

Exclusion of “Fatherless” Children from Birth Registration & National Identity Systems; Implications on Ethical and Human Rights Programming

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Presentation Outline

Introduction

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GLOBALLY: NATIONAL IDENTIFICATION & BIRTH REGISTRATION

850 Million persons without official identification



Key Facts: Uganda

Located in East Africa



Population Size

46 million
(45,905,417 persons)

— Census, 2024



Total Fertility Rate:

4.5 children

— Census, 2024



ID Registration

17.2 million Ugandans
have no IDs/ NINs



Birth Registration

10.3% of births under 5
years registered with a
civil authority vs 11.4%
(general population)

Demography: Civil Registration & Vital Statistics (CRVS); National Identification



Source: UNFPA

Vulnerable Population at Risk of Exclusion from Registration Systems



Children (orphans, street children, living with disabilities, fatherless children, parents with no documentation, born in war areas, born in contested border/ immigration zones, child headed households)



Older Persons

Exclusion of fatherless children matters to Demographers:

- i. Affects data quality & completeness of vital statistics
- ii. Reflects & widens social & economic inequalities
- iii. Reflects ethical issues & neglect of Human Rights

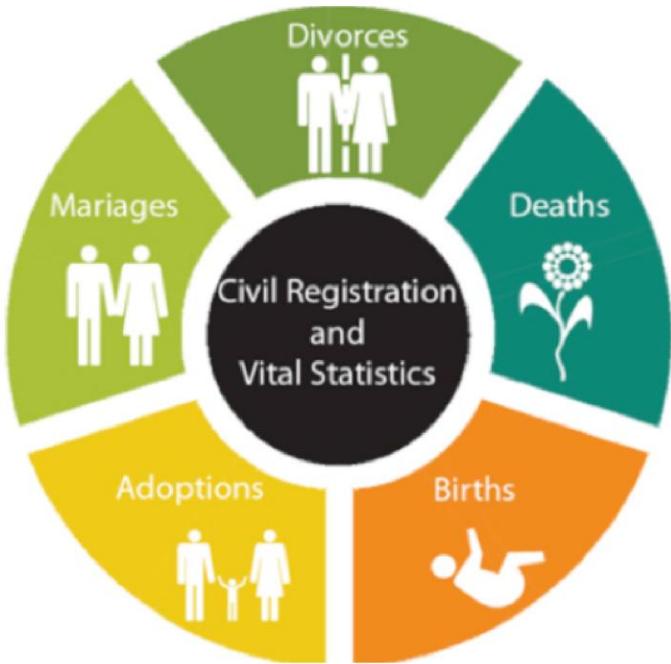
Concerns: denial of citizenship, dignity, stigma, discrimination, & limited access; & social population dynamics (patriarchial).

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Methods

Demography:

Civil Registration & Vital Statistics; National Identification



Approach

Frameworks:



Using a Child Rights Based Approach/ Framework

Convention UN Convention on the Rights of the Child recognizes children as having legal rights



SDGs: Leaving no one Behind

Data Collection



Review of CRVS & NID legal frameworks (Uganda & South Africa)



Key Informant Interviews



In-depth Interviews



Case Studies

Data Analysis

Content & Thematic Analysis using Atlas-ti

Key Findings

Gender Bias



Preference is for availability of fathers' info.

Preference is accorded to mothers during birth registration

Ethical & Human Rights in CRVS & NID



Gender Inequality in Birth registration & NID registration processes:

- Discrimination of mothers/ denial or delay from birth registration processes when father is unknown or details are missing.
- Humiliation and stigma of mothers by registration officers and health workers, in cases where women lack such information.

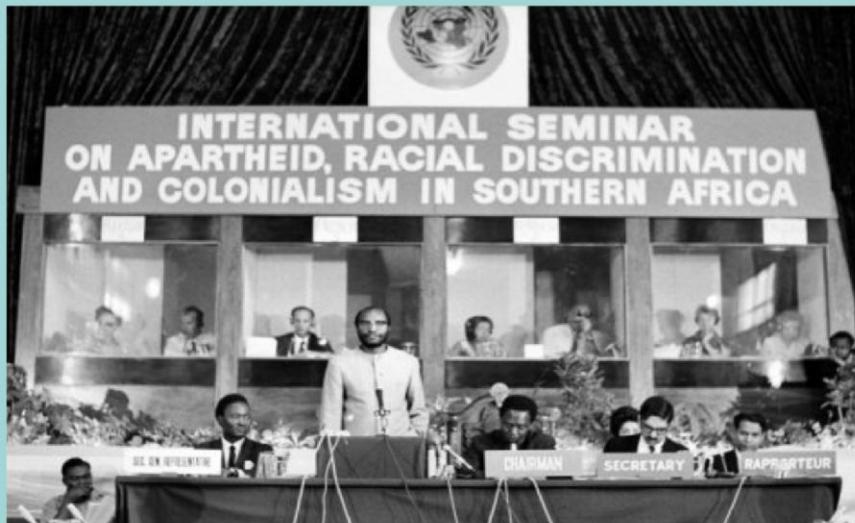


NIDs: Preference is given to availability to father's information/ copy of ID compared to mother's.

