

## **Child Birth Registration: A fact finding report on the state of child birth registration under devolution plan**

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### *Abstract*

*Birth registration in Pakistan has not yet been accorded the importance it deserves. To a large extent it still remains a matter of convenience and opportunity rather than importance. Considering the fact that registration is the state's first official acknowledgement of the child's existence, it should be mandatory for all parents/guardians to have their children's names registered. Even the children born out of wedlock and the gypsy and vagabond children should also be registered. They deserve to be given at least their names and existence. But the situation is far from even being average. Several studies have been conducted to ascertain the extent of the issue. These studies were conducted before the introduction of the new Devolution Plan 2000. Under the plan, the system of birth registration has been changed. Now this study traces the impacts of the new child birth registration system under Devolution Plan while comparing it with the old one.*

*This paper based on the rapid assessment of the two district and the analysis of the two systems of child birth registration recommends that there is a need for a full fledged country wide study to really ascertain the factual position of the child birth registration across the country. This paper necessitates the initiation of a countrywide study in 20-24 cities in all the four provinces, Azad Kashmir and Northern Areas owing to very divergent nature of the prevailing child birth registration practices and procedures. The recommendation for a country wide study is important because both the old child birth registration system and the one introduced in the new Devolution Plan do not subscribe to the basic intent of the clause 7 & 8 of the Convention of the Rights of the Child (CRC). The team of the Journalists for Democracy and Human Rights (JDHR) headed by this writer while recommending for the countrywide study feels itself to be capable of undertaking the proposed countrywide study as well to continue with its facts ascertained in the rapid assessment of the two districts and the recommendations to achieve the genuine results.*

Child birth registration has never been a priority area in Pakistan though it did exist in one or the other form since birth of the country itself. It was only in 1997 when the National Commission on Child Welfare and Development (NCCDW) and the UNICEF Pakistan in collaboration with the Ministry of Local Government and Rural Development launched a nation-wide campaign to train civil registration officers of the local governments in the country.

Registration is a fundamental right of a child at birth that acknowledges the child's individual importance and identity and serves as means to secure other rights and entitlements duly recognised by the state. This right has been established under Article 7 and 8 of the Convention on the Rights of the Child (CRC). Since Pakistan has signed and ratified the CRC, this right must be enshrined in the national laws.

“The child shall be registered immediately after birth and shall have the right to acquire a nationality, and as far as possible, the right to know and be cared for by his or her parents”. (Article 7 of the CRC)

“The state parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular, whether the child would otherwise be stateless.” (Article 8 of the CRC)

Basically the purpose of registering a child is to secure his/her rights such as identification following wars/conflicts, abandonment or abduction, enabling children to know their parentage and their rights in the juvenile justice system and getting access to state benefits like employment and recruitment to the armed forces when they grow up. The registration of children at birth is aimed at proper data collection at district, provincial and national level. Unfortunately, our data in this record seemed worst because either the child birth registration is not being done properly or the data from the birth registration records of the union councils or municipal bodies is not transferred or compiled at district, provincial and national level. There is a dire need to realise that unregistered children are vulnerable to neglect, abuse and exploitation during childhood and are unable to exercise their civil rights as adults.

The compilation of population statistics and planning are not done on the basis of the registration of children at birth. Instead, it is being done on the basis of “B” forms and National Identity Cards’ data previously compiled by the district registration offices and now being done by the NADRA offices. The registration process undertaken at union council and NADRA levels is creating confusing about child birth registration process as NADRA officials take up this issue as civil registration process while the union council level registration is the real registration of children at birth as mandated under the CRC.

Under Ordinance No. VIII of 2000 published in The Gazette of Pakistan dated March 10, 2000, NADRA has been assigned responsibility of registration of citizens. Sub clause 1 of the Clause 9 of chapter V of the ordinance say: “Every citizen in or out of Pakistan who has attained the age of eighteen years shall get himself and a parent or guardian of every citizen who has attained the age shall, not later than one month after the birth of such citizen, get such citizen registered in accordance with the provisions of this Ordinance.” Sub clause 5 of the clause 9 of the chapter V of the Ordinance says: “The Authority (NADRA) may issue to a citizen who has not attained the age of eighteen years but is registered under sub section (1), such certificate of registration in such form and manner and containing such information relating to such registered citizen as may be prescribed.”

If we go by this definition of the Ordinance, we would conclude that this way NADRA fails to fulfil the requirement of the relevant clauses of the CRC as registration by NADRA never ensures citizenship and right to know to the child.

Though some other national laws fortified by the CRC call for registration of a child at birth, there are reports that due to fault of the registration procedure and process, this right of the child is not being ensured at all levels. There are some gap in the registration process and the birth registration system. This paper enables us to understand these gaps thus suggesting some measure to ensure child birth registration without any delay.

Though no qualitative or quantitative data on child birth registration is compiled at district or provincial level, the very dismal record available at the union councils speaks of an untrue picture of child birth registration. A study conducted by PLAN International (1999) quoting

several earlier studies and the official sources indicates very low rate (30-40 percent) of birth registration. The process of birth registration got complicated due to dual procedure of registration. Earlier, there was a procedure under which births were registered at municipal level as well as people got their children registered with civil registration to get their National Identity Cards and “B” forms for their children. Now again, the same confusion is prevailing as there is Union Council level child birth registration system in place after introduction of the Devolution Plan while National Database Registration Authority (NADRA) is also doing the same job. Both seem moving in different and sometimes parallel directions. This paper is based on a qualitative study to assess the impacts of the child birth registration process under the new procedure adopted after introduction of the Devolution Plan while comparing it with the pre Devolution Plan situation.

