

# **The Final Report on Civil Registration Assessment of the Vulnerable Population Groups of Refugees, Asylum Seekers, Stateless Persons and Persons of Undetermined Nationality**

**August 2021**



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## Acronyms

Acronym	Explanation
ACC	Afghan Citizen Card
ANR	Afghan National Registration
AJ&K	Azad Jammu and Kashmir
ARC	Alien Registration Card
Bali Process	Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime
Bali Process Toolkit, or Toolkit	Bali Process Civil Registration Toolkit
CAF	Commissionerate of Afghan Refugees
CCAF	Chief Commissionerate of Afghan Refugees
CEDAW	UN Convention on the Elimination of All Forms of Discrimination Against Women
CNIC	Computerized National Identity Card
CRC	UN Convention on the Rights of the Child
CRMS	Civil Registration Management System
CRVS	Civil Registration and Vital Statistics
GB	Gilgit-Baltistan
GDP	Gross Domestic Product
GOP	Government of Pakistan
ICCPR	International Covenant on Civil and Political Rights
ICT	Islamabad Capital Territory
ID	Identification
IOM	International Organization for Migration
MoI	Ministry of Interior
MoLJ	Ministry of Law and Justice
MoPDSI	Ministry of Planning Development and Special Initiatives
SAFRON	Ministry of States and Frontier Regions

NADRA	National Database and Registration Authority
NIC	National Identity Card
PDHS	Pakistan Demographic and Health Survey
PoR Card	Proof of Registration Card
RSO	Regional Support Office
SDGs	Sustainable Development Goals
TSU-CRVS	Technical Support Unit-Civil Registration and Vital Statistics
UDHR	Universal Declaration on Human Rights
UN	United Nations
UNCAT	UN Convention Against Torture and Inhuman and Degrading Treatment
UN ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WDI	The World Bank's World Development Indicators

## **Executive Summary**

Civil registration is the first right of a child and a person's right to recognition as a person before the law, as well as establishing their formal relationship with the State. This is stated in the 1990 Convention of the Rights of the Child that encourages all the signatory governments including Pakistan to put in place appropriate legislative, administrative and other measures for every child to be registered immediately after birth.

The Ministry of Planning, Development and Special Initiatives has developed the “National Policy to Revamp and Reform Civil Registration of Vital Events and Ensuing Vital Statistics System in Pakistan ” that ensures access to birth registration for all children born in the country, and requested the Regional Support Office of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime and UNHCR Pakistan to provide technical assistance to include vulnerable population groups i.e., refugees, asylum seekers, stateless populations within national Civil Registration and Vital Statistics programs using the Bali Process Civil Registration Assessment Toolkit.

This report provides the Government of Pakistan with practical recommendations to establish inclusive civil registration systems based on the gaps in civil registration service providers and beneficiaries identified by systematic desk review, key informant interviews, and focus group discussions at the district and sub-district levels in the Islamabad Capital Territory, Peshawar the capital of Khyber Pakhtunkhwa Province, and Karachi Division in Sindh Province.

During the assessment using the Bali Process Civil Registration Assessment Toolkit, it was found that no laws and regulations on civil registration at the federal and local level distinguish between Pakistani citizens and the vulnerable population groups including refugees, asylum seekers, stateless persons and persons of undetermined nationality in terms of recording and certification of their births, deaths, marriages and divorces. However, most of the vulnerable population groups do not have required documents for these registrations. In addition, it was noted that no procedures/guidelines were available for recording vital events in the vulnerable population groups as well as no systematic training on civil registration for the local civil registrars had been conducted in the Islamabad Capital Territory, Peshawar the capital of Khyber Pakhtunkhwa Province, and Karachi Division in Sindh Province.

Based on the findings from the assessment, it is recommended to ensure civil registration for all population groups regardless of their legal status by establishing appropriate legal provisions for the inclusion of vulnerable population groups to access CRVS at the federal and provincial levels. Capacity development support including standard operating procedures and trainings specifically on inclusion of vulnerable population groups is also recommended in line with the split of the National Policy to Revamp and Reform Civil Registration of Vital Events and Ensuing Vital Statistics System in Pakistan.

# 1. Introduction

Civil registration and vital statistics (CRVS) is the continuous, permanent, compulsory, and universal recording of the occurrence and characteristics of vital events of the population. Civil registration is the first right of a child and a person's right to recognition as a person before the law, as well as establishing their formal relationship with the State. It provides individuals with documentary evidence to prove their legal identity and family relationships, which are important for accessing essential services including healthcare, education and social protection. Other rights and activities such as political participation, recourse to justice, nationality, property ownership, formal employment, inheritance, and the use of financial services are also ensured through the functioning of robust systems.

Civil registration for recording of vital events of a country's population has become an essential ingredient of the international development agenda. Sustainable Development Goal (SDGs) 16.9 calls for the provision of a legal identity including birth registration for all by 2030. In addition, Goal 17.18 states that, "...by 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing states, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts" which is the key to ensuring the core principle of the 2030 Agenda "Leave no one behind".

All Member States of the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), including Pakistan, adopted a Ministerial Declaration aiming to strengthen the universal civil registration for all people and endorsed a Regional Action Framework that encourages States to evaluate inequalities in accessing civil registration for vulnerable population groups and to set national targets to address them. Pakistan has also affirmed its commitment to the 2030 Agenda for Sustainable Development by adopting the SDGs in its own national development agenda (Vision 2025).

In accordance with the Regional Action Framework, the Ministry of Planning, Development and Special Initiatives (MoPDSI) has developed the "National Policy to Revamp and Reform Civil Registration of Vital Events and Ensuing Vital Statistics System in Pakistan<sup>1</sup>" that ensures access to birth registration for all children born in the country. Further, the MoPDSI has requested the Regional Support Office (RSO) of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) and UNHCR Pakistan to provide technical assistance to include vulnerable groups i.e., asylum seekers, refugees and stateless persons within the national CRVS program using the Bali Process Civil Registration Assessment Toolkit (Bali Process Toolkit) that was co-developed by the RSO and UNHCR.

The Bali Process Toolkit helps to generate three main outcomes:

- Assessment report: Comprehensive description of the findings and recommendations of the assessment collectively endorsed by the body leading the assessment. This should also be reviewed and approved by a higher authority that can take relevant decisions for implementation.

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<sup>1</sup> <https://www.pc.gov.pk/uploads/crvs/Draft.pdf>

This policy is developed in line with with the 1990 Convention of the Rights of the Child (CRC) and highlights the importance of appropriate legislative, administrative and other measures for every child to be registered immediately after birth.

