TOWARDS UNIVERSAL BIRTH REGISTRATION IN YEMEN

SITUATION ASSESSMENT AND RECOMMENDATIONS
FOR GOVERNMENT AND UNICEF

VERSION 3

THE HAGUE, MAY 2013

TABLE OF CONTENTS

ABBREVIATIONS

AAP	Annual Action Program (EU)
BUNEC	Bureau National de l'Etat Civil (Cameroon)
C4D	Communication for Development
CCA	Common Country Assessment
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
COAR	Country Office Annual Report
CRC	Convention—, Committee on the Rights of the Child
CPAP	Country Programme Annual Plan
CPD	Country Programme Document
CSO	Central Statistical Organisation, Civil Society Organsiation
CS(R)A	Civil Status and Registration Authority
DfID	Department for International Development (now UKAid)
DHS	Demographic and Health Survey
ESCWA	(United Nations) Economic and Social Commission for Western Asia
EU	European Union
GCC	Gulf Cooperation Council
GNI	Gross National Income
GNI PC	Gross National Income Per Capita
HRBAP	Human rights based approach to programming
I(A)DB	Inter-American Development Bank
ICCPR	International Convention on Civil and Political Rights
ICT	Information and Communication Technology
ICT4D	Information and Communication Technology for Development
ID	Identity document
IDP	Internally Displaced Persons
IFES	International Foundation for Election/Electoral Systems
(I)NGO	(International) Non-Governmental Organisation
ISDN	Integrated Services Digital Network
KAP	Knowledge, Attitudes, Practices
MDBF	Multi-Donor Basket Fund
MDG	Millennium Development Goal
MICS	Multi-Indicator Cluster Survey
MLA	Ministry of Legal Affairs
MoRES	Monitoring Results for Equitable Systems
MOHP	Ministry of Health and Population
MOI	Ministry of Interior
MOU	Memorandum of Understanding
MPLS	Multiprotocol Label Switching
NADRA	National Data Base and Registration Authority (Pakistan)
NDI	National Democratic Institute
RENIEC	Registro Nacional de Identificación y Estado Civil (Peru)
RITA	Registration Insolvency and Trusteeship Agency (Tanzania)
SCER	Supreme Council for Elections and Referenda
SFD	Social Fund for Development
SWF	Social Welfare Fund
SOWC	State of the World's Children
UNCT	United Nations Country Team
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commission of Refugees
UNSD	United Nations Statistics Division
URSB	Uganda Registration Services Bureau (Uganda)
WHO	World Health Organisation

EXECUTIVE SUMMARY

SITUATION ANALYSIS

Birth registration data for 2006 shows that Yemen is, for its income level, underperforming mostly in terms of <u>when</u> births are registered rather than <u>how many</u> are registered. Delayed registration is substantial: as many as 4 out of 5 births are registered after the grace period of one year. Within the ESCWA region Yemen's birth registration rate is higher only than that of Sudan. The rate deteriorated from 2006 through 2012, from 36.9% to 33%. While the number of births increased by about 3% each year, the absolute number of births registered has been stagnant at best during the past 6-7 years. This means that a secular upward trend has turned into a downward trend (especially in the south), likely because of the events of 2011 and early 2012. A recovery is visible in the data.

The highest birth registration rates are found in urban areas, and among the richest and best-educated citizens. The disparity between registration rates of rich and poor in Yemen is extremely large by international standards. The average for the least developed countries is 20% versus 47%—a ratio of 1 to 2.3, rather than the 1 to 9.3 (5.4% versus 50.4%) found for Yemen. Remarkable are the relatively high levels of registration (and ID-issuance) in the former South Yemen, although CSRA data indicate a substantial overall decline there since 2006.

Yemen lacks the outreach of the civil registration service that in Egypt is responsible for universal coverage—achieved by an important role for the health sector. The interoperability between CSRA and health is currently close to non-existing, while by law at least 36 out of 100 births would need to be notified by a skilled birth attendant.

ID-issuance reveals a similar pattern as found for birth registration: late application after age 16 is common. As CSRA has responsibility for both civil registration and "civil identification" (national ID issuance), an important condition for interoperability between civil registration and ID systems has been met. However, the potential for interoperability is constrained because both systems have low coverage, and digitisation of the civil registration system is still in its infancy.

