting States “shall issue identity papers to any stateless person in their territory ...” (article 27) and “issue ...travel documents for the purpose of travel outside their territory...” (article 28).

68. The Convention on the Reduction of Statelessness, acceded by 19 African States, also obliges contracting States “to grant citizenship to children born on their territory, or born to their nationals abroad, who would otherwise be stateless” in order to prevent statelessness.

69. Lastly, another way to link CRVS with statelessness is the lack of data on statelessness in many African countries and in the world. While the exact number of stateless people globally is unknown, UNHCR estimates that there are at least 10 million people, of whom approximately one third are children.

70. In 2016, statistical information on stateless persons reported in 75 States totalled some 3.2 million individuals worldwide.<sup>32</sup> In Africa excluding North Africa, UNHCR reported 715,089 stateless persons in 2016, with 974 in Central Africa and the Great Lakes region, 20,000 in East Africa and the Horn of Africa and 694,115 in West Africa, with the majority of them in Côte d’Ivoire (694,000).<sup>33</sup>

71. In addition to reported statistics, UNHCR has identified statelessness as a significant problem in six African countries but is unable to report any data.<sup>34</sup> The reason for this is that stateless people, often referred to as an “invisible problem”, often remain unseen and unheard. Measuring statelessness therefore remains complicated, given that stateless persons often live in precarious situations and on the margins of society. Frequently, stateless persons are not only undocumented, but also ignored by the authorities and uncouned in national administrative registries and databases. Most often, they also go uncouned in population censuses owing to the insufficient level of priority given to, attention for and knowledge of statelessness in many countries and the dearth of good systems for effectively identifying those individuals affected, especially because they do not refer to their stateless status voluntarily. Only a minority of

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<sup>31</sup> See action 6 (grant protection status to stateless migrants and facilitate their naturalization) of the UNHCR global action plan (2014–2024) to end statelessness.

<sup>32</sup> UNHCR, *Global Trends, Forced Displacement in 2016*, p. 48.

<sup>33</sup> *Ibid*, p. 64.

<sup>34</sup> The Democratic Republic of the Congo, Eritrea, Ethiopia, Madagascar, South Africa and Zimbabwe. See the Institute on Statelessness and Inclusion, *The World’s Stateless* (December 2014), p. 60. Available at [www.institutesi.org/worldsstateless.pdf](http://www.institutesi.org/worldsstateless.pdf).

countries, such as Liberia, have procedures in place for their identification, registration and documentation in Africa.

72. Even though some countries, such as Côte d'Ivoire and Nigeria, have completed studies containing qualitative and some quantitative information, the persistent large gap between the number of stateless persons reported by UNHCR (the lead agency on statelessness) and the total estimated number of stateless persons remains a cause for concern. The identification of stateless persons is key to tackling the difficulties that they face and to enabling Governments and other relevant stakeholders to prevent and reduce statelessness.

73. In this regard, there is a need for greater collective efforts to identify all stateless persons and provide them with protection and a pathway to a solution. Quantitative data and qualitative analysis, which include an assessment of the scale of the situation in terms of magnitude and geographical spread, the profile of affected populations (including its demographic composition, with data disaggregated by sex and age) and analysis of the causes and effects of statelessness, among others, are essential for States to respond adequately to statelessness.<sup>35</sup> The role of CRVS here is critical.

74. In conclusion, there is a clear link between CRVS, population movement and statelessness. Weak civil registration systems that fail to cover and integrate displaced populations, whether forced or voluntary, into their host countries can render or expose them to a heightened risk of statelessness.

## **VI. Lessons learned and best practices**

75. In application of a directive issued by the President of Kenya, the provisions of the Citizenship and Immigration Act of 2011 that give stateless persons living in the country since independence in 1963 and their descendants the right to be registered as Kenyan nationals has been implemented. As a result, Kenya has recognized the Makonde, an ethnic minority group with origins in northern Mozambique who arrived in Kenya prior to independence, as Kenyan nationals.