### **Methodology**

This paper draws on the results of a qualitative study conducted in two districts, one each from Punjab and North West Frontier Province (NWFP). From Punjab, district Jehlum was selected while in NWFP, district Haripur was selected for the survey. Four union councils, two urban and two rural were identified from each district to find facts regarding child birth registration systems being practiced in the two provinces.

A team of field researchers conducted interview with almost all the state-holders in the union councils selected for this purpose. Those who were interviewed included: Parents of the children registered, their fellow villagers, union council staff, elected representatives of local governments, NADRA official and some other relevant quarters.

Before conducting this study, already existing studies done on the child birth registration issue based on the practices prevailing before the introduction of the new child birth registration procedure under the Devolution Plan 2000. Since the issue of child birth registration was a peculiar one, the study focused on identifying the procedure its, gaps in procedure, shortcoming by the relevant staff, lack of knowledge on the part of the parents, issues of access to the registration centres and problems faced by the parents due to inaccessibility of staff and the centre for registration.

The studies and reports already available on the child birth registration were duly examines and analysed to compare them with the results of this new study. The interview were conducted in innovative manner. Relevant material like copies of the child birth registration register of the union council, applications for reporting to register within due date or with some delay, receipts of the paid fees and late fees were also obtained to see the real procedures at the existing child birth registration centres at the union councils.

### **Pre Devolution Plan Birth Registration**

Before introduction of the new system of child birth registration, various procedures were prevailing differently in urban and rural areas. In cities mostly the registration did take place at the town or municipal committee or any local body on the report of the family members while in villages Chowkidara system or union council officials were supposed to report registration of birth of child.

In Punjab, a Chowkidara system did exist only in rural areas under which a village chowkidar was supposed to report births to the union council on a monthly basis. He was normally informed about the births by the family members or the midwife or any other person and he used to remember the record of the month orally or if he was an literate, he could have written the births reported to him. There would always been a doubt whether he reported the birth correctly to the union council or he missed certain entries due to human error of memory. During our study, it came to the fore that a person who had born in 1972 was registered in 2002 under the new registration procedure. This means that he did not exist in any of the record, which means he risked all his benefits of his existence.

In NWFP, the same Chowkidara pattern as prevalent in Punjab has been in practice in rural areas. However, it has been a little different in the sense only a few communities followed this practice, however, socially aware parents/guardians themselves go to the union council for registration of the birth of a child.

In Sindh, parents used to report the birth of child for registration to registration clerk of the municipal committee. Until Devolution Plan 2000, there has been a substitute of the birth certificate to prove identity and nationality. Such a certificate was issued by the Karachi Metropolitan Corporation if anybody who is not registered with the Corporation, however, reside in the city and a bona fide citizen of the country. In this certificate, the Corporation was used to certify that the person has no birth entry record with the Corporation. This sort of certificate was accepted by the embassies as an alternative to the birth registration certificate, which was only available on the basis of a valid birth registration. In the interior part of the province, the chowkidara system like birth registration system prevailed.

In Balochistan, the Secretary of the local government board used to coordinate the task of birth registration in the rural areas. The procedure of birth registration in urban areas is the same like in other provinces.

### **Post Devolution Plan Child Birth Registration System**

In the post devolution plan strategy, child birth registration is considered to be the responsibility of the local union councils through their councillor or the parents and guardians. During the survey conducted in the eight union councils of the two districts of Punjab (Jhelum) and NWFP (Haripur), a welcome change was noted that the years' old Chowkidar system was dying and people were relying more on the new system of birth registration the present government introduced through its Local Government Plan 2000. However, like other areas, present government's brainchild Devolution of Power Plan is having teething problems in the birth registration system but on the basis of this survey it can be said that 'so far so good'. In many areas Nazims and Naib Nazims are taking personal interest in ensuring that every child is registered.

Lady health workers, in whatever little capacity they can, are trying to help facilitate birth registration. Education departments in different provinces can also play a vital role in motivating parents to get their children's names registered. In some areas it was observed that the people preferred *imam* (prayer leader) of a mosque to play an active role in birth registration. Considering the fact that *imam* holds a very prominent position in the lives of the people living

in the countryside, his role, and that of a schoolteacher, can be very important in motivating parents to get their children's names registered.

### **Role of NADRA**

Since introduction of the new local government system, National Database and Registration Authority (NADRA) has been entrusted the role of registration of all data about population. Hence, the child registration, particularly the issuance of child registration certificate has been assigned to NADRA.

Under this obligation, NADRA on its website acknowledges the child registration as a fundamental right of every child to be a citizen of the country. NADRA duly quotes Article 7 of the UN CRC in this regard. The website provides registration form for the newly born children of Pakistanis living overseas. Registration of a Child's birth outside Pakistan is done through the respective embassy on a prescribed form available on the NADRA's website or at the embassies on a fee Canadian \$ 20.

Child registration is essential not only for their identity but also for governments for their social services' planning. It ensures the availability of health and educational facilities to children. Registration is a proof that is needed for a number of services and it recognizes the child as a citizen of a country with rights to be cared for. Despite all policies and legislation for birth registration, Pakistan has not been able to achieve the targets and many children in Pakistan are still deprived of this fundamental right.

