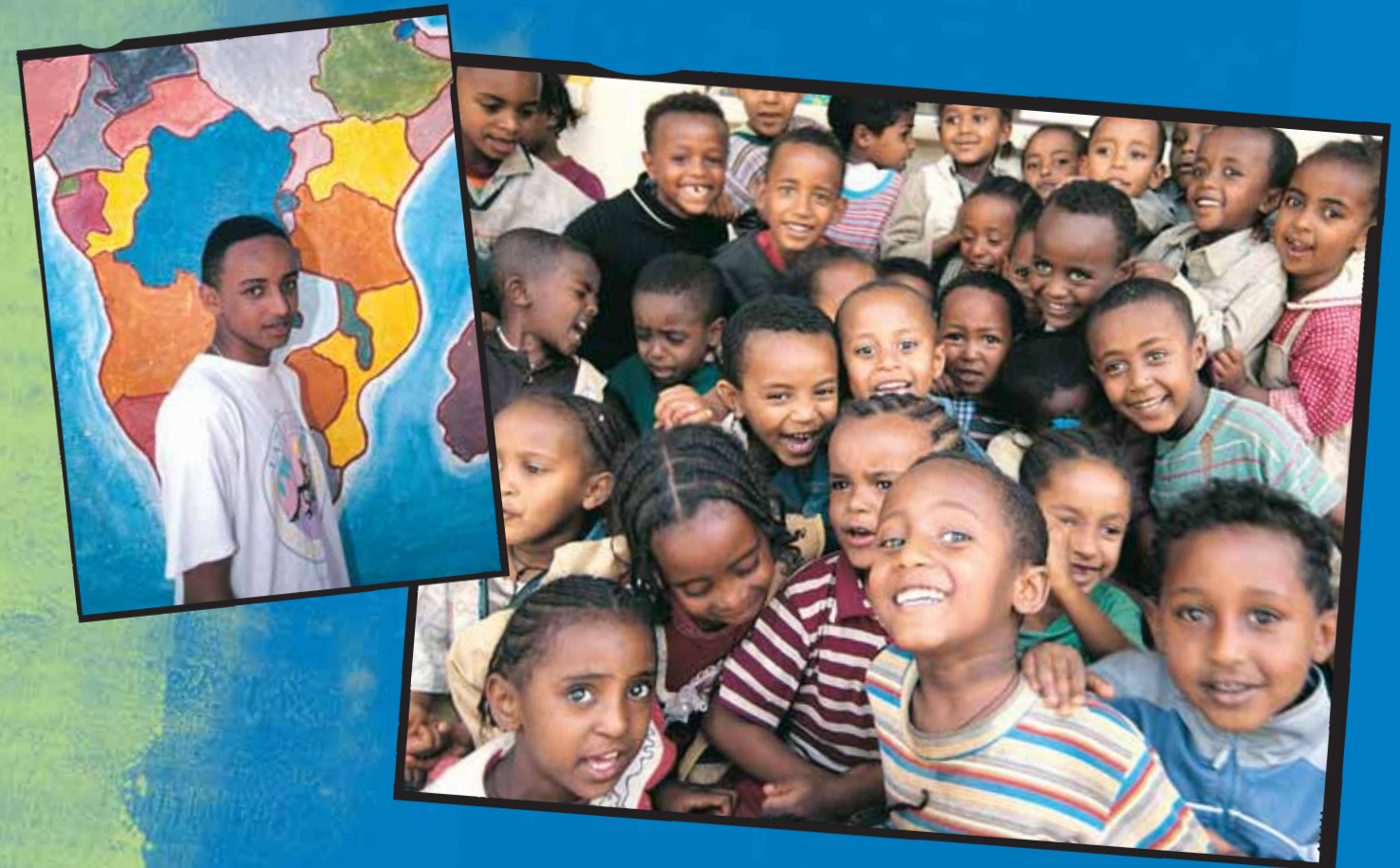


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A Review of Birth Registration in Addis Ababa and the Regional States of Oromia, Amhara and SNNPR, Ethiopia



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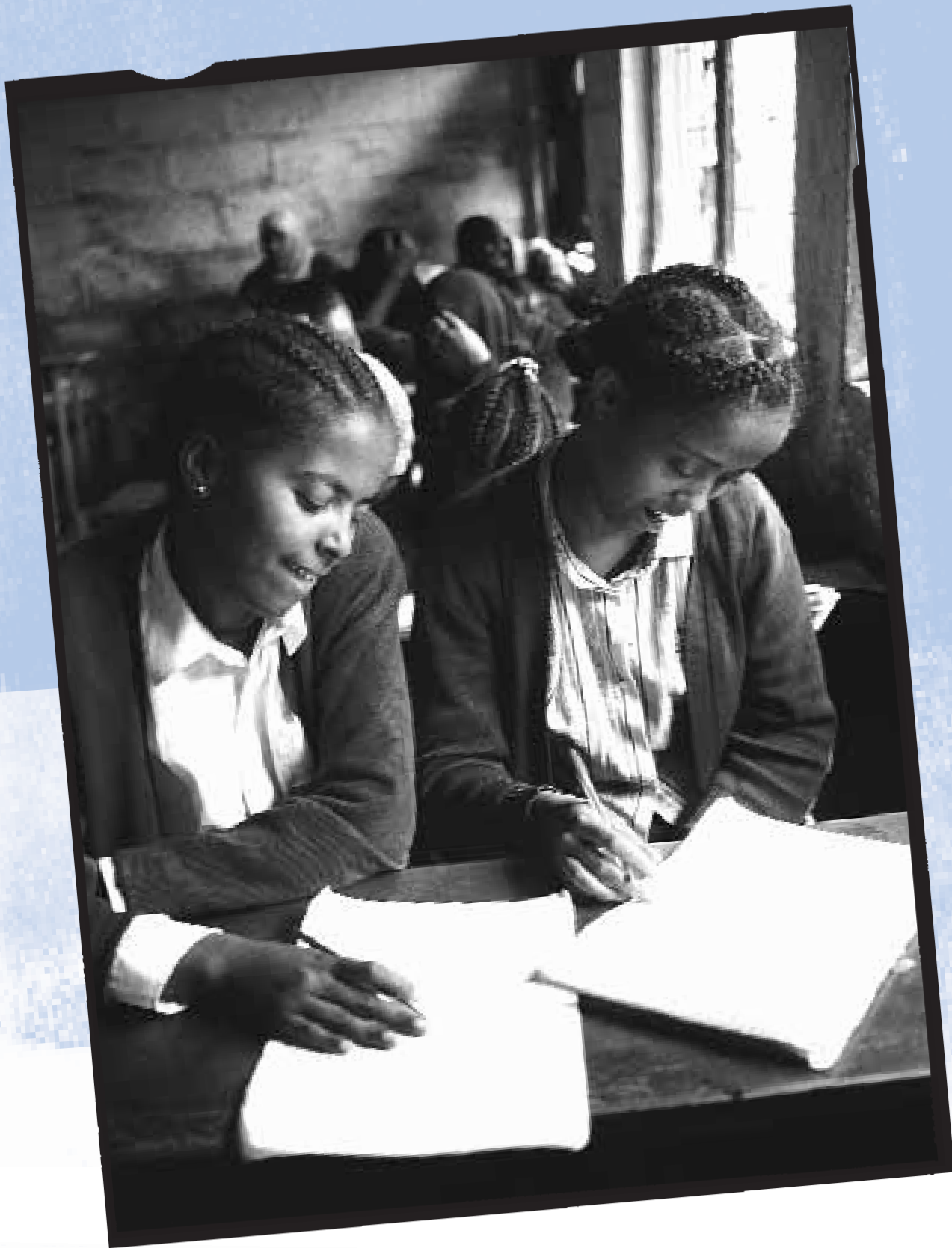
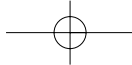
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Foreword

Birth registration is the official recording of the birth of a child. It is, in essence, the official and positive recognition of a new member of society, who is entitled to all the rights and responsibilities of a valued citizen.

The lack of birth registration may prevent a child from access to social and economic services including health, social assistance and education. Later in childhood, identity documents help protect children against early marriage, child labour, premature enlistment in the armed forces or, if accused of a crime, prosecution as an adult.

Generally, unregistered children tend to be found in countries where there is little awareness of the value of birth registration or where the registration network is inadequate. This is a serious concern for child rights organisations such as Plan, our principal collaborator and partner on a wide range of areas. The African Child Policy Forum and Plan Ethiopia thus initiated this study with a view to developing an understanding of the situation of birth registration in Ethiopia, the difficulties and obstacles, and the way forward.

The study confirms the now well-known and unfortunate fact that there is no formal birth registration system in Ethiopia. It shows that there is a legal vacuum with regard to birth registration, and therefore recommends that the enactment of legislation should be the first and most important step towards having a birth registration system.

The African Child Policy Forum would like to seize this opportunity to express once again its gratitude to Plan Ethiopia for funding this study. The Forum would also like to express its thanks and appreciation to the Research Team for ably carrying out this study.

Rakeb Messele
Manager, Technical Programs
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Executive Summary



The right to be registered at birth is enshrined under Article 7 of the United Nations (UN) Convention on the Rights of the Child (CRC) which states that: “The child should be registered immediately after birth and shall have the right from birth to a name (and) to acquire a nationality.” Yet, UNICEF estimate that 36 per cent or 48 million children are not annually registered at birth. Plan and other child focused institutions recognise birth registration as a priority issue that must be promoted universally.

Given that Ethiopia is one of the few countries in the world with no birth registration system, the births of around 2.9 million children every year are not legally recognised. Consequently, Plan and the African Child Policy Forum initiated this study with the overall objective of developing a comprehensive understanding of birth registration in Ethiopia from the local up to the institutional level and, based on this understanding, proposing a multi-stakeholder approach for a fully functional birth registration system in Ethiopia that is compulsory, universal, permanent and continuous.

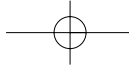
The study covered Addis Ababa and the regional states of Oromia, Amhara and SNNPR with a total target of 531 informants (40 per cent female) representing: policy makers, including members of parliament; sectoral offices, including health and education, law enforcement and judicial agencies; birth certificate issuing institutions, including hospitals, churches and municipalities; service seekers of registering institutions; school principals and children; children in difficult circumstances; and community representatives drawn from the local administration, religious leaders, community-based organisations and women/youth associations. The methodology of the study was a mixture of qualitative and quantitative methods covering different visual and oral as well as group and individual data collection techniques.

The study also included a review of the legal and policy framework for a birth registration system, an assessment of individual and institutional perceptions of birth registration, practices related to birth certification in Addis and the regional sites, and the effect and impact of the absence of birth registration on institutions and individuals. Stakeholder analysis and a comprehensive literature review were also undertaken.

The study demonstrates that there is limited understanding about what birth registration means across regions and research informants and at individual and institutional levels. The aim of achieving Universal Birth Registration (UBR) is not understood, nor is the duty of the Ethiopian Government to respect, protect and fulfil Article 7 of the CRC. In addition, it is not widely acknowledged that birth registration is part of a reliable civil registration system generating data on vital events which provide the basis for effective governmental planning and policy.

The study confirmed the absence of both a formal and informal birth registration system in Ethiopia. In an attempt to fill this vacuum, what has emerged is the practice of birth certificates being issued by churches, hospitals and municipalities.

The study also established that birth registration is not viewed as a prerequisite for issuing a birth certificate. While churches and hospitals may consult baptismal records and delivery notes in order to issue the certificates and municipalities require some kind of proof of identity, no ‘register’ of births is maintained.



What does exist is a list or record of the individuals who have benefited from the certification process. It was further discovered that these lists are not shared with a central authority for statistical or demographic purposes. This is because the records kept by hospitals and churches do not contain reliable and consistent sources of birth-related information. Furthermore, the process of issuing baptism certificates undertaken by churches is open to falsification since it is not designed to record facts about the child. Rather, it is produced as a record of payment for a service.

Even though relatively higher validity and formal value is given to the birth certificates issued by municipalities, even this certification process is said to be exposed to the falsification of age, identity, birth place and parents.

The research also noted a lack of uniformity in the appearance and contents of the certificates between issuing organisations and even amongst themselves. This observation also applied to the process for issuing a birth certificate and the procedures and mechanisms in place for acquiring birth certificates.

Other problems with the current practice include the following:

- the possibility of one person having a number of different birth certificates
- the possibility that even an accurate birth certificate can be contested due to the fact that it was likely to have been issued without reliable verification of date of birth
- the fact that birth certificates are attributed different value and validity when issued from different institutions or from different regions
- the inconsistency of acquiring birth certificates in terms of complexity, cost, and time factor even when acquiring a birth certificate from similar institutions

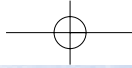
The study established that the absence of birth registration and the existence of contestable certificates has an impact on individuals in relation to the realisation of their rights. Examples of cases where the rights of the child are abused include: the right to a name and nationality; the right to protection from abuse, neglect, and exploitation including early marriage and trafficking; the right to protection from maltreatment including juvenile justice administration and child labour; the right to access basic social services including education and health; and the rights of Orphans and Vulnerable Children (OVC).

The study also noted that the absence of birth registration has an impact on institutions. The institutions targeted by the study reported experiencing problems in accessing reliable data at all levels and at different time intervals on a regular basis due to the absence of vital statistics that would be generated by a birth registration system. Community level informants also strongly felt the lack of birth registration in the sense that individuals have to calculate their own age based on unreliable oral information.

There are ongoing efforts by various institutions towards creating a system of birth registration in Ethiopia. Notable initiatives include the Government's effort to enact legislation on civil registration and pilot projects being carried out by UNICEF and the World Health Organization (WHO). It is also important to note that a number of institutions need the benefits a birth registration system would bring about and have expressed their willingness to participate in a multi-stakeholder process in order to achieve that aim.

Based on the findings of the study, a number of recommended actions are put forward from the local right up to the international level. These emphasise the primary responsibility of the government in achieving universal coverage of birth registration in Ethiopia and the need to engage with other stakeholders throughout the process. These include international organisations, development cooperation agencies, civil society, community level institutions and children themselves. Actions that need to be undertaken include: practical institutional and legislative measures, awareness creation, policy advocacy and research, capacity building, child participation and birth registration promotion activities.





1: The Study and its Approach

1.1 Introduction

Both the United Nations (UN) Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of Children stipulate that state parties have an obligation to ensure the right of children to birth registration in their respective countries. However, the performance of states is not encouraging, especially in underdeveloped nations. Regardless of geography and status, all nations need to have a birth registration system not only to ensure the realisation of a number of rights and to fulfil the practical needs of children, but also to ensure that research, development, business planning and service delivery are based on accurate and reliable data. Birth registration statistics as the source of this data saves time, effort and money spent recurrently and unnecessarily on alternative methods of data collection such as one-time surveys or special studies.

Although formulating and issuing relevant laws and policies for the enforcement of birth registration as part of a vital registration system date back to the time of Emperor Menelik II and, more recently, the Civil Code of the 1960s, a continuous, effective and comprehensive registration system has not yet been established in Ethiopia. The absence of such a system has a negative impact on the rights of individuals and data collection for policy and planning.

It is assumed that non-registration of Ethiopian children due to the absence of a birth registration system has been contributing to the invisibility of children in the whole country, making the discrimination, neglect and abuse they experience go unnoticed, and leaving their deprivation, vulnerability and exploitation unaddressed. For the government, non-state actors and other parties, the absence of birth registration makes both the delivery of basic services to citizens and the task of addressing and dealing with socio-economic problems through appropriate intervention programs difficult.

Aware of the above problem, Plan International, with its goal of achieving Universal Birth Registration (UBR) and the African Child Policy Forum (ACPF) initiated a piece of research with the following objective:

1.2 Objective of the Study

The objective of the study was to develop a comprehensive understanding of birth registration at different levels on which could be based a proposal for a multi-stakeholder approach towards a fully functional birth registration system in Ethiopia that is compulsory, universal, permanent and continuous.

In line with the overall purpose, the research sought to investigate issues around the perception of individuals and institutions towards birth registration, practices related to the issuance of birth certificates from various institutions, the policy and legal environment for the enforcement of birth registration, the obstacles to a birth registration system and the impact and effect of the absence of a birth registration system in realising human rights, rights of children and development goals.

The study further identified the needs, problems, strengths, weaknesses, threats and opportunities of birth registration from the perspective of stakeholders that could feed into the ongoing institutional efforts towards the establishment of a birth registration system in Ethiopia.

1.3 Methodology and Data Collection Techniques

The research employed a multi-strategy approach using a mixture of methodologies that included quantitative and qualitative techniques. The logic behind employing a number of data collection techniques was to verify and ensure the accuracy and reliability of data collected from various sources and so ensure the validity of the findings and conclusions.

Since the informants that the research targeted ranged in status, position and role, it was necessary to categorise them and their involvement in birth registration into various different research groups and design appropriate data gathering tools based on the type of data sought from them. Table 1.1 shows a list of the research groups that were studied with a description and summary of the data collection techniques that were employed.



1: The Study and its Approach

Table 1.1: Research Groups and Data Collection Techniques

Research group	Description of key informants	Data collection technique
Policy makers	House speakers, law and social committee members of federal and regional parliaments	Structured interview
Certificate-issuing bodies	Municipalities, hospitals/health centres and churches recording births and issuing birth certificates	Structured interview
Service seekers	People seeking birth certificates at certificate-issuing institutions	Structured interview
Sectoral offices, ministries, bureaus, etc	Prosecutors, judges and police; experts from law research institute, ministry/bureau of health, education, labour and social affairs, statistical authorities, HIV/AIDS and immigration office, population and housing census commission, and school principals	Structured interview
NGOs and UN agencies/bodies	Local and international non-government organisations and their representatives/staff	Structured interview
Urban children	Primary and secondary school students in urban areas	Structured interview
Rural children	Primary and secondary school students in rural areas	Structured interview
Children in difficult circumstances	Orphans and Vulnerable Children (including street children, children affected by HIV/AIDS etc)	Unstructured interview case study
Community leaders and members	Kebele officials, religious leaders, leaders of community-based organisations such as idir, women and youth associations and parents	Focus group discussions

In addition to the structured and unstructured interviews and focus group discussions, a literature review, examination of official documents and observation techniques were also employed to collect the required data for the research.

1.3.1 The Structured Interview

This instrument was designed and administered to obtain a rich and considerable amount of quantitative and qualitative data from all informant groups except community leaders and members (from the first seven research groups [Table 1.1]). For this purpose, the instrument was designed to have both open and closed questions through which a total of 354 informants were reached. These included house speakers, law and social committee members of federal and regional parliaments; personnel in certificate-issuing institutions such as municipalities, churches and hospitals/health centres; service seekers of certificate-issuing institutions; prosecutors, judges and police; experts from a law research institute, ministry/bureau of health, education, labour and social affairs, central/regional statistical authorities and the national population and housing census commission office; local and international NGOs, including UN agencies; school directors and children at urban and rural schools. Depending upon the type of data sought from each research group (Table 1.1) the content of the interview schedule was altered accordingly.

1.3.2 The Unstructured Interview

This tool was used to interview children in difficult circumstances, including Orphans and Vulnerable Children (OVCs). Its aim was to gather qualitative data that could show the effect and impact of non-registration on children who are in difficult circumstances. Accordingly, a total of 19 children were reached and interviewed.

1.3.3 Focus Group Discussions (FGDs)

With the aim of obtaining in-depth qualitative data, focus group discussions (FGDs) were carried out at the kebele/community level in both urban and rural sites selected from the four regions. The participants of the FGDs were deemed to represent the local community and included: kebele officials, religious leaders, leaders of community based organisations such as idir, women and youth associations and parents. This made the total number of participants in the FGDs 206. The discussion focused on the perceptions of individuals at the community level about birth registration, the practice of acquiring a birth certificate and verifying the age of children and the feasibility of a comprehensive, permanent, regular and compulsory birth registration system in Ethiopia (see Annex 1).

