

Submission: Child Identity Protection (CHIP)¹ welcomes the opportunity to provide input for the study on ensuring quality education for peace and tolerance for every child as part of [resolution 54/5](#), which is being coordinated by the Child and Youth Rights section within the Office of the UN High Commissioner for Human Rights. This submission is based on CHIP’s work including the Legal Atlas on birth registration currently being developed in collaboration with UNICEF (UNICEF/CHIP Legal Atlas),² its work with UNICEF WCARO, as well as publicly available sources.

Introduction: Birth registration serves interrelated purposes for the fulfilment of children’s rights in the Convention on the Rights of the Child (CRC). Firstly, the child’s right to be registered immediately after birth is embedded in international standards as a **stand-alone right** (e.g. Art. 24(2) ICCPR and Art. 7 CRC). Birth registration provides a legal identity, which has minimum conditions as defined by ECOSOC in 2019 and is part of SDG 16.9.³

Secondly, it birth registration also often a prerequisite to the achievement of other **identity rights** explicitly mentioned in the CRC including right to nationality (e.g. it establishes facts in relation to *jus soli* and *jus sanguinis*), name (i.e. recorded at birth) and family relations (i.e. recording of mother, father, siblings etc.) (see Diagram 1).

Thirdly, birth registration acts as a gateway to **other CRC rights**. For example, without a birth certificate, children may not be able to go to school and/or sit exams to progress in their schooling (SDG 4); may be excluded from social protection; may not have origins information, which can impact physical and mental health, as well may be prevented from accessing justice (Diagram 2).⁴

Fourthly, birth registration can **protect from harms** as it provides proof of age, limiting certain activities deemed unsuitable for children. Without this proof, children are at greater risk of exploitation, trafficking, recruitment as child soldiers, child marriage and extreme forms of child labour. In juvenile justice matters, children receive different treatment according to their age and maturity (Diagram 2).

In light of the above, CHIP welcomes all efforts that contribute to the preservation of the child’s right to birth registration. These efforts require an enabling environment to ensure that the supply of birth registration services is adequate and that there is sufficient demand for the services. These issues have been addressed in CHIP’s 2024 submission to OHCHR for its upcoming report on birth registration and digital technologies, including multiple references to existing literature.⁵

Diagram 1 : Child’s right to identity (Art.7-8 CRC)

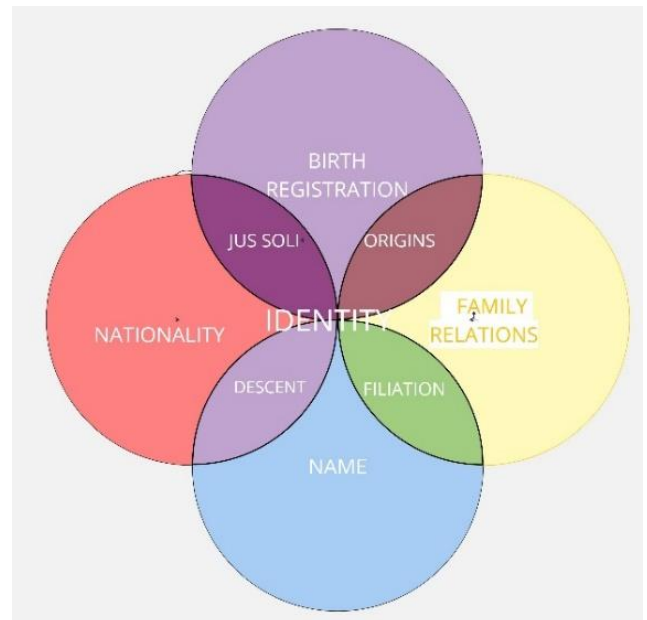
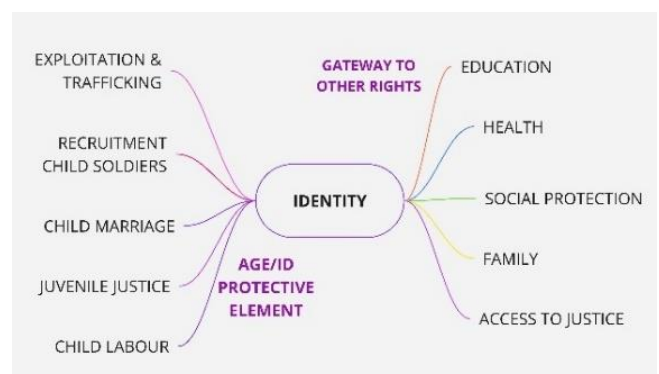


