

WHY IS BIRTH REGISTRATION IMPORTANT?

The right to a name and nationality is well established and is enshrined in the UN Convention on the Rights of the Child through Article 7 which stipulates that every child has the right to a name, identity and nationality.

Apart from being the first legal acknowledgement of a child's existence, registration of births is fundamental to the realization of a number of rights and a number of practical needs including:

- Providing access to healthcare.
- Providing access to immunization.
- Ensuring that children enroll in school at the right age.
- Enforcing laws relating to minimum age for employment, assisting efforts to prevent child labour.
- Effectively countering forced marriage of young girls before they are legally eligible, without proof of age.
- Protecting young people from underage military service or conscription.
- Protecting children from harassment by police and other law enforcement officers.
- Securing the child's right to a nationality, at the time of birth or at a later stage.
- Protecting children who are trafficked, including through repatriation and family reunion, while providing some safeguard against trafficking.
- Getting a passport, opening a bank account, obtaining credit, voting or finding employment.

Most countries have a legal provision for registering births of children within a prescribed period. However, often these laws are not comprehensive enough, are not enforced or do not function. Practical problems also exist such as births which take place in isolated rural locations or away from medical facilities — places where birth registration normally takes place.

THE SITUATION IN INDONESIA

Globally, some 51 million births go unregistered every year in developing countries. These unregistered children are almost always from poor, marginalized or displaced families or from countries where systems of registration are not in place or functional.

In Indonesia, 60 per cent of children under five years are not officially registered¹. Although born in Indonesia of Indonesian parents, these children have no nationality and no legal identity. Indonesia ranks in the bottom 20 countries of the world in its registration of children and the problem is worse in rural areas. This disparity is among the highest in the world.

Birth registration was made officially free of charge in 2002 when the Law on Child Protection was adopted – one key consequence of Indonesia ratifying the UN Convention on the Rights of the Child in 1990. A new administration and population law in 2006 also provided for free birth registration for newborns up to two months old.

In 2005, the Indonesian Ministry of Home Affairs, which has responsibility for birth registration, established key guidelines for birth registration, including the policy, mechanism, requirements and standard forms to be used. The government has further committed for all children in Indonesia to be registered by 2011.

The decentralisation process that has marked Indonesia's political development in recent years has resulted in 500 provincial, city and district having decision-making powers, and responsible for 40 per cent of public spending. The number of local governments who have

¹ Data from Plan International, 2004.

already introduced free of charge birth certificates has increased from only 16 districts in 2005 to more than 300 districts in 2009.

However, the revenue-making potential of civil registration has created a barrier to some district governments implementing the free birth registration plan. Amongst those localities that have introduced birth registration programmes there are broad definitions of the age by which registration should have taken place – from the official benchmark of two months up to 18 years old.

There are capacity constraints on the ability of district governments to compile statistics on birth registration as a way of helping develop policy on the protection and welfare of the child, and there is limited integration between birth registration systems and hospitals, health centres or village midwives to make the service more simple and accessible.

UNICEF'S SUPPORT TO THE GOVERNMENT

UNICEF has been working with PLAN International in support of a major birth registration campaign launched in 2005, that has raised public awareness and understanding of the importance of birth registration, and how to take advantage of the free registration programme. The campaign also worked with local government officials to ensure that the policy on free registration was fully understood.

At the district level, UNICEF field offices have advocated the use of innovative strategies to increase the birth registration rate through adopting local regulations on “simplified procedure and free of charge birth registration” as well as developing birth registration networks with community volunteers, health post cadres, local and religious leaders, village midwives, and others. These networks facilitate timely submission for parents to fulfil requirements to register their child's birth.

UNICEF has supported the capacity building of policy makers from the Ministry of Home Affairs and the Ministry of Justice and Human Rights, academicians, selected district and provincial registrars, and members of the Consortium on Civil Registration to understand the importance of birth registration, as part of the overall civil registration system as well as its role to fulfil fundamental children's rights.

In collaboration with the Ministry of Home Affairs, UNICEF has also supported the development of a Training Module on Civil Registration and Vital Statistics for civil registrars. This serves as the basis for more structured training for Indonesia's transition to a functioning civil registration system.

WHAT MORE NEEDS TO BE DONE?

There is a need for continued advocacy at provincial and district levels for appropriate laws and policies for free birth registration to be developed and implemented.

Sufficient budgets need to be allocated by local governments to ensure that free birth registration can be implemented.

More work must be done at the community level to ensure that parents fully understand the importance and value of birth registration for their children.