1.3.4 Literature Search and Review

Both published and unpublished literature related to birth registration was searched with the aim of developing the conceptual framework or understanding necessary for conducting the review. This process also helped shape the content of the data gathering instruments and identified the experience of good practices in other countries for comparative review.

1.3.5 Official Document Examination

Official documents produced by relevant organisations were also consulted to gather some of the data required for investigating and analysing the practice of certificate-issuing institutions and for examining and assessing the policy and legal framework and environment in the country.

1.3.6 Observation

Observation was a technique used throughout the field work and was used as a reference both for developing further research questions and for identifying and cross checking issues during data analysis. As a result, unstructured and non-interactive observation of children, other informants, community interactions, forms of communication and the general environment was recorded on a regular basis throughout the field work. The technique was also utilised to learn about the operational environment at the certificate-issuing institutions.

1.3.7 Research Sites, Population and Sample Selection

There were a large number of potential research sites in Addis Ababa, Oromia, Amhara and SNNPR. Of Ethiopia's estimated population, almost 85 per cent reside in these regions. Correspondingly, a total of 44 administrative zones, 831 woreda towns, over 9,000 kebeles and 15,000 social organisations/institutional establishments were directly or indirectly linked with birth registration issues in the country.

As a result, it was necessary to limit the scope of the review so that the study was a manageable size. Accordingly, 48 geographical locations/sites were selected (12 regional zones/sub cities and 36 woredas/kebeles). Within the 48 geographical sites, 161 institutional sites were then selected. The selection was approached by employing a stratified/quota sampling technique. The main stratifying/quota criteria used in selecting geographical and administrative locations/sites were the level of urbanisation and development, administrative structure and equal representation. Regarding institutional sites, the criteria include the availability of well established certificate-issuing systems and richness of experience.

1: The Study and its Approach

A total of 771 informants were targeted from the four regions selected for the review. The response rate was found to be 75 per cent (581 respondents). The diagram below demonstrates the proportion of male and female informants who participated in the research which was 60 per cent (346) and 40 per cent (235) respectively. In a male-dominated society like Ethiopia, it is not surprising that more males were involved in the study. However, every effort was made to narrow the gender disparity.

The table below summarises the characteristics and distribution of key informants targeted and reached through the various research instruments discussed earlier.

Table 1.2: Key Informants Targeted and Reached

Research group	Target	Achieved		AA	OR	AM	SN
	N=	N=	%				
Policy makers	15	8	53	2	1	2	3
Registering institutions	36	34	94	8	9	8	9
Service seekers	120	71	59	19	17	16	19
Sectoral offices	78	53	68	9	13	16	15
NGOs & UN agencies	30	16	53	16	–	–	–
Urban children	60	106	177	28	29	27	22
Rural children	60	68	113	–	20	28	20
Children in difficult Circumstances	12	19	158	5	5	4	5
Community leaders	360	206	57	57	64	45	40
Totals	771	581	75	144	158	146	133
Participation by region (%)				25	27	25	23

1.4 Limitations of the Study

The major limitations of the study were:

- the limited sample size which was due to the difficulty of covering all potential research sites and informants from the four regions selected for review
- the research could have utilised richer and fuller data if the response rate had been 100 per cent. As it was, only a 75 per cent (581) response rate was achieved out of the 771 targeted informants. The remaining 25 per cent were not able to participate in the research due to various reasons: lack of interest and time; the difficulty of accessing policy makers since parliaments were not in session; and the unavailability of NGO workers because it was the end of the fiscal year
- although the imbalance between the proportion of males (60 per cent) and females (40 per cent) was not significant, the composition of the informants could also be identified as one of the limitations of the research
- the research team could not locate and access all the studies on birth registration that have been completed at the national or regional level



2: The Meaning of Birth Registration

2.1 What is Birth Registration?

Birth registration is the official recording of the birth of a child by some administrative level of the state and is coordinated by a particular branch of government. It is part of a system of civil registration, which is also referred to as the registration of vital events. Civil registration is a system where the occurrence and characteristics of vital events pertaining to the population like births, deaths, marriages and divorces are recorded in a continuous, permanent and universal manner. The purpose of civil registration is primarily for establishing the legal documents provided by the law. These records serve also as a primary source of vital statistics¹.

Since birth registration is the foundation of a civil registration system and acts as the starting point of all other data flow, it is particularly important. An ideal or a fully functional birth registration system should have four major qualities. It should be universal in the sense that the system should be designed to register every newborn child in the country. It should be compulsory to ensure that every child is registered. It should also be permanent and continuous, to ensure registration without interruption².

Although it may vary from country to country, the content of a birth record should, as a minimum, include the child's name, sex, date and place of birth, the name, address and nationality of both parents' and the name and signature of the registrar. Other particulars that may be entered in a birth record include the date of birth of the child's parents, name and address of the person making the declaration, names and addresses of witnesses and so on³.

Birth registration is usually accompanied by the issuance of a document called a birth certificate. A birth certificate is a legal document issued to an individual by the state to prove that a birth has been recorded. Therefore, birth registration, and the issuing of a birth certificate are two distinct yet interlinked events, wherein birth registration is a prerequisite for issuing a birth certificate in normal circumstances.

1 UNICEF (2002:2); Plan (2005:12-13)
2 UNICEF (2002:2); Plan (2005:12-13)
3 UNICEF (2002:2)

2.2 The Need for and Significance of Birth Registration

Civil registration in general and birth registration in particular is an essential instrument for the normal functioning of any society. Birth registration plays a crucial role in the realisation of a range of human rights as well as in promoting democracy and good governance. Birth registration is also an indispensable instrument to generate accurate demographic data, which is essential for government and other institutions to plan and meet the needs of citizens. In general the significance of birth registration can be broadly categorised into two:

- to provide for the legal protection of citizens and realisation of human rights
- to attain individual information needed to provide public services at the lowest level of administration and to collate accurate and continuous demographic data essential to plan, implement and monitor policies and programs

2.2.1 Birth Registration and Human Rights

Birth registration is closely linked with human rights, in particular with the rights of children. The linkage between birth registration and human rights can be expressed in two ways. On the one hand, birth registration is a human right by its own merit and is recognised by various human rights instruments, including the Convention on the Rights of the Child (CRC) and the International Covenant on Civil and Political Rights (ICCPR). Accordingly, Article 7 of the CRC provides that every child shall be registered immediately after birth and has a right to a name and nationality and to know his or her parents. Where the right to birth registration is not recognised, a child is virtually non-existent in the legal sense as proof of birth represents the first acknowledgement of the child's significance to the country and the child's status under the law.

The right to birth registration is a basic human right, the non-observance of which deprives a child of the privileges and protection that a nation offers its citizens. In the absence of birth registration as proof of age and identity, a country cannot even answer the question 'who is a child?' The principle behind the recognition of the rights of a child emanates from being a child, which is determined only by age, which in turn requires birth registration.

The non-observance of birth registration, as well as being a violation of a right in itself, makes children invisible and marginalised, depriving them of their other rights⁴.

The right to have a name and nationality: Children have the right to have a name and nationality. Birth registration guarantees that the child is given a name and that it is legally recognised. It also acts as the basic source of information on which to establish the nationality of the child, which may be based either on the place of birth or the nationality of the parents and sometimes both.

The right to know parents and have their care: The right to know one's parents and have their care is a basic right of children. Birth registration includes information about the parents of the child. This facilitates the realisation of the right to know one's parents. It also assists children to benefit from the protection and care to be given by parents and guardians. It also helps the government to ensure that parents/guardians have duly discharged their obligation to provide care and protection to the child.

The right of the child to be protected against abuse and exploitation: The right of the child to be protected against any form of child abuse and exploitation cannot also be effectively implemented without a systematised birth registration system. The protection of children from early marriage, child labour, child sexual exploitation and many other abuses cannot be addressed effectively without proof of age. For instance, birth registration ensures that girls are not given away for marriage before they attain the required age limit through falsifying their age, since data collected by means of birth registration is difficult to falsify.

The absence of birth registration not only contributes to child abuse but also further victimises abused children. Speedy trial involving children is compromised causing additional trauma to the child and increased costs for, in many instances, poor parents. Even when the law stipulates a higher penalty for offences against children (for example statutory rape), failure to establish and prove the age of the victim means that children do not get adequate redress for the violation of their rights, while perpetrators are often punished under a less serious offence⁵.

4. UNICEF (2002); Plan (2005:16-25)

5. Plan Philippines (1999:32)

2: The Meaning of Birth Registration

The right of the child not to be involved in armed conflict: Children are actively involved in armed conflict in many parts of the world, particularly in a number of nations in Sub-Saharan Africa. The Optional Protocol to the CRC on the Involvement of Children in Armed Conflicts has raised the age limit for recruitment and deployment of children into military service from 15 to 18. Yet, without reliable proof of age, it is difficult to implement effectively this provision and thereby protect children from being used as soldiers⁶.

The rights of children in conflict with the law: Without proof of age, the special protection provided for in law to young offenders can be denied. Especially in cases of serious crimes in countries where the death penalty is still practised, proof of age can mean the difference between life and death. In countries where the birth registration rate is low, the very objective of juvenile justice administration, rehabilitating children in conflict with the law, cannot be realised. Children could end up being detained, convicted and sentenced as adults. Juvenile justice administration can, therefore, only be realistic if the age of children can be established. Accurate information about the age of children can be obtained provided that a strong birth registration system is institutionalised⁷.

The right to participate in the political life of the country: To elect and be elected is a key right of citizens in order to participate in the conduct of public affairs. It is common practice that election processes are tied up with establishing citizenship as well as date of birth. This information can be more easily established if there is a birth registration system⁸.

The right of access to social services: In many countries, where registration systems are not yet fully implemented, a birth certificate is required to gain access to the country's basic services, such as health care, school enrolment, social benefits and getting a passport. As a result, countries are compelled to overlook their own rules requiring proof of birth to access services. This is especially true in the case of rural areas where rates of registration are very low. For instance, Kenya, Myanmar, Pakistan and Uganda require a birth certificate for school enrolment but do not enforce that regulation in the rural areas. Although this shows that even in the absence of a birth certificate, children do receive services; the mere fact that they have access to services does not lead us to conclude that the absence of birth registration does not deny children of their basic rights. Lack of registration still means that their needs are not anticipated and accordingly planned for⁹.

2.2.2 Birth Registration and Development

Although development is also a human rights issue in itself, it is important to understand the significance of birth registration to development. This can be achieved by focusing on its statistical value. Every country needs accurate data on vital statistics in order to plan and meet the needs of its citizens. Vital statistics in terms of births, deaths, divorces and fertility should be available for governments to use for economic and development planning for the benefit of its citizens.

Birth registration as part of civil registration is the most accurate way to update population census data collected at ten-year intervals. Effective registration that provides detailed information on population growth at every administrative level, from national to local, allows a government to measure not only overall trends in fertility and mortality, but also differentials among population groups and administrative levels.

It also helps to identify geographic, social and gender disparities within a country. People in the least developed parts of a country and people of minority and other marginalized groups may have the lowest birth registration rate. In the absence of such data these groups of a society could be further excluded. Such data, therefore, gives an accurate picture of the situation in order to better plan the development and implementation of development policies, particularly in health, education, housing, water and sanitation, employment, and agricultural and industrial production.

The lack of this important data prevents the government from allocating budget to those who are in greatest need. Birth registration also provides information to plan and coordinate immunisation efforts, monitor child growth, promote universal enrolment in primary education, monitor and address dropout (especially among girls due to religious, cultural and traditional values of the community) all of which are paramount in a child's life. Accurate data further serves international organisations and non-governmental organisations to program their activities with greater impact¹⁰.

6. UNICEF (2002:6)

7. UNICEF (2002:6)

8. UNICEF (2002:7)

9. www.unicef.org/pon98/civil8.htm

10. www.unicef.org/pon98/civil8.htm

Monitoring the fourth Millennium Development Goal (MDG) is another added significance of having a birth registration system. Improved rates of birth registration, as part of effective civil registration systems, would assist the international community in monitoring progress towards the fourth MDG, which is reducing by two-thirds the under 5 mortality rate between 1990 and 2015¹¹.

Unlike censuses conducted every ten years, civil registration enables authorities to decipher trends at shorter intervals, for instance on a yearly, quarterly and monthly basis. Whilst other sources of data, such as sample surveys and population censuses, are important alternate sources of information, they are also recognized to be more expensive and not cost effective¹².

2.3 State of Birth Registration across the World

Related studies and surveys indicate that data concerning unregistered children are approximate. Most unregistered children are found in developing nations and even within a country, children born in rural and remote areas and children born of parents who are marginalised because of ethnicity and poverty, are more likely not to be registered. Even in industrialised countries where the rate of registration is as high as 98 per cent, birth registration cannot be claimed as a universal human right¹³.

According to UNICEF (2005), South Asia has the largest number of unregistered children with 63 per cent of births unrecorded. In Sub-Saharan Africa, 55 per cent of all births go unregistered. Next is central and eastern Europe, the Commonwealth of Independent States and the Baltic States where 23 per cent of children are not legally recognised. In East Asia and the Pacific, 19 per cent of births are not registered and in the Middle East and North Africa this figures stands at 16 per cent. 15 per cent of children are not registered at birth in Latin America and the Caribbean and, finally, 2 per cent of children in industrialised countries are 'invisible'.

Table 2.1: Registration Status of Children across the World

No data	Armenia, Bahrain, Burkina Faso, Costa Rica, Ecuador, Egypt, El Salvador, Eritrea*, Ethiopia*, Guatemala, Jordan, Kyrgyzstan, Lebanon, Liberia, Malawi, Mexico, Morocco, Mozambique, Nicaragua, Pakistan, Paraguay, Peru, Romania, Somalia*, South Africa, Sri Lanka, Syrian Arab Republic, Thailand, Tunisia, Turkey, Turkmenistan and Yemen
Less than 25% of children registered	Afghanistan, Bangladesh, Cambodia, Ghana, Kazakhstan, Tanzania, Timor-Leste, Uganda and Zambia
Less than 50% of children registered	Angola, Chad, Democratic Republic of the Congo, Equatorial Guinea, Gambia, Guinea-Bissau, India, Mali, Myanmar, Nepal, Niger, Sierra Leone and Zimbabwe
Less than 75% of children registered	Benin, Botswana Central African Republic, Cote d'Ivoire, Guinea, Haiti, Indonesia, Lao People's Democratic Republic, Kenya, Lesotho, Mauritania, Namibia*, Nigeria, Maldives, Rwanda, Sao Tome and Principe, Senegal, Sudan, Swaziland and Vietnam
75 – 100% of children registered	Albania, Azerbaijan, Bolivia, Bosnia & Herzegovina, Brazil, Burundi, Cameroon, Colombia, Comoros, Cuba, Democratic People's Republic of Korea, Dominican Republic, Gabon, Georgia, Guyana, Iraq, Jamaica, Madagascar, Mongolia, Occupied Palestinian Territory, Philippines, Republic of Moldova, Suriname, Tajikistan, Togo, Trinidad and Tobago, Uzbekistan and Venezuela

State of the World's Children (2005) MICS and DHS data (*no birth registration system)

11. Plan (2005:11)
12. UNICEF (2002:7)
13. UNICEF (2002:7)

2: The Meaning of Birth Registration

The most common factors or barriers responsible for the low rate of birth registration across the world include: lack of political will or attention on the part of governments, administrative obstacles, complete absence or inadequacy of legislation, resource constraints, geographical barriers and socio-cultural factors.

Despite the low rates of birth registration in many parts of the world, there are countries which are waging successful campaigns to raise their birth registration levels. Many of these countries are assisted by organisations such as UNICEF and Plan whose efforts are exerted towards realising universal coverage of the right to be registered as enshrined under Article 7 of the CRC.

Uganda is one of the countries which used to have a good birth registration system. Started in 1904, the system covered the entire country by 1930, but was unravelled completely due to the bloodshed under General Idi Amin. Uganda is now making a great effort to revitalise its system and its efforts are showing an encouraging result. By the first year of revitalising its registration system, the number of children registered was 1 million¹⁴.

The Philippines has designated a Civil Registration Month and conducts a mass campaign on birth registration every February. A nationwide publicity drive about the importance of registration together with awards for the best performing registrars is conducted to complement the registration process¹⁵.

Recent birth registration campaigns in Bangladesh have resulted in the registration of over 4 million children whereas in India a national registration campaign is operating in 15 different languages. Television, publicity and documentary films shown in cinemas are included as part of the campaign which, in the first four months, resulted in the registration of more than 230,000 children¹⁶.

Together with the Ministry of Interior, the Asian Development Bank and UN volunteers, Plan in Cambodia is running a national mobile registration campaign. Within eight months, 5.7 million or 46 per cent of the total population have been registered and the Ministry of Interior aims to have the total population registered by the end of 2005¹⁷.

In addition to campaigns, attempts are being made by some countries to register births electronically. One of the oldest municipalities of Bangladesh, the city of Rajshahi, introduced an electronic Birth Registration Information System (BRIS) on a pilot basis in April 2001. The birth registration system is based on disrupted application architecture, with four clients and one server connected via a local area network. BRIS registers births electronically by providing a basic citizen identity and building this along with other data into a population database that is shared with other public agencies. For instance, the Department of Health uses birth registration data to ensure immunisation coverage by providing health workers with vaccination lists and parents with immunisation schedules. The school enrolment process could also be assisted by the system¹⁸.

The purpose of the electronic system is to speed up the registration process which was previously done manually. It is believed that the system helps to avoid errors, duplications and inconsistencies through a centralised storage of data. In addition, both registration and immunisation rates have increased since the introduction of the system. The main stakeholders are the health and statistics agencies of government and the Rajshahi City Corporation.



14. www.oggham.com/cambodia/archives//000484.htm
 15. www.oggham.com/cambodia/archives//000484.htm
 16. www.oggham.com/cambodia/archives//000484.htm

17. www.plan-international.org
 18. www.egovdev.org/rajshahi.htm



3: Review of the National Policy and Legal Framework for Birth Registration

A fully functional birth registration system necessarily requires an effective and appropriate policy and legal framework. Ineffective or incomplete civil registration legislation and, in some cases, the complete absence of legislation are among the major contributing factors for the poor status of birth registration in many countries.

The first official attempt to organise a statistical system for measuring vital events in Ethiopia was by Emperor Menelik II in 1900 EC. The principal objective of Menelik's proclamation was to empower the Ministry of Interior to carry out annual population censuses throughout Ethiopia and to establish a vital registration system by recording the number of births, deaths and marriages and reporting the results to the Emperor and his Ministers¹⁹.

A number of other legal and policy measures have been undertaken since then, particularly from the 1960s onward. This next section describes the relevant policy and legal instruments that exist in Ethiopia with regard to civil registration in general and birth registration in particular following Emperor Menelik's first endeavour. It also evaluates the legal and policy framework with a view to identifying the major problems.

3.1 International Instruments

Article 7 of the Convention on the Rights of the Child (CRC) states that "every child shall be registered immediately after birth and shall have the right from birth to a name and nationality and to know his or her parents". This provision makes birth registration, in and of itself, a fundamental right of every child. It also demonstrates the interconnection between birth registration on the one hand and the rights of the child to a name, nationality and to know his or her parents on the other. Article 24(2) of the International Covenant on Civil and Political Rights (ICCPR) also specifies that "every child shall be registered immediately after birth".

