Session 3.5: Dr. Syed Mursalin

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BIO

Abstract
Challenges and Barriers to Civil Registration of Hard-to-reach Population- Pakistan status and the Way Forward

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Vital Events

It is the occurrence of a live births, deaths (with cause), fetal death, marriage, divorce, legal separation, adoption, recognition of parenthood, migration.

Vital Events System

“The total process of collecting information by civil registration or enumeration on the frequency of occurrence of specified and defined vital events and of compiling, processing, analyzing, evaluating, presenting and disseminating these data in some statistical form”.

- Births
- Death
- Marriages
- Divorces
- Adoptions
- Migration
Vulnerable/ Hard to Reach Population

- Refugees
- Migrants
  - Human Trafficking
  - Displaced Persons
  - Smuggling of migrants
- Asylum Seekers
- Stateless Persons
- Persons of Undetermined Nationality
- Minorities
- Disable Groups
- Socioeconomic sector
## Importance and Use of data on vulnerable groups

<table>
<thead>
<tr>
<th>Individual</th>
<th>Administrative</th>
<th>Vital Statistics</th>
<th>Public Health Programs/ Research</th>
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<tbody>
<tr>
<td>• Basic Protection for individuals.</td>
<td>• Prevention of irregular migration.</td>
<td>• Size &amp; characteristics of a country’s population estimation on a timely basis for socioeconomic planning and informed decision-making.</td>
<td>• Implementing and evaluating public health and maternal and child health programmes, as well as other government Programmes for marginalized population</td>
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<td>• Give The right to nationality - ‘the right to have other rights’</td>
<td>• Facilitating durable solutions and Good Migration management.</td>
<td>• Producing important development/demographic indicators of levels of living or quality of life</td>
<td>• Understanding the economic and social dimensions of a vulnerable population</td>
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<td></td>
<td>• Strengthening national security.</td>
<td>• Expectation of life at birth and the infant mortality rate of asylum seekers and stateless person</td>
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<td>• Helping States track population flows.</td>
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<td></td>
<td>• Estimating the size and growth of a population.</td>
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</table>
Pakistan, during Ministerial Conference on **CRVS in Bangkok (2014)** made a commitment to support the universal civil registration of all populations on its territory. Part of CRVS Decade 2015-24.

Pakistan’s commitment to the **SDG Agenda 2030 calls** to ensure the mainstreaming of the interests of vulnerable groups into the national/provincial policies and civil registration.

Draft National Policy for **CRVS Reforms in Pakistan** also emphasize on birth registration for all including vulnerable groups (refugees, asylum seekers and stateless persons) as the key to legal identity and person's right to recognition as a person before the law.

Vital events registration for vulnerable groups, which is key to access the fundamental human rights, could only be ensured through an **inclusive registration system** which the CRVS envisages.
Major CRVS Consultations on Vulnerable Groups (To date)

- Consultative Meeting on Bali Process CRVS Assessment Toolkit for Vulnerable Groups, Oct 11, 2019, TSU Islamabad
- CRVS Thematic Area Meeting on Mainstreaming Vulnerable Population in CRVS, Jan 2—3, 2020, Quetta
# Stakeholders

## Entities responsible for conducting Civil Registration

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

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

(iii). Local Government Departments

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

## Entities responsible for Civil Registration law and policy

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

(ii). Ministry of Foreign Affairs (MoFA)

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

(iv). Ministry of Interior (MOI)

(v). UNICEF

## Entities related to support of the vulnerable groups

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

(ii). United Nations High Commissioner for Refugees (UNHCR)
Bali Process Civil Registration
Assessment Toolkit/ Study Overview
Study Objectives

- Contextual analysis, to assess practices, procedures and policies regarding registration of hard to reach/vulnerable groups in National CRVS system.

- To identify strengths, weaknesses options in implementing or achieving CRVS completeness with regards to vulnerable/hard to reach population in the country.

- To share good practices and lessons learned from piloting of Toolkit.