The NADRA is planning to take on the initiative of issuing Children Registration Certificate for every Pakistani child less than 18 years of age. The certificate includes the information about minors' name and registration number, parents' name and CNIC (Computerized National Identity Card) numbers, date of birth, place of birth and gender. Children will be allotted same registration number when he/she applies for CNIC on attaining 18 years of age. It is the responsibility of every Child's parents/guardian to register their children who are less than 18 years of age. Application forms for registration will be received from NADRA Swift Registration Centers. Detailed procedure and pre-requisite may be requested by sending a request to: [crc@nadra.gov.pk](mailto:crc@nadra.gov.pk)

NADRA plans to introduce birth certificates on the pattern of computerized national identity cards. While keeping the vital national requirements of child welfare and state development, the in-time birth registration and initiation of effective legislation in this regard is the need of the hour. There is also a need for maintaining close liaison between local government, health, revenue and other departments in this regard, so that children born at health institutions and homes could be registered and birth certificates issued to the parents, on the spot. District governments' elected representatives and media could play their part in this respect.

### **People's complaints against NADRA**

People's grievances against Nadra in the matters of birth registration are not less vociferous than their complaints against this body in the matters of voters' list, computerised National Identity Cards et cetera. Owing to its prime responsibility of data gathering and storing, Nadra should be spearheading the birth registration process but this did not seem to be the case. People

complained of Nadar's non-availability and its officials' irresponsible attitude towards the important issue of birth registration.

### **Reasons for low child birth registrations**

Lack of awareness, bureaucratic hurdles and a laid-back attitude towards matters of primary importance have kept the birth registration rate embarrassingly low. However, surveys conducted over the years have shown a steady increase in the number of registrations and some awareness and proper facilitation by local administration can certainly bring about desired results.

### **RECENT SURVEYS**

In order to study the trends of birth registration in different areas of Pakistan, surveys were conducted in one district each in two provinces of the country. District Jehlum was surveyed in Punjab while District Haripur was chosen from the North West Frontier Province, more commonly known in its abbreviated form the NWFP.

### **DISTRICT JEHLUM**

Jehlum is among Punjab's important districts. It has three big Tehsils namely; Tehsil Jehlum, Tehsil Sohawa and Tehsil Pind Dad Khan. Child birth registration at the Union Council level is being done with a more easy and family friendly procedure under the Local Government Plan announced by the government on August 14, 2000.

The new plan altered the old system of child birth registration and removed several hurdles in this regard. The object of this fact-finding study was to collect information about the birth registration system prevailing in the country's biggest province Punjab's Jehlum district and to suggest some improvements in this regard so that the child birth registration achieves the desired targets. A four-member research team chose two urban and two rural union councils for this purpose.

### **Chowkidar System**

The fact finding study conducted in Union Councils — 20 Deh Urban, Union Council Sohawa Urban, Union Council Phulray Seidan Rural and Pind Muty Khan — revealed that it was a watchman's (Chowkidar) responsibility to get a child's birth registered before introduction of the new system under the devolution plan. Previously, the parents of the newborn child would have to contact the watchman to report birth of child. The watchman normally had to collect a reasonable number of reports regarding birth of children in the union council's jurisdiction to further pass on this information to the union council office for the purpose of birth registration.

Then it was Union Council Secretary's job to write the names of the child, his or her parents or midwife's names, their National Identity Card numbers and addresses. There were no charges for this process but the parents would pay whatever little amount they could to the watchman.

The watchman system for birth registration had many lacunas and inbuilt faults as in most of the cases, the watchmen were used to be illiterate and hence were not competent enough to remember the bulk of reports regarding child births. This deficiency of this system several times led to inaccurate information regarding child birth. Usually, under this system birth registrations were delayed even for months and during this process, many children remain unregistered as the watchmen used to forget several births due to this delay. Some of the children's names, their parentage and other information were wrongly registered.

Under the previous system, no registration form existed for this purpose of soliciting the registration process and the names were registered in the register kept by the watchman who usually filled in this register with the help of literate persons whenever he finds them. Though under the watchman system, no fees were charged for child birth registration, yet the staff of the union council office used to force people to bribe them for delayed and corrections of wrong entries due to lack of capacity of the watchmen.

Some interviewees told our fact finding team that the secretaries would deliberately make wrong entries to compel parents to bribe them in order to rectify the names et cetera. In one instance, 28-year-old Shehzad's name was not found despite registration and the Secretary asked for rupees 500 as bribe to "enter" his name, said an interviewee.

Another interviewee Nazar Hussain said the old system had a lot of discrepancies. Especially the Chowkidari system created a lot of confusion and oftentimes children's names could not be registered. In the new system, anyone can get their children's names registered.

### **Local Government Plan 2000**

Like urban centres, child birth registration forms were introduced at the rural union councils under the new local government plan 2000. The form has different columns, which provide information about child's birth. Now the people (parents/guardians) can themselves have their children's names registered and they do not have to go to a watchman. Some interesting facts came to the fore when Dina Union Council was contacted in this regard.