According to Article 9 of the Constitution of the Federal Democratic Republic of Ethiopia (FDRE), all international agreements ratified by Ethiopia are an integral part of the law of the land. Yet, although Ethiopia ratified the CRC on 14 May 1991 and the ICCPR on 11 June 1993, The Committee on the Rights of the Child (the body responsible for monitoring the implementation of the CRC) has expressed concern at the very low levels of birth registration in Ethiopia. The Committee has observed that insufficient steps have been taken to ensure the registration of children after birth and believes that the State registration procedure is hampered in practice by a lack of registration desks, especially in rural areas. The Committee has also expressed its concern in relation to the lack of adequate means available for the registration of refugee children.

19. Mekonen Tadesse (ed), ESA 2001, p.8

3.2 The 1995 FDRE Constitution

Article 36 of the 1995 FDRE Constitution specifies the right of the child to a name and nationality, as well as the right to know his or her parents. Because there is a direct relationship between birth registration and these rights, it can be asserted that the FDRE Constitution implies acknowledgement of birth registration as an indispensable instrument for their attainment. This is certainly in line with international consensus.

The above assertion is given additional validity when viewed in light of Article 13(2) of the Constitution, which stipulates that the human rights enshrined in the Constitution should be interpreted in accordance with international human rights instruments adopted by Ethiopia. As stated above, the CRC clearly establishes a connection between birth registration on the one hand and the rights of the child to a name, nationality and to know his or her parents on the other.

3.3 The National Population Policy of Ethiopia

The National Population Policy of Ethiopia is another document in which the government's policy on birth registration is reflected. In this document, enacting laws/regulations that make the registration of vital events, including birth, compulsory is identified as one of the major areas of population activities requiring priority attention. Moreover, establishing a nationwide registration system of vital events like birth, marriage, death and so on is mentioned as one of the duties and responsibilities of the National Office of Population. The responsibility to facilitate the establishment of vital registration systems is also imposed on the Central Statistical Authority.

3.4 The National Plan of Action for Children

Issued in June 2004, Ethiopia's National Plan of Action for Children for the period 2003–10 also notes the importance of birth registration. In this Plan of Action, registering every child (through kebele and woreda administration) in most urban centres, is one of the activities planned under the program of protecting children from abuse, exploitation and violence.

However, given that the CRC and ICCPR recognise that every child is entitled to birth and the fact that comprehensiveness or universality is one of the basic requirements for the existence of a fully functional civil and birth registration system, the plan to register only children in urban areas seems short-sighted and is problematic from a human rights perspective, as it would amount to a discrimination against and a violation of the rights of children in rural areas.

3.5 The 1960 Civil Code of Ethiopia

The 1960 Civil Code of Ethiopia is the only piece of legislation that sets out detailed and comprehensive rules on civil registration. Book I, Title I of the Civil Code devotes a whole chapter (Articles 47 to 153) to establishing a system of civil registration. From the outset, Article 47(1) makes clear the importance of civil registration by specifying that births, deaths and marriages shall be proved by means of the records of civil status. The chapter dealing with the registration of civil status is divided into seven sections, the contents of which are discussed briefly below.

Section One (Articles 48 to 73) deals with officers of civil status, their appointment and duties both in urban and rural areas, as well as in jurisdictions outside Ethiopia. Concerning appointment, an officer of civil status is to be appointed in each urban and rural commune by the governor of the province. One or more assistants to the officer of civil status who shall replace him or her in his absence are also to be appointed by the governor. Where the appointed officer of civil status or his assistants are not in a position to carry out their duties, the head of the commune is required to act as the officer of civil status in his territory. Consuls of Ethiopia and commanding officers of ships flying the Ethiopian flag are also required to carry out the duties of officers of civil status as the need arises.

3: Review of the National Policy and Legal Framework for Birth Registration

Ensuring that the births, deaths and marriages taking place within his or her jurisdiction are entered into the register of civil status is among the major duties of the officer of civil status. Records of birth shall be drawn up within three months of the birth of a child. Records of births drawn up after the three months period has expired are given only the probatory value of simple information. In rural areas which have not been assigned a particular officer of civil status, information concerning civil status shall be gathered by an officer at least once a year. The officer of civil status is also responsible for maintaining the registers of civil status; ensuring their custody and conservation and delivering to interested persons extracts from or copies of records contained in the registers.

Section Two specifies that three kinds of registers shall be kept for each commune and in each consulate: a register of births, a register of deaths and a register of marriages. These registers may not be removed from their place unless the law provides for or authorises their removal. The law imposes a duty on the Ministry of Interior and the Ministry of Foreign Affairs to supply the registers free of charge to every commune and consulate. This section also specifies rules on the compulsory information that the register is expected to contain, the form the registers should take and the control mechanism for ensuring proper and safe keeping of the registers.

Section Three deals with records of civil status and contains rules applicable to all the three kinds of registers, as well as rules for each kind of record. The particulars to be entered in all kinds of register must be written clearly and without any abbreviations. They should also not contain erasures, words written over another or additions. All records should also contain the day, the month and the year when they were received and bear the signature of the officer of civil status.

In relation to records of birth, this section specifies that they should show the day, month and year of the birth, the sex of the child, the first names of the child, the names, dates and places of birth of his or her parents and, where appropriate, the names and date and place of birth of the person making the declaration. A declaration of birth and the drawing up of a record of birth are required only if the child has lived for 48 hours. If the child has lived for less than 48 hours, his or her birth and death goes unrecorded.

While the law allows any person to declare the birth of a child to the officer of civil status, it imposes a duty to declare such a birth on to the father of the child, or, in his absence, on to the mother or guardian of the child, or in their absence, on to the person who has taken care of the child. The officer of civil status is authorised to draw up a record of birth on his own initiative if he is aware of it. The law also sets out rules for the registration of the birth of a child whose identity is unknown.



Section Four contains rules pertaining to the correction of civil status records. An order or judgment from a court is required to correct records of civil status. An application for correction may be made by the public prosecutor or by the departmental office of civil status or any other interested person. Applications for adding a first name and for the correction of clerical mistakes are to be decided by the president of the court by way of an order. All other applications for the correction of the records of civil status shall be decided by judgments delivered by the courts. The corrections are to be made, either by making alterations on the previous record or by drawing up a new record.

Rules and procedures dealing with copies of and extracts from records of civil status are laid down in Section Five. Depositories of the registers are duty bound to disclose to any person making an application for copies or extracts from the record of birth, but without revealing any other particulars, the date when the record was drawn up, the date and place of birth, the sex and the first names and family name of the child. However, actual copies of the record of birth may only be issued to the heirs of the child, to public administrative bodies or with the authorisation of the court. Copies or extracts of the records of civil status are to be issued on printed forms, which would be prepared and supplied by the governor. The law also provides for the payment of a prescribed fee to get copies or extracts of records of civil status.

Civil and criminal liabilities to be imposed against any person who violates the rules of civil registration are treated under Section Six. Officials of civil status who violate the laws on civil registration have civil liability to any person who suffers harm as a result of such violation. Witnesses and those who make declarations are also liable for the accuracy of the facts which they attest to or corroborate. An officer who fails to draw up a record or who fails to declare an event to the department office of civil status within the prescribed period is criminally liable as prescribed in the Penal Code. Any person who fails to make the proper declaration or who makes inaccurate declarations, any person who destroys or alters a register of civil status and any person who knowingly makes use of a fraudulently altered record, copy or extract of a record is also punishable in accordance with the provisions of the Penal Code.

Section Seven deals with rules that pertain to acts of notoriety. An act of notoriety is to be drawn by an official authorised by a court of law in the following circumstances: where the registers of civil status have not been kept regularly or where they contain gaps; where they have been lost or torn; where it is very difficult to obtain a copy of the record where the person does not know the place the record has been made or where the law so provides.

Several observations can be made about the provisions in the Civil Code that deal with civil registration. The birth registration system intended in the Civil Code is universal in the sense that all children in the nation, whether in rural or urban areas, are required to be registered. It is also compulsory as it imposes a duty to declare birth on officers of civil status together with sanctions for failure to declare. In addition, the Civil Code provides for a permanent and continuous system of registration. Therefore, it can be said that the birth registration system designed in the Civil Code meets the basic elements of a full functional registration system – universal, compulsory, permanent and continuous.

However, problems surface around the question of whether the birth registration system provided for in the Civil Code reflects current realities. A number of changes in circumstances have taken place since 1960 that have an impact on the registration system. For instance, changes in government administration structure such as the introduction of a federal system of government, the dissolution of the Ministry of Interior and the establishment of kebele administrative structures would make the application of some of the provisions problematic.

There have also been significant developments in international and domestic laws concerning human rights in general and the right to birth registration in particular, which up-to-date legislation on birth registration should take into account. Moreover, significant advancements in information technology, which are very relevant to establishing an effective and easily accessible birth registration system have taken place. Failure to provide for the use of such technological advancements is one of the drawbacks of the civil registration system designed in the Civil Code.

At any rate, the provisions of the Civil Code on civil registration have never been operational due to a transitory provision in the Civil Code itself (article 3361), which specifies that provisions pertaining to registers of civil status shall not come into force until a day to be notified by an Order published in the Negarit Gazeta. However, such an Order has never been issued to date, meaning that the rules on civil registration remain only on paper.

3: Review of the National Policy and Legal Framework for Birth Registration

3.6 The 1957 and Revised Penal Codes of Ethiopia

The 1957 Penal Code of Ethiopia contains provisions that deal with offences related to the failure to register a birth. In this regard, Articles 623 and 624 are most pertinent. Article 623 deals with the omission to register the birth of an infant and provides that “relatives, doctors, midwives or the directors or administrative officers of medical institutions or clinics who fail to register the birth of a new-born infant with the appropriate civil authority, are punishable with a fine not exceeding five hundred dollars, or with simple imprisonment not exceeding one month”. Article 624 deals with the issue of false registration and imposes a simple imprisonment, or in aggravated cases, a rigorous imprisonment not exceeding five years, on a person who makes false statements concerning the birth of an infant.

In addition to the above provisions of the Penal Code which deal directly with offences related to birth registration, there are also provisions relevant to offences related to birth registration. These include provisions dealing with forgery of instruments and certificates (Articles 383 to 398), breach of official duties (Article 412) and failure to make compulsory official declarations (Articles 428 and 758).

Apart from some changes to wording and numbering, the principles and penalties related to failing to declare a birth and making a false birth declaration are maintained in the revised Penal Code of Ethiopia. Although this has already been adopted by the House of Peoples’ Representatives, it is awaiting publication before it can come into force.

The transitory provision in the Civil Code that postponed the application of the rules on civil registration has also affected the applicability of the Penal Code provisions related to failure to declare birth and making a false birth declaration. This is because in the absence of a birth registration system, it is impossible to talk of such offences.

3.7 The Revised Family Law of Ethiopia

Issued in July 2000, the Revised Family Law of Ethiopia imposed a duty on the Federal Government to issue a law on civil registration and to establish the institutional arrangements needed for its implementation within six months of its promulgation (Article 321[1]). However, despite the fact that it has been well over four years since the Revised Family Law was promulgated, the Federal Government has yet to discharge its obligation of issuing a law on civil registration.

Article 321(2) of the Revised Family Law provides that, until such time that the office of civil status is established and commences its work as per article 321(1), certificates of birth, marriage and other similar certificates already given or that will be given by appropriate bodies shall be treated with the same legal validity as if they were given by an officer of civil status. This provision therefore gives legal recognition to the existing practice of issuing birth certificates, which is mainly performed by municipalities.

The family laws issued by some regional states also contain transitory provisions similar to Article 321 of the Revised Family Law, albeit with some modifications. The Oromia Family Law, for instance, instructs that a registration system should be established. However, it does not set out a time frame for establishing the system. The Amhara Regional State Family Law sets a two-year time frame for the establishment of a registration system.

Apart from provisions which are directly related to the establishment of a civil registration system, different provisions in the Revised Family Law underline the importance of civil registration as a means of proof of status. In particular, Article 154 provides that the record of birth is the principal means of proving both paternal and maternal filiations.

3.8 Proclamation Number 104/1976 and Proclamation Number 206/1981

The previous government attempted to establish a civil registration system through the kebele structure. Accordingly, the Urban Dwellers Association Consolidation and Municipalities Proclamation No. 104 was issued in 1976. This provides under Article 9(14) that the powers and duties of the kebeles include keeping registers of births, deaths and marriages within the kebele.

The Urban Dwellers' Association and Urban Administration Proclamation No. 206/1981 was another piece of legislation that attempted to establish a civil registration system through the kebele structure. Article 13 (15 to 17) of this proclamation specifies that kebeles should keep proper registers of houses, the number of residents and records of births, deaths and marriages in accordance with directives to be issued. However, such directives have not come into existence.

The scope of Proclamation Nos. 104/1976 and 206/1981 only covers urban areas and, as such, has similar problems to those discussed under the National Plan of Action for Children. In addition, as stated above, the Proclamations simply give power to kebeles to register civil status without providing detailed rules on how the registration is to be carried out. This could be one reason why the kebeles have never kept proper registers of vital events.

Moreover, the Institution of the Urban Dwellers' Association no longer exists. The kebele structure has become a formal unit of government administrative structure governed by rules of the civil service. Therefore, it can be said that Proclamations Nos. 104/1976 and 206/1981 are practically repealed and are no longer operational.

On the other hand, under Proclamation Nos. 79 and 303 of 1972, the Central Statistical Authority (CSA) of Ethiopia has been designated with the responsibility of conducting vital registration - that is the registration of births, deaths, marriages and divorces of the population and the basic sources of information of its dynamics²⁰.

3.9 Draft Proclamation to Provide for Establishing a Central Office for Registration of Vital Events and Organisation of Vital Events Registration System

A proclamation providing for the establishment of a central office for the registration of vital events and the organisation of a vital events registration system was drafted by the Justice and Legal System Research Institute and submitted to the House of Peoples' Representatives in April 2001. Accordingly, the House has been studying and considering this draft Proclamation through its standing committees.

The Proclamation is basically prepared along the lines of the 1960 Civil Code provisions that deal with registration of civil status. In other words, the draft proclamation on the registration of vital events is the revised version of the Civil Code on civil registration. As such, most of the provisions outlined in the Civil Code have found their way in to the draft proclamation with little or no changes.

Significant changes that have been introduced into the draft Proclamation mainly relate to the institutional arrangements for carrying out the registration process. Accordingly, the draft Proclamation establishes at the federal level a central office for the registration of vital events, which coordinates and facilitates the registration of vital events throughout the country. It also provides for the establishment of regional offices and kebele registration offices, which actually carry out the registration of vital events.

The head of the central office is to be appointed by the Prime Minister, whereas heads of regional offices are to be appointed by regional executives. Officers of civil status at the kebele level are to be appointed by the councils of regional states.

20. CSA-PASC (1995:3)

3: Review of the National Policy and Legal Framework for Birth Registration

The draft Proclamation reduced the time for declaring births from the 3 months or 90 days stipulated in the Civil Code to 60 days. The Civil Code requires registration of birth only if the child has lived for 48 hours, while the draft proclamation does not contain any such requirement. Furthermore, whereas the Civil Code is silent on the duty of health institutions to declare or report a birth, the draft Proclamation provides that any medical professional health institute which has conducted the delivery of a child shall have the responsibility of preparing a birth certificate. In this regard, the provision would be more comprehensive if it also imposed a duty on health institutions to report births to registration offices. Finally, the Civil Code sanctions late registration of birth by providing that it shall only have the probatory value of simple information, whereas the draft Proclamation does not impose such a sanction.

In general, the draft Proclamation, like the Civil Code, is positive in that it provides for a compulsory, universal, permanent and continuous system of civil registration. It also envisages the use of modern technologies in the registration system. In this regard, one of the powers and duties of the central office is to create the necessary conditions whereby the registration system is supported by appropriate modern technology and exchange of information. However, the draft Proclamation needs to be enriched and refined, ideally through the comments of all stakeholders.

3.10 Main Findings of the Review of National Policy and Legal Framework

Two major findings can be drawn from the discussion on Ethiopia's national legal and policy framework with regard to birth registration. The first is that the Ethiopian legal system recognises birth registration as one of the fundamental rights of children. This is because the CRC and ICCPR enshrine birth registration as a fundamental right of every child, and these human rights instruments are adopted by Ethiopia and are considered as part of the law of the land by virtue of Article 9(4) of the FDRE Constitution.

The second major conclusion is that there is a complete absence of enforceable legislation in Ethiopia for birth registration. Even though attempts to establish a civil registration system in Ethiopia date back to the 1950s, as evidenced in the inclusion of provisions on civil registration in the 1957 Penal Code and the 1960 Civil Code, Ethiopia is one of the few countries in the world without enforceable legislation on birth registration. Instead, the status of the legislation reviewed can be summarised as follows:

- the Civil Code is the only legislation with detailed rules for a birth registration system. However, as mentioned above, its application is paralyzed by a transitory provision in the Civil Code itself. The Order that was required to make the provisions of the Civil Code related to civil status operational has never been issued
- the 1957 and Revised Penal Codes provide for offences related to the failure to declare a birth or making a false declaration. These Penal Code provisions have never been operational, since in the absence of a birth registration system, it is impossible to talk of offences against it
- the Revised Family Code simply imposes a duty on the Federal Government to issue a law and to establish the necessary institutional arrangements for civil registration. It does not establish a system of civil registration in itself
- Proclamation Nos. 104/1976 and 206/1981 simply gave power to kebeles to register civil status without providing detailed rules on how the registration is to be carried out. They have never been implemented and are no longer operational
- the Proclamation to provide for establishing a central office for the registration of vital events and organisation of a vital events registration system is only in draft form and is not yet operational



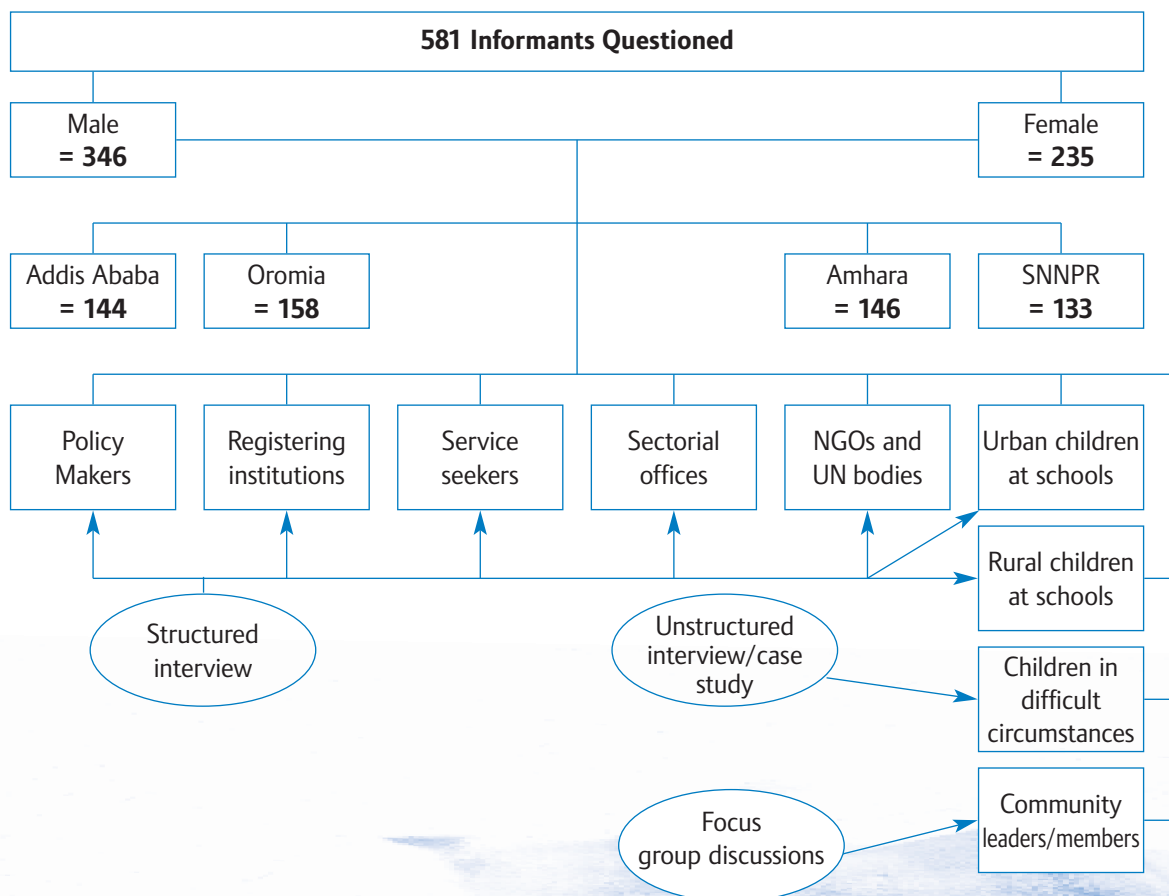
4: Perception of Birth Registration

4.1 Introduction

Informants' perception of birth registration was measured according to the responses given to a number of structured questions that explored the meaning of birth registration. The questions were based on birth registration as a child right in itself, the importance of achieving Universal Birth Registration (UBR), the level of recognition given to promoting and implementing birth registration, awareness levels on the importance of birth registration at the individual, community and national levels, birth registration as an instrument for the realisation of personal legal rights and socio-economic interests linked to the welfare and protection of children as well as birth registration and its links to development planning and implementation.