The delayed registration committees are largely dormant, meaning that civil registrars handle cases of delayed registration unilaterally. This would render four out of five birth registrations a legal conundrum. It is not advisable to leave legal practices in place that are not enforced by the duty bearers themselves.

The incompleteness of civil registration, the virtual inaccessibility of the paper records for statistical purposes and the quality deficiencies of civil registration records in Yemen rule out, for the foreseeable future, that reliable vital statistics could be generated from civil registration records. For the same

reasons the observance of the right to juvenile justice is often compromised because age cannot be ascertained.

There is a need to strengthen controls to ensure the accuracy and security of civil registration records. The present state of affairs could get out of control, cause major loss of evidence of the legal identity of citizens and/or be used for nefarious political agendas.

Digitisation of civil registration, while having a few decades of prior history of small-scale introduction, was made the subject of a CSRA contract in 1998 that has now resulted in digitisation in nine locations. There is no use of mobile phones for civil registration as yet.

In comparison with a comparable country, Cameroon, Yemen's civil registrar workforce has a slightly better education and training and is no less productive. The training function in the ministry of Interior may need to be strengthened; this is on the radar of the EU for international support.

The current law, while accommodating some excellent practices, such as covering civil registration and national ID in one law, including nationality of parents in the registration record, making civil registration free of charge and inclusion of the role of the health sector, also falls short in some very crucial respects. Most importantly, the law requires change to accommodate digitisation of civil registration and civil records. The enforcement of the law is a serious, separate problem that needs to be addressed.

The number of registered voters in the electoral register (18 years and above) is more than three times the number of holders of the national ID (16 and above, measured five years later), and has an almost equal gender balance, second only to birth registration. Among the ID systems in place in Yemen, voter registration can be said to be the most successful. It is because it is the most people-friendly.

Yemen's social transfer programs target citizens that are the most likely to lack a legal identity. Reaching about 9 million poor Yemeni citizens they hold great promise as link between tangible benefits and civil registration.

Present financial arrangements for the civil registration function hamper accountability of CSRA management and staff, and require change. Sufficient budget for the civil registration function helps to prevent registrars to charge illegal fees or commit other fraud. CSRA needs to make a well-documented case each time government decides on budget.

UNICEF has given support to the development of civil registration at least from 2007 in which year CSRA was financially supported to develop its long-term strategy. Through the years UNICEF's support to civil registration development has been modest. An acceleration of support at the end of the 2007-2011 period was interrupted by the security and political events of 2011, leading UNICEF to hand over resources to the Social Fund for Development. UNICEF activity was resumed in 2012 with financial support from the National

Committee of Japan. A major step change in support is possible with the award to UNICEF of EUR 2.5 million for civil registration development.

PROGRAMMING

In developing countries such as Yemen, with their growing populations, the civil registration service is pretty much a "birth registration service". UNICEF's focus on birth registration is therefore a focus on what really makes up much (often more than 90%) of the civil registration system's caseload.

For CSRA to carry out its function properly it will need to be given responsibility for hiring and firing, and it needs to be able to manage its own financial affairs while being subject to normal controls and checks and balances, for example by board approval of annual budgets and accounts, and approval of multi-year development plans. If the present authority status does not allow this, a change of status should be considered, or a change in CSRA's current reporting line to a deputy Interior minister.

For effective CSRA management of international support from multiple sources a donor coordination forum is needed covering all major initiatives associated with identity management (elections, national ID, population register/family card system, civil register).

It is recommended that the Government of Yemen (ministry of Interior and CSRA, ministry of Justice, ministry of Health and Population) study in depth—through a well prepared and -organised study tour—the organisational design of the Egyptian civil registration and identification service.

The right response to the proximity dilemma is NOT more offices, but more notification and registration points, made possible by interoperability with the health- and justice system and combined with the use of information and communication technology. The proximity problem is very much also the problem of the civil registration system not reaching the poor (and the poor not reaching the service).

The single-most important intervention to improve civil registration is to develop the notification role health needs to play by law and tie this to the health sector's best interface with mothers and new-borns: immunisation. Registration points in health facilities with high numbers of deliveries are recommended as well.