Diagram 2 : Birth registration as an enabler for other rights



¹ www.child-identity.org

² <https://www.child-identity.org/research-on-behalf-of-unicef-to-develop-a-legal-atlas-on-childs-right-to-identity/>

³ E/CN.3/2020/15 <https://unstats.un.org/unsd/statcom/51st-session/documents/2020-15-CRVS-E.pdf>

⁴ See meeting summary from Expert Meeting with CRC Committee on the Rights of the Child <https://www.child-identity.org/expert-meeting-with-crc-committee-on-childs-right-to-identity-and-access-to-remedies/> and varied submissions made by the WG on identity rights and CHIP <https://www.child-identity.org/expert-meeting-with-crc-committee-on-childs-right-to-identity-and-access-to-remedies/>

⁵ See CHIP submission <https://www.child-identity.org/expert-meeting-on-birth-registration-and-digital-technologies/>

Birth registration as an enabler for access to education: Having a birth certificate is often a requirement to enroll a child in school, including early education. It may also be a requirement, for a child to sit their end of primary school exams to enter secondary level education. As such, without a birth certificate, children may be excluded from accessing education or to complete it. As birth registration may be a requirement to access education, by increasing birth registration coverage, more children will be able to access/complete their education. Improving birth registration can occur by building on the interoperability between the Ministries responsible for civil registration and education. This can include establishing routine mechanisms for identification of students without birth registration, and regular catch-up registration in coordination between civil registration and educational authorities, as well as other relevant Ministries like Justice, Social Affairs etc.

A notable number of catch-up birth registration initiatives exists across the world, through schools, to ensure the achievement of these two goals - access to education and legal identity – for each and every child. A few examples are listed below, as part of collaborative efforts with UNICEF WCARO and country offices. Priority should always be given to birth registration mechanisms for newborns, whereby these mid-term solutions focus on addressing the backlog of pupils without birth certificates which should ideally be not necessary in the long run.

Case example 1 : Senegal

In Senegal, in 2023, more than 76,000 pupils from CI to CM22 were registered out of the 152,752 detected as having no birth certificate.⁶ This was made possible by the "Protocol for detecting and registering pupils without birth certificates" dating from 2020 and widely disseminated since November 2022. This protocol is the temporary tool used by Senegal to achieve, in the medium term, the objectives for detecting and registering births through the education system, which was born of close collaboration between Senegal's Ministry of National Education, the Ministry of Territorial Communities, Planning and Development and the Ministry of Justice (MJ). The protocol includes an electronic platform to register and regularise all pupils in pre-school, in kindergarten to end of primary school (i.e. CI to CM2, generally for children aged 5 to 12) enrolled in public schools and daara (Koranic schools).

Case example 2 : Cameroon

Data from the Ministry of Basic Education (MINEDUB) for 2023 show that around 1.55 million children (or 31% of pre-school and primary school pupils) do not have a birth certificate. There are 1,486,689 children in primary school, 266,638 of whom are in the intermediate stage. A Special Operation catch-up birth registration mechanism was introduced in 2024 led by the MINEDUB with relevant Ministries, UNICEF, World Bank and other organisations, with results from the first few months (i.e. 544 mobile court hearings were actually held; 57,244 pupils detected; 49,311 pupil files were compiled for registration in the courts with a view to obtaining declaratory judgements, i.e. a rate of 86.14%; 48,232 declaratory judgements were delivered, i.e. a rate of 84.25% of the total expected and 97.8% of the files registered). Efforts are underway to reinforce this Special Operation.

Case example 3 : Cote d'Ivoire

Special catch-up birth registration programmes have been initiated in Cote d'Ivoire over different periods, where between 2017 and 2019, more than 600,000 pupils obtained a birth certificate⁷ and in 2022, 150,000 pupils were registered.⁸

Recommendation

Based on the right to legal identity, States should prioritise mechanisms to accelerate birth registration (i.e. decentralisation, inter-operability between Ministries and digitalisation), as an enabler for all children to access early education.

⁶ <https://child-identity.org/strengthening-birth-registration-to-improve-access-to-education/>

⁷ <https://www.unicef.org/cotedivoire/communiqu%C3%A9s-de-presse/malgr%C3%A9-un-enregistrement-des-naissances-en-nette-hausse-un-quart-des-enfants>

⁸ <https://www.unicef.org/media/135841/file/Cote-d-Ivoire-2022-COAR.pdf>