The responses were then cross-checked in relation to the responses given to open-ended questions, records of the non-structured and non-interactive observations that were made during the data collection process and, finally, the proceedings of Focus Group Discussions (FGDs).

Chart 4.1: Characteristics of Informants and their Size



4.2 Awareness of Birth Registration as a Fundamental Right

A direct question was asked to measure the level of awareness about the rights-based nature of birth registration. The responses of the various informant groups reveal the following:

There is no marked difference in the awareness level of birth registration as a fundamental right both between the sexes and respondents from different regional states: 90.6 per cent of female respondents and 95 per cent of male respondents affirmed birth registration as a fundamental right of children, which is a slight margin of difference. The margin of difference is similarly low across regions except with respect to Oromia as the following table demonstrates:

Table 4.1: Is Birth Registration a Fundamental Right of Children? Results across Regions

Research sites	Positive responses in %	Negative responses in %
Addis Ababa	96.3	3.7
Oromia Region	86.7	13.3
Amhara Region	95.6	4.4
SNNPR	94	6

Only a few informants said that birth registration is not a fundamental child right.

This trend shows institutional differences; only 6.8 per cent of the respondents across all groups and regions rejected the idea of birth registration as a fundamental child right. However, further analysis revealed that policy makers and NGOs have a better awareness about birth registration as a fundamental right, scoring 100 per cent in both cases; whereas children in general and rural children in particular constitute the majority of those with little knowledge about birth registration as a right (see Table 4.2).

Table 4.2: Is Birth Registration a Fundamental Child Right? Results across Respondent Groups

Research group	Responding 'Yes' in %	Responding 'No' in %
Policy makers	100	
Registering institutions	97	3
Customers/service seekers	98.5	1.5
Sectoral offices and law enforcement institutions	98.1	1.9
NGOs	100	
Urban children	93.3	6.7
Rural children	78.3	21.7
Average	93.2	6.8

4: Perception of Birth Registration

4.3 Significance of Birth Registration

Perception on the significance of birth registration was assessed in relation to the respondents' knowledge of the importance of achieving UBR to the perceived significance of birth registration from the individual to the national level and to its links with development issues and concerns. The findings are highlighted below:

Importance of achieving UBR is not widely known: As noted above, most of the respondents acknowledged birth registration as a fundamental right of children (93 per cent). Yet, only a few acknowledged birth registration as a right that must be universal. This was concluded by cross-checking the responses of informants to open-ended questions that required listing the significance of birth registration. Accordingly, only 40 per cent of NGO respondents, 8.45 per cent of service seekers, 18.8 per cent of sector offices, 6.89 per cent of prosecutors, judges and the police, 9.14 per cent of children and, in aggregate, 9.6 per cent of respondents affirmed that achieving UBR is important. None of the policy makers and registering institutions considered UBR as a goal by itself as enshrined by the CRC (see Table 4.5).

The instrumental function of birth registration is understood: Respondents appreciated the significance of birth registration at the individual, community, institutional and national levels, although more weight is given to its significance at the individual level:

Table 4.3: Significance of Birth Registration at Various Levels

	Very important	Important	Unimportant	I don't know
Individual level	81.6	9	1.1	5.9
Community level	65.5	16.4	3.7	10.2
Institutional level	66.9	13.6	3.7	10.7
Country level	77	7.6	2.3	7.9

Respondents also noted the instrumentality of birth registration and its links with other rights and development issues based on a checklist provided for this purpose. The result of the analysis is displayed in Table 4.4:

Table 4.4: Links of Birth Registration with Rights and Development Issues

Issue	Related in %	Unrelated in %	Don't Know in %
Nationality	85.1	6.9	8.1
Health services	82	10.1	7.8
Education	89.1	5	5.9
Employment	87.6	5.6	6.8
Child Abuse, neglect and exploitation	73.4	10.7	16.0
Military service	79.9	3.8	16.3
Voting/election	78.9	7.3	13.7
Planning and implementation of policies	67.2	9.8	23.1
Budget allocation	62.5	10.7	26.8

All groups of informants and, in particular, children, have a relatively low level of awareness on the significance of birth registration to development policy formulation and budget allocation: As Table 4.4 demonstrates, there is high awareness about the link between birth registration and accessing public services such as education and health. However, the awareness level falls in relation to birth registration's significance to development planning and budget allocation. This may be justified considering that children constitute a substantial proportion of respondents and are relatively less exposed to information linking birth registration with development planning and budget allocation. In fact, the survey shows that children's response to the links of birth registration with budget allocation is 49.2 per cent for rural children and 42.2 per cent for urban children compared to an average of 62 per cent; and, for planning and implementation of policies, 55.3 per cent for urban children and 47.8 per cent for rural children compared to an average of 67 per cent.

Knowledge about the significance and instrumentality of birth registration is not comprehensive: The checklist-based findings displayed above were cross-checked in relation to the responses given to the open-ended questions. According to the tabulation of this information, 72.59 per cent of the respondents perceive the importance of birth registration as limited to identity, age, nationality, affiliations and citizenship matters. 47.45 per cent related birth registration to planning and as a source of data for other demographic issues. 38.98 per cent linked birth registration with accessing public services including age-related benefits and the provision of social health and education services. 20.05 per cent of respondents related the importance of birth registration to the protection of children from abuse and exploitation. A summary of listed responses to the open-ended question and their frequency is presented in Table 4.5:



4: Perception of Birth Registration

Table 4.5: Summary of Qualitative Data on the Perception of Respondents about the Significance of Birth Registration (by percentage of response)

Response Category (RC)	Policy Makers	Registering Institutions	Service Seekers	Sectoral Offices	Prosec., Judges & Police	NGOs & UN bodies	School Children	Total
Birth registration is a fundamental right by itself	0	0	8.45	18.18	6.89	40	9.14	9.60
Birth registration is proof of identity, birth date, age, nationality, citizenship, personal history, etc	87.5	70.58	77.46	54.54	75.86	80	71.42	72.59
Birth registration protects children from abuse and exploitation, maltreatment, child labour, under age military service, trafficking, early marriage, child prostitution and provides juvenile justice	25	14.7	32.39	18.18	55.17	73.33	5.71	20.05
Birth registration is services to children such as social services, age related benefits, education and health and prevents crime	75	50	59.15	63.63	24.13	86.67	22.28	38.98
Birth registration is a source of statistical/demographic data for accurate planning, implementation and evaluation; population control, etc	62.5	64.7	67.6	90.9	58.62	66.67	26.28	47.45

The qualitative information above also shows differences in institutional perceptions on the significance of birth registration. The two most significant factors of birth registration identified by each informant group are shown in Table 4.6.

Table 4.6: Two most Significant Factors of Birth Registration as Identified by Informant Group

Policy makers	Identity and provision of social services
Registering institutions and service seekers	Identity and planning/demographic purposes
Sectoral offices	Planning/demographic purposes and the provision of social services
Judges, prosecutors and the police	Identity and planning/demographic purposes
NGOs and UN agencies	Provision of social services and identity
Schoolchildren	Identity and planning/demographic purposes

Most of the informant groups, including children, are not clear of the instrumental function of birth registration to protect children from abuse and exploitation: Abuse and exploitation includes early marriage, child labour, child trafficking, under-age military service, child prostitution, pornography and so on. Only 32.39 per cent of the service seekers, 55.17 per cent of law enforcement and judicial officials, and 73.3 per cent of NGOs identified the relevance of birth registration for the protection of children from such abuses. Only 5.71 per cent of children themselves understood this.

NGOs have a comprehensive awareness about the significance of birth registration: To NGOs, birth registration is essential because it allows individuals to prove their date of birth, assert their identity, citizenship, parents, birth place and so on. Policy makers and other government agencies on the other hand emphasise the planning aspect, the significance of birth registration for tax collection, crime prevention, elections, meeting the Millennium Development Goals (MDGs) and delivering public services and so on,

As it may be inferred from the above tables, informants have at least noted the relevance of birth registration as a foundation and instrument for realising rights and development efforts. However, almost all the groups of informants at the individual and, sometimes at the institutional level, were not articulate enough to elaborate birth registration's importance comprehensively and in depth. These groups only identified one or two of the major points of birth registration's significance. It can thus be concluded that a lot remains to be done before even the key stakeholders understand the importance of birth registration comprehensively (see Annex 2).

4.4 Community Level Perception

Perception on birth registration at the community level is treated separately because it is based on information gathered from the FGDs, which were not, by their nature, strictly structured. Unlike the results of the survey questions presented above, the findings from the FGDs covered more than just awareness of birth registration as a right and its significance and linkage to other rights and development issues. These are presented below.

4: Perception of Birth Registration

Birth registration is not a familiar practice to people at the community level: Birth registration is not a common practice at the community level. Understanding of birth registration as a child right with a corresponding duty on the side of the state (and other duty bearers) is low. The official meaning of birth registration is confused as most parents proudly reveal that they have registered the birth of their children on notebooks or on the back of the Koran or Bible. The fact that a child's birth date is written on vaccination cards is also considered as birth registration.

There is a general tendency to equate birth registration with acquiring birth certificates: People in the community as well as many informants from the other groups, tend to equate birth registration with acquiring birth certificates and related documents from municipalities, hospitals and churches. Registration of birth as an act of recording and recognising the birth of a child by the government is largely unheard of at the community level. It is only when the interviewers and facilitators of the FGD explained what is meant by birth registration that people began to see clearly the difference and relationship between birth registration and birth certificates.

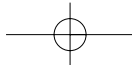
There is a low level of awareness about the significance of birth registration at the community level: Whereas the data gathered from the structured questionnaire shows a high level of awareness on birth registration, the data gathered from the FGDs and overall observations demonstrates that there is limited awareness of birth registration at the community level. Moreover, the perception of birth registration at the individual level in the community shows that there are few individuals who are aware of its meaning, implication and significance for children, individuals, communities and nations.

Furthermore, community perception on the link of birth registration with other human rights is vague. That is, the understanding of birth registration at the community level is not linked to the relevance of birth registration for the realisation of human rights. Birth registration as a right and key to identity, citizenship and enjoyment and exercise of other rights is not something that the people in the community have ever thought about, particularly in the regions and the suburbs of Addis.

People's conception of birth registration is linked to having a birth certificate to go abroad (in particular after winning the Diversity Visa [DV] lottery) or to seek employment in the Middle East and sometimes for the purpose of children's enrolment to some private schools. Discussants from around the Bole area in Addis Ababa (which is said to be inhabited by the relatively well-off) are the exception in having expressed knowledge about the importance of birth registration and hence birth certificates to exercise rights related to identity, civil status, welfare of children and so on.

The community is likely to accept and commit itself to the institutionalisation of a regular, permanent and compulsory birth registration system in Ethiopia: Almost all the informants in the FGDs expressed anticipated cooperation on the part of the Ethiopian people to institutionalise a regular, permanent and compulsory birth registration system, but only after researchers briefed them about the importance of birth registration for the realisation of the rights of children and development interventions in the country. They did, however, warn that a compulsory birth registration system would need to be preceded by a wide community awareness program that focused on explaining the need of a birth registration system for poor nations like Ethiopia and the significance it would have for ordinary people in rural areas.

Community people recommended that in order for birth registration to be feasible in Ethiopia, it needs to be attached to accessing public services and the support of governmental and non-governmental institutions: The community people expressed their view on linking birth registration to incentives by relating the concept to the practice that occurred in the Dergue regime. During this time, kebeles were mandated to register children and other new members of the family since basic goods such as sugar, salt, grains, soaps and so on were distributed based on a ration system determined by family size. Other people also remembered the immediate registration of babies born into the families of soldiers in the Imperial Army during the Haile Selassie regime, because the soldier would receive a 2 Birr rise in salary as a result of the registration.



5: The Practice of Birth Registration

One of the major objectives of this study was to assess the practice of birth registration in Ethiopia from various different perspectives. This included: who had registered a child, why, and what process and requirements were involved. An initial intention was also to assess the level of birth registration in Ethiopia.

The findings of the study, however, did not result in the desired outcomes. This is because no legally recognised birth registration system exists in Ethiopia. Instead, only a practice of issuing birth certificates operates. As such, it needs to be made clear that what follows is a description of the practice of issuing a birth certificate – an action that exists in the absence of a formal birth registration system.

5.1. The Status of Birth Registration in Ethiopia

There is no birth registration system in Ethiopia: Birth registration is part of a civil registration system of vital events that also includes marriages and deaths. However, as pointed out in Chapter 3, there is not, as yet, a comprehensive legal framework for the establishment of a civil registration or birth registration system in Ethiopia. As a result, children are not registered at birth by a government authority that recognises the civil status of the newborn.

Births are recorded by hospitals, churches and municipalities: The mere act of recording the birth of a child can be undertaken by hospitals and clinics if this is where the delivery took place. However, not all hospitals and clinics record the births of children and there is no consistency and uniformity in the way they do so. Besides, less than 6 per cent of births take place in hospitals and clinics in the first place.

Churches can also record the birth of a child, if and when the child is baptised. Baptism records are, however, limited in coverage and quality. This is because they are not designed to record the civil or biological facts about the child, rather they are produced to record the payment of a fee for the service. Moreover, because baptism takes place after 40 and 80 days for boys and girls respectively (and sometimes even later) these records do not cover the registration of infants who die before baptism²¹.

Idirs and kebeles (municipalities) may also, upon the request of a family, add the name of a newborn to the lists it keeps of family members or beneficiaries. However, it is only for the purposes of enjoying certain benefits or services from the idirs and the kebele that families make such requests.

Records of birth that exist in present-day Ethiopia are not adequate sources of statistical information: None of the records of birth outlined above can be considered as birth registers since they have no legal consequence. They are not related to the recognition and protection of personal rights or the realisation of other socio-economic and political rights. In addition, their coverage is limited and their quality is not satisfactory. Furthermore, information from these records is not collected in a central place or registry nor is it analysed according to birth and fertility patterns for demographic or other statistical purposes.

21. CSA-PASC (1995:2)

None of the municipalities, churches and hospitals questioned by the study had ever received a request about the birth records they maintain either by an official or by an institution (governmental or non-governmental). This, however, is not surprising since the number of recorded births kept by these institutions is not adequate for identifying the number of births, at local, woreda, zone, regional or national level.

As a result, the records maintained in the respective institutions do not have any relevance or purpose for anyone beyond the individual concerned. In any case, those institutions issuing certificates have only started to maintain records recently. Consequently, comprehensive and reliable data on births is practically unavailable. The exception may be information gained from health institutions, since data collected by health institutions is said to be gathered centrally and used internally to project statistical information.

Study informants were asked what they thought was the cause for the absence of a birth registration system in Ethiopia. Their perception of the issue was mixed as Table 5.1 demonstrates:

Table 5.1: Causes for the Absence of a Birth Registration System in Ethiopia²²

Possible cause?	Yes (%)	No (%)
Absence of specific and up-to-date laws	22	78
Non-enforcement of existing laws	51	49
Financial constraint/birth registration is not a priority	30	70
Failure to put in place appropriate institutional arrangements	60	40
Lack of promotion and low level of awareness	68	32
Poor infrastructure and service inaccessibility	38	62
Lack of political will and commitment	55	45

5.2 The Practice of Issuing Birth Certificates

Many of the informants have mistaken the practice of issuing or acquiring a birth certificate for the act of birth registration. The survey showed that 55.88 per cent of informants in the municipalities affirmed that they both register births and issue birth certificates. This figure demonstrates misunderstanding about what birth registration actually means.

In principle, a birth certificate should provide proof of birth registration on which information gathered during the registration process is copied. Birth certificates may also be issued in cases where the child failed to be registered at birth but whose birth was later verified and registered by other means. The latter procedure is an exception to the rule and is only performed to fill gaps created in a birth registration system.

However, the practice in Ethiopia is to the contrary. Here, the issuance of birth certificates based on information gathered from other sources is the rule rather than the exception. As a result, verification of birth dates is done by different means, including certificates issued by churches and hospitals, testimonials from kebele social courts, vaccination cards, school leaving certificates, kebele IDs and so on.

A. Description of the Practice of Issuing Birth Certificates and Proving Age by Municipalities

Municipalities issue a birth certificate to anyone who requests one. If a birth certificate is required for an official or other purpose, the individual may apply to the municipalities of Addis Ababa and other regional towns. To get a birth certificate, an applicant has to meet certain requirements, although these requirements are not uniform across the municipalities. Furthermore, the requirements and procedures for obtaining a birth certificate in municipalities are not always consistent. Seven out of eleven municipalities noted that the procedures of their respective offices were often revised.

22. Only 109 informants were asked this question (service seekers, urban and rural children were excluded).

5: The Practice of Birth Registration

In Addis Ababa, the respective offices have detailed procedures spelling out the requirements an applicant has to fulfil in order to acquire a birth certificate. For instance, a person above the age of 18 has to produce an identification card from a recognised government institution (such as a passport, identification card issued by the kebele or a birth certificate from hospital) on which year of birth and name of parents should be indicated. On the other hand, in almost all municipalities in regional towns, an individual has to produce a certificate from church or hospital, or a testimonial from the social court. Presentation of an identification card or passport would not be sufficient.

An instance where municipalities may reject applications is when the evidence produced by the kebele social courts shows that the person giving testimony concerning the birth date of the applicant is actually younger than the applicant. An application may also be rejected if the responsible officials, such as those in Addis Ababa, doubt the age of an applicant based on mere observation of his/her physique. Such measures reveal the unlimited discretion officials have in relation to the issuance of birth certificates.

All institutions issue birth certificates upon payment of a fee and this is another requirement to obtain a certificate. The fee in municipalities may range, for instance, between 20 Birr in Addis Ababa to 60 Birr in Assela (Oromia Region). Many of the municipality customers contacted considered that the fee was unreasonable. Community members also seem to have the same attitude. Many informants during the focus group discussions noted that the requirement of a fee is one of the factors discouraging people from obtaining a birth certificate.