The voter registration of 2013/2014 offers a unique opportunity to populate other, as yet incomplete, identity systems, as well as to improve effective access to civil registration services as more citizens will possess identity papers required for the declaration as legal informant of vital events such as birth. It is important to seize the 2013/2014—opportunity as well plan for the use of the next voter registration in 2015/2016.

In order to overcome the serious obstacles in reaching the population—often the poorest of the poor—in remote locations CSRA could introduce a new

organisational model: registration offices with a network of notifiers (health sector staff involved in immunisation) using a mobile phone for the notification of vital events (births and deaths). Outreach registrars with transportation (motorcycle) on a regular basis will visit communities to complete the registration process initiated by mobile phone notification. This model could be compared for cost-effectiveness with a control group of conventional offices with sedentary staff.

As a minimum, the transition from a paper-based system to a digital civil registration system requires amendment of civil registration law. While the legal change process is on-going the paper-based system needs to be continued in parallel. In addition a separate project is needed to safeguard the paper records of the past ("legacy records"). However, Yemen could choose to inform its new law for civil registration and identification by international best practice; there is time for drafting the best possible and evidence-based legal civil registration and identification framework.

Present identification requirements for qualification for a social transfer are "liberal". Because a legal identity in its own right is empowering the poor it is absolutely logical and warranted that social transfer programs include efforts to enroll beneficiary household members in the national ID or family card system, or in the civil register through late or delayed registration. This will establish the direct link between civil registration and civil identification with tangible benefits the current absence of which is in all likelihood the single most important reason why people do not register.

It is recommended that communication for development ("awareness-raising") activities will be based on adequately established evidence of deficits in awareness of the individual and social benefits of birth and civil registration among relevant actors in the supply of and the demand for civil registration services.

A bottleneck analysis was conducted with close to 80 stakeholders in a workshop held in May 2013. The results of the analysis are shown in this report. The recommended priority actions have been used to inform nine suggested priority areas for UNICEF support that in turn have much commonality with the project activities included in the EU-funded project proposal.

Some of the key bottlenecks (CSRA status and organisation, legal reform, the salvage of legacy records and capacity building) have been earmarked by the European Union for support from an alternative source, discussed in this report. Measures to address these bottlenecks have therefore been considered out of scope for the EU-funded UNICEF-CSRA project.

This report is believed to be useful for drafting the detailed implementation plan for the EU-funded UNICEF-CSRA project. It is also recommended that CSRA will use the report, to which it has made many contributions, for the update of its own strategy and action planning.

1. SITUATION ANALYSIS

1.0 INTRODUCTION

In order to determine what interventions UNICEF should support in Yemen, a situation analysis of the status of civil registration is required. This analysis follows an 8-step approach. On the basis of the results presented below, UNICEF Yemen will be in a position to identify the priority actions that it should advocate for and support.

SITUATION ANALYSIS IN EIGHT STEPS[1]

Step 1—Birth and civil registration situation	Analysis of the status of and conditions for birth and civil registration in the country
Step 2—Organisational review	Examination of supply side factors: how the civil registration service is organised and the legal
Step 3—Legal review	framework on which it is based.
Step 4—Demand for civil registration services	Analysis of factors related to demand
Step 5—Government policy, plans and international support	Analysis of the policies and plans that the government has in place and the international support for civil registration that it receives
Step 6 – Analysis for Communication for Development	Analysis of factors that influence birth registration rates, that are relevant to the development of communication strategies
Step 7—Analysis and identification of gaps	Consolidation of the review that can be used by government to frame future action
Step 8—Analysis of UNICEF support	Review of previous interventions by UNICEF and the type of support that it may provide in the future

---

[1] Cf. Civil Registration Centre for Development (2013), p. 36

1.1 BIRTH— AND CIVIL REGISTRATION SITUATION

REGISTRATION COVERAGE[2]

While civil registration and ID-issuance in Yemen may have started around 1860 in Aden (then under English rule), data on registration coverage is available for only a relatively short period of time. The first and oldest data pertain to the year of unification, 1990. At the time estimates were that birth registration in the north was only 20% and death registration 10%, while the south had much better rates: 65% for births and 55% for death registration.[3] Given the population numbers and crude birth rates in the year of Yemen's unification in 1990 the composite birth registration rate for the whole of Yemen in 1990 would have been 31.2%.