- Action plan: A document that explains how the assessment recommendations will be implemented, including what needs to be done, when, how and by whom, usually within a timeframe of one to ten years.
- Targets: Targets, milestones or objectives towards which efforts can be directed for measuring progress (or lack thereof), e.g. proportion of births, deaths and marriages that are registered in a given timeframe or other targets of a qualitative nature, such as undertaking a particular action (e.g. produce a manual or deliver a training) by a certain date.

**The scope of this assessment report covers the following vulnerable groups.**

Vulnerable Groups		
Refugees	Afghan refugees holding Proof of Registration Cards (PoR Card holders)	1,43 Million
	UNHCR Mandate recognized Refugees (Afghans and Non-Afghans)	5,172
Asylum Seekers	(Afghans and Non-Afghans)	10,190
Stateless Population	Bihari, Bengali and Rohingya communities	3.Million (approx..)

In addition to the vulnerable groups mentioned above, Pakistan also hosts two other groups of Afghans namely the Afghan Citizen Card(ACC) holders and the undocumented Afghans<sup>2</sup>. The ACC holders were registered by National Database and Registration Authority(NADRA) through a onetime registration exercise and are about 879,198<sup>3</sup> individuals. The registration exercise was closed without any recourse to modifications and additions in their database, thus rendering this group unable to register their births, deaths and marriages. The exact number of the undocumented Afghans is not known however it is estimated to be between 300-500,000 individuals. This group is believed to be completely void of any documentation and thus have no recourse to any civil registration.

Although both these groups do not fall within the scope of this study nonetheless their vulnerabilities in terms of lack of access to essential services can pose serious threats to their safety and dignity thus warranting a careful consideration in the broader scheme of the CRVS.

<sup>2</sup> ACC holders: Individual of Afghan origin individuals living in Pakistan registered by the Government of Pakistan during the 2017-18 ACC documentation exercise. ACC holders are required to return to Afghanistan and can only return to Pakistan after receiving a Pakistani visa in an Afghan Passport.

Undocumented Afghans: Individual of Afghan origin who falls within undocumented categories, including: 1) Individuals with no valid documents (POR, ACC, or visa), 2) Individuals with Tazkira (Afghan ID card) which comes under undocumented category, 3) Individuals with a Proof of Registration Card that has expired before 2015 and 4) Individuals with no passport or with a passport with an expired or no visa.

<sup>3</sup> Pakistan Migration Snapshot August 2019, International Organization of Migration (IOM), pg.13, [1. Pakistan Migration Snapshot 2019.pdf \(iom.int\)](https://iom.int/pakistan-migration-snapshot-2019)

## 2. Populations of Interest

The Bali Process Toolkit is designed to identify and address gaps and needs of the vulnerable population groups i.e., refugees, asylum seekers, stateless persons, undetermined nationalities in order to include them in the civil registration systems.

A mapping of the vulnerable population groups in Pakistan is described below as it relates to access to both civil registration and functional registration.

### (a). Refugees

#### (i). Afghan Refugees who are registered with the Government of Pakistan(GoP)

Approximately 1.43 million Afghan refugees are registered with the GoP and holding Proof of Registration (PoR) Cards issued by the National Database and Registration Authority (NADRA). The stay of PoR cardholders in the country is regulated by the policy decisions of the Federal Cabinet implemented through the Ministry of States and Frontiers Region (SAFRON) and its department, the Chief Commissionerate for Afghan Refugees (CCAR).

#### (ii). Other Afghan and non-Afghan refugees who are recognized by UNHCR

These individuals are recognized as refugees under the mandate of UNHCR and include not only Afghans but persons from other nationalities. UNHCR determines and grants them refugee status. They are provided with UNHCR- issued refugee cards which generally provide them protection against *refoulement* and allows a degree of freedom of movement.

### (b). Asylum-seekers

These individuals have been registered by UNHCR as Asylum-seekers under its mandate. Asylum seekers are individuals who seek asylum and await their status to be determined. In the context of Pakistan, as mentioned in the preceding para, their refugee status determination is carried out by UNHCR under its mandate.

### (c). Stateless persons/persons at-risk of statelessness or those of undetermined nationality

Pakistan hosts an undetermined number of stateless persons, those at-risk of statelessness or of undetermined nationality is estimated to be a population of approximately 3.5 million comprised of those from the ethnic Bihari, Bengali and Rohingya communities. The exact number of the stateless populations is yet to be determined. Most of this population group reside in Karachi and had migrated to Pakistan before the creation of Bangladesh in December 1971. There are no formal figures to estimate the overall size of the population.

## 3. Assessment Process

Three sites were selected for the assessment process: the Islamabad Capital Territory (ICT), Peshawar District in Khyber Pakhtunkhwa, and Karachi Division in Sindh (all the seven districts). Each of these locations has a sizable population of each vulnerable group and can be considered representative to generate practical recommendations for mainstreaming of these groups into the national CRVS system.

There was not an existing body to coordinate civil registration for non-nationals including the vulnerable groups at the national and sub-national level as such, MoPDSI and UNHCR jointly established a Core Working Group (CWG) on Mainstreaming Vulnerable/Marginalized Population in Civil Registration System. The table below shows the composition of the CWG.

## Members of the Core Working Group

<b>Co-Chairs</b>	
Chief (Health), Ministry of Planning, Development and Special Initiatives (MoPDSI), Islamabad	Coordinating CRVS at national level and is heading the TSU at the MoPD&SI. He is also proposed to co-chair the CWG.
Assistant Representative, UNHCR, Islamabad	Responsible for protection of refugees and other vulnerable groups at UNHCR Pakistan.
<b>Federal Government</b>	
National Technical Advisor (TSU-CRVS), MoPD&SI, Islamabad	Supporting Chief (Health), MoPD&SI, Islamabad and covers technical aspects of implementation of national CRVS programs.
Ministry of Interior, Islamabad (MOI)	Ministry of Interior is dealing with: Nationality, citizenship and naturalization; Entry and stay of foreigners in Pakistan; regulation of movement in Pakistan of persons not domiciled in Pakistan; issuance of passports, visas.
National Database and Registration Authority (NADRA), Islamabad	Responsible for issuance of national identity cards to Pakistani nationals, POR cards to Afghan Refugees, ACCs for Afghan Citizens, and Alien Registration Cards. Maintains a National Database of Civil Registration Management System (CRMS).
Ministry of States and Frontier Regions (SAFRON), Islamabad	The Principal Ministry dealing with Afghans at the Federal level.
Chief Commissioner for Afghan Refugees (CCAR), Islamabad	The chief administrative office under SAFRON and deals with management of Afghan refugees at the Federal level and is supported by provincial Commissionerate's for Afghan refugees.
Ministry of Foreign Affairs, Islamabad	Dealing with Pakistan's foreign relations and of the foreigners in and out of the country.
Pakistan Bureau of Statistics, Islamabad	The main statistical agency of the federal and provincial governments for generation of vital statistics in Pakistan that conducts National Census after every ten years and a number of other censuses and surveys assigned by these governments.
<b>Provincial Governments of Sindh and Khyber Pakhtunkhwa</b>	
Planning & Development Department, Government of Sindh, Karachi	Coordinating department for mainstream CRVS in Sindh province.