The present practice is open to abuse and error and may not indicate the correct birth date of individuals: In most cases, the task of the municipalities is simply to rubber-stamp the age indicated on the ID card or other document brought by the service seeker. However, it is usually the case that the date of birth indicated on the document is not correct. This happens for many different reasons. In some instances, people are not sure of their age and so declare before the social courts or kebeles what they think or feel it is. Alternatively, people may intentionally under or overstate their age for various reasons. In all these cases, the kebeles, as well as the municipalities, have to accept the age given unconditionally since they have no other mechanism to cross-check the assertion.

Although attempts to cross-check the age of an applicant were once made by the municipalities who requested additional documents such as school transcripts and certificates, this procedure has been abandoned as a result of the newly introduced civil service program which has the objective of providing effective and fast public services.

Whilst around 70 per cent of customers rate the new service being provided by the municipalities as 'very good' or 'good' (see Table 5.1 Annex 3) with the reform reducing the time required to obtain a birth certificate from several days or weeks to just a few minutes, it has, however, compromised the efforts that were being made by the offices to verify the correct birth dates of applicants. At the moment, it appears that the issuance of birth certificates is viewed only as a source of revenue for the municipalities. For instance, an official in Wonji literally used the term 'selling certificates' when explaining the official responsibilities of the municipality with regard to issuing birth certificates.

Individuals may have more than one birth certificate from the same or different municipalities: This has been confirmed by officials in municipalities everywhere. For instance, one informant stated that he has multiple birth certificates for his children that show different birth dates. This enabled him to try applying to a number of different private elementary schools that require different minimum ages for admission.

To avoid such problems and enhance effectiveness, the Addis Ababa municipality is making good progress in attempting to systematise and coordinate the issuance of birth certificates. It has already computerised the registry at four points within the city. The office is also planning to link together the computerised systems into a network to avoid the issuance of multiple birth certificates. The computerisation has also enabled the office and other relevant bodies to access information easily.

In the regions, recording of births is not yet computerised and networked. There is no immediate plan to computerise it either. Except for municipalities in Addis Ababa, those in the regions are using computers only for word processing purposes (see Table 5.2 Annex 3). As a result, it is not possible to cross-check the date of birth and names to avoid the issuance of multiple certificates. In addition, because the certificate is normally prepared manually, errors are common. Indeed, about half (51.7 per cent) of the institutions questioned said that they do not have adequate equipment, facilities, furniture, materials and working space for recording births.

Another factor for possible abuse of the system is that, while many of the municipalities issue birth certificates for people residing in the locality, some municipalities, such as the municipality in Jimma town, issue birth certificates to applicants who come from elsewhere in the country. Whilst only 26.4 per cent of municipalities noted that the present system is abused; it is dubious as to whether this perception is correct. This is due to the fact that the results of the focus group discussions, as well as the examination of the procedures by the research team, confirm the opposite. That is, the present system is open to abuse and falsification leading to the acquisition of a number of different certificates testifying different birth dates (see Table 5.3 Annex 3).

B. Description of the Practice of Issuing Birth Certificates and Proving Age by Churches

The Ethiopian Orthodox, Catholic and Evangelical sects are all said to issue baptism certificates. Since boys are baptized on the 40th day after birth by the Ethiopian Orthodox church and girls on the 80th day, baptismal certificates allow individuals to calculate their date of birth by counting 40 or 80 days back from the date of baptism.

However, churches will also issue a certificate some time after the baptism at the request of the baptised person or his/her relatives. For a person to obtain a baptism certificate at a later date, it is required that the records kept by the church indicate that he/she has been baptised in that particular church. In the absence of records, he/she has to instead have the testimony of the spiritual father that he/she was baptised in that particular church.

Depending on the church, between 5 Birr to 20 Birr is charged for a baptism certificate. Usually the church fee is higher if the person applying is an adult. Because of this, the system is being misused. Some respondents mentioned that, in practice, issuance of a birth certificate relied only on the spiritual fathers testifying that the individual applying was a follower of the church and that the applicant would pay the service charge.

It is said that churches are more willing to issue adults with certificates because the payment the church receives for the issuance of certificates for people with no proof of baptism is far more expensive than the payment for the issuance of a certificate for a baptised baby. In Gondar, for example, the church collects 2 Birr for the issuance of a certificate for a baptised baby, while it collects 50 Birr for the issuance of a certificate for an adult. What is more, the baptism certificate is considered good enough evidence to prove the age or birth of a person by municipalities.

Evangelical churches also issue certificates of baptism. They do not, however, have predefined days for the baptism of boys and girls. Common practice is that adult believers are baptized by the church. Therefore, as the church has no record of the birth of the child, the birth date that appears on the certificate is recorded as that given by the applicant.

C. Description of the Practice of Issuing Birth Certificates and Proving Age by Hospitals

Hospitals and sometimes health clinics issue birth certificates to children born on the premises. The procedure is simple. Hospitals keep a record of deliveries as part of their professional duty and they issue a birth certificate for those seeking one immediately or later on. However, few people in Ethiopia are born in hospitals. For instance, in Addis Ababa and other regional capitals and zonal towns, more than half of survey informants noted that they were born at home. The number is even higher in rural woredas where 72.05 per cent of informants were born at home (see Table 5.4, Annex 3). This reality excludes significant numbers of children from obtaining birth certificates from hospitals and clinics.

5: The Practice of Birth Registration

More commonly, hospitals issue a 'birth announcement' leaflet which also contains information pertaining to nutrition and health care for infants. This is the case in Assela and Awasa for example. However, informants from Bahir Dar noted that, more recently, the request for an actual birth certificate is on the rise. They further noted that this is especially the case in September and October, most probably for the purpose of enrolling children into private schools as well as for overseas travel.

As far as the requirements that must be met in order to obtain a birth certificate are concerned, the frequency of revision is lower than that of municipalities (see Table 5.5, Annex 3). A person generally has to have been born in the hospital to obtain a birth certificate. However, as inadequate record keeping is a serious and common problem, it is possible that an applicant may obtain a certificate from hospitals based on what he/she says is his/her birth date. The fee requested by hospitals for the issuance of a birth certificate ranges from 3 to 10 Birr.

D. Content and Validity of Birth Certificates

Information recorded on birth certificates issued by municipalities, churches and hospitals is not identical: For instance, the certificate issued by municipalities, in most cases, incorporates the following: name, sex, date of birth, time of birth, place of birth, name of parents, and nationality. Whereas the certificate issued by hospitals generally contains the name, sex, date of birth, time of birth, place of birth, and name of the mother. As far as churches are concerned, the formats usually incorporate the following information: name, sex, date of baptism, date of birth, time of birth, place of birth, name and nationality of the parents, and the name of godfather or godmother. Though information indicated on birth certificates issued by churches is almost similar, one may observe significant differences in documents issued by different municipalities and hospitals.

E. The Prevalence of having a Birth Certificate

Not all Ethiopians have birth certificates or seek to obtain one. Of those who seek a birth certificate, children are the least in number: Most informants do not see any use for birth certificates, perhaps because they are not required to access any of the public services. Sometimes attitudinal or cultural values might contribute to non-registration. In the majority of cases, people in the study areas are afraid to disclose the age of their children perhaps due to bad experiences during the Dergue era in relation to national military service. On the other hand, due to cultural taboos, community members in many locations in the Amhara region are even reluctant to disclose the number of their children for fear of bad luck.

Currently, however, having a birth certificate is not absolutely necessary to prove one's age or to assert personal legal rights. People normally have IDs from their kebele or from their employing organisation so there is, alas, no clear apparent need for birth registration and having a birth certificate to prove identity, verify age, place of birth, nationality and so on.

Most informants have led the best part of their life without having any ID, especially in the rural areas. Others are satisfied with having proof of ID from the kebele or other sources. Only insignificant numbers of people need to have a birth certificate to prove identity and verify age. That happens usually when they are processing a visa to go abroad, either because they have heard that a birth certificate is needed or because it is a requirement for migration. The other most common reason for people to seek birth certificates is because schools, especially kindergartens, have made it a requirement for admission. Another reason is for overseas adoption purposes, again because of the migration element.

Institutions issuing certificates responded that the majority of applicants are those wishing to go abroad. This was the case of 77.46 per cent of applicants to municipalities. Conversely, only 7.04 per cent needed a birth certificate for school enrolment (see Table 5.6, Annex 3). Of the 107 children interviewed in Addis Ababa and other regional capitals/zonal towns, 22.42 per cent said that they have a certificate from one of the three institutions, whereas the number of children with birth certificates decreased to 5.88 per cent in rural woredas (see Table 5.7, Annex 3).

5.3 Other Means of Verifying Birth

There are other widespread practices of verifying age for official purposes. These include the documents and mechanisms that are presented below.

The 8th grade examination result card: For the purpose of employment, for instance into the police, military, and teaching, the 8th grade examination result card is required as a conclusive document to verify age. Birth certificates issued by the municipalities, churches and hospitals may not be acceptable.

Medical examination: Courts almost exclusively rely on hospitals to determine the age of an accused who is contesting the age set by the public prosecutor or the police. It is commonly a team composed of three people that decides on a particular case: usually a clinical doctor, a radiologist and a dentist. The clinical doctor examines the physical condition of the accused, such as the manner and distribution of hair in the armpits and groin area and other physical characteristics. The dentist, on the other hand, examines the structure and number of teeth, whereas the radiologist inspects bone growth.

Based on this scientific evidence, doctors are able to confidently assert the age of an individual within a one year range – for example – from 15 to 16 or from 16 to 17. However, all doctors acknowledge that they may not be able to estimate correctly the actual year in which the accused might have been born. This has created problems in the juvenile justice system, which relies on this method for age verification. Not only is the method time-consuming and often lacking the appropriate professionals but real problems arise in relation to determining specific age within a range. This is of particular concern when the range is around the marginal years that limit criminal responsibility; that is 9 to be considered a young offender and treated according to the juvenile justice system, 15 to be criminally responsible but excluded from the death penalty, and 18 which entails full criminal responsibility as an adult.

Vaccination cards: In many places, clinics and hospitals provide vaccination cards for the purpose of following up the vaccination of children. Often, the age of the child is indicated on the card. This card has, in the past, been presented as evidence to secure birth certificates from municipalities. However, presently, the card is being used mainly as proof of age to enrol children in schools.

Personal observations: In public schools, where the age of 7 is generally set as the minimum age to admit children, school authorities seldom require the presentation of such documents. They readily accept what the parent of the child says. Some might examine the physique of the child, such as the teeth,

height and stature to determine their age. Furthermore, in most cases, school authorities would not admit a child who is unable to touch his/her left ear with his/her right hand over the top of his/her head or vice versa. Likewise, the Immigration Authority may sometimes rely on personal observation to deny applications for an Ethiopian Passport when they doubt that the individual applying is over 18 years of age.



5: The Practice of Birth Registration

Kebele identity card: In some instances, the kebele identification card can be used as evidence to establish the birth date of a person. For instance, the municipality in Addis Ababa and the Immigration Authority require the presentation of the kebele identification card to issue certificates and passports respectively. Yet, the kebele administration does not verify the age of the resident to issue an ID. The most common practice is that they check if the applicant is a resident or not and proceed accordingly. Some of the kebeles may also have a central record of the kebele residents, which usually takes note of newborns. However, kebeles may or may not refer to this when they issue a kebele ID, which is the key to many public services and protection.

None of the kebeles require a birth certificate of any kind to issue ID or to provide services. This is because the registration of residents of the kebele was taken very seriously during the Dergue regime. Goods and food items like sugar, salt, grain and so on were rationed based on the size of the family. Hence, there was a practice by the people to go immediately and report newborns to the kebele. Even though the recording of family members is not currently attached to rations, the practice of requesting that the kebele registers a newborn still continues. This should in no way suggest that kebeles have a comprehensive list of all residents, adults or children. Nor should this be construed to suggest that kebeles are able to verify one's age; they simply record what the applicant reports.

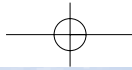
Ministry of Foreign Affairs: In situations where birth certificates are required to be taken abroad, the Ministry authenticates certificates issued by municipalities. However, officially acceptable certificates are only those issued by municipalities in Addis Ababa and other regional capitals. Certificates issued by municipalities at woreda and zonal level do not seem to have any value.

5.4 Value Accorded to Documents

The value accorded to birth certificates obtained from churches, hospitals and municipalities as well as other documents is not equal and uniform: Not all of the documents and mechanisms mentioned above as proof of age or date of birth have equal value or official acceptance. Depending on the circumstances and institutions involved, the value accorded to a document verifying age may be greater or less than another. At times, a document issued by a certain institution may not have any value at all. The following table attempts to describe the present situation:

Table 5.2: Value accorded to Certificates and Documents in Relation to Verifying Age

Acceptable documents and mechanisms of verifying age	Circumstances when the verification of age or birth date is required				
	For school enrolment	In criminal proceedings	For employment particularly to join the army or police	To secure an Ethiopian passport	For migration
Certificates from municipalities	X			X	X
Certificates from churches	X				
Certificates from hospitals	X				
Medical examination		X			
Vaccination card	X				
Kebele ID card	X			X	
Personal observation	X				
8th grade examination card			X		



6: Impact of the Absence of a Birth Registration System

The study aimed to identify the negative impact of the absence of a birth registration system as well as some of the practical problems it presents in present day Ethiopia. The identification of problems is made in relation to individuals, the community at large as well as institutions. The list of consequences of non-registration that were identified by informants can be found in the Annex 4.

6.1 The Impact in General

Limited awareness of birth registration as a right and as instrumental for the enjoyment of other rights as well as planning and policy: As the preceding chapters show, awareness about the significance of birth registration is not comprehensive. This can be explained by two reasons. As already outlined, a birth certificate is mostly required for school enrolment, going abroad, and adoption purposes. These are not things that occur on a regular basis. Secondly, communities have never really considered the negative consequences of non-registration as they relate to child rights and practical implications.

Difficulty in determining the birth registration rate of the country: As discussed in Chapter 5, Ethiopia does not yet have a national birth registration system. This demonstrates that the government has not acted deliberately to ensure that the birth of every child is registered and is failing both to legally recognise the civil status of newborn children and to gather data for demographic and statistical purposes.

The closest thing to birth registration is done by hospitals and clinics but the data recorded can only serve administrative purposes due to its irregularity and limited coverage of approximately 6 per cent. Likewise, the records of churches, idirs, kebeles and so on are not collected for registering births and have never been collected and documented centrally. The majority of these institutions, including hospitals, were unable to provide the research team with the total numbers of children who had been recorded as being born or baptised. Given this situation, it is almost impossible to state the rate of birth registration in Ethiopia.

The practice of proving and calculating birth based on oral testimonies: In the absence of formal birth registration, the most common way that the majority of people learn about their age, date and place of birth is from their parents and elders. How these details are verified is one of the issues that may arise in relation to the absence of a birth registration system. A child's parents, usually the mother, is the main informant about the date of birth (day, month and year) or might only be able to provide partial information (day and month); or simply how old the child is at a certain point in time by making reference to notable family occasions and personal circumstances, historical events, national holidays and so on.

If written information is available, it is in the form of literate parents writing the child's birth date in their personal notebooks or at the back of the Bible or Koran. Some parents may also pass on information about the birth date of their children by regularly celebrating birthdays and, in some cases, taking memorial pictures (in bigger towns) on these dates and using the picture as proof of age in close family and personal circles. This information, too, may be partial as children may know their birthday and month, but not the exact year they were born in.

A child's age may also be calculated by comparing their birth with the births of other children around them or memorable events. People use strange references to remember the date of birth of a person. These include statements like: "You were playing hide and seek during the 'Mengistu Neway's rebellion'"; "You were baptised when Marshal Tito was visiting the country"; "You were born during harvest time, in the rainy season, spring"; "You were conceived during the Ethio-Somali conflict"; "You are two years younger than X"; "You were born the day Mr. X's ox went down the precipice"; or "I delivered you immediately after we returned from the funeral of Mr. X" and so on.

For children who have no informant, some will simply guess their date of birth. For instance, a child living on the street told researchers:

"I think I am 11 years old now. I came to know my age because I was this little [showing the researchers by his gesture how short he was] when I joined the street. I don't know where my parents are – maybe somewhere in the rural area."

6.2 Impact on Planning and Policy

Lack of birth registration data is affecting the activities of all groups of informants: Birth registration is a critical element of civil registration systems and birth registration data plays an important role in the planning of a country's economic and social development. Chapter 4 explains how birth registration could affect different planning and policy issues including budget allocation, access to basic social services and project/program planning. The study also assessed the actual experiences of respondent institutions. The findings showed that 93.7 per cent of respondents acknowledged that their work was affected by the absence of a birth registration system in the country. In particular, 100 per cent of the law enforcement institutions responded that their work was negatively impacted due to the absence of birth-related data in juvenile delinquency cases (see Table 6.1).

Table 6.1: How Lack of Birth Registration Data affects the Work of Respondent Organisations

Institutions	Has it affected you work?	
	Yes (%)	No (%)
Policy makers	100	
Registering institutions	87.5	12.5
Sectoral offices (100% for law enforcement institutions)	97.9	2.1
NGOs and UN Agencies	90.9	9.3
Average	93.7	6.3

Absence of a birth registration system has resulted in the planning and implementation of development programs and projects for children based on less than reliable demographic data:

Presently, the number of children born at the national and local level is not known. As a result, government projects and programs designed and implemented at different levels are utilising less than reliable data and are relying on other methods to calculate the reality on the ground. Officials in health and education bureaux in Addis Ababa and the regions, for instance, mentioned instances where planned health projects at the local level would frequently show discrepancies between the projected figure and the actual number of the targeted population. Likewise, officials in the education sector stated that they do not have a definite number of how many school-age children to expect for the coming academic year in order to plan and budget accordingly. A similar problem is also witnessed with regard to child health care as it is not known how many newborns live in a particular locality.

6: Impact of the Absence of a Birth Registration System

At the same time, the NGO sector in Ethiopia is also planning and implementing development activities on child rights issues based on less than reliable sources of information or, at times, by commissioning independent surveys. For example, 47.1 per cent of the sectoral offices, NGOs and UN agencies say they have commissioned research in order to fill gaps in statistics. Many informants working in non-governmental organisations have expressed their deep concern that the current state of affairs is affecting the approach and scope of their interventions. The following table shows what aspects of the work of institutions are affected by the lack of birth registration data.

Table 6.2: Affirmative Responses on how Institutional Work has been affected by lack of Birth Registration Data (in per cent)

Problem type	Policy makers	Registering institutions	Sectoral offices	NGOs and UN Agencies
Problem identification and analysis	100	81	95.2	85.7
Program/Project planning and implementation	75	87	91.9	100
Lobbying and advocacy work	75	87.5	85.2	83.3

It is significant to relate a case in relation to an immunisation program for measles in Addis Ababa that was undertaken in 2003 in order to demonstrate what specific problems might follow from an erroneous projection based on census and rapid surveys. According to information gathered from the Health Bureau of Addis Ababa there was an error in projecting the number of children eligible for immunisation which affected the local campaign in Arada and Kolfe sub-cities. Whilst all the children in Kolfe were vaccinated, it was estimated that only 67 per cent of the children in Arada were vaccinated within the week. Thus the actual number of children vaccinated in the campaign was below performance in Arada while it was over in Kolfe. However, when this was checked in a post-campaign evaluation in Arada, it was found that the actual performance was 97 per cent and not 67 per cent. The projected figure based on Central Statistical Agency (CSA) reports for Arada had been too great.