Dina Union Council's Nazim Naveedul Zafar said that despite 'changes' in the child birth registration procedures nothing was 'changed' in real sense because of ignorance and lack of awareness about the new procedure of child birth registration and due to illiteracy among the people. They are not aware of the fact that birth registration is so vitally important for their children. The child birth registration form introduced is simple and can be filled in even by the people themselves with even ordinary education.

### **Late Fee in District Jehlum**

An amount of Rs. 250 is charged as late fee if the name of a child is not registered within 60 days of his or her birth. According to the Secretary of the union council, lack of awareness is the sole reason for not getting the names the children registered on time. However, the people have a different story to tell. They say that even a case reported on time is considered late so that the Union Council Staff could pocket hundreds or may be thousands of rupees in the name of late fee.

### **Union Council's birth registration staff**

During this research it came to the fore that the staff of the Union Council was not so cooperative with the people of the area. Parents of a child, who was born abroad and whose name was registered soon after his birth, accused the Secretary of the Union Council of not admitting to have registered the child's name so that he could ask for money in the name of late fee. This particular incident shows how simple people are being fleeced in the name of registration. The people are not aware of the fact that the children born outside Pakistan could be also registered with NADRA through Pakistan missions abroad in addition to their birth registration at the union council. There was a complaint that the relatives of the children born abroad have to pay huge sums to the staff to get their children's name registered with the union council.

It was learnt during the survey that Dina's Nazim had pretty ordinary educational background and his major interest was weight lifting. Instead of listening to the complaints of his constituents he 'complains' to them for not having received enough powers and proper orientation to solve the people's problems. One of his grievances was that he had to contact Tehsil Council or DCO even for small matters such as late registration of child's birth. According to the Nazim, his area was declared urban while the people were paying taxes as per an urban area, the facilities they got in return were below rural areas.

This research was facilitated by some genuinely cooperative and hardworking people such as Secretary of Union Council Sohawa, Chowdhry Nisar. It was observed that people in his Council were helped in different ways and they willingly got their children's name registered soon after their birth. Muhammad Mushtaq, a resident of the area, said that the new system was functioning well and Secretary was taking personal interest in birth registration. Economic and educational state of the people of this area was better compared with other areas in the vicinity. People depend mostly on the earnings sent from abroad by their relatives.

Naib Nazim of the area Malik Rab Nawaz, a retired Subedar, refused to give any information about the birth registration. In fact, he was not aware of the process. A respected person of the area Muhammad Ali Shah cooperated with research team and helped it see the registration process.

### **People's Grievances**

A resident of the area said that he had his son's name registered three days after he was born. But according to the Union Council's record, his date of birth predated his parents' marriage. This sort of negligence caused trouble for the parents and the child. Such lapses do occur if child birth registration is not done with extra care and that too promptly.

In Union Council Phulray Saidan, the people who came to get their children's names registered were sitting on the floor waiting for the staff to arrive. An elderly man named Nazir said it was a matter of routine for the staff to arrive late primarily because there was no check on them. He looked too disappointed to expect that the staff would ever mend their ways.

Another man, Abdul Aziz was of the opinion that nothing had been changed in the new system and he called the new system a mere 'cosmetic change' saying the new system is not working as it should have to. He complained that the staff did not take care of timely and correct entries.

An interesting fact was recorded that unofficial child birth registration was also taking place by some private persons in the union council. A person named Muhammad Akram who keeps a Nikah register also maintains a register for child birth record in the Union Council area. He was of the view that the people take it easy for them to get births of their children registered in his register instead of going to the union council office which is far away and the procedure there takes a lot of time.

Secretary of Union Council Sohawa Chawdhry Nisar said that despite new system being in place, corrupt practices still prevailed. He noted that the people were still being fleeced in the name of late fee, particularly in the instances of registration for the children's born abroad.

Councillor of the area Mr Bostan Ali said that in the past registration fee for girls was Rs. 10 and for boys it was Rs 20. But on the demand of the area's lady councillors, this difference was eliminated. In the previous system the birth registration work suffered mainly due to the ignorance of watchmen and it was mistake to assign the job of registration to illiterate watchmen. Now, owing to the need to obtain a certificate for admission in schools, parents have started to take interest in the registration themselves. But the process of late registration remains the same. People are sick of repeatedly going to the DCO office and they now demand the child birth registration certificates should be given at the Union Council.

Introduction of a record sharing system between a maternity home and Union Council can ensure both, the increase in registration and accuracy in the process. But the problem is that in rural areas there are no maternity homes. Amir Ali Shah, a resident of Phulray Saidan said it seemed that all the education and health related facilities were meant for cities only. In rural Union Councils, the ratio of birth registration has been lower than the registration in the urban Council.

### **NADRA's Role in District Jehlum**

Even exceedingly publicised NADRA's role was found anything but helpful in birth registration as the people of the area said they had never come into contact with NADRA. The staff of the Union Council stresses the need of close cooperation between the union council and NADRA. The people are unaware of NADRA's procedure and its designated agents are busy extorting money. The registration fee of NADRA's B Form is Rs. 148 while this work could easily be done in Rs. 90.

Regarding NADRA's role in birth registration, Secretary of Union Council Sohawa, Chawdhry Nisar said he tried several times to benefit from NADRA for birth registration but nothing was achieved in this regard. NADRA offices remain closed most of the time and ordinary people have no idea how can they benefit from it. NADRA is not playing any role in the birth registration, he viewed.