76. In June 2017, the Kenyan Cabinet Secretary and the Ministry of the Interior and Coordination of National Government issued a circular for collaboration between the Civil Registration Services Department and the Ministry of Education to register births and issue birth certificates for schoolchildren from 6 June to 6 October 2017. As set out in the circular, head teachers are required to make birth certificate applications on behalf of their students, and late fees for the registration of births are to be waived. In the same country, refugees can have their marriages registered and obtain marriage certificates because Kenyan law recognizes civil, Hindu, Muslim, Christian and African customary marriages. Religious leaders issue marriage certificates free of charge.

77. In Uganda, in late 2012 and following advocacy by the Refugee Law Project, the Attorney General exercised his powers under section 24 of the Births and Deaths Registration Act of 1973 and waived the registration fees payable by refugees in order to register a birth or death. Previously, refugees had been required to pay \$40 (the same as for foreigners) in order to obtain a birth or death certificate.

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<sup>35</sup> UNHCR, *Global Action Plan to End Statelessness (2014–2024)*, pp. 24 and 25.

78. In May 2017, following the Abidjan Declaration of Ministers of ECOWAS Member States on Eradication of Statelessness, the member States validated the Banjul plan of action on the eradication of statelessness in West Africa, which sets out specific measures to end statelessness by 2024 and which is legally binding on all the member States. The member States are the first to adopt a regional plan of action to end statelessness. The Banjul plan of action is intended to: Improve laws and policies to ensure compliance with relevant legal, policy and institutional frameworks for eradicating statelessness; Strengthen data management systems for an effective response to the challenges of statelessness; Ensure freedom of movement, integration and protection for stateless persons; Promote advocacy and awareness-raising among populations and stakeholders; Guarantee access to proof of nationality through the reinforcement of civil registration mechanisms and through ensuring accessible and affordable birth registration on an equal basis.

79. In the Niger, turning some villages into auxiliary birth registration centres has made birth registration easier and has saved long, costly journeys for local people. In addition, mobile court hearings for nomadic communities were held in villages in the north. The hearings, during which officials visited remote areas, brought birth registration to communities, a service that had often been out of reach for the people.

80. Côte d'Ivoire carried out a profiling exercise of internally displaced persons in 2014, which serves as an example of how Governments can call upon international support when necessary to gather the data needed to inform national action to address displacement. The Ministry of Planning and Development, the national institute of statistics and UNHCR, with technical support from the Joint IDP Profiling Service, carried out the exercise. The Government used the information collected on needs and obstacles as the basis for drawing up a new durable solutions strategy. It also carried out and completed studies containing qualitative and some quantitative information. In the same vein, a special procedure in place from 2014 to 2016 allowed 123,810 individuals to apply for Ivorian nationality by declaration. As of the end of 2016, approximately 11,800 persons had received nationality certificates, nearly half of whom were previously stateless.

81. Cameroon and the Sudan are the two African countries of seven in the world to have included refugees in their national poverty surveys in 2015. This was the most recent finding of the internationally comparable poverty surveys carried out in the 20 countries hosting the largest number of refugees in the world.<sup>36</sup> This shows the importance of including refugees in CRVS systems to facilitate the planning of appropriate interventions to alleviate poverty.

82. As a historic first and a groundbreaking development for refugee protection, Ethiopia launched the civil registration for refugees in October 2017. All refugees in the country will be able to register their vital life events, including birth, death, marriage and divorce, directly with national authorities and free of charge. Civil registration for refugees was made possible following an amendment to an existing legislation. As a result, more than 70,000 refugee children born in Ethiopia during the past decade who have not had their births registered will soon be issued with birth certificates. Children born before the new law came into effect will also obtain a birth certificate retroactively. Civil registration offices have also been established in each of the 26 refugee camps and in the seven locations with a high concentration of refugees.

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<sup>36</sup> Development Initiatives, *Forced Displacement. Poverty and Financing* (September 2016), p. 8. Available at [http://devinit.org/wp-content/uploads/2016/09/Forced\\_Displacement\\_Poverty\\_and\\_Financing\\_DI\\_Sept\\_2016.pdf](http://devinit.org/wp-content/uploads/2016/09/Forced_Displacement_Poverty_and_Financing_DI_Sept_2016.pdf).

