**Introduction**

All children have the right to a name, an identity and to be registered at birth to ensure this identity is legally accounted for. This has been manifested in various human rights documents, including the Convention on the Rights of the Child (articles 7 and 8). Unfortunately, millions of children around the world still are not registered at birth. Around 45% of children under the age of 5 worldwide do not have a legal identity. Despite the increasing awareness and efforts in regards to improving birth registration systems, many refugees, and displaced persons often face significant obstacles with respect to their children’s birth registration. Having a functional and effective birth registration system is critical for the insurance of the protection of children. Having an effective and operational birth registration system is an important first step for ensuring the protection of children. This is highlighted in the United Nations Sustainable Development Goals, a collection of 17 global goals set to be a "blueprint to achieve a better and more sustainable future for all". Sustainable Development Goal (SDG) 16, known as Peace, Justice, and Sustainable Institutions, states that the goal involves providing legal identity for all including free birth registrations by the year 2030. SDG 16 aims for an increase from the current 55% to an increased 92% of children under the age of 5 with a legal identity.

The United Nations has been involved in promoting this idea and encouraging a global incentive towards universal birth registration. The role of the United Nations and its related bodies, such as UNESCO and UNICEF, are crucial as it is important that any existing or newly established legal frameworks of civil registries comply with ratified international conventions as to abide by international standards. Such conventions include The Universal Declaration of Human Rights and the Convention on the Rights of the Child, both ratified by the UN. However, the national decree is to be given just as much regard as international conventions to respect the sovereignty and self-government of each member state. The greatest argument for the case of universal birth registration is that it is the most effective way to give legal identity to the vast number of children who remain undocumented globally. A birth certificate is representative of a child’s existence, and without it, a child may be disregarded and thus vulnerable to
neglect or abuse. This marginalization is a breach of the fundamental human rights as established by the UDHR and therefore is a critical issue to be tackled carefully by the United Nations.

Definition of Key Terms

Birth Certificate

An official record of a person’s name, date of birth, place of birth and parentage.

Legal Identity

The basic characteristics of an individual's identity. e.g. name, sex, place, and date of birth conferred through registration and the issuance of a certificate by an authorized civil registration authority following the occurrence of birth. In the absence of birth registration, legal identity may be conferred by a legally-recognized identification authority. (United Nations operational definition).

Civil Registration

The continuous, permanent, compulsory and universal recording of the occurrence and characteristics of vital events pertaining to the population, as provided through decree or regulation in accordance with the legal requirements in each country (as defined by the United Nations Principles and Recommendations for a Vital Statistics System).

Sustainable Development Goals

A collection of 17 global goals set by the United Nations General Assembly in 2015, targeted to be met by the year 2030 with the aim of being the "blueprint to achieve a better and more sustainable future for all".

Background Information

The necessity for birth registration

At the primary level and core definition, birth registration is the process by which a child’s birth is recorded in the civil register by the government authority. However, the significance of birth registration is far grander than mere registration, as the lack of legal identity can lead to serious repercussions for the child which may become obstacles in his or her life. If a child’s birth is not registered, he or she lacks the
documentation which links their identity to a particular state or nation. As a result, the child is at risk of remaining without legal identity and thus not bearing citizenship or any means of connection to a nationality. Further, such lack of registration withholds a child from the fundamental rights they are entitled to, such as access to medical care, social security or education. Birth registration is often a requirement for enrollment in a school system for many nations. It is also a prerequisite for milestones of adulthood including matrimony, employment, and participation in the labor market or economy, or even traveling. Further, an adult lacking birth registration may be hindered from being able to register their own child once they have one. In fact, the repercussions of the absence of legal identity stretch far into adulthood. The lack of birth registration harms the possibility for the reunification of separated families in case of such emergencies, and adults without birth registration may be unjustly treated in judicial processes or asylum proceedings.

Thus children without birth registration are unable to claim many services or rights due to them, a disadvantage that may very well continue into their adult life.

