Considerations for review of civil registration legislation as part of the CRVS legal framework in South Asia

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Frank Nan
Bloomberg Data4Health Initiative

Civil Registration legislation tends to be:

- Continuously Contradictory
- Permanently Poorly-Written
- Compulsively Complicated
- Universally Unclear
Context of Civil Registration in South Asia

- The place of Civil registration in the hierarchy of national legislation
- Principles of Civil registration principles
- International Agreements
- Link between Civil Registration and Civil Identification
- Current civil registration legislation in South Asia
Hierarchy of legislation

- **The Constitution** - The highest-ranking law is generally the country’s founding charter or political constitution.

- **Legislation** - National legislation (statutes or acts) refer to specific laws that regulate the behavior of the people, government institutions, or other organizations.

- **International conventions** - An international convention or treaty

- **Regulations** - Regulations (decrees, directives, or orders) provide additional details on the legislation.

- **Standard operating procedures** - provide more detailed guidelines on operationalizing the laws and regulations.
International Agreements and vital events

- **Live Birth**: Explicitly in the Int. Covenant on Civil and Political Rights
- **Death**: Implicitly in the Int. Covenant on Civil and Political Rights
- **Foetal death**: Implicitly in the Int. Covenant on Civil and Political Rights
- **Marriage**: Explicitly in the Int. Convention on Consent to Marriage and Registration of Marriages
- **Divorce**: Explicitly in General Assembly Resolutions
Current CR legislation in South Asia

- Dated: old legislation that suggests that CR operating is not reflecting current practice
- Fragmented: legal framework for vital events is reflected in different laws
- Incomplete: data protection, IT, CR as foundational register and the link with vital statistics is not reflected
Considerations for review of CR legislation

- Limitation of current CR legislation: consider to replace by one single CR law
Civil Registration Law

- General Provisions and administrative infrastructure
- Civil Registration
- Population Register
- Link to Vital Statistics and Identity Management Systems
- Data Protection, privacy and security
- Compliance, enforcement, rights and remedies
- Transitional Provisions
More in-depth analysis required with aim:

Civil Registration legislation will be:

- Continuously Harmonized
- Permanently Well-Written
- Compulsively Uncomplicated
- Universally Clear