### **Birth registration of refugees' children**

Children of refugees and vagabonds are not registered in the Union Councils. This leaves a large number of children unregistered which can cause problems for estimates of resources distribution and planning of future projects. This is also a violation of the basic right of child protected in the CRC and the country's laws.

Regarding the registration of vagabonds, Nazim of Pind Mity Khan Syed Riffat said that they were registered in the Northern Areas. Registering these children born in union councils of Punjab province in the Northern Areas sounded peculiar but the Union Council had no answer to explain this strange practice.

A lot of citizens at the Union Council did not express their opinion due to fear. Some were of the opinion that there was no difference between the new and old birth registration systems.

### **Population of Selected Areas**

The following table shows low child birth registration are recorded in the four union councils of district Jehlum during the period of this study. At an average, the grow rate is around three percent while it has been recorded as 0.65 percent in Union Council Dina, 0.62 percent in Dina, 0.07 percent in Pind Mity Khan and 0.10 percent in Phulray Saidan.

Union Council	Total Population	Birth Registrations	Percentage
Dina (2 Urban)	20,000	129	0.645
Sohawa	32,000	199	0.621
Pind Mity Khan	19,000	14	0.073
Phulray Saidan	17,000	18	0.105

If we go by this data obtained from the child birth registration register of the four union council, we can well understand that the population growth ratio does not match to the child birth registration in these four union council. There is a huge gap which is because of the people's unawareness, less accessibility to the union council offices and their generally lethargic attitude towards the issue of child birth registration. The child birth registration record shows that the people need to be approached with a clear and resounding message emphasising the importance of the child birth registration. There is a need to launch a campaign in the rural union councils making the people realise their responsibilities in this regard. The union council should be held responsible for facilitating the people promptly.

### **DISTRICT HARIPUR**

Haripur is an important district of NWFP. When the National Reconstruction Bureau announced Local Government Plan 2000 on August 14, 2000, Haripur was given due importance and people of the district showed enthusiasm in the plan. That is why our fact finding team found the people and staff of the union councils in this district more concerned and comparatively serious about child birth registration under the new devolution plan.

The research team selected the following union councils to ascertain the factual position regarding child birth registration.

1. Union Council Haripur, Central Tehsil and District Haripur (Urban)
2. Union Council Haripur, South Tehsil and District Haripur (Urban)
3. Union Council Bandak, Tehsil and District Haripur (Rural)
4. Union Council Sikandarpur (Rural)
5. Union Council Darwesh, Tehsil and District Haripur

Union Council Haripur is conveniently located in the centre of Haripur and the people have an easy access to the union council office.

### **Chowkidar System in District Haripur**

Chowkidar system in most of the areas of Haripur died long ago even before introduction of the new system under devolution plan and now parents or guardians go to the Union Councils themselves for registration of their children's birth. However, in a few areas such as Union Council Sikandarabad, Chowkidar system for birth registration prevalent till August 14, 2000. It was replaced there with the new system of birth registration.

The Nazim of the Union Council Central Haripur Qazi Muhammad Raza said that for birth registration, Chowkidar system had been in place in his area since 1960. People would contact the area watchman or Nikah Khwan Registrar who would later have those names registered with Municipal Committees. Qazi said that even before August 14, 2000, the people in his area would contact Union Council for the birth registration.

### **New system of birth registration in Union Councils**

Naib Nazim of Union Council Haripur Central Abid Ali Advocate said that his Council had simplified the birth registration process and the staff was playing an important role in this regard. He said in order to maximise birth registration, through a resolution, the entire process was declared free and certificate fee was charged and that too if parents wanted to obtain a certificate. The Secretary of the Union Council Muhammad Arshad said the birth registration process became very simple since the local government's Plan 2000 was implemented. In this Council, a person has to give an application on a plain sheet of paper addressing the Nazim who signs the application keeping in view the recommendation by the area Councillor. This whole process takes 10 to 15 minutes.

After that the Secretary prepares a report and the child's father is required to give the copy of his National Identity Card. Necessary details of the child's father are written in a register and then the confirmation of registration is handed over to him.

Talking about the elected Councillors of his area, Nazim said that they were educated and moreover, the people of his area had awareness about the importance of education. He said that the number of birth registration significantly increased over the years. He said primary schools were instructed to ask for birth registration certificate from the parents at the time of registration so that they would feel the importance of getting their children's names registered. He said that announcements to encourage parents for birth registrations were also made from the mosque.

### **Late Registrations under devolution plan**

A resident of Mohalla Motiyan had a son in 1998 but he did not know where to go for birth registration. But after the launch of a new system in 2000, when he had another son in 2002, he knew where to go and quite conveniently got his son's name registered without delay.

Maroof Ali, a resident of Sohawa, said that his son was born in 1973 but his birth was registered in the year 2002. The reason for the 29-year delay was carelessness and lack of awareness about the process. This delay shows that the person did not exist in records. This shows that there would be plenty of such cases in rural areas where literacy rate is low and the grip of landed elite is strong.

### **Nadra's Version**

In District Haripur the Administrative Officer of NADRA Haji Shaheen said the local government and NADRA were indispensable for each other. He claimed that NADRA trained the workers of local government and for this purpose, 70 officers of NADRA were working with them. He said a meeting at Haripur on March 11, 2002 and another one at Tehsil Ghazi Pur on March 13, 2002 were held in this regard. When told about the opinion of the Union Council workers about NADRA's non-existent role in child birth registration, Haji Shaheen regretted their judgement and said that the people in NADRA were fully aware of their social and legal obligations.