Planning & Development Department, Government of Khyber Pakhtunkhwa, Peshawar	Coordinating department for mainstream CRVS in Khyber Pakhtunkhwa province.
<b>Civil Society</b>	
Representative of International Rescue Committee, Islamabad	An INGO working in the poverty alleviation, natural disasters and disadvantaged population groups in Pakistan.
<b>United Nations Agencies and International Financial Institutions</b>	
UNICEF	UN Agency dealing with children and their birth registration. Currently executing a project titled “Digital Birth Registration” (DBR) for universal birth registration in five districts in Sindh and Punjab in association with the provincial governments of Sindh and Punjab for children under 18 in the following districts: Badin, Noshero Feroze, Thatta, and urban districts of Karachi (Sindh); and Bahawalpur, Dera Ghazi Khan, Muzaffargarh, Pakpattan, Rahim Yar Khan, Rajanpur, and Lahore (Punjab) <sup>4</sup> .
IOM	Intergovernmental organization in the field of migration and related issues, especially supporting ACC holders.
UNFPA	Leading UN agency in support of government statistics.
The World Bank	The largest donor to the Government of Pakistan and financially supports national CRVS programs.

The assessment process consists of three phases:

- Phase I- Planning and preparation.
- Phase II- Collecting, analyzing and validating information; and
- Phase III- producing the main outputs including practical recommendations from the assessment.

The table below shows the detailed activities jointly conducted by UNHCR and the MoPD&SI, and approved by the CWG. The key limitations to conducting the assessment was due to COVID-19 which restricted the number of field visits undertaken and the nature of interviews conducted.

<sup>4</sup> UNICEF, Status of Civil Registration and Vital Statistics in South Asia Countries, 2018, available at <https://www.google.com/search?q=UNICEF+crvs+project+in+sindh&oq=UNICEF+crvs+project+in+sindh&aqs=chrome..69i57.23480j0j8&sourceid=chrome&ie=UTF-8>

Phase I: Planning and preparation (March – April 2020)

Activity	Tools
<p>1. Organize the first Core Working Group meeting (MoPDSI and UNHCR):</p> <ul style="list-style-type: none"> <li>● Identify the members for Core Working Group (CWG).</li> <li>● Develop information material, which includes work plan, roles and responsibilities of the stakeholders who will be involved with the assessment and areas for piloting the assessment, timeframe, etc.</li> </ul>	
<p>2. Conduct a preliminary desk research (UNHCR):</p> <ul style="list-style-type: none"> <li>● Collect existing data and materials.</li> <li>● Undertake analysis of existing CRVS information on the vulnerable groups including refugees, asylum seekers, stateless persons, and persons of undetermined nationality.</li> <li>● Map CRVS Stakeholders and existing functions in the registration of vulnerable groups.</li> <li>● Analyzing existing CRVS law and policy related to the vulnerable groups.</li> </ul>	<p>Tool A1 Guidance for internal desk review</p> <ul style="list-style-type: none"> <li>● Profile of refugees, asylum seekers, stateless persons and persons of undetermined nationality that reside in the territory</li> <li>● Stakeholder-mapping</li> <li>● Known gaps and barriers</li> </ul>
<p>3. Develop a work plan for a pilot project implementation in Islamabad, Karachi and Peshawar districts (UNHCR):</p> <ul style="list-style-type: none"> <li>● Coordinate with federal and provincial authorities including MoPDSI to set a practical time frame for the implementation of the toolkit.</li> <li>● Developing a work plan for each site to be approved by the CWG.</li> </ul>	

Phase II: Collecting, analyzing, and validating information (July 2020 – April 2021)

Activity	Tools
<p>4. Conduct a gap analysis between the existing / proposed registration mechanism for the vulnerable groups in each at ICT, Peshawar, and Karachi (UNHCR):</p> <ul style="list-style-type: none"> <li>● Conducting consultative meetings at Islamabad, Karachi and Peshawar in person with minimum number of participants (as per prevailing social distancing guidelines) and/or telephonically.</li> </ul>	<p>TOOL H: Questionnaire</p> <ul style="list-style-type: none"> <li>● General issues</li> <li>● Service provider issues</li> <li>● Beneficiary issues</li> <li>● Relationship with functional and population registration</li> </ul>

<ul style="list-style-type: none"> <li>Based on the collected information through the consultative meetings, conduct a gap analysis between the existing/proposed registration mechanism for the vulnerable groups in each target site.</li> </ul>	
<p>5. Conduct field visits and focus group discussions in Islamabad, Karachi and Peshawar districts to assess local-level practices on CRVS (Under the restriction of the movement, only a field visit to Karachi was conducted) (UNHCR):</p> <ul style="list-style-type: none"> <li>Coordinate with federal and provincial authorities through the CWG to prepare a field visit and focus group discussions in the seven districts Karachi.</li> <li>Conducting focus group discussions telephonically with relevant actors in Islamabad and Peshawar.</li> </ul>	<p>Tool H: Questionnaire</p> <ul style="list-style-type: none"> <li>General issues</li> <li>Service provider issues</li> <li>Beneficiary issues</li> </ul> <p>Relationship with functional and population registration</p> <p>Tool I: Guidance for conducting field visits and focus groups</p>
<p>6. Organize a workshop telephonically with relevant stakeholders to share preliminary findings (UNHCR):</p> <ul style="list-style-type: none"> <li>Reviewing and consolidating findings identified from information collection activities (e.g. desk research, field visits, focus group discussions)</li> <li>Prepare a draft report about the prevailing civil registration assessment of the vulnerable groups in pilot districts of Islamabad, Karachi South and Peshawar.</li> <li>Share the findings with relevant stakeholders to get feedback which will be incorporated in the final report.</li> </ul>	<p>Tool J: Example of agenda for the result workshop</p>
<p>7. Organize the 2nd Core Working Group Meeting to present a draft assessment report (MoPDSI and UNHCR):</p> <ul style="list-style-type: none"> <li>Sharing with the CWG a draft report reflected inputs/feedback received from stakeholders at the workshop.</li> <li>Collecting inputs/feedback from the CWG for the preparation of the final report</li> </ul>	<p>Tool J: Example of agenda for the result workshop</p>
<p>8. Organize the last Core Working Group Meeting to finalize the report on “mainstreaming the vulnerable groups in the national CRVS system” (MoPDSI and UNHCR):</p> <ul style="list-style-type: none"> <li>Presenting the draft final report with an action plan, targets and areas for actual implementation to the CWG for the endorsement of the report</li> </ul>	<p>Tool J: Example of agenda for the result workshop</p>

Phase III: Implementing the formulated action plan and recommendations from the assessment.