## VII. Conclusions and recommendations

83. Ensuring that all individuals are included in CRVS systems can be a huge challenge, in particular for remote and rural residents, the forcibly displaced, stateless persons and other marginalized groups. In many countries, national legislation does not specify clearly which groups CRVS systems cover and whether specific categories of people, such as foreigners, refugees and displaced persons, temporary migrants, nomadic populations and citizens, and those living temporarily abroad, are excluded. Meeting these challenges is critical to ensuring that legal identification systems are effective and available to all individuals. This requires coordinated and sustained efforts by key stakeholders involved in the provision and use of identification systems, that is, individuals, Governments, the private sector, international organizations, non-governmental organizations and development partners. Among these stakeholders, a shared vision, aligned with the principles of identification, will help to foster robust and inclusive identification systems that will prevent statelessness and enable economic opportunities and sustainable development outcomes for all.

84. In the light of the above, the following recommendations are made:

(a) States should assess the gaps in laws, policies and practices that create barriers for birth registration, including all discrimination based on gender, nationality, ethnicity and race. They should adopt laws and policies and strengthen the current institutions responsible for CRVS to ensure timely, compulsory and free birth registration for all children, including refugees, migrants, internally displaced persons, stateless children and children at risk of statelessness, within the national territory, regardless of nationality, migration status and documentation status of their parents;

(b) States should accede to implementing the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. States should also implement the Global action plan to end statelessness (2014–2024); the provisions of the Convention relating to the Status of Refugees; and the African Refugee Convention, in particular its relevant provisions on administrative assistance (art. 25), identity papers (art. 27) and travel documents for refugees (art. 28);

(c) States should put in place an effective birth registration system that is flexible and responsive to the specific circumstances of families in situations of displacement. This could include decentralized civil registration to ensure that there is complete coverage of a country's population, including rural and marginalized people and nomadic populations. This would mean establishing civil registration offices and service centres in districts, townships, villages and refugee camps, and using mobile registration teams. Taking into account the specific challenge of displacement may require setting up mobile civil registration systems;

(d) States should introduce late registration procedures for those not registered immediately at birth, including for older children and adults, in particular through flexible requirements of proof and without additional fees;

(e) States should issue birth certificates to all children born in the country regardless of nationality, migration status and documentation status of their parents;

(f) States should identify which groups or categories of children are being left out of the registration process and analyse potential disincentives to birth registration;

(g) States should harmonize the information recorded on the birth certificate. It is not desirable that birth certificates include information about the child's nationality, because civil registration authorities will not always be sufficiently competent to determine the child's nationality at birth, in particular when one or both parents are foreigners. In cases in which birth certificates include such information, the field should be left blank if the child's nationality is unclear;

(h) States should improve both quantitative and qualitative data on stateless populations by including questions relating to nationality in national censuses and surveys, conducting studies on stateless populations in partnership with relevant stakeholders and establishing statelessness determination procedures;

(i) States should improve data on internally displaced persons by bringing unseen displacement into focus. More and better data on internally displaced persons are needed for African Governments to honour their commitments to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, the Sendai Framework for Disaster Risk Reduction 2015-2030, the Agenda for Humanity, the Africa Regional Strategy for Disaster Reduction and the 2030 Agenda;

(j) In countries of asylum in which UNHCR and other organizations carry out the registration of refugees' vital events, these States should put in place a system that allows for the transfer of data recorded by UNHCR into a national setting. This could further lead to including refugees in the national CRVS systems and development programmes;

(k) States should dedicate more financial, human and technical resources to CRVS activities. Resource mobilization can be done through partnerships with other relevant stakeholders, the private sector and development partners, among others;

(l) States should work with international partners and relevant bodies to ensure that administrative personnel, judicial and security actors and health-care professionals, including birth attendants, are trained and aware of birth registration procedures for refugees, migrants, internally displaced persons, persons at risk of statelessness and all other children born in the country;

(m) States should carry out continuous awareness-raising on the importance of civil registration in both urban and rural areas, including hard-to-reach and marginalized populations, forcibly displaced persons and stateless persons or those at risk of statelessness.