6.3 Impacts on the Rights of Children

Absence of a birth registration system affects the realisation of the rights of children as enshrined in the CRC and Ethiopian Constitution: The range of rights issues affected by the lack of birth registration can be appreciated by looking at the following table, which shows the kind of cases two groups of researchers came across in the course of their activities. According to their findings, the experience of sectoral offices is that child labour and juvenile delinquency cases are frequently impeded by the lack of birth registration while adoption and HIV/AIDS cases compromised by lack of birth registration are cited frequently by NGOs and UN agencies.

Table 6.3: Knowledge of Birth Registration Related Cases by Respondents from Sectoral Offices, NGOs and UN Agencies

Case	Sectoral offices			NGOs and UN agencies			Aggregate
	Yes (%)	No (%)	NR (%)	Yes (%)	No (%)	NR (%)	
Child labour	54.7	5.7	39.6	31.3	6.2	62.5	49.3
Military service	37.8	9.4	52.8	25	6.25	68.75	35
HIV/AIDS	27.4	11.3	62.3	31.3	6.2	62.5	28
Trafficking	24.5	3.8	71.7	25	6.2	68.8	25
Nationality	15.1	13.2	71.7	18.8	6.2	75	16
Access to public service	32.1	5.6	62.3	31.2	0	68.8	32
Juvenile delinquency	52.8	3.8	43.4	37.5	12.5	50	49.3
Access to credit	20.8	11.3	67.9	18.8	6.2	75	20.3
Displaced children	28.3	11.2	61.5	18.8	6.2	75	26.1
Adoption	22.6	9.4	68.0	37.5	6.2	56.3	26.1

All informant groups identified the consequences of the absence of a birth registration system as the non-realisation of rights of children, particularly Orphans and Vulnerable Children (OVC), HIV/AIDS infected and affected children, and children in conflict with the law.

The following additional observations were also made by informants concerning negative consequences:

The absence of birth registration has an impact on rights to a name, nationality and identity: Since birth registration legally recognises a child's name and helps determine nationality, the present situation in Ethiopia does not reinforce these rights. It may also erode the sense of 'belongingness' that children feel as citizens of Ethiopia. Certainly, children who were interviewed frequently noted the personal and psychological effects that the lack of birth registration has had on them. The following statements provide some pictures of how children perceive the importance of birth registration as it relates to their identity and personal rights: "It helps me celebrate my birthday"; "It allows me to get help when I am lost or involved in accidents"; "It helps me avoid telling people different birth dates"; "It could help me cross-check the different birth dates registered by my mother and father".

The absence of birth registration can also have an impact on a child's chances of being adopted. The research discovered more than three cases in Nazareth, where children orphaned by HIV/AIDS had the chance of being adopted to foster parents abroad. However, because of the tight timescale, they were unable to obtain their birth certificates. Since their parents had come to Nazareth from the north, there was no one in the neighbourhood who knew them well enough to be able to testify to their ages in front of the kebele social court. As a result, the orphans lost the opportunity of a better future.

6: Impact of the Absence of a Birth Registration System

Absence of birth registration excludes children from exercising and enjoying social, economic, cultural, civil and political rights: Absence of birth registration generally acts as an obstacle in ensuring the best interest of the child in terms of his/her survival and development as well as participation in matters affecting his/her life. In Addis Ababa, for example, a street child who wants to use the public health service has to present before the kebele social court three neighbourhood witnesses who have known him/her well for at least three months. Once the child's identity is proven, the child will be provided with a provisional identity card. Yet such a procedure practically excludes children who have been in a neighbourhood for less than three months from public health services. Moreover, only a few street children may be able to secure the three witnesses needed given the prevalent negative attitude of the community towards street children. As a result, it is highly probable that children are discouraged from even trying to obtain health care via this procedure.

Absence of birth registration exposes children to various types of abuse, exploitation, and maltreatment: Since the present verification of age is susceptible to error, children are being exposed to child labour, early marriage, involvement in armed conflicts and mistreatment during criminal proceedings. Informants from Gondar, Dessie, Jimma and Bahir Dar related stories that tell how lack of birth registration data and certificates exposed girl children to be wed at an early age in cases where the parents asserted the maturity of the child. The study team also came across efforts by the Women Affairs Office in Jimma to intervene in the marriages of two girls below 18. In one of the cases, the Office learnt that a girl was about to be married. The parents asserted that the age of their daughter was above 18. However, when the Office sent the girl to the hospital to verify her age on the basis of a medical examination, the medical report estimated that the age of the girl was below 16. The marriage was then cancelled through negotiation. In the other case, a woman brought to the attention of the Office her sister's arranged marriage to a wealthy person. This marriage was also cancelled through a similar approach.

Other cases related to the trafficking of girls: Young Ethiopian girls are going abroad, in particular, to Middle Eastern countries, by overstating their age. Informants in municipalities such as Jimma, Dessie and Bahir Dar noted that the laxness of the present system has enabled young girls below the age of 18 to secure a birth certificate based on which they can easily obtain an Ethiopian passport. In some Arab countries, particularly Saudi Arabia, women below the age of 25 are not allowed to enter the country. Therefore girls as young as 15 have tried to obtain birth certificates proving they are above 25 so that they can enter Saudi Arabia or other Arab countries.

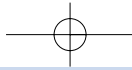
The International Organization for Migration in Ethiopia has been aware of many such incidents since the beginning of its counter trafficking program three years ago. The Immigration Authority also considers this as a serious problem. As an official explained, very young children who physically appear less than 18 years of age frequently apply for a passport by presenting a kebele identification card that confirms the girl's age to be above 18. In such instances, the employees usually request further proof in the form of an ESLCE card or 8th Grade Examination Result Card. In the absence of such documents, two or three employees will assess the physical appearance of the girl and, if they agree she is under 18, will accordingly reject the application irrespective of what the kebele ID states. This happens even though the official requirements to obtain a passport do not include this kind of assessment. As the official noted, the employees primarily do this to avoid the child's deportation for allegedly carrying a forged passport.

Serious cases related to the administration of the juvenile justice system: Judges, the police, public prosecutors and those in the NGOs field all agree that lack of a birth registration system is strongly affecting the administration of the juvenile justice system. This is mainly because verification of age is an essential element of the system and the current source of verification is through medical examination. This task usually takes a lot of time during which the child may be detained, sometimes with adult offenders, to await the result of the age examination from the hospital or clinic. It may also be that the age is given within a range of two to three years, which is sometimes interpreted against the best interest of the young offender.

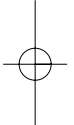
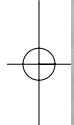
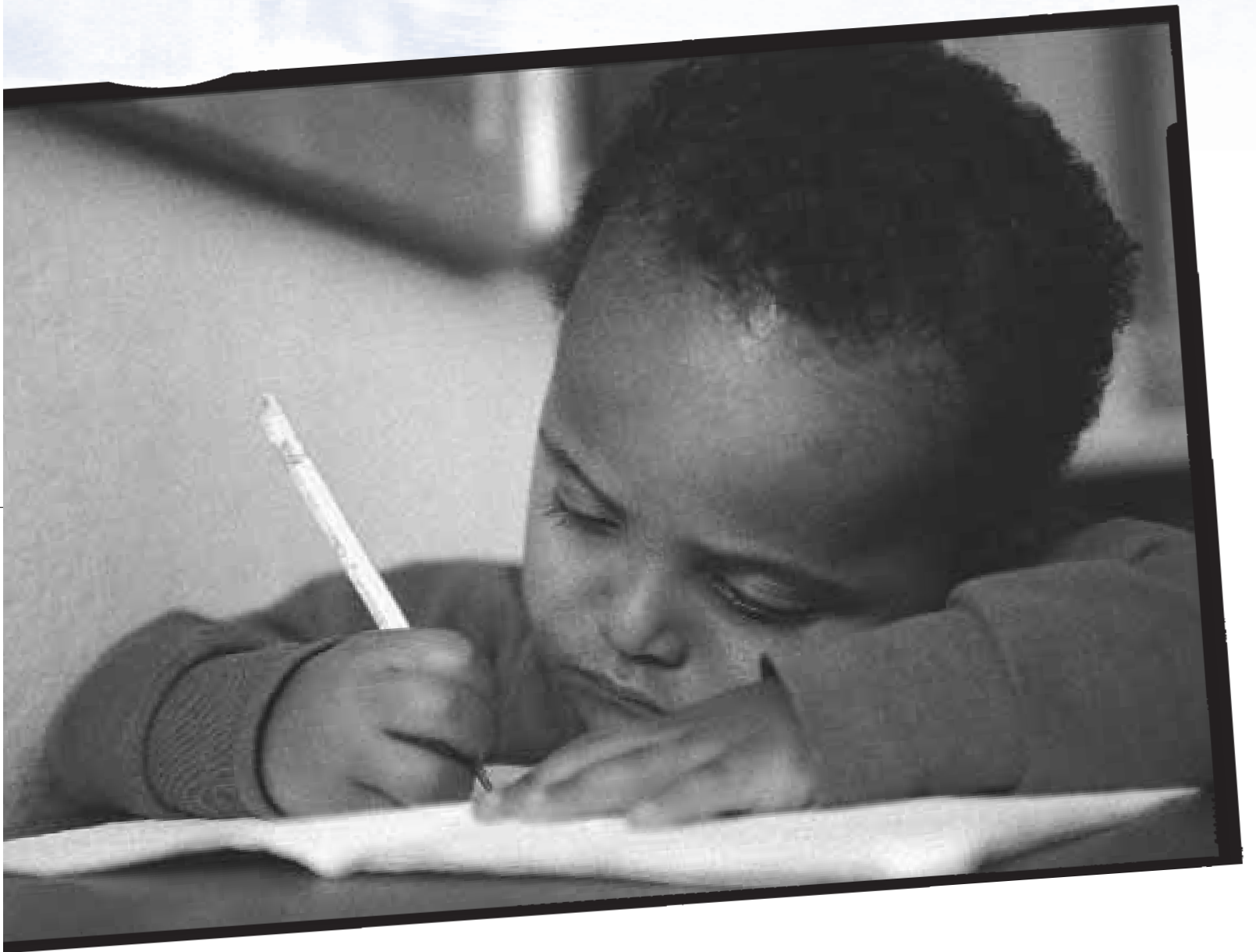
Absence of registration may also affect public interest, as well as national security issues: Apart from its direct impact on children, lack of birth registration may also have the effect of eroding the confidence of the community in the State and its agencies. The impact can be visible, for instance, in relation to the effectiveness of the criminal justice system, as well as other national security concerns.

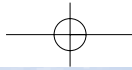
One example is in Assela, where an individual alleged to have committed a murder stated that he was only 13 years old. The court ordered a medical examination to verify his age, while the accused remained in detention. Unfortunately, the medical report could not be produced on the date fixed by the court due to the unavailability of one of the doctors responsible to do the examination. The court, inspired by the criminal law principle that favours the accused, ordered his release from the prison. In the meanwhile, the medical report estimated the age of the accused as between 18 and 20. The prosecution then hurried to activate the charge against the accused but he could not be found. In another similar case, the age of the accused was estimated to be above 18 by a medical examination. However, the parents argued that he was only 14. To support their assertion, they presented documents from school authorities and the kebele. At the end, the court decided in favour of the evidence presented by the parents of the accused and the accused was set free.

Likewise, an official at the Immigration Office expressed his concern that, due to the absence of an effective birth registration system, many alleged criminals could easily escape prosecution since the present system allows anyone to change names, addresses and other relevant personal information at any time. The official also added that at the present time, Somalis and Kenyans in the border areas can obtain an Ethiopian passport very easily, which may also raise a national security concern. It is seldom that the Office identifies and locates those people who have unlawfully obtained an Ethiopian passport. The system has also allowed individuals to carry two Ethiopian passports with different names.



6: Impact of the Absence of a Birth Registration System





7: Stakeholder Analysis and Review of Practical Initiatives

7.1 Description of Stakeholders

Institutions that have a stake in the institutionalisation of a birth registration system in Ethiopia are those that play the following roles:

- in lobbying and advocacy for the promulgation of comprehensive and appropriate laws
- in the practical formulation and implementation of the birth registration system
- in following-up the implementation of birth registration
- in the preparation of detailed manuals and formats to facilitate birth registration
- in mobilising and raising the awareness level of the community about the importance of birth registration
- in the participation of the actual registration process.

The following can be considered as the major stakeholders:

Policy/Law Makers: At present, Ethiopia does not have comprehensive legislation that would institutionalise a birth registration system. Although draft legislation is being discussed by the Parliament, it is yet to be approved. Ironically, it is also the Parliament that approves the plans and reports of implementing government agencies. In the absence of basic demographic data that could be obtained from an effective civil registration system, it may not be possible to adequately monitor and follow up all such development interventions in the country. As a result, the Parliament can be considered as one of the major stakeholders in reactivating the law-making process and in seeing the implementation of a birth registration system.

Population and Housing Census Commission Office: This Office is mandated for the population and housing census. At present, it is the only institution that is highly supportive of having a civil registration system established in Ethiopia and has been actively working towards the institutionalisation of a birth registration system.

International and Local NGOs working on Children's Issues: In recent years, non-governmental organisations have been involved in a number of child-focused and other development projects with the aim of alleviating social and economic problems affecting the most marginalised groups of Ethiopian society and facilitating the promotion, participation and protection of children. Because of the nature of their interventions, it is clear that they need to be updated on basic demographic data that helps them formulate, implement and evaluate their development/human rights programs and projects. At the present time, however, NGOs are either commissioning surveys each time they wish to design child orientated programs, or they use projected data that may not provide a very clear picture concerning the state of targeted children at different levels. Obviously working towards having a universal birth registration system in Ethiopia is in their interest as well. Furthermore, under a rights-based approach to development, it is also their responsibility. Since non-governmental organisations work close to the community, they could play a significant role in mobilising and sensitising people at grassroots-level about the importance of birth registration. In addition, they may also be relevant actors in lobbying the Government for the promulgation of appropriate laws and

mechanisms that institutionalise a permanent and continuous, universal and compulsory birth registration system in Ethiopia. Not least, they can provide material and technical assistance before and after the establishment of a civil registration system in order to make it functional and effective.

In particular, Plan Ethiopia is part of the international NGO, Plan that is campaigning to achieve universal birth registration across the world. It is an organisation that has vast experience in birth registration and is also the institution that is financing this study to further the establishment of a birth registration system in Ethiopia.

Relevant UN Offices: UN offices, in particular UNICEF and the UNFPA, have a stake in issues affecting development. UNICEF, in particular, is working to address the problem of children and is fully aware of the impact that the absence of a universal birth registration system can have. Its commitment to birth registration is demonstrated by its interest in funding the pilot project launched by the Population and Housing Census Commission Office. Therefore, UNICEF can significantly contribute to providing financial and technical support in all endeavours connected with ensuring the establishment of a functional birth registration system in Ethiopia. As far as the UNFPA is concerned, it believes that civil registration is the only way of providing accurate demographic data on a monthly, quarterly, bi-annual and annual basis and enthusiastically works towards this objective by extending financial, material and technical assistance to developing countries. Therefore, for the same reason the organisation potentially has much to contribute to the establishment of a birth registration system in Ethiopia.

Women’s Affairs Office: This office is involved in a number of different activities with the aim of tackling harmful traditional practices and attitudes negatively affecting women. In particular, the role the office could play in the birth registration effort is significant, for instance, in relation to early marriage (since it is practiced in many traditional societies). The office’s participation could involve raising the awareness level of women about the particular importance of birth registration to women and girls and ensuring its practice accordingly.

Central Statistic Authority: Due to the nature of its work, this office has a particular interest in the institutionalisation of a birth registration system in Ethiopia. Since it is responsible for conducting statistical studies, it obviously needs basic demographic information. Such demographic data could be obtained comprehensively from the lowest administrative level and on a regular basis if only a continuous and universal birth registration system was established in Ethiopia. Therefore, the contribution of the office to the establishment of a birth registration system and its continuous support during implementation is vital.

Children and Youth Groups: At present, children and youth groups are being established all over the country from the highest levels right down to the grass roots. Such groups are actively engaged in different projects and activities in the promotion and protection of the rights of children as well as addressing other social and economic problems affecting children at the local level. As a result, the contribution they could make towards an effective birth registration system is significant. In particular, these forums can be effective to mobilize children and raise their awareness on the importance of birth registration. It should also be emphasised that it is their right to participate in matters affecting their lives.

The following summarises the stakeholders analysis:

7.2 Stakeholders, Interests and Respective Roles

Institutions	Interest/stake	Expected roles
Policy/law makers:	<ul style="list-style-type: none"> CRC committee has identified the problem of low levels of birth registration in Ethiopia The absence of a birth registration system in the planning, implementation, monitoring and evaluation of national plans and projects has a negative impact 	<ul style="list-style-type: none"> Promulgation of laws and regulations establishing a permanent, regular, universal, and compulsory birth registration system

7: Stakeholder Analysis and Review of Practical Initiatives

Institutions	Interest/stake	Expected roles
Community and religious institutions:	<ul style="list-style-type: none"> • Are interested and active in registering members of the community and their constituency in a relatively consistent manner 	<ul style="list-style-type: none"> • Sharing experiences • Raising public awareness and managing cultural attitudes • Mobilisation of community in support of a birth registration system
Kebeles:	<ul style="list-style-type: none"> • Have an interest in knowing the different age groups of residents for planning and community development activities • Are the lowest administrative bodies and are close to the public 	<ul style="list-style-type: none"> • Facilitating registration process • Raising the awareness level of the local people
Sector offices/ ministries: MOH, MOE, MOLSA etc	<ul style="list-style-type: none"> • Are affected by the absence of a birth registration system in the planning, implementation, monitoring and evaluation of national plans and projects • Birth registration is affecting the realisation of other rights of children 	<ul style="list-style-type: none"> • Creation of awareness • Providing technical and material support • Reporting births in the case of health sector • Involvement in campaigns to register birth
Women's Affairs Offices:	<ul style="list-style-type: none"> • The rights of girl children are being violated due to the absence of birth registration. These include early marriage, child prostitution, trafficking, pornography, etc. • Birth registration is strongly linked to family law 	<ul style="list-style-type: none"> • Lobbying for increased political commitment • Creation of awareness • Following up the actual implementation of the registration process
Demographic and statistics authorities	<ul style="list-style-type: none"> • Have a special interest in the institutionalisation of a birth registration system in Ethiopia • Experience a regular need for basic demographic information 	<ul style="list-style-type: none"> • Providing material and technical support • Involvement in campaigns to commence birth registration • Providing continuous support for the system
International and local NGOs working on children's issues	<ul style="list-style-type: none"> • Mandated to promote rights recognised in the CRC and recognise the lack of a birth registration system as a violation of the rights of the child • Have moral/legal obligation towards the realisation of birth registration and the rights of the child • Birth registration is linked to the realisation of the rights and welfare of children • Birth registration is linked with addressing problems related to survival, security and the development of children • The absence of birth registration data has a negative impact affecting their work related to children 	<ul style="list-style-type: none"> • Lobbying for increased political commitment • Doing fact based advocacy to lay the foundation for launching the birth registration system • Providing facts that emphasise the problems children encounter due to the absence of birth registration • Coordinating the active involvement of NGOs in birth registration • Providing support to strengthen capacity of the government agency to implement birth registration • Raising awareness of communities, NGOs and the government

Institutions	Interest/stake	Expected roles
Children and youth groups	<ul style="list-style-type: none"> • Have the right to participate in matters that affect them • Birth registration falls within their mandate. • They are negatively affected by the absence of birth registration 	<ul style="list-style-type: none"> • Awareness creation at grassroots level • Mobilising children to get registered • Proactively involved in the implementation of the system
Relevant UN offices: UNICEF, UNFPA, WHO, UNICEF and so on	<ul style="list-style-type: none"> • Birth registration is linked to the realization of the rights and welfare of children • Have a moral/legal obligation towards the realization of birth registration as a right of the child 	<ul style="list-style-type: none"> • Provision of technical and material assistance to the government in the establishment of a birth registration system • Awareness creation • Engagement in research and advocacy and lobbying to establish birth registration system in Ethiopia • Provide assistance for ongoing efforts and processes