The Phase III will be implemented by MoPDSI in line with the action plan approved by the CWG. This includes:

- Organize a dissemination meeting to share the findings and recommendations to a wider group of stakeholders at the federal and provincial levels.
- Formulate operational guidelines / SoPs for the registration of the vulnerable groups (based on the outcome of the assessment)
- Develop a capacity building plan focusing on knowledge gaps identified during the assessment
- Organize technical trainings for local officials for promoting inclusion of the vulnerable groups in the mainstreaming CRVS system
- Developing information material for promoting inclusion of the vulnerable groups in the mainstreaming CRVS system
- Conducting media campaign and community sensitization

## 4. Stakeholders

### (a). Entities responsible for conducting Civil Registration

#### (i). Ministry of Health Services Regulation and Coordination (MoNHSRC)

Responsible for the notification of births and deaths. At the provincial level this is carried out by the relevant health departments. In case the birth occurred at home, registered doctors midwives with the respective provincial governments issue a birth notification.

#### (ii). The National Database & Registration Authority (NADRA)

NADRA is an autonomous organization established under the National Database and Registration Authority Ordinance, 2000 hereinafter referred to as “NADRA Ordinance 2000”. NADRA is mandated “...to facilitate the registration of all persons and the establishment of maintenance of multipurpose databases, data warehouses, networking, interfacing of databases and related facilities”.<sup>5</sup>

#### (iii). Local Government Departments

The Department of Local Government registers the child to NADRA database at its sub-district offices including union council offices based on the birth notification and required documents including CNIC number of both parents. NADRA issues the birth certificates. Following the creation of local governments with a view to devolve powers at the grass roots level, the registration of births, deaths, marriages, and divorces were entrusted to these institutions at the lowest tier of the government, functioning in their local areas in the provinces. Each province enacted their separate though identical local government acts specifying the roles and responsibilities for the local bodies including the function of registration of births, deaths and marriages.

#### (iv). Pakistan Bureau of Statistics (PBS) + Provincial Bureaux

The PBS is a federal agency attached to the Ministry of Finance and provides services in terms of collection and compilation of statistical data relating to various socio-economic sectors through primary, secondary sources, and administrative records of the government in line with the General Statistics (Reorganization) Act, 2011. The PBS has 34 provincial/regional Offices in total across the country. It was created by merging

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<sup>5</sup> The National Database and Registration authority Ordinance (NADRA Ordinance), 2000

the Federal Bureau of Statistics, the Population Census Organization, The Agriculture Census Organization and the Technical wing of the Statistics Division in 1981.

(b). Entities responsible for Civil Registration law and policy

(i). Ministry of Planning Development and Special Initiatives (MoPDSI)

The Technical Support Unit (TSU), Ministry of Planning, Development and Special Initiatives is a key actor to design and implement CRVS related policies. It leads technical coordination for CRVS development and promotion at the national and sub-national levels by the National Policy to Revamp and Reform Civil Registration of Vital Events and Ensuing Vital Statistics System in Pakistan.

(ii). Ministry of Foreign Affairs (MoFA)

MoFA is responsible for Pakistan's diplomacy, bilateral, and multilateral relations/affairs as well as for providing support for a country's citizens who are abroad through Pakistani government offices abroad with diplomatic and consular status. In addition, the MOFA deals with former nationals, diaspora as well as foreigners in Pakistan in coordination with the MoI.

(iii). The Ministry of Law and Justice (MoL&J)

The MoL&J has an overarching role to examine draft legislative bills before submission to the parliament. It also examines draft Cabinet orders and treaties that are to be brought before Cabinet meetings. There are two types of legislative bills - those introduced by the Cabinet (public bills), and those introduced by Parliamentarians (Private members bills). With respect to legislative bills to be introduced by the Cabinet, all bills drafted by the relevant ministries are examined by MoL&J before they are brought before the Cabinet meetings. Cabinet orders are enacted by the Cabinet, either on the basis of authorization by law or for the purpose of implementing law. All draft orders are examined by the MoL&J before being brought before Cabinet meetings.

Similarly, law departments in the provinces, the special areas of Gilgit-Baltistan and AJ&K are responsible to examine draft laws introduced by sector departments before submission to the provincial cabinet. Although the MoL&J's role is limited to the vetting of the bills without the authority to bring about substantial change, its role is important in highlighting the inter-play between various law for the time being in force.

(iv). Ministry of Interior (MOI)

The MOI is primarily responsible for implementing the internal policies, state security, administration of internal, and assisting the government on territorial affairs in close coordination with the home department of the respective local governments. In addition, the MOI is primarily responsible managing the affairs of foreigners in the country and in this regard enjoys wide discretionary powers.

(v). UNICEF

UNICEF has an international mandate to uphold the rights of all children including birth registration of children to ensure every child is protected, healthy and educated, focusing on the children left behind by wider economic and social progress. It is the lead agency of national project for Technical Assistance and ICT as CRVS Model

District in Pakistan, which helps the government to develop a uniform, standardized national CRVS system including Legislation, Protocols/Bylaws/SOPs, Inter-sectoral coordination, infrastructure, etc. in line with the National Policy to Revamp and Reform Civil Registration of Vital Events and Ensuing Vital Statistics System in Pakistan.

(c). Entities related to support of the vulnerable groups

(i). Ministry of the States and Frontier Regions (SAFRON)

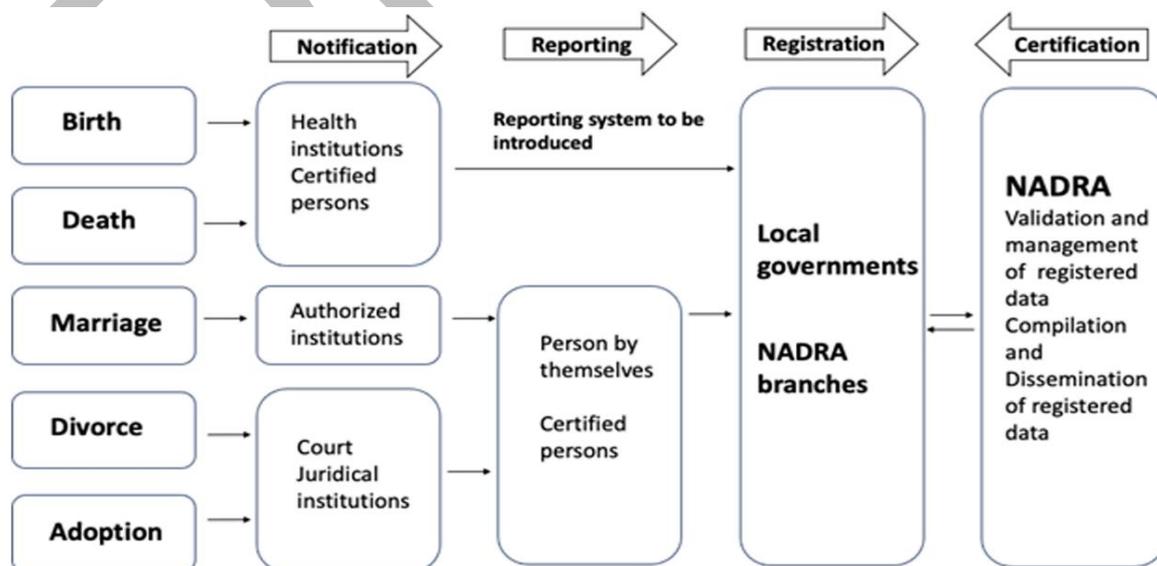
The Ministry of SAFRON has been mandated to look into the affairs of Afghans in Pakistan-both refugees and non-refugees. It is headed by a Federal Minister. The Ministry of SAFRON is administratively and operationally supported by the office of the Chief Commissioner for Afghan Refugees (CCAR). The CCAR oversees the refugee matters through provincial Commissioner Afghan Refugees (CARs) in provinces.