Key Findings

Ethical & Human Rights in CRVS & NID

Historical Perspective of Legal Frameworks



Legal framing of BR and NID systems in both Uganda and South Africa ignore the Children's based rights approach to programming and thus do not act in the best interest of the children.

- Colonialism & Apartheid
 - Children born out of wedlock; patriarchy, etc.
- Patriarchal related legal clauses account for a high proportion of excluded fatherless children from CRVS & NIDs.

PS: Uganda recently conducted a CRVS Legal Review and is slated to amend the CRVS stringent and un applicable clauses in the Act.

Key Findings

Policy & Practice



Arbitrary implementation of laws related to CRVS & NIDs has led to violation of human rights & unethical practices.

Ethical & Human Rights in CRVS & NID

- Wide variation between laws and implementation guidelines or procedures.
- Uganda's ROPA (2015): no preference for father's information/ patriarchy but the implementation guidelines seem otherwise.
- Duty bearers:
 - exclude children with no copies of 'fathers' IDs. – used as proof of ethnicity & nationality.
 - request for children to bring along paternal relatives (not necessary in the legal frameworks)
 - use of inoculation/ vaccination marks to ascertain citizenship in the case of South Africa

Key Findings:

Field Voices/ Excerpts



“My 1 year and 2 months old baby has no birth certificate because I have no national ID. When I gave birth to her, I was asked for my national ID, or father’s or grand parents’ ID.” (20-year old female orphan)



“For children born out of captivity, NIRA needs particulars of their fathers’ IDs.So they are excluded from social services. Also family members don’t want to identify with returnees as it is a taboo to associate with them, as they are associated with violence.” (Key Informant, Legal Officer)



“My surname is a Kiganda (ethnicity) name. But my father was an Iteso (ethnicity). He named me after my maternal grandmother. I was told that I cannot get an ID because the names (ethnic groupings) don’t match. Without an ID, I feel as if I am not educated because every employer needs an ID.” (20-year old female).

Conclusion



Patriachial Lineage

Exclusion of fatherless children is deeply rooted in political and patriarchal socio-cultural systems where citizenship is through patrilineal parentage.



Technology: Digital Identity

Digital registration systems struggle with incomplete vital data fields for “fatherless children” causing data integrity challenges.



Vital Statistics

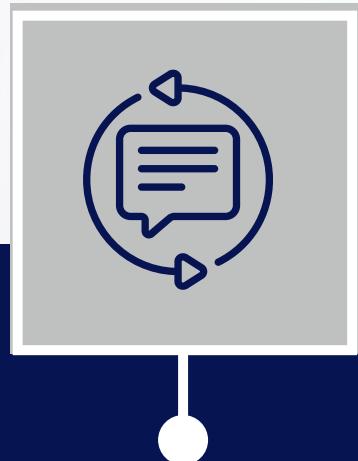
The need to link persons in registration systems has placed emphasis on father’s information at the detriment of children; which negatively impacts civil registration vital statistics.



Ethical & Human Rights Issues

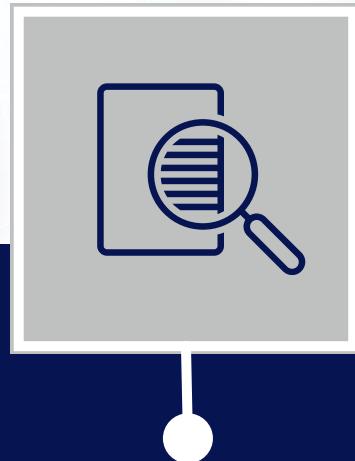
- i. Impediment to access of social services.
- ii. Lack of legal identity; legal ambiguities.
- iii. Gender bias/gender inequality.
- iv. Social stigma.
- v. Data misuse.
- vi. Falsification of vital statistics.

Recommendations



Legal Reforms

Urgent legal reforms in Population identification and registration systems; urgent need for Civil Registration policy. Reforms should expunge patriarchy



Inclusive policies

Identification & registration should have inclusive policies that recognize diverse and modern family



Collaboration with CSOs

.....working in child welfare, human rights, family advocacy CSOs to address registration



Policy – Practice

Need for effective translation of policy to practice across all stakeholders through capacity building of registration cadres



PRESIDENT MUSEVENI ENDORSES THE NATIONAL ID MASS ENROLMENT AND RENEWAL EXERCISE

Inclusive Mass ID Renewal

National ID renewal should be inclusive of diverse population identification & registration needs.

Acknowledgement



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