



Asia-Pacific CRVS Research Forum

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Challenges and barriers to civil registration for hard-to-reach populations in Pakistan

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Abstract

Introduction

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 exercise 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. More than 1.4 million registered Afghans refugees holding PoR (Proof of Registration) Cards. 9200 Afghan are registered as refugees and asylum seekers under UNHCR's mandate (have protection from deportation but they are not registered in National Database Authority (NADRA)

Method

- A multipronged approach was adopted for the piloting of CRVS Assessment Toolkit for vulnerable population. Initially stakeholder consensus was reached on piloting of CRVS Assessment Toolkit among all the Federal & Provincial stakeholders.
- There was an official notification of multi-disciplinary Technical Working Group specially to focus of Thematic Area specially “Mainstreaming of Vulnerable/Marginalized Population in CRVS”.
- Adequate Consultative process was followed to receive the inputs from relevant federal, provincial departments and partner agencies on current status of registration, issues/challenges also recommendations for development of National Strategic Plan.
- Liaison was maintained with International Partners (especially RSO-Bali Process, UNHCR) for relevant technical and financial support to pilot Bali Process CRVS Assessment Toolkit in Pakistan- at par with Vietnam and Thailand.
- Relevant baseline information was gathered, analyzed transformed to report and disseminated to all national stakeholder meetings.
- A national core group was formulated to adopt the recommendation for Main Streaming Vulnerable & Marginalized Population in National CRVS database.

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Discussion

Service provider issues

(i) Legal and regulatory framework

The laws and regulations on civil registration at the federal and local level (both national and provincial) 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.

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.

Recommendations

- 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 is to 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.
- Initially a pilot project be implemented for this system in the ICT- Islamabad 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 is to be considered for the next stage of the pilot.



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- The existing laws of Pakistan do not explicitly have clarity for the birth or other vital event registration of non-national or stateless persons which need to be addressed.

Acknowledgement

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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.

ACC holders: Individual of Afghan origin individuals living in Pakistan registered by the Government of Pakistan during the 2017-18 ACC documentation exercise.

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