(ii). United Nations High Commissioner for Refugees (UNHCR)

UNHCR was established pursuant to the United Nations General Assembly Resolution 428(V) of 14 December 1950 with the exclusive mandate to provide protection and seek durable solutions to refugee situations. Over time UNHCR was also entrusted the role for protecting stateless persons as striving for prevention, reduction and eradication of statelessness. UNHCR’s mandate is humanitarian and non-political in its nature.

## 5.Current systems and Practices of Civil Registration

### Legal framework



(a). Civil Registration Legislation -Federal

An analysis on the prevailing civil registration laws in Pakistan reveals that there exists not a single law comprehensively dealing with the subject. There are several laws both at Federal and Provincial level dealing with the same subject. Some of the legislations have evolved over time into new enactments and authorities and thus were repealed. This report will examine only those laws in vogue both at the Federal and Provincial levels. The inter-play between federal and provincial laws could be, at times, not easily discernible. Following are the key legislations at the Federal level dealing with the Civil Registration.

(i). NADRA Ordinance 2000

NADRA operates a centralized database of citizens with the family tree of each person documented and often dating back for generations called the Civil Registration Management System (CRMS). The citizen's vital events are registered in the CRMS. The NADRA ordinance also provides for certain registrations by this authority of some other classes of citizens and non-citizens having an origin in Pakistan but currently living out of the country, and of the foreigners currently residing in Pakistan, both legally and illegally<sup>6</sup>. NADRA although autonomous is guided by the directives from the MOI. NADRA issues the following documentation:<sup>7</sup>

- a) National Identity Card: National Identity Card (NIC) is issued to the citizens of Pakistan. The unique 13-digit identification number is recognized all over the country. It is the first requirement of individuals as it is mandatory to obtain documents like driving and arms license, National Tax Number (NTN), bank account, passport, cellular connection etc. Every citizen of Pakistan, 18 years and above, is eligible for NIC.
- b) National Identity Card for Overseas Pakistani (NICOP): NICOP is a registration document issued to a eligible citizen of Pakistan who lives or has reference abroad. Any citizen of Pakistan can apply for NICOP and can travel to Pakistan without requiring a visa in case of dual nationality Passport number is a mandatory for applying for NICOP of newborn babies if they are born abroad.
- c) Child Registration Certificate (CRC): CRC is a registration document used to register minors under the age of 18 years. It is the fundamental right of a child to get a registration certificate from the place of origin. CRC is also known as B-form. CRC can be taken by providing documented proof of childbirth from union council. Parent is required to be a holder of National Identity Card (NIC)/National Identity Card for Overseas Pakistanis (NICOP).
- d) Pakistan Origin Card (POC): POC is issued to Pakistani Origin expatriates by showing proof of their origin in Pakistan.
- e) Family Registration Certificate (FRC): Family Registration Certificate (FRC) is a mean of being identified with your NADRA's record. This provides the family composition.
- f) Cancellation Certificate: Cancellation certificate is a registration document issued to register the termination of ID card in case of death of any citizen. Any blood relative possessing a valid NIC/NICOP, death certificate from union council and the graveyard certificate of the deceased family member, can apply for the cancellation. The original ID card of the deceased is destroyed at NADRA's registration center to ensure that it cannot be misused.

(ii). Cantonment Ordinance 2002

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<sup>6</sup> Section 8, NADRA Ordinance, 2000

<sup>7</sup> NADRA official Website, accessed 15 July 2021, <https://www.nadra.gov.pk/identity/>

Cantonment areas falling within districts are governed by the Cantonments Ordinance, 2002. The function of registering births, deaths and marriages in the cantonment areas is entrusted to Union Administrations constituted under the ordinance. Since the vulnerable groups are foreigners and given that foreigners entry and residence in cantonments is barred by law therefore this legislation has no relevance to the vulnerable groups.

(iii). Muslims Family Law Ordinance (MFLO), 1961

The Muslims Family Law Ordinance, 1961 is a Federal law however, it has a very close link to the local governments/bodies. It must be noted here that with regards to registration of marriages, the Union Councils or Tehsils councils, as the case may be, are to appoint Nikah (term used for Muslim marriage) Registrars (Those who solemnize marriage and records it) under the Muslim Family Laws Ordinance, 1961<sup>8</sup>.

(iv). The National Database and Registration Authority (Alien Registration Card) Rules, 2002

These rules were recently promulgated by NADRA and approved by the Federal Cabinet vide Statutory Regulation Order (S.R.O) 247(I)/2021. Under these rules NADRA will resume the functions of former authority for alien registration called the National Alien Registration Authority (NARA). NARA was established under the provisions of the Foreigners Act, 1946 however it was merged with NADRA through an amendment in the NADRA ordinance in 2016. The rules provide for the registration of foreigners intending to live in Pakistan beyond 90 days. It also gives an exemption, upon registration, from prosecution under the Foreigners Act, 1946 for those foreigners living illegally in Pakistan for a period of five years or more. The rules have formalized the registration of foreigners under the umbrella of NADRA. However, the rules exclude Afghans (all categories including refugees, ACC holders and undocumented) from its operation.

As provided by the rule 6, the birth, death, marriage or divorce of a foreigner's family member shall be reported to NADRA. Additionally, rule 18 requires that the officer or authority to whom, or to where births and deaths are required to be reported under any law relating to registration of births and deaths, shall report the birth of a newly born foreigner, and the death of a foreigner who has not attained the age of eighteen years to the District Registrar or any other authorized registration officer of the Authority.