### **Edhi Welfare Trust and registration of children out of wedlock**

Edhi Welfare Trust is a world known social welfare organisation of the country. Its representative in Haripur Tariq Mehmood said that Edhi Welfare Trust had been serving the people of Haripur for three years. He said that his organisation was striving to protect and give good future to the children born out of wedlock. He said owing to the social pressure, parents of these children could not own them or give them their name. He said due to social pressure, for no fault of theirs, these children were deprived of all the blessings of life.

Tariq Mahmood said that for these children, Edhi home was a shelter. He said Union Councils did not register these children and Edhi Trust had no contact with the Council regarding birth registrations of these children. It is a great irony that the District government takes no step for the welfare or protection of these children and they are left unattended to face severe problems.

### **Suggestions by local people to improve birth registration**

A resident of the area, Naveed Qureshi, who is a banker by profession, suggested that a mosque's Imam should be entrusted with the job of registering births. He said the people found it difficult to access different offices. He stressed the need to create awareness among the people regarding birth registration so that the ratio of child birth registration could increase.

A lady councillor of Haripur South Farzana Shaheen said that the people were not fully aware of the birth registration process. She said her Union Council tried to motivate the people to go for birth registration and told them that it was their national duty.

Farzana Shaheen seemed happy with the new system and said with this system in place, the people should not have any difficulty in registrations. She said timely birth registration could save people from a lot of hassles. She said that a coordinated effort by Union Council, lady health workers and the Department of Education could enhance the rate of child registration in the country.

Naib Naim of the area suggested that if the NADRA staff posted in the area and lady health workers helped in birth registration, the rate of registrations could be improved. He too was of the opinion that one of the biggest hurdles in the birth registration was lack of awareness.

A doctor Dr. Arshad suggested that there should be a close coordination among maternity homes, midwives, traditional birth attendants and the Union Council. He said, "This would facilitate the Council to know about the child's birth and the people too will take interest in ensuring their children's registration".

### **FEE SCHEDULE**

<u>Union Council</u>	<u>Certificate Fee</u>	<u>Entry Fee</u>	<u>Late Fee</u>	<u>Limit of Late Fee</u>
Haripur Central	Rs. 50	Rs. 25	Rs. 50 (Per year)	Rs. 500
Haripur South	Rs. 50	Rs. 25	Rs. 50 (Per year)	Rs. 500
Union Council Pandak	Rs. 100	Rs. 50	Rs. 50 (Per year)	Rs. 500
Union Council Darwesh	Rs. 50	Rs. 25	Rs. 50 (Per year)	Rs. 500
Union Council Sikandarpur	Rs. 50	Rs. 25	Rs. 50 (Per year)	Rs. 500

### Some Cases of Late Registration

#### Union Council Central Tehsil and District Haripur

<u>Name</u>	<u>Father's Name</u>	<u>Date of Birth</u>	<u>Date of Registration</u>	<u>Area</u>
Faisal Ali	Maroof Ali	10/11/1973	28/01/2002	Mohala Soha
Tanvir Ahmad	Gohar Rahman	05/02/1971	02/02/2002	Mohala Risaldariyan
Sheryar Khan	Wajid Ali	30/09/1976	06/02/2002	Mohala Qadeem
Shafaatullah	Inayatullah	01/03/1956	08/03/2002	Mohala

**Facts ascertained through fact finding study of two districts in Punjab and NWFP.**

- The fact finding study provided a lot of stuff to analyse the status of child birth registration in the country. From the interviews and background information, it could be safely calculated that the old watchman system prevailed in the rural areas had been faulty. Under the birth registration laws and practice, in the urban centres, the parents or guardians used to approach to the local town and municipal committee to get their newly born children registered in the record. Normally for that purpose, they have to give a simple application or fill in a prescribed form and a hospital birth certificate. But, in case of child birth at homes by midwives or traditional birth attendants, only application by the parents alongwith their identification either by a national identity card, previously a ration card, or any other document were valid. The child birth registration in urban centres has routinely been done, though sometime the birth were registered late due to inaccessibility or preoccupation of the parents. These entries are kept in a birth registration register at the municipal or town committee office.
- The data collected by the municipal committees/town committees regarding child birth registration was normally used to get admission in the schools, inherent purposes, settling land distribution issues and sometime in property transfer issues. Formerly the registration offices responsible for issuing national identity cards were also the users of child birth registration certificates from the local bodies record for the purpose of registering children with their families for the purpose of issuing them national identity cards after attaining age of 18 or form B in case they are below 18.
- Contrary to the system of child birth registration that prevailed at the urban centres, towns and city municipal bodies, the rural union councils smaller than the present union councils under devolution plan were doing the child birth registrations under watchman system prior to the introduction of the new system of child birth registration.
- In the rural union councils, lack of awareness and dependence on the watchmen made people lethargic and unaware of the importance of child birth registration which led to several issues like growing unregistered population in the rural areas. Though under devolution plan promulgated on August 14, 2001, a new system of child birth registration has been introduced in which parents and relatives directly approach the union council office for child birth registration. But the results of our fact finding study say, the ratio of child birth registration under the new system increased a little bit but the desired results could not be achieved so far because of lack of awareness on the part of the people. The people normally do not know about the new birth registration process and if they know it they are not taking interests either on the pretext of inaccessibility to the union council offices or they do not consider it a serious issue.
- During the fact finding study, it came to the fore that the attitude of the people and elected local body representatives and the union council officials on the issue of child birth registration seemed different in two different districts of two different provinces. In Jehlum district, the people in general and the elected representatives and the union council staff in particular were not so cooperative with our research team rather they tried