Importance of streamlining birth registration

The ideal situation in which universal birth registration is achieved would mean a streamlined system of the legal identity of citizens of all nationalities. This would provide all individuals with legal recognition to prove it. With a universal birth registration system, all nations would be a great step closer to achieving a more holistic guarantee of human rights. This is reflected in the way its necessity is emphasized in the Sustainable Development Goals as well as the UDHR. The rights achieved by this accomplishment would include, but not be limited to, both fundamental and extensive rights such as the rights to medical treatment, education, property, inheritance as well as protection from exploitation in the workplace or legal system.

Major Countries and Organizations Involved

UNDP

The United Nations Development Programme, which works to eradicate poverty and reduce inequalities through the sustainable development of nations, established comprehensive lists of targets, facts, and figures for each of the 17 Sustainable Development Goals. The SDG in question is number 16, specifically target 16.9, which reads “By 2030, provide legal identity for all, including birth registration”.

OHCHR
The Office of the United Nations High Commissioner for Human Rights has been in continuous collaboration and consultation with States, United Nations agencies, funds and programs, non-governmental organizations and other relevant stakeholders, "on legal, administrative, economic, physical and any other barriers to access to universal birth registration and possession of documentary proof of birth, as well as on good practices adopted by States in fulfilling their obligation to ensure birth registration, and to submit it to the Human Rights Council at its twenty-seventh session."

UNICEF

UNICEF, in alliance with other organizations such as the Inter-American Development Bank, OAS and other partners, has been doing work to eliminate barriers that impede birth registration. This cooperation functions with the following motive: "to improve the collection and dissemination of data relating to birth registration, to support the modernization of civil registry systems, and to link birth registration with other social services, including health care and education."

Timeline of Events

**OHCHR report on birth registration and the right of everyone to recognition everywhere as a person before the law**

2013

The OHCHR prepared a report on access to universal birth registration and possession of documentary proof of birth, as well as on good practices adopted by States in fulfilling their obligation to ensure birth registration and to submitted it to the Human Rights Council at its twenty-seventh session.

**Establishment of Sustainable Development Goals**

2015

The United Nations General Assembly set 17 Sustainable Development Goals intended to be achieved by the year 2030, as part of UN Resolution 70/1, the 2030 Agenda. Goal 16, Peace, Justice, and Sustainable Institutions calls for providing legal identity for all, including birth registration"
Establishment of UN Legal Identity Expert Group (UN LIEG)

At the request of DSG Ms. Amina Mohammed, the Legal Identity Expert Group (UN LIEG) was established in September 2018 under the premises of SDG Implementation, to form a united UN front. The LIEG is composed of 17 UN agencies with an aim of placing emphasis on building a legal identity system founded on civil registration from birth to death, and with a human rights approach.

Relevant UN Treaties and Events

- UN Convention on the Rights of the Child (CRC)
  - Article 7: All children and young people have the right to a name and nationality, which they should be granted at birth. Further, they have a right to – as far as possible – know and be cared for by their parents.

- United Nations Declaration on Human Rights
  - Rights outlined by the UDHR (which are relevant to this issue) include: life, security of person, recognition everywhere as a person before the law, equal protection by the law, freedom of movement and residence within the borders of each state, right to a nationality.

Possible Solutions

Universal birth registration is fundamentally a matter of inter-state cooperation and collaboration. This calls for dialogue and discussion. Thus a thorough process of communication would be necessary to establish a universal system of birth registration, advisably under the monitoring of the United Nations. Such communication could take forms of conventions or assemblies. A council or UN functioning body may be established to focus on this goal as its specialty.
Existing organizations, including the UNDP, UNICEF or OHCHR, could strengthen their efforts towards streamlined registration through promoting the very idea of birth registration. The first step to achieving birth registration universally is to establish it nationally, and many nations still do not provide functioning, effective registration processes. The United Nations could call for member states to first focus on establishing such a system within their own respective borders in order for the universalization process to be as achievable as possible.

Bibliography