(v.) The Islamabad Capital Territory Local Government Act, 2015

This local government act though Federal in nature deals with the composition of the local governments in the Islamabad Federal Capital Territory. It is identical to the local government acts of various provinces entrusting the functions of recording births, deaths, marriages and divorces to the Union Councils-in rural context and Municipal Corporation-in the urban context.

(b) Civil Registration Laws - Provincial

The following local government acts are in place in the districts of Peshawar and Karachi:

- a. The Sindh Local Government Act, 2013
- b. The Khyber Pakhtunkhwa Local Government Act, 2013

These local government acts define composition of the local governments at the lowest administrative tiers which are either at Tehsil level (which is the sub-unit of a district) or Union

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<sup>8</sup> Section 5, Muslim Family Laws Ordinance, 1961, <http://punjablaws.gov.pk/laws/777a.html>

Council level (which is the sub-unit of a Tehsil) in rural areas. These laws also apply to Municipalities, Metropolitan areas and Towns which are differentiated as urban areas.

Under the current arrangement, the local governments in the provinces record the births, deaths, marriages and divorces and the data is transferred to NADRA for reconciling at the Federal level under its mandate of being a central repository of data. The local government acts of all the provinces are mostly identical with the main difference lying in nomenclature and territorial divisions of the local governments. The key function of the registration of births, deaths, marriages and divorce is almost similar in all the provinces.

### **Analysis on the Implementation of the Bali Process Toolkit in the three identified areas**

Based on the outline of the current registration system, the Bali Process Toolkit was tested in the Islamabad Capital Territory, Peshawar the capital of Khyber Pakhtunkhwa province as well as Karachi Division in Sindh province. The below is an overall description of the process for Pakistani nationals according to the law and policy framework and a summary of the current practices for each of the targeted groups.

#### **(a) . The Islamabad Capital Territory (ICT)**

<b>Vulnerable Groups (as of July 2021)</b>		
Refugees	Afghan refugees holding Proof of Registration Cards (PoR Card holders)	35,003
	UNHCR Mandate recognized Refugees (Afghans and Non-Afghans)	841
Asylum Seekers	(Afghans and Non-Afghans)	1359

#### **(i). Legal framework for registrations of Births, Deaths, Marriages and Divorces**

ICT Administration operates under Presidential Order No. 18 of 1980, which confers powers of the Provincial Government upon the Chief Commissioner Islamabad. There are six directorates and twenty-five departments working under ICT Administration. All departments report to the concerned Directorate under the supervision of Chief Commissioner Islamabad.

The Islamabad Capital Territory Local Government Act, 2015 and includes the registration of births, deaths, marriages and divorces for the Pakistani residents in ICT. This falls under the responsibility of Local Government & Rural Development.

As per section 71(1) read with serial number (j) of the Second Schedule of the Islamabad Capital Territory Local Government Act, 2015, a Union Council shall, subject to the provisions of the Capital Development Authority Ordinance, 1960, arrange for registration of births, deaths, marriages and divorces in the rural areas of the ICT, and pass on such information about such events in the Union Council to such persons and institutions as may be prescribed by rules. Similarly, in the urban areas of Islamabad, the Directorate of Municipal Administration of the Metropolitan Corporation of Islamabad (MCI) is responsible for registration of births, deaths, marriages, and divorces.

There is no provision in the ICT Local Government Act, 2015 explicitly barring registration of birth and deaths of foreigners. However, for foreigners to register new births and deaths, valid passports are a pre-requisite. As such, this condition excludes refugees, asylum seekers and Stateless persons from registration of births and deaths.

#### (ii). Birth Registration Process

For Pakistani nationals, either of the parents or a close relative of a child must visit the Directorate of Municipal Administration of the Metropolitan Corporation Islamabad (MCI), if he/she is a resident of the urban areas of ICT falling in the jurisdiction of that entity. If he/she is a resident of rural areas of ICT, their birth registration will be done at the Union Council's office. The informant is required to fill in the Birth Registration Form 'A' issued by NADRA along with supporting documents: (i) an affidavit as per a standard specimen on a stamp paper of Rs. 10 duly attested by a notary public solemnly affirming and declaring that the information about the date and place of birth of the child is correct; (ii) the original birth notification issued by the certified persons including registered doctors at health institutions or an affidavit of the midwife if the birth occurred at home; (iii) attested copies of CNICs of the parents, and the informant (in case either of parents is not the informant); (iv) attested copy of passport of parents in case either (or both) of them are foreigners; (v) a copy of Islamic marriage contract i.e. Nikah Nama if the mother's CNIC is not registered with her husband / father of the child.

Based on the as Form 'A' information, the local administration registers the birth to the NADRA. Upon the completion of the registration, a birth certificate is printed on a NADRA-supplied secure paper by the Municipal Services Directorate of the MCI or the union councils. The birth certificates are signed by the Administrative Officer of the Directorate of Municipal Administration of MCI or the Union Council's secretary<sup>9</sup>.

#### (iii). Death Registration Process

For Pakistani nationals, a close relative of a deceased person needs to visit the Directorate of Municipal Administration of the Metropolitan Corporation Islamabad (MCI), if he/she is a resident of the urban areas of ICT falling in the jurisdiction of that entity. If he/she is a resident of rural areas of ICT, their death registration will be done at the Union Council's office. The informant is required either to fill in the Death Registration Form also called in case of MCI as Form 'B'.

Along with the above-mentioned information, the following six documents are required: (i) the original death certificate issued by the hospital, clinic, nursing home, etc.; (ii) attested copies of the CNICs of the deceased and the applicant; (iii) attested copies of passports of the deceased and the applicant in case either of them are foreigners; (iv) an attested copy of Nikah Nama in case of a female deceased wherein her CNIC is not registered with her husband; (v) an affidavit as per a standard specimen on a judicial stamp paper of Rs. 10 duly attested by a notary public, by all legal heirs of the deceased solemnly affirming and declaring that the information given

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<sup>9</sup> Chapter 9 NADRA Ordinance 2000 Registration of citizens.— (1) ...a parent or guardian of every citizen who has not attained that age shall, not later than one month after the birth of such citizen. (5) The Authority may issue to a citizen who has not attained the age of eighteen years but is registered under subsection (1), such certificate of registration in such form and manner and containing such information relating to such registered citizen as may be prescribed.

about the death of the deceased is correct and is being given with the consent of all legal heirs; and (vi) a similar affidavit from all widows if the deceased had more than one wife.

Based on the as Form 'B' information, local administration registers the death to NADRA.

Upon the completion of the registration, a death certificate is printed on a NADRA-supplied secure paper by the Municipal Services Directorate of the MCI or the union councils. The death certificate is signed by the Administrative Officer of the Directorate of Municipal Administration of MCI or the Union Council's secretary.