7.3 Opportunities and Threats Identified by Stakeholders

There are various opportunities that need to be exploited in order to overcome the lack of political will and commitment for birth registration. Only when the highest decision-making body right down to the community level is committed to birth registration will it be possible to define and execute the legislative framework needed for a universal, compulsory, permanent, and continuous birth registration system in Ethiopia. These opportunities include:

- the presence of encouraging initiatives on the issue of birth registration at national and regional level
- the revision of the Family Law with more focus on and recognition of the rights of women and children
- the constitutional provision dealing with the rights of children in general and the rights to a name, nationality and for the child to know their parents and get care/protection from them
- the adoption of a federal governance model and the accompanying decentralization process which will build the capacity of woreda- and kebele-level administration offices
- engagement of hospitals and churches who are engaged in the existing informal birth certificate-issuing practice
- the enhanced capacity of kebele and woreda administrations
- the possible opportunity to inform the views of the public on birth registration through education
- the growing concern and commitment of various governmental and non-governmental institutions towards the establishment of a birth registration system
- the fact that some private schools are requiring birth certificates as a precondition for enrolment
- the increasing need for accurate demographic data by all development agencies
- widening democratic space for advocacy
- good partnership and openness at MOLSA
- commitment of child-focused NGOs to be involved in advocacy work and in partnership with government
- increasing attention given to birth certificates and the registration of births in relation to delivering social services to children
- law making process in progress by the Federal Parliament
- the increasing number of health centres, educational facilities and extension workers in rural areas as potential vehicles for registration

7: Stakeholder Analysis and Review of Practical Initiatives

Obstacles and threats identified by the key stakeholders include the following:

- low level of awareness as to the importance of birth registration among the public and government bodies
- human resource limitations
- weak institutions of law enforcement at the lower administrative levels
- frequent changes in the assignment of institutional responsibilities and mandates
- absence of birth registration-implementing institutions at the lowest administrative level
- low level of awareness on birth registration and poor public service provision practices
- absence of a link between birth registration and public services, as well as proof of identity and date of birth
- lack of the necessary political will and commitment on the part of the State to have a birth registration system in Ethiopia
- cultural practices that discourage reporting a birth: being reluctant to disclose the number of children for example
- poverty and frequent emergency situations that make birth registration appear to be less of a priority issue
- difficulty in promoting and gaining acceptance of the importance of birth registration in rural areas
- prevalence of harmful traditional practices
- financial constraints that prevent the supporting of possible schemes to initiate a birth registration system across the country
- the government may not be able to allocate adequate budget to start a comprehensive birth registration system

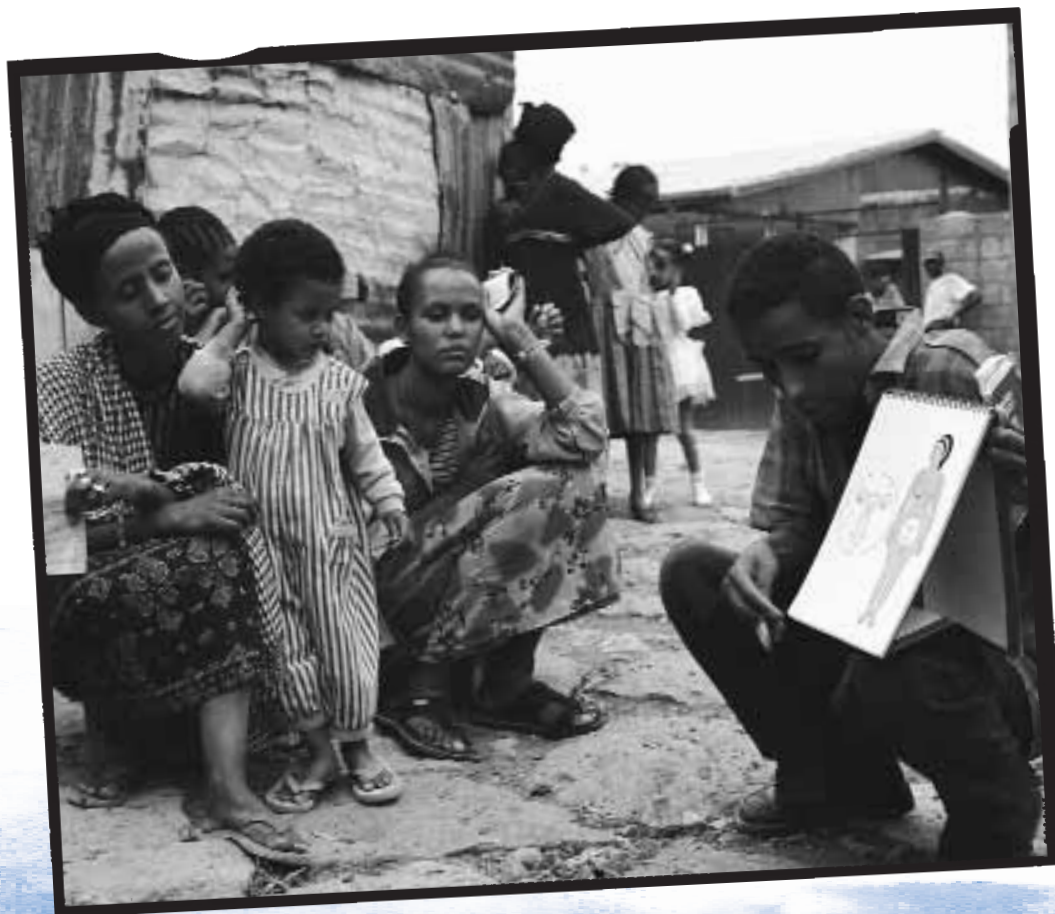


7.4 Ongoing Practical Efforts and Processes Related to a Birth Registration System

There is no informal or formal institutional, procedural or legislative mechanism and process that may be designated as a birth registration system in Ethiopia. However, there are efforts underway by the Federal Government, the Amhara Region National Government and NGOs (including UN agencies) in support of a birth registration system in Ethiopia. There is also a readiness to implement immediately the would-be Federal Law by the City Council of Addis Ababa. Notable institutional efforts and processes are presented below:

Surveys and studies: No comprehensive studies have been undertaken on civil registration in general or birth registration in particular in Ethiopia. However, three previous surveys on civil registration deserve to be mentioned. The first is a Survey on the Vital Statistics Registration System that was conducted by the Central Statistics Office in 1977. This was carried out in randomly selected kebeles in Addis Ababa and Farmer Association areas. The objective of this initiative was to test whether it would be feasible to carry out civil registration by providing technical and material assistance to the Associations. It was also designed to explore some of the expected fundamental problems that would be involved in the methodological, administrative, legal and financial aspects of the registration activities. The exercise covered 37 urban kebeles and 4 farmer associations.

The second study was conducted by the Central Statistical Authority between 1986 and 1987. The long-term objectives of the Experimental Sample Vital Registration System in rural Ethiopia included: generating reliable data for the country's social and economic development planning and population policy implementation; creating an awareness among the general public of the importance of civil/vital registration and vital statistics system; and gaining the support of governmental and non-governmental organisations for the registration activity; and the eventual setting up of a vital registration system on a national basis. Its immediate objective was to study changes in population size, age/sex structure and population dynamics as a result of vital events; namely, births deaths and internal migration.



7: Stakeholder Analysis and Review of Practical Initiatives

Accordingly, two rounds of household surveys were conducted. While the first round had the aim of obtaining the size of the baseline population and data on basic socio-demographic characteristics which include sex, age, marital status and so on. The second round aimed at gauging changes in the household composition as a result of births, deaths and migration during a one-year time period.

The Experimental Sample Vital Registration System covered 670 Farmers Associations which, in turn, covered 451,088 households. Unlike other surveys which only cover sample households within the selected Farmers Associations this survey covered every household in the selected rural areas apart from Tigray and the nomadic areas. Every effort was made to register the incidence of vital events as soon as they occurred. These were recorded by enumerators who went from house to house every 15 days. However, because the reporting of vital events was totally voluntary, the data registered might not have been complete. In addition, there were problems connected to the low levels of literacy in the rural society.

The third survey was conducted in 1999 by the Addis Ababa City Administration Police Commission in collaboration with the Forum on Street Children, Ethiopia and Save the Children, Sweden. The exercise assessed the potential of idirs to handle a vital registration system in Ethiopia and attempted to find alternatives for determining the age of young offenders which was being done in hospitals. The study was carried out in Addis Ababa by contacting 100 idir officials, 200 idir members and 30 kebele officials. The survey also assessed issues that included the membership registration system of idirs and identifying how records of births in idirs were used by police stations that were dealing with juvenile offenders.

A legislative process is currently underway by the House of Peoples' Representatives (Parliament):

The Federal Parliament has initiated a law making process with a view to provide the legislative framework to institutionalise a birth registration system in Ethiopia. The draft was submitted by the Justice and Legal System Research Institute in April 2001. Consultative meetings have been held at the committee level in the Parliament involving various stakeholders, including the Population and Housing Commission and the City Council of Addis Ababa. According to informants from the latter two institutions, what remains to be done is a public hearing of the bill and its promulgation. It is expected that the legislation would provide an adequate legal framework for the effective establishment of a birth registration system in Ethiopia.

The Vital Statistics Registration, Study and Research Department (VSRSRD) of the Population and Housing Census Commission is working on activities to initiate a birth registration system in Ethiopia:

The Population and Housing Census Commission was set up as a result of a constitutional obligation to the Federal Parliament. The VSRSRD has undertaken a series of preparatory activities for the establishment of a birth registration (vital registration) system in the country based on the first two surveys outlined above. The Commission believes that these activities are essential to put in place the proper legal and administrative systems and technical instruments needed for the realisation of the rights of children as enshrined in Article 36 of the Constitution as well as those other rights guaranteed under international human rights instruments ratified by Ethiopia.

The activities of the Commission under VSRSRD include the following:

Preparation of IEC materials and manuals: VSRSRD has a final draft of an operational manual on the administration and organisation of a vital registration system which covers objectives, functions, administration and organisation of the system. It also includes: the techniques of a vital registration system; the kind of events registered in the vital registration system; their significance; the necessary legal framework and technical instruments for the establishment and development of a birth registration system, including the register and birth certificate formats; establishment and maintenance of a birth registration database; and procedure for issuing birth certificates.

Another unpublished work of the department is training material on civil registration and vital statistics. The department has also prepared booklets and leaflets in Amharic for the purpose of creating awareness on the meaning and significance of a birth registration and vital registration system, which appear to cover pertinent issues and concepts. The department has used six handbooks issued by the United Nations Statistics Division for reference in putting together the IEC materials and manual. These handbooks deal with different aspects of civil registration and vital statistics improvement.

A pilot project in two regions: VSRSRD has recently started implementing a pilot model Birth Registration Program in the SNNP and Amhara regions of Ethiopia in partnership with UNICEF. The design of the pilot program is intended to put the model on the national agenda and to make birth registration a priority of the government. The objectives as provided in the project document are:

- to establish demonstration areas on the operation and maintenance of a birth registration system in the two regions
- to test the technical instruments prepared for the establishment and development of a birth registration system
- to devise the proper administration and organisation of a birth registration system that conforms to the regional socio-cultural and geo-political set-up
- to provide official birth certificates to births that occur in the model areas
- to compile and disseminate birth statistics information from the model areas on a continuous basis
- to establish a birth registration database for the model areas
- to provide personal demographic information to health and other social services rendered by GOs and NGOs at the kebele administration level

Active participation in the birth registration system: VSRSRD claims to have actively participated in the law-making process indicated above at the Federal level. It has also carried out various research, documentation, publication and advocacy activities in support of a birth registration system in Ethiopia.

The Vital Statistics Department of the Population and Housing Census Commission is clearly another key stakeholder of a vital registration system in Ethiopia.

A Regional Steering Committee is established in Amhara National State and a Project for the Establishment of Vital Events and Property Registration is initiated: This Committee was established as part of an effort to implement the Regional Justice System Reform Program, which is coordinated by the Office of the Regional President. It is made up of the President of the Regional State who acts as Chairperson, Speaker of the Regional Parliament as Deputy Chairperson and Head of the Bureau of Capacity Building as Secretary. Other members of the Committee include representatives of the regional Supreme Court, Justice Bureau, Office of People's Militia, Prison Administration and Police Commission.

One of the Committee's sub-programs is a Project for the Establishment of Vital Events and Property Registration. The program document not only details the purpose, specific objectives, and activities of the project but it also provides the timetable and budget necessary to realise the objectives of the project.

7: Stakeholder Analysis and Review of Practical Initiatives

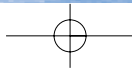
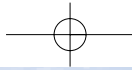
The Steering Committee has carried out a number of activities in the first year of the project's launch. These include the organisation of meetings both for the Committee and the public at which other stakeholders, such as the Regional Population Office (the implementation agency for the pilot project with UNICEF) were invited. At the end of the meeting an agreement was reached on the necessity of enacting a law that provides for the legal framework for the establishment of a vital registration system. As a result, a study is being undertaken to examine the draft Federal Law and come up with regional draft legislation, and to determine the appropriate administrative and institutional arrangements for vital registration. The research team and regional official are aware that the Committee members are overstretched. The fact that vital events registration is linked with registration of property and land is also noted as an area of precaution.

UNICEF and the World Health Organization (WHO) are supporting the pilot projects on birth registration: The pilot project supported by UNICEF is outlined at the beginning of the chapter. Another agency that is making efforts towards establishing a birth registration system in Ethiopia is the WHO, which is initiating community level registration of births and certification. According to information collected through a questionnaire, this project has been established in two pilot districts. The experience of these districts is expected to be shared with other districts. The pilot project takes the opportunity afforded by the governmental administrative structure at the community/grass roots level by establishing community birth registers. The district administration then issues an official birth certificate based on this register.

The health extension system may make a birth registration system and the registration of vital events in rural communities feasible: Many note that the feasibility of birth registration in rural Ethiopia is a question that needs to be addressed in order to ensure an effective birth registration system. The experience of health extension workers seems to be valid in this regard. Health extension workers are said to be deployed to rural areas by the Ministry of Health (MOH), regional bureaux and NGOs working in the health sector to make sure that the population has access to information related to health, nutrition and HIV/AIDS. According to an official in the MOH and an extension worker in a rural area in North Gondar, the extension workers are providing services by going from house-to-house and visiting places of work.

Such practice has enabled the health extension workers to disseminate health and HIV/AIDS related information, provide care to needy patients and actively participate in social events such as births, deaths, marriages and so on. These workers are also said to collect data showing trends in sickness, fertility, birth and mortality and have information of the cultural barriers affecting the health of children, mothers, and the community at large.

One specific practice that the researchers learned from the extension worker in Gondar relates to the participation of the health extension workers in celebrating the birth of the child and teaching the parents, other family members, relatives, neighbours, about the needs and rights of children during social visits arranged to welcome the newborn baby. This ritual is accompanied by a solemn process in which the health workers present a congratulation certificate and/or leaflets to the parents on which is written information about caring for and protecting the child, as well as the birth date, place of birth and parents of the child, among other things (note that a similar practice is reported in Gondar by Child Rights Clubs and their members who announce the birth of a child, teach the parents and community about the child's needs and rights and welcome the child into the world). What is interesting is that most of the health workers never fail to attend such ceremonies. They claim not only to have full knowledge of the vital events in the lives of the rural people but also claim to have recorded this data ever since their deployment to the rural area.



8: Conclusion and Recommendations

8.1 Concluding Remarks

The main conclusion of this study is that there is no formal or informal birth registration system operating in Ethiopia. Several factors contribute to this state of affairs, the major one being the absence of legislation that establishes a birth registration system. Another major factor which may be both the cause and effect of this situation is the low level of political priority and attention given to birth registration at the top decision-making level.

The absence of a birth registration system and birth registration data in Ethiopia has resulted in a number of negative impacts, from the violation of individual rights to the hampering of development endeavours. In addition, there has been a negative impact in relation to personal attitudes and behaviour on age-related issues.

There has been a recent increase in efforts by a number of institutions towards creating a system of universal birth registration in Ethiopia. It is important to note that child welfare and rights institutions are among those coming out in favour of working towards a birth registration system and have expressed their willingness to actively participate in a collaborative process for the realisation of this aim.

Consequently, measures towards promoting birth registration should take into account and capitalise on the institutional opportunities that are available. Such measures should also analyse and be prepared to address the anticipated threats that may hinder the creation and implementation of an effective birth registration system.

Finally, the research team note that the people and children who are most affected by the absence of a birth registration system need to be consulted and their voices heard in any of the measures taken to establish a system in Ethiopia. The following measures to institute a birth registration system are recommended by community people from the four regions:

- educate the public about its obligation of registering children so that it maintains the culture of registering children
- facilitate the institutionalisation of birth registration systems near to the people such as at the kebele and CBOs
- involve idirs and religious institutions in the promotion of birth registration as a right and as a system of obtaining accurate information
- make parents duty bearers in the matter of child birth registration by providing for legislation to that effect
- link birth registration to some form of public service as an incentive
- determine the cost involved in registering a birth, taking into account the capacities of the urban and rural poor

8.2 Recommended Actions

Establishing an effective birth registration system in Ethiopia is the overall responsibility of the government as it is the state that is the primary duty bearer according to the UN Convention on the Rights of the Child. To ensure an effective and accessible system to all, active involvement of various institutions at all levels is also paramount. Stakeholders that claim to work for the realisation of child rights or human rights in general, have an obligation to promote the right to birth registration which is a fundamental right of children. Not only commitment on the part of different agencies, but a concerted and systematic collaboration is needed in order to put in place a mechanism that ensures the registration of every birth of a child. To this effect, the following recommendations are put forward:

A. International Level

The international community including UN agencies, multilaterals, bilaterals, donor governments and non-governmental organisations should:

1. **Ensure Universal Birth Registration:** Members of the international community must identify the right to birth registration as the first priority for intervention by recognising its importance in monitoring the achievement of the relevant Millennium Development Goals. International organisations which are working on the welfare and rights of children including education, health, child rights programming and juvenile justice should ensure that they mainstream the issue of birth registration, thereby facilitating registration to a wider number of children.
2. **Incorporate birth registration into appropriate policy:** International organisations including non-state economic actors should incorporate birth registration into their policy.
3. **Reporting requirement:** International organisations that support the country by providing funds to Ethiopia should make reporting on birth registration a requirement. It is believed that this will enhance the process of building a system which ensures birth registration.
4. **Advocate for Universal Birth Registration:** An international day for the 'Unregistered Child' on which to call for free or affordable, compulsory, non-discriminatory, permanent and continuous birth registration in all countries should be established by the UN.
5. **Use of leverage:** International organisations that support the country as donors can use their position to facilitate the introduction of a birth registration system through partnership with government and civil society. These include using the leverage their position provides to promote initiatives that facilitate establishing a birth registration system, and to encourage the development of appropriate policies and accountability mechanisms both at the national and international level.

B. National Level

Ethiopia has ratified the UN Convention on the Rights of the Child thereby committing itself to respect the right of every child to be registered at birth. So far, a system for birth registration has not been put in place although some attempts have been and are being made to do so. The government should take specific action in the following areas identified in order to ensure not only the right to birth registration but also other rights enshrined in the UN Convention on the Rights of the Child.

1. **Increase political will:** As revealed by this study, the issue of birth registration has not been given the attention it deserves. The government must increase political will and prioritise birth registration in its agenda for development and the realisation of rights. Political will should also be matched by sufficient human, financial and material resources.
2. **Review legislation:** The existing laws relevant to birth registration should be reviewed taking into consideration local realities. The draft proclamation of the Civil Code which provides for a compulsory, universal, permanent and continuous system of civil registration and which envisages the use of modern technologies should be enriched, refined and immediately put into effect.

8: Conclusion and Recommendations

3. **Set up relevant institutions:** As well as reviewing the existing legislation, the government should immediately put into place the relevant institutional mechanisms that are necessary to ensure the birth registration of all children. Institutions should be accessible to children in rural and remote areas. The potential of community based organisations and associations should be assessed and they should be provided with the necessary support to make them instrumental in the birth registration system.
4. **Capacity building:** Technical and financial support to all the institutions involved in birth registration, including the lower level administrative structures, should be provided. This will enable them to be effectively involved in birth registration. Organising training in order to strengthen staff capacity should also be incorporated in the government's plans.
5. **Build trust for birth registration:** The government should play a vital role in building trust for the birth registration process. It should also find appropriate means to mitigate cultural barriers which are responsible for creating fear of the act of registering births in the community by providing necessary and factual information about the impact of non-registration.
6. **Engage in advocacy on birth registration:** The government should be engaged in advocacy activities that help citizens, especially at the local level, to understand the importance of birth registration and act accordingly.
7. **Work in partnership with civil society:** The government should create an enabling environment for the involvement of civil society institutions in the establishment of a birth registration system. Civil society should also prioritise birth registration as a basic and instrumental right of children.

C. Local Level

Organisations that work directly with communities are instrumental in the promotion of the right to birth registration since they work closely with the community. They already have existing structures and interventions with which they can integrate birth registration.

1. **Lobbying and advocacy for the enactment of a birth registration law:** It is repeatedly emphasised that the most significant problem in Ethiopia with regard to birth registration is the complete legal vacuum with regard to establishing a system for its practice. The enactment of legislation is the first and most important step towards having a birth registration system. Amongst other things, the cause for the delay in providing the appropriate legal framework could be attributed to limited awareness of the importance of birth registration and lack of political commitment which has led to little priority being given to the issue. Therefore, advocacy and lobbying with the aim of reactivating the law-making process and ensuring its implementation by government is the first critical activity of organisations working at the local level. Since birth registration is closely linked to the registration of other vital events, it is better to advocate for the establishment of a comprehensive civil registration system, rather than lobbying only for a birth registration system. This wider approach may also have the advantage of convincing the government to give the issue the required priority.
2. **Awareness creation:** Organisations working at the local level should create awareness among community members of the impact of birth registration. In particular, those organisations which are engaged in activities related to schools and health centres should use these settings as an opportunity to encourage and implement birth registration.
3. **Local capacity building:** Organisations at the local level should look at the potential of local systems in assisting the implementation of birth registration and must design a plan that supports local systems both financially and technically.
4. **Participation:** To obtain the necessary support, organisations working at the local level should ensure the participation of community members and children in the process of planning and implementation.
5. **Creating coordinating mechanisms:** The promotion of a birth registration system requires the concerted efforts of all concerned bodies. Any activity to promote birth registration, be it lobbying for the enactment of legislation or awareness-raising, cannot produce the desired result unless all stakeholders are involved. However, the involvement of all stakeholders is not enough by itself unless

their efforts and activities are coordinated. Therefore, establishing a national committee composed of major stakeholders or some other coordinating mechanism is recommended. It needs to be further noted that there are currently some initiatives on birth registration being undertaken by different institutions about which other stakeholders are unaware. Facilitating exchange of information and sharing experiences of efforts around birth registration would thus constitute further added value in establishing a coordinating mechanism.

- 6. Conducting further studies:** There are a number of issues related to birth registration which require detailed study and analysis. Notable are cultural factors; institutional arrangements; operational and managerial procedures; means of collecting, recording and disseminating birth registration-based information; and how to go about making birth registration compulsory, permanent, continuous and comprehensive. In general, conducting studies on various issues related to birth registration would contribute to the establishment of a proper and effective birth registration system.



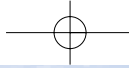
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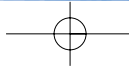
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Annexes

Annex 1: Focus Group Discussion (FGD) and Case Study Guidelines

FGD Guidelines

- Is there a practice of registering births in your community? By formal and informal mechanisms (such as idirs)?
- How do people living in your community know about their name, place of birth, date of birth and the identity of their parents?
- How do you know the number of births and deaths in your kebele/community regularly? Are there other mechanisms (like idirs) that help you document such data?
- What do you know about the importance of birth registration and consequences of the absence of BR data?
- Do you see any relationship between human rights and birth registration?
- What type of human rights do you think are affected due to non-registration? Is birth registration a child rights issue?
- Do people in the community usually need/apply for birth certificates? Where and how? Are there other acceptable practices going on?
- For what purpose do people usually need/apply for birth certificates?
- Do you need birth certificates or other related documents to benefit from social services (such as health and education) provided by the government?
- Are there certain groups of children in the community (such as street children, disabled, orphans and other vulnerable children) who are not able to benefit from social services?
- Do you think the present practice verifies age correctly?
- Is the present practice of issuing birth certificates and verifying age open for abuse? How?
- Are there individuals who may not have birth certificates at all for various purposes?
- Do you observe any practical problem in the present system of verifying age?
- Do you think birth registration should be compulsory?
- What do you think should be done to have a continuous and universal birth registration system in Ethiopia?
- How do you evaluate the acceptability of a compulsory and universal birth registration system by the community at large?

Case Study Guidelines (Children in Difficult Circumstances)

- Personal history and problems (timeline)
- Knowledge and recognition of family background, birth place and date of birth
- Means of verifying identity, birth and filiations
- Access to basic public services, proof of identity and related problems
- Problems related to the right to protection of children from abuse, neglect and exploitation, and situation of orphans and vulnerable children
- If the child ever faced a problem due to his/her invisible status

Annex 2: List of Significance of Birth Registration as identified by NGOs, Policy Makers, Children in the Regions and Community People in Addis Ababa

Community people in Addis

- To know exactly one's age
- To know and control the population size in proportion to age
- To keep the exact history of each citizen
- To benefit from the pension/social security system in the country
- To ensure that girl children are not married too early
- To ensure the timely enjoyment of the right to education of school-aged children
- To provide the necessary protection commensurate to the age of children
- To control fraudulent practices related to falsification of date of birth
- To ensure the rights of children as provided for in the UNCRC

SNNPR: Rural Children

- Not to be recruited into the military
- To get access into hospitals
- To minimise inaccurate birth dates
- To know one's personal history
- To be able to celebrate birthdays
- To divide the population into different age groups
- To be protected from child labour
- To prevent early marriage

Amhara Region: Rural

- To know one's birth date in day, month and year
- To control child labour
- It is a right by itself
- To provide children proper care and protection from society
- To provide children medicine corresponding to their age
- To know what portion of the population is educated or not
- To know the size of population
- To know exactly who your parents are
- To respect the right of children to birth registration, name and nationality
- To solve problems related to proof of identity and age

Policy makers

- To provide unquestionable proof of citizenship by the individual
- To promote the realisation of human rights
- To ensure that children get the care and protection corresponding to their age by parents, guardians, the community and the government
- For the state to know its population disaggregated by age, sex and other demographic variables
- To prevent crime arising from falsifying age and identity
- To ensure the realisation of socio-economic interests of children and the community at large
- To facilitate and integrate development efforts of the community, GOs and NGOs directed towards the rights and welfare of children
- To address gaps and errors in demographic data and have a more accurate basis for effective and proper development planning and implementation
- To focus on those problems that adversely affects the enjoyment of rights of children
- To have a strong database from which to devise resource mobilisation schemes such as taxes from citizens

NGO officials

- To protect the needs of children in the future
- To get admission to schools, to elect and be elected, get access to social services, and generally to exercise those rights and privileges related to age
- To recognise and protect the fundamental rights of children to birth registration
- To ensure that citizens have access to quality services and benefits they are to get from government as citizens
- To prevent violations of rights by lack of a birth registration system
- To fulfill the right to identity and to easily trace nationality and citizenship
- To have a demographic database for planning, budgeting and policy formulation and to fulfil development and survival needs of children
- To have access to education, health care and identity
- To get protection from abuse
- To have data based on birth rate and other demographic variables
- To determine the age of a child so as to respect and protect his/her rights
- To stop deception by individuals
- So that individuals have evidence to protect their human rights
- To decide on criminal responsibility

Annex 3

Table 5.1: Customer Evaluations of Registering/Certificate-Issuing Institutions

	Addis Ababa	Oromia	Amhara	SNNPR	Total	%
Very good	13	12	4	6	35	49.29
Good	3	3	8	8	22	30.98
Fair	2	1	3	1	7	9.85
Poor	0	0	0	3	3	4.22
Very poor	0	0	0	1	1	1.40
No Response	2	1	0	0	3	4.22
Total	20	17	15	19	71	100.00

Table 5.2: Is Registration/Certificate Processing Computerised?

	Addis Ababa			Oromia			Amhara			SNNPR			Total	%
	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³		
Yes	3	0	0	1	0	2	0	0	0	0	1	0	7	20.58
No	0	2	3	2	3	1	2	3	3	2	1	2	24	70.58
No response	0	0	0	0	0	0	0	0	0	1	1	1	3	8.82
Total	3	2	3	3	3	3	2	3	3	3	3	3	34	100.00

Table 5.3: Could the Present System of Registration and Certification be Abused?

	Addis Ababa			Oromia			Amhara			SNNPR			Total	%
	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³		
Yes	2	0	0	3	1	1	0	1	0	0	1	0	9	26.47
No	1	2	0	0	2	2	2	2	3	3	1	1	19	55.88
No response	0	0	3	0	0	0	0	0	0	0	1	2	6	17.64
Total	3	2	3	3	3	3	2	3	3	3	3	3	34	100.00

Table 5.4: Place where Rural Children are born

Site	Addis Ababa	Oromia	Amhara	SNNPR	Total	%
At home	0	8	26	15	49	72.05
At hospital/health centre	0	5	1	5	11	16.17
Don't know	0	7	1	0	8	11.76
Total	0	20	28	20	68	100.00

1. Municipality
2. Church
3. Hospital

Table 5.5: Is the Registration/Certificate Processing Procedure ever Revised or Changed?

	Addis Ababa			Oromia			Amhara			SNNPR			Total	%
	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³	MUN ¹	CHU ²	HOS ³		
Yes	3	0	0	3	2	2	1	1	1	0	0	1	14	41.17
No	0	2	1	0	1	1	1	2	2	2	1	1	14	41.17
No response	0	0	2	0	0	0	0	0	0	1	2	1	6	17.64
Total	3	2	3	3	3	3	2	3	3	3	3	3	34	100.00

Table 5.6: Reasons for Seeking a Birth Certificate as Confirmed by Customers at Registering Institutions

	Addis Ababa	Oromia	Amhara	SNNPR	Total	%
Adoption	0	2	0	0	2	2.81
Going abroad	17	9	11	18	55	77.46
School enrolment	2	2	1	0	5	7.04
Other reasons	1	4	3	1	9	12.67
Total	20	17	15	19	71	100.00

Table 5.7: Do Rural Children have a Birth Certificate?

Site	Addis Ababa	Oromia	Amhara	SNNPR	Total	%
Yes	0	4	0	0	4	5.88
No	0	4	28	16	48	70.58
Don't know	0	12	0	4	16	23.52
Total	0	20	28	20	68	100.00

1. Municipality
2. Church
3. Hospital

Annex 4: Consequences of Non-Registration of Birth as Identified by Informants

Policy Makers

- Difficulty of proving birth and citizenship. Long and bureaucratic procedures to get documents proving birth and citizenship
- Lack of access to data that could help determine electoral units and that impinges on development, good governance and resource allocation
- Negative impression by the international community on the performance of the Ethiopian Government in meeting obligations it assumed upon ratification of the UNCRC and by constitutional provisions dealing with rights of children
- Limited or inaccurate data for analysis and understanding of development and human rights problems, and for equitable resource allocation
- Recruitment and discharge of employees based on inaccurate information from other sources
- Errors in statistical data that are basic in development planning, implementation and monitoring; for policy formulation, for problem analysis and prioritisation
- Failure to make available accurate information and reliable demographic data for use by development planners and workers in the GO and NGO sector

Government officials (other than policy makers)

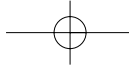
- Difficulty in identifying children from adults
- Difficulty in determining criminal responsibility and administering the juvenile justice system
- Difficulty in identifying the parents of a child
- Problem in making proper population projections
- Limits the right to vote
- Limits children from properly exercising their rights
- Exposes children to the risk of having to perform heavy jobs
- Exposes children to military service
- Results in increased costs to process birth certificate
- Negative impact on educational opportunities and development activities
- Hinders proper planning and execution of programs
- Results in injustice

NGO Officials

- Problem in determining the age of children and to accord protection corresponding to their age
- Spending extra resources to determine the age of children and child population with specific range
- Prevents children from getting the necessities for survival and development, including health and education
- Not getting the accurate data for population planning.
- Leads to development programs conceived without proper data about the target population
- Makes the coverage of services to children and others sectors of society and its monitoring difficult
- Hampers the exercise of rights in different circumstances, such as voting, social service benefits, employment opportunities, and pension
- Exposes to abuse and discrimination, including inequitable resource distribution
- Affects negatively children in conflict with the law
- Exposes children to abuse like early marriage, trafficking, prostitution, forced military service
- Leads to erroneous generalisations in research
- Unrealistic planning and policy formulation
- Deprive children of health care, education, and protection

Children

- Violates human rights
- Creates a problem when someone wants to leave the country
- Prevents someone from acquiring nationality
- Exposes the child to the risk of early marriage
- Someone may not tell his life history correctly
- Someone may encounter a problem in being admitted to school
- Failure to celebrate birthdays
- Failure to properly benefit from age-related services
- Failing to know how old you are throughout your life. Not having a means to know exactly when you were born
- Difficulty to benefit from immunisation program
- Inability of children to get access to education after they are seven years old
- Telling different birth dates in different circumstances; forgetting what you said before or in other places
- Exposes to child labour
- Failure to understand the importance of birth registration
- Difficulty to know school-aged children, those seeking health services
- Unable to get help when lost



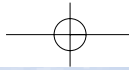
The Community

- Forces people to memorise stories that are circumstantial to their own birth and to their children's
- Encourages the practice of falsifying and hiding age and deception
- Makes people wonder about their birthdays, their accuracy and means of verification
- Prevents the provision of accurate personal information
- Disables the proper administration of medical treatment to patients according to their age
- Limits the protection of personal rights of pensioners
- Uncertainty in the achievement of all development goals set by the government.
- Limits the access of proper services
- Hinders the exercise of the right to political participation
- Exposes people to unnecessary expenses, time and energy to get birth certificates
- Difficulty in knowing the workforce the country has
- Children are not recognised by the government at birth
- Forces children to rely on others to know about their personal history
- Makes it difficult to know the age of children from illiterate families
- Problem to allocate budget corresponding to age and size of population
- Problem to locate and identify criminals
- Prevents people and children from knowing and understanding the importance of birth registration and birth certificates



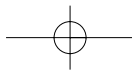
Annex 5: List of Key Informants Contacted

1. Council of People's Representatives, Addis Ababa
2. Oromia Regional State Council
3. Amhara Regional State Council
4. SNNPR Council
5. Ghandi Hospital, Addis Ababa
6. Zewditu Hospital, Addis Ababa
7. Brass Hospital, Addis Ababa
8. Adama Hospital, Oromia
9. Jimma University Hospital, Oromia
10. Asella Hospital, Oromia
11. Dessie Hospital, Amhara
12. Felegehiwot Hospital, Bahirdar, Amhara
13. Gondar University Hospital, Amhara
14. Soddo Health Centre, SNNPS
15. Awassa Health Centre, SNNPS
16. Hosana Health Centre, SNNPS
17. Evangelical Church, Hosana, SNNPS
18. St. Gabriel Church, Awassa, SNNPS
19. Muluwengel Church, Soddo, SNNPS
20. St. Michael Church, Bahir Dar, Amhara
21. St. Merry Cathedral Church, Adama, Oromia
22. Adama Town Municipality, Oromia
23. Asela Town Municipality, Oromia
24. Jimma Town Municipality, Oromia
25. Bole Sub-city Administration/Municipality, Addis Ababa
26. Arada Sub-city Administration/Municipality, Addis Ababa
27. Ledeta Sub-city Administration/Municipality, Addis Ababa
28. Hosana Town Municipality, SNNPS
29. Awassa Town Municipality, SNNPS
30. Bahir Dar Town Municipality, Amhara
31. Gondar Town Municipality, Amhara
32. Soddo Town Municipality, SNNPS
33. Save the Children Finland, Addis Ababa
34. UNICEF, Addis Ababa
35. Plan Country Office, Addis Ababa
36. Forum on Street Children Ethiopia, Addis Ababa
37. Children and Youth Forum, Addis Ababa
38. Save the Children UK, Addis Ababa
39. Save the Children Norway, Addis Ababa
40. Save the Children Sweden, Addis Ababa
41. Save the Children Denmark, Addis Ababa
42. Save the Children Canada, Addis Ababa
43. Save the Children Alliance, Addis Ababa
44. ANNPCAN – Ethiopian Chapter, Addis Ababa
45. Focus on Children at Risk, Addis Ababa
46. Juvenile Court, Addis Ababa
47. Ministry of Health, Addis Ababa
48. Ministry of Education, Addis Ababa
49. Ministry of Labour and Social Affairs, Addis Ababa
50. Ministry of Justice
51. Ministry of Defence, Addis Ababa
52. Immigration Authority, Addis Ababa
53. HIV/AIDS Secretariat, Addis Ababa
54. National Population and Housing Census Commission, Addis Ababa
55. Central Statistical Authority, Addis Ababa
56. Addis Ababa, Oromia, Amhara and SNNPR Police Commission
57. Bole Sub-city Police, Addis Ababa
58. Jimma City Police, Oromia
59. Arsi Zone Police, Oromia
60. Hadya Zone Police, SNNPR
61. Wolayta Zone Police, SNNPR
62. Addis Ababa, Oromia, Amhara and SNNPR Health Bureaus
63. Addis Ababa, Oromia, Amhara and SNNPR Education Bureaus
64. Jimma Elementary School, Oromia
65. Hamle 19 School, Asela, Oromia
66. Etegemenen School, Dessie, Amhara
67. Gebeyadar Primary and Secondary School, Awassa, SNNPR
68. Hosana Yekatit 25 Secondary School, SNNPR
69. Addis Ababa, Oromia, Amhara and SNNPR BLSA

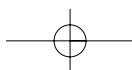
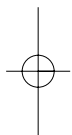
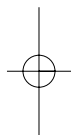


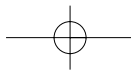
70. Addis Ababa, Oromia, Amhara and SNNPR Justice Bureaus
71. Arada Sub-city Chilot, Addis Ababa
72. Jimma Zone Higher Court, Oromia
73. Prosecutor Office, Adama, Oromia
74. Prosecutor Office, Asela, Oromia
75. Prosecutor Office, Gondar, Amhara
76. West Gojam Justice Branch Office, Amhara
77. Hadya Zone Justice Department, SNNPR
78. Hadya Zone Higher Court, SNNPR
79. Sodo City Higher Court
80. Arsi Zone Higher Court, Oromia
81. Regional statistical offices, Addis Ababa, Oromia, Amhara and SNNPR
82. Law research institute, Addis Ababa





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