Subsequently, for 2006, by coincidence, data for birth registration is available from two sources: the Civil Status and Registration Authority (CSRA) and the MICS (Multiple Indicator Cluster Survey) household survey.[4] CSRA reported its own data at the United Nations Workshop on Civil Registration and Vital Statistics held in Egypt in 2007.[5] The CSRA data is also published internationally, on the website of the United Nations Statistics Division (UNSD).[6] CSRA has produced new data for 2012. These data can also be compared to data on birth registration from another source, the UNICEF-funded social protection monitoring survey, conducted in 247 of Yemen's 331 districts, targeting households and under-five children in the lowest wealth quintile.[7]

For 2006 CSRA reported a birth registration rate of 36.9% and a rate of death registration of 13.2%.[8] Countries do not have to follow any prescribed international definition for their civil registration coverage rates. The Yemeni rates of 36.9% and 13.2% include registration of vital events that have occurred more than a year before the date of registration (so-called "delayed" registration). This Yemeni convention gives a better result than when registration within the legal timeframe (60 days) or grace period (from the 61st day to a year) is measured only, which is another common and useful measure of registration coverage. The registration rates so defined are 8.1% for births and 6.3% for deaths.

Delayed registration, especially of births, is substantial: only 22% of births registered are registered within a year of birth—78% is registered one year or more after the event. Delayed registration takes place especially around

---

[2] The data used in this section can be accessed using this link:
https://www.box.com/s/6xqnd2gp43psz1k7k4in

[3] Cf. Padmanabha, P. (1993), p. 37. An assessment conducted in the south in August 1988 yielded 69.5% birth registration and 52.1% death registration.

[4] Cf. Ministry of Public Health and Population and UNICEF (2008)

[5] Cf. United Nations Statistics Division et al. (2007). The same data are provided in detail in the CSRA 2008-2015 strategy document, cf. Republic of Yemen (2008)

[6] Cf. http://unstats.un.org/unsd/demographic/CRVS/CR_coverage.htm

[7] Cf. International Poverty Center for Inclusive Growth (2013)

[8] In fact the reported rate was 39.2%, but the data in Republic of Yemen (2008) add up to 36.9%, which is the number used in this report.

primary school entry, between the age of four and eight.[9] UNSD recommends that vital events will be registered within a short period after the occurrence of the event because otherwise _less_ registration will take place and recall problems occur which affect accuracy of information, especially about the date of occurrence of the event. In the case of delayed birth registration recall about the actual date of birth—thus age—is negatively affected. Serious consequences, such as administration of the death penalty to minors, underage marriage or recruitment in the military, can result.

What the CSRA data do reveal is what is generally the case in developing countries such as Yemen: birth registration accounts for the lion's share of what civil registrars do. When 36.9% of births (942,000 in 2011)[10] are registered the number of births registered is 348,000. When 13.2% of deaths (149,000 in 2011) are registered, the number of deaths registered is 20,000. In other words: for every one death registered more than 17 births are registered. Even if all births and deaths would be registered the ratio would still be more than 6 births registered for 1 death registration, i.e. births make up 85% of the total of births and deaths registered.

The important fact is that in developing countries such as Yemen, with their growing populations, the civil registration service is pretty much a "birth registration service".[11] UNICEF's focus on birth registration is therefore a focus on what really makes up much (often more than 90%) of the civil registration system's caseload.

CSRA also issues copies of birth- and death certificates (though relatively few), family cards and national IDs (new, and replacement). The chart below shows the composition of CSRA's production in 2012, and the relatively important share of birth registration.

CSRA Activity in 2012

36,070

323,094

412,744

56,701

■ ID ■ Family Card ■ Birth Registration ■ Death Registration

---

[9] A sample of 84 out of 531 delayed birth registrations (past one year after birth) in the Beit Al-Faqih district of the Al-Hudaydah governorate showed that 50% was delayed registration of children from four to eight years of age. Another sample taken in Sana'a city showed 43% of delayed registration was of 4-10 year old children, i.e. somewhat less.

[10] When no source for data is mentioned the data is obtained from The World Bank: http://data.worldbank.org/indicator/

[11] In developed countries the number of births and deaths is close to equal but even in those countries the demand for extracts from the birth register is a multiple of the demand for extracts from the death register, so also in those countries birth