(iv). Marriage Registration Process

For Pakistani nationals, Muslim marriages are performed by Nikah Khawan, who also act as a Marriage Registrar appointed by the Directorate of Municipal Administration of the MCI in case of urban areas of Islamabad or by the concerned Union Council in case of rural areas of ICT. Before administering the Nikah ceremony during solemnization of a Muslim marriage, the authorized Nikah Registrar enters in the Nikah Nama, or the Nikah certificate. The Nikah form has to be filled in duplicate of three forms. One form remains with the couple, one with the Marriage Registrar and one is submitted to the concerned MCI or the Union Council as the case may be. The marriage is registered at the Directorate of Municipal Administration of the MCI in case of urban areas of ICT or at the concerned Union Council's office in case the marriage ceremony is performed in the rural areas of ICT.

Based on a copy of the Nikah Nama, the marriage registration certificate is issued under the signatures of the Administrative Officer of the Directorate of Municipal Administration of the MCI, or the secretary of the union council. The marriage registration is essentially done under the MFLO, 1961 which applies only to Pakistani Citizens. As such, refugees, asylum seekers and Stateless persons cannot register marriages with the local government in ICT. This is also the case with marriage registration in local governments in provinces.

(v). Divorce Registration Process

For Pakistani nationals, A Divorce Deed, wherein a brief history of marriage and child description is narrated and terms and conditions of divorce if any is required for Divorce Registration. Preparation of a Divorce Deed is done by the couple (and a family lawyer is required). The divorce registration is done by the Directorate of Municipal Administration of the MCI in case of urban areas of Islamabad or by the concerned Union Council in case of rural areas of ICT. For the registration, the applicant is required the following documents: (i) Original Divorce Deed; (ii) Copy of Divorce Deed; (iii) Copy of CNIC (Divorcer and Divorcee); and (iv) Copy of CNIC of the Father of Divorcer and Divorcee. Upon registration, Divorce Registration Certificate is issued.

(b) . Peshawar District

Vulnerable Groups (as of July 2021)		
Refugees	Afghan refugees holding Proof of Registration Cards (PoR Card holders)	308,927
	UNHCR Mandate recognized Refugees (Afghans and Non-Afghans)	985
Asylum Seekers	(Afghans and Non-Afghans)	1324

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(i). Legal provision for registrations of Births, Deaths, Marriages and Divorces

The Khyber Pakhtunkhwa Local Government Act, 2013 is the basis for the registration of the vital events of residents in Khyber Pakhtunkhwa province, which has introduced a new tier of the local government called as Village Councils in the rural areas and Neighbourhood Councils in the urban areas with specific composition<sup>10</sup> and functions<sup>11</sup>. These newly created lowest local government entities register births, deaths, marriages and divorces.

The Local Government and Rural Development Department oversees coordination between the secretarial functions of village and neighborhood councils in the district<sup>12</sup>. In addition, the Section 112 of the Khyber Pakhtunkhwa Local Government Act, 2013 states that “*the provincial government may, by notification in the official gazette, make rules for carrying out the purposes of this Act*”<sup>13</sup>, and articulates that “*in particular and without prejudice to the generality of this power, such rules may provide for the matters specified in Part-I of Seventh Schedule*”<sup>14</sup> and “*rules may be made by the Government, among other functions of the village and neighbourhood councils, for registration and certification of births, deaths, marriages and divorces.*”<sup>15</sup>

With regard to the Part-1 of Seventh Schedule of this Act, the Government of Khyber Pakhtunkhwa has prepared a draft of The Khyber Pakhtunkhwa Registration of Births, Deaths, Marriages and Divorce or Dissolution of Marriages Rules, 2021. These rules have been passed by the provincial cabinet of Khyber Pakhtunkhwa and are expected to be published in the official gazette soon.

The Khyber Pakhtunkhwa Local Government Act, 2013 is a substantive law providing municipal functions of Khyber Pakhtunkhwa province, including Peshawar district. It does not distinguish between the citizens and the vulnerable population groups in terms of recording and certification of their vital events. One of the significant changes brought by these rules is the express mention, in section 13, of a “refugee residence permit number” as a requirement for registering the births in refugee populations. Although the refugee residence permit number has not been defined however the PoR Card number or UNHCR issued mandate refugee card number may be construed as refugee residence permit.

(ii). Births, Deaths, Marriages and Divorces Procedure in Peshawar District

All the Births, Deaths, Marriages and Divorces Procedures are the same as the ICT and use the same NADRA issued formats for Pakistani nationals. According to rule 15 of the Khyber Pakhtunkhwa Registration of Births, Deaths, Marriages and Divorce or Dissolution of Marriages Rules, 2020, in case either of the parents or both the parents of the child is/are

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<sup>10</sup> Ibid, section 27

<sup>11</sup> The Khyber Pakhtunkhwa Local Government Act, 2013, section 29, a new section 29 substituted for the original one through section 15 of The Khyber Pakhtunkhwa Local Government (Amendment) Act, 2019

<sup>12</sup> Ibid, section 29 (3)

<sup>13</sup> The Khyber Pakhtunkhwa Local Government Act, 2013, section 112 (1)

<sup>14</sup> Ibid, section 112 (2)

<sup>15</sup> Ibid, Seventh Schedule, Part-I, serial No. 23

foreigner(s), he/she is required to register his or her passport number or refugee residence permit number duly attested by the concerned embassy, consulate or high commission, as the case may be, and submit the copy thereof to the concerned council for registration of birth.

Where any of the parties to the marriage is a foreigner, it is mandatory to appear before Court Registrar, concerned Embassy, Consulate or High Commission, and declare on oath that he or she is performing the marriage with free will and without any undue influence. For registration of marriage, the following documents are required to be submitted to the Nikah Registrar along with the Nikah Form, as prescribed under the Muslim Family Laws Ordinance 1961: (i) A copy of declaration on oath made before with Court Registrar, concerned Consulate, High Commission, as the case may be; and (ii) Attested copy of CNIC and / or passport (of a foreigner) and (iii) A certificate from the concerned Embassy, Consulate or High Commission regarding his / her marital status in his or her own country as well as security clearance, clearly certifying that he or she has not been involved in any illegal acts.

The concerned local council within whose jurisdiction marriage is solemnized, is required to issue the Computerized Marriage Registration Certificate.

The following documents are required for the issuance of marriage certificate: (i) A copy of Nikah Nama duly registered by the Nikah Registrar or the marriage certificate, in case the marriage being solemnized by any other authority, as per personal laws of non-Muslims; and (ii) CNICs of husband and wife along with copies of their parent's CNICs. Alternatively, the copy of passport (in case of foreigner) or residence permit (in case of refugee).

