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Integrating Gender-Equity in CRVS Legal Review and Reform Processes

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Introduction



- Lack of birth registration and identity documents due to **discriminatory laws and practices** can have long term impact on women, children and individuals that identify as LGBTI+.
- Global Health Advocacy Incubator (GHAI) implements an inclusive, human rights-based approach to guide the civil registration and vital statistics (CRVS) legal review and **reform work by incorporating international best practices for ensuring gender equity** in national CRVS legal frameworks.

Methodology



- In 2021-2022, GHAI added equity-themed chapters to the **Legal and Regulatory Review Toolkit for CRVS** focusing on Stillbirth Reporting and Registration, Inclusion of Women and Children, and Equal Access for LGBTI Individuals.
- These equity-themed chapters **assist countries** in ensuring that their civil registration systems are designed and governed by legal frameworks that **protect everyone's equal access to civil registration and identity services**.

Results

- **Thailand (2021)** – the Stillbirth Reporting and Registration chapter led to a **policy victory** by informing stakeholders' decision to make stillbirth reporting compulsory for all public and private hospitals as well as update the reporting forms to include stillbirth data.
- **Uganda (2022)** – the Inclusion of Women and Children chapter of the toolkit **helped identify the gaps in existing laws** limiting women's and children's access to vital event registration services and made recommendations towards legal reforms.
- **India (2023)** – the Equal Access to LGBTI Individuals chapters are used to conduct a legal review and **highlighted glaring gaps in the current practice against international best practices**. Based on the legal review, recommendations are being developed towards legal reform.

Discussion

- **Thailand** - recommendations covered informants/reporters; time period for reporting; medical certification of foetal deaths; ICD coding and compilation of vital statistics; legal and statistical information collected during reporting; and issuance of foetal death certificates.
- **Uganda** - recommendations for stillbirth reporting and registration to define key terms, include WHO criteria for national surveillance of stillbirth, consistent practice of certification of cause of death and tabulation of statistical information collected.
- **Uganda** - recommendations made for development of guidelines to facilitate registrations for women and implementation of mobile registration for identity cards, regulation of registration hours, and female staff hiring, as needed.

Discussion

- **India** - legal status to the third gender was granted in 2014 by the Supreme Court. Civil Registration laws – birth, death and marriage – predate the grant of legal recognition.
- The legal review identified the need to amend existing laws to align with the national jurisprudence on **gender and international practices on CRVS** to make the laws inclusive and non-discriminatory.
- **Identified gaps in national laws and practices** include:
 - defining terms such as ‘gender’ and ‘sexual orientation’,
 - including a gender marker for the vital registration process,
 - adopting gender-neutral terms in the laws and policies,
 - removing medical intervention towards gender change, and
 - granting the right to family to same-sex couples.

Conclusions



- Fulfilment of international human rights obligations
 - CRVS legal reviews help countries fulfill their international human rights obligations by providing guidance for evaluating national legal frameworks against international best practices for stillbirth reporting and registration, and women's, children's, and LGBTI individuals' access to civil registration services.
- Achieving universality in civil registration
 - CRVS legal reviews help countries achieve universality in their civil registration services as they evaluate their laws and practices and align them with international best practices for CRVS.
 - Legal reviews guide countries in introducing appropriate changes to stillbirth reporting and registration processes, as well as making civil registration services accessible to **all** individuals within their territories.

Next steps

- The D4H Initiative supports the completion of ongoing legal reviews implementing the equity-themed chapters of the legal review toolkit and the realization of **legal reforms based on the findings and recommendations** made in the law review process.
- In the broader context of equity, **other aspects of CRVS will be explored** within the Initiative to further provide guidance to countries on how to address challenges faced by vulnerable groups, including **refugees** and **people with disability**, in accessing civil registration services.