- To plan solutions for further improvement of CRVS system based on the assessment findings.
# Identified Vulnerable Groups in Pakistan

<table>
<thead>
<tr>
<th>Vulnerable Groups</th>
<th>Details</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Refugees</strong></td>
<td>Afghan refugees holding Proof of Registration Cards (PoR Card holders)</td>
<td>1.43 Million</td>
</tr>
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<td></td>
<td>UNHCR Mandate recognized Refugees (Afghans and Non-Afghans)</td>
<td>5,172</td>
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<tr>
<td><strong>Asylum Seekers</strong></td>
<td>(Afghans and Non-Afghans)</td>
<td>10,190</td>
</tr>
<tr>
<td><strong>Stateless Population</strong></td>
<td>Bihari, Bengali and Rohingya communities</td>
<td>3.0 Million</td>
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</table>
Current systems of Civil Registration for Pakistani Nationals

- **Birth**: Health institutions, Certified persons
- **Death**: Reporting system to be introduced
- **Marriage**: Authorized institutions
- **Divorce**: Court Juridical institutions
- **Adoption**: Person by themselves, Certified persons

**Notification** → **Reporting** → **Registration** → **Certification**

**Local governments** → **NADRA branches** → **NADRA**

- Validation and management of registered data
- Compilation and Dissemination of registered data
### Legal Framework

#### Civil Registration Legislation - Federal

(i). NADRA Ordinance 2000  
(ii). Cantonment Ordinance 2002  
(iii). Muslims Family Law Ordinance (MFLO), 1961  
(iv). The National Database and Registration Authority (Alien Registration Card) Rules, 2002

#### Civil Registration Laws - Provincial

(i). The local government acts of ICT, Sindh and KP

- The local governments in the provinces are mandated to record the births, deaths, marriages and divorces and the data is transferred to NADRA for reconciling at the Federal level,
- The key function of the registration of births, deaths, marriages and divorce is almost similar in all the provinces.
Current systems of Civil Registration for Vulnerable Groups

- **POR holders**: Afghans registered with NADRA and issued with Prove of Registration (POR) Card

- **Other Afghan and non-Afghan refugees who are recognized by UNHCR**: Registered with UNHCR database and no-access to public registration

- **Asylum-seekers**: Registered with UNHCR database and no-access to public registration

- **Stateless persons, persons at-risk of statelessness and those of undetermined nationality**: A considerable number of people of these groups do not have access to public registration system.
## CRVS Challenges for Vulnerable Group

| Lack of clear understanding or mapping of vulnerable/marginalized population |
| Ambiguous instructions/SOPs/Regulatory Framework for Civil Registration |
| Lack of data/information mechanism |
| Geographical and Practical barriers |
| Insufficient Resources or Commitments |
| Lack of Inter-sectoral Collaboration |
Identified Gaps

**Service provider issues**

- Legal and regulatory framework: The laws and regulations on CR at the federal and local level do not distinguish between Pakistani citizens and the vulnerable population groups. *However, attested copy of CNIC and / or passport (of a foreigner) is a requirement for these registrations, thus potentially excluding vulnerable groups from civil registration,*

- Capacity of local civil registrars: **No procedures/guidelines** were available for recording vital events in the vulnerable population groups. No systematic training on civil registration for the local civil registrars

**Beneficiary issues.**

- **Awareness about the civil registration:** low awareness about the importance of civil registration, especially marriage and death was observed during the assessment.

- **Geographic barriers:** The four PoR Card Registration Centers i.e., Peshawar, Quetta, Karachi, and Rawalpindi are not well accessible for Afghan refugees residing in remote areas.
Recommendations

- Ensure birth registration for all children born on the territory of Pakistan regardless of their legal status – as per Convention on the Rights of Child (CRC) signed by Pakistan.

- Explicit legal provisions for the inclusion of vulnerable population groups to access CRVS be considered, accordance with the Bali Process Declaration.

- At **provincial level**, relevant legislations including local government acts be reviewed / revised.

- Development of SOPs for civil registration of vulnerable group as part of National Policy to Revamp and Reform Civil Registration of Vital Events mainly to establish a one stop service system.

- **Capacity development support** be provided including standard operating procedures and trainings specifically on inclusion of the vulnerable groups.
Development of "National Action Plan for improving CRVS of Vulnerable/Marginalized Population’

( Participatory Development Process)

Initial Support for Pilot Districts for implementation of CRVS Action Plan/ Study recommendations.

Organization of National Dissemination Workshop for the launch of Pakistan Bali Process Assessment Report & Program Orientation ‘

Strengthening of TSU- MO PD&SI for overall technical coordination for disadvantaged group at par with other population.
THANK YOU!