(c). Karachi Division

Vulnerable Groups(as of July 2021)		
Refugees	Afghan refugees holding Proof of Registration Cards (PoR Card holders)	65,656
	UNHCR Mandate recognized Refugees (Afghans and Non-Afghans)	379
Asylum Seekers	(Afghans and Non-Afghans)	604
Stateless Population	Bihari, Bengali and Rohingya communities	3.Million (approx..)

(i). Legal provision for registrations of Births, Deaths, Marriages and Divorces

In Sindh province, including seven districts of Karachi, the Sindh Local Government Act, 2013 provides the basis of registration of vital events for residents. It has been amended by the provincial legislature since its initial passage in the year 2013.

Serial No. (34) of Schedule IV of the Sindh Local Government Act, 2013 details that registration and computerization of data regarding births and deaths, marriages and divorces, and the maintenance of such vital statistics is prescribed as a function of the Union Councils. The registration of births, deaths and marriages is being performed by the Union Committees in all seven districts of Karachi Division.

Like Khyber Pakhtunkhwa, the Sindh Local Government Act, 2015 is a substantive law providing for municipal functions in all districts of Sindh - including seven Karachi districts – and does not distinguish between Pakistani citizens and the vulnerable population groups including refugees, asylum seekers, stateless persons and persons of undetermined nationality in terms of recording and certification of their births, deaths, marriages and divorces.

### **Curent practice for civil and functional registration of vulnerable groups**

#### **(a). Refugees**

##### **(i). PoR Card Holders**

The Data of the PoR Cards known as the Afghan National Registration (ANR) is managed directly by NADRA. The registration of births, deaths and marriages as well as other modifications is conducted for PoR Card holders by NADRA at designated PoR Card Modification (PCM) Centers supported by UNHCR. Modifications as well as new birth registrations are carried out into these PoR Cards through a special arrangement agreed between UNHCR and NADRA. NADRA and UNHCR have agreed on Standard Operating Procedures (SOPs) for effecting any modification and new birth registrations. The SOPs also provide for a procedure of registration of marriages and deaths but the prevalence of recording these events is extremely low for certain reasons such as a) low awareness amongst the refugee community on the importance of these registration/certificates, b) lack of documentary proof of marriages since most Afghans solemnize marriages verbally at local level c) lack of resources for travelling to PCM centres unless required. Furthermore, marriage certificates are issued by either the Embassy of Afghanistan in Pakistan or the Afghan consulates in Pakistan after solemnizing their marriages in Pakistan.

##### **(ii). Other Afghan and non-Afghan refugees who are recognized by UNHCR**

The mandate refugees are registered with UNHCR in its database called ProGres. The mandate refugees do not have access to public registration for the recording of their births, deaths and marriages. This has led to challenges for them in accessing public services which are increasingly dependent on having Computerized National Identity Card (CNIC) issued by NADRA. UNHCR continuously advocates for these individuals in terms of accessing public services.

#### **(b). Asylum-seekers**

These individuals are issued Asylum Seeker Certificate (ASC) by UNHCR following their registration in the ProGres. The ASC serves a proof of registration and affords protection against refolement and access to basic services such as health, education and freedom of movement. Like the mandate refugees, the asylum seekers do not have access to public registration system for recording of their births, deaths and marriages. These vital events are recorded by UNHCR in ProGres.

#### **(c). Stateless persons, persons at-risk of statelessness and those of undetermined nationality**

These community members may have some access to civil registration including births, deaths and marriages however a considerable number of people of these groups do not have access to public registration system. A sizeable number of people especially from the Bihari and the Bengali groups had acquired CNICs however most of them have been blocked by NADRA for want of verification under the prescribed law. One of consequence of this blockage of CNICs

has resulted in suspension of the validity of the identity documents of complete households. Registering new births with the local bodies is not uniform and persons resort to access those local bodies-not necessarily the relevant one who could facilitate registration of their births somehow. This results in low acceptability of such birth certificates by NADRA down the line when these individuals' approach for acquiring CNIC.

## 6. Gap analysis

### (a). Service provider issues

#### (i) Legal and regulatory framework

The laws and regulations on civil registration at the federal and local level (i.e. Punjab, Sindh, Khyber Pakhtunkhwa, Balochistan, ICT, the cantonment areas, Azad Jammu & Kashmir, and Gilgit-Baltistan) do not distinguish between Pakistani citizens and the vulnerable population groups including refugees, asylum seekers, stateless persons and persons of undetermined nationality in terms of recording and certification of their births, deaths, marriages and divorces. However, attested copy of CNIC and / or passport (of a foreigner) is a requirement for these registrations and the local civil registrars are not able to record most of vital events in the vulnerable population groups.

#### (ii) Capacity of local civil registrars

During the assessment, the local civil registrars in ICT, Peshawar, and Karachi stated that no procedures/guidelines were available for recording vital events in the vulnerable population groups. It is also noted that no systematic training on civil registration for the local civil registrars has been conducted in the ICT, Peshawar, and Karachi.

### (b). Beneficiary issues

#### (i) Awareness about the civil registration

During the assessment, an Afghan refugee respondent stated that birth registration of his children was done but he was not aware of basic procedures for death and marriage registration. The application forms for PoR card modification were only available in Urdu or English but Dari was not available.

#### (ii) Geographic barriers

Distances are a challenge for PoR holders for recording vital events. The four PCM centres i.e., Peshawar, Quetta, Karachi, and Rawalpindi are not well accessible for afghan refugees reside in remote areas. In addition, afghan refugees need to travel to the Afghan Embassy in Islamabad or one of the Afghan consulates in Peshawar, Quetta, Karachi or Lahore to get a marriage certificate and record their marriage at the one of PCM centres.

## 7. Recommendations

Based on the findings from the assessment the following recommendations are made.

*Recommendations for Policy and Operational Considerations*

- Ensure birth registration for all children born on the territory of Pakistan regardless of their legal status in line with the Convention on the Rights of Child (CRC) to which Pakistan is signatory.
- Explicit legal provisions for the inclusion of vulnerable population groups to access CRVS may be considered when drafting federal law in accordance with of the Bali Process Declaration on People Smuggling, Trafficking in Persons and Related Transnational Crime and in line with Pakistan's obligations under the CRC and ICCPR.
- At provincial level, where gaps remain to explicitly reference these vulnerable population groups, relevant legislations including local government acts should be revised.
- The National Policy to Revamp and Reform Civil Registration of Vital Events and Ensuing Vital Statistics System in Pakistan aims to establish a one stop service system regarding CRVS at local government offices and started a pilot project to implement this system in the ICT as a model district. However, the model district does not provide any CRVS services for non-nationals nor those who are stateless, at-risk of statelessness or of undetermined nationality, and inclusion of the vulnerable population groups shall be considered for the next stage of the pilot.
- Capacity development support including standard operating procedures and trainings specifically on inclusion of the vulnerable groups should be contemplated.

END