to hide information and the true picture. While in Haripur, the stakeholders were open to comments on the situation. They gave useful suggestions to improve the situation to raise tally of child birth registration. They were appreciative of the new system of child birth registration under the devolution plan. The reason why they had different attitude is simple as the district Jehlum has a specific background for being a military personnel hunt area with comparatively low percentage of education as compared to Haripur. In Haripur, development NGOs like Sungi motivated the people on devolution plan and empowerment of the people while in Jehlum there has been no such an established development organisation which could have raised the level of awareness in this district.

- The fact finding research team found that the procedure of child birth registration in Haripur union councils under new system was comparatively better organised than the procedure adopted in Jehlum. The people were complaining about the working of the union council staff in the union councils of Jehlum while there were comparatively fewer complaints against the registration staff. The reason apparently was that awareness level in the Haripur union councils on child birth registration was higher than in the Jehlum union councils. The culture of hiding information was found as one of the reason for non-availability of data regarding child birth registration.
- The team found that when they told the people about the new system, they liked it saying that now they would not be depending on the watchman. But majority of the people in rural areas do not know the benefits and procedure of child birth registration that is why the ratio of the children registered in the union councils does not match the national growth rate. This proves that there is huge gap between the population growth and the actual registration of children at birth.
- Another confusion was detected. Many a people are of the view that registration of child at birth is same as their registration as child any time. This confusion basically prevailed due to the role of the previously national registration offices (national identity card office) and currently the NADRA offices. There seems a basic misconception on the part of the registration officials of formerly the registration offices and now the NADRA registration centres. Previously, the national registration offices and now the NADRA emphasised only on child registration and they do not specify the child registration at birth. Child births are reported and registered at the union councils and now the NADRA has been assigned to issue a child birth certification like the national identity cards. No one was found reporting a child birth for registration directly to NADRA. They first get their children registered with the local union councils and then they are supposed to approach NADRA for a birth registration certificate when they require one.
- The fact finding team collected information that getting a birth certificate has become difficult for the people as it is not being issued at the place of registration, i.e the union council office but it is provided via district offices of the registration authorities. NADRA issues birth certification or registration certificates of children on demand after charging a fee and that too after going through a procedure and getting confirmation of child birth registration from the union council. NADRAD strives for child registration below 18 years and not really focuses on registration of child at birth. So NADRA's registration process is of secondary nature. The primary source of child birth registration in the rural areas is the union council. It has been practiced in the towns and cities since long and

now after introduction of the new system, it has been the responsibilities of the extended forms of union councils inclusive of both rural and urban.

- During the fact finding field study, no horizontal link could be found between the union councils, tehsil councils, districts councils and the NADRA's registration system or any other population data collection and retrieval system. The child birth registration data is stored in birth registrations only at the union council, municipal bodies and is not transmitted to any higher level for the purpose of evolving a cumulative data. It is worth notable that if any body requires a birth certificate, he or she has to first approach the union council and municipal body where his/her birth is first registered. After getting confirmation from that primary record, then the certificate is issued at the secondary level.
- This shows that data collected in the form of child birth registration is not actually used for policy planning because it is not sent to the central data bank for the policy wings rather they use the data collected previously by the national registration offices and now the NADRA registration centre which actually provide a secondary data. The primary data regarding births is not properly utilised for policy planning of the population rather it is used to get admissions in the schools, get a passport, an identity card or form B from NADRA or on certain similar purposes. This gap should be looked into.
- The team found that an amount of Rs. 250 is charged as late fee if the name of a child is not registered within 60 days of his or her birth. Lack of awareness is generally found to be a reason for not getting the births of children registered on time. Some people believe that the union council staff causes delay even if a case is reported on time to pocket money on the pretext of being late registration processing charges. An interviewee told our field research team that he had his son's name registered three days after he was born. But according to the Union Council's record, his date of birth predated even the child's parents' marriage. This sort of negligence causes trouble for the parents and the child. Such lapses do occur if child birth registration is not done with extra care and that too promptly.
- In Union Council Phulray Saidan, the people who came to get their children's names registered were found sitting on the floor waiting for the staff to arrive. An elderly man named Nazir told the team that it was a matter of routine for the staff to arrive late primarily because there was no check on them. He looked too disappointed to expect that the staff would ever mend their ways.
- It has been observed that due to proper measures taken by the elected local governments in Haripur's union councils that made it mandatory to obtain a certificate for admission in schools, parents have started to take interest in the child birth registration themselves. But the process of late registration remains the same. The primary schools have been instructed to ask for birth registration certificate from the parents at the time of registration so that they would feel the importance of getting their children's names registered. In Haripur's union council parents are encouraged for birth registrations through announcements from the mosque.
- It has been observed that children of refugees and vagabonds are not registered in the union councils. This leaves a large number of children unregistered, which can cause

problems for estimates of resources distribution, and planning of future projects. This is also a violation of the basic right of child protected in the CRC and the country's laws. Regarding the registration of vagabonds, Nazim of Pind Mity Khan Syed Riffat said that they were registered in the Northern Areas. Registering these children born in union councils of Punjab province in the Northern Areas sounded peculiar but the union council had no answer to explain this strange practice.

- Tariq Mahmood of Edhi Foundation Haripur told our team that Edhi home was a shelter for the children born out of wedlock. He said union councils did not register these children and Edhi Trust had no contact with the councils regarding birth registrations of these children. It is a great irony that the district government takes no step for the welfare or protection of these children and they are left unattended to face severe problems.
- Despite all policies and legislation for birth registration, Pakistan has not been able to achieve the targets and many children in Pakistan are still deprived of this fundamental right
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## **Recommendations**

- Even though some improvements have been noted in the new system, there is always a room for more improvement.
- First of all there is a need for a mass awareness campaign to make people realise the importance of the registration of a child at birth. The campaign should be designed like anti polio campaign. Radio, television and newspapers, online media should be utilised to sent across the message to promote child birth registration.
- Coordinated efforts by NADRA, teachers, community leader, local government representatives, union councils, lady health workers now having access to households in the villages and imams (prayer leaders) of mosques can bring about desired results in the birth registration in Pakistan. Having said that, one must not absolve the state of its responsibility. While the efforts are to be made at the level of Union Council, policies and strategies in this regard should be formulated at the highest level.
- The whole process of child birth registration needs to be simplified rather than bureaucratized.
- There is also a need for maintaining close liaison between local government, health, revenue and other departments in this regard, so that children born at health institutions and homes could be registered and birth certificates issued to the parents, on the spot. District governments' elected representatives and media could play their part in this respect.
- People are sick of repeatedly going to the DCO office and they now demand the child birth registration certificates should be given at the Union Council level.
- Introduction of a record sharing system between a maternity home and union council can ensure both, the increase in registration and accuracy in the process. But the problem is that in rural areas there are no maternity homes.

- The people’s access to the registration offices must be easy so that the ratio of child birth registration could increase.
- Timely birth registration could save people from a lot of hassles.
- A suggested was forwarded saying if the NADRA staff posted in the area and lady health workers helped in birth registration, the rate of registrations could be improved. He too was of the opinion that one of the biggest hurdles in the birth registration was lack of awareness.
- Another suggestion said there should be a close coordination among maternity homes, midwives, traditional birth attendants and the Union Council. This would facilitate the council to know about the child’s birth and the people too will take interest in ensuring their children’s registration”.

**Special Recommendation/Remarks**

Since the incumbent child birth registration procedure do not prescribe to the intent of the CRC, there is a need to thoroughly analyse the existing birth registration systems prevalent in all the four provinces. During the current rapid assessment study, it has come to the fore that there is no uniformity in the child birth registration procedures across the country. Various union councils in different parts of the country do it differently. Particularly after the new Devolution Plan 2000 and assigning the role of registration to NADRA, anomalies are being found. To assess the real and on-ground situation, only this rapid assessment would not be much useful. It is recommended that a country wide assessment is needed. Atleast 20-24 cities in all the four provinces, Azad Kashmir and Northern Areas should be selected to seek data on the child birth registration and procedure as urban, metropolitan and rural union councils have different procedures and the NADRA Ordinance 2000 and Devolution of Power Plan 2000 have not clearly assigned the roles to unions councils and NADRA on the count of child birth registration. We have to assess whether these two ordinances are clear on child birth registration or what NADRA defines as registration of children who attained the age of eighteen years. There is a difference between the two. Another very important thing to assess is whether, the new and the old child birth registration systems subscribe to the intent of the CRC. For this purpose, there is a need to conduct a countrywide study based on the facts ascertained and recommendations made in this rapid assessment.

Journalists for Democracy and Human Rights (JDHR) whose team has done this rapid assessment on child birth registration in two districts of Punjab and NWFP has the capacity to do this countrywide research study covering 20-24 cities in all the four provinces, Azad Kashmir and Northern Areas. The JDHR could come up with a concrete and comprehensive report based on the study for future reference on this count.

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Appendix XI Forms 'S'

(Vide Rule 21)

Application for registration of birth of a child of a citizen of Pakistan born

in a country outside Pakistan

To

The Pakistan High Commission

Singapore

Sir,

The undersigned reports the birth of a male/female child to Mr. and Mrs.

on the day of 19at

Distt

Country

The child has been named \_\_\_\_\_ (in block letters). I am the father/guardian of the child and my full name and address is as follows:

Name with father's name:

Address in country outside Pakistan:

Address in Pakistan:

I/The child's father was / was not at the time of the child's birth servant of the Government of Pakistan or an international organization of which Pakistan was at any time during that period a member. The full names and addresses of the child's parents are given below:

Father's name and address in Pakistan and in the country outside Pakistan

Name with father's name  
Address in Pakistan  
Address outside Pakistan

Mother's name and address in Pakistan and in the country outside Pakistan  
Name with father's name  
Address in Pakistan  
Address outside Pakistan

I am attaching the following documents in proof of my citizenship of Pakistan, and of the child's birth as reported above:-

- a)
- b)
- c)

I do solemnly affirm that the above statement is true to the best of my knowledge and belief

Signature

.....

Place:

Date (dd/mm/yy):

Attestation:

Designation:

Place:

Date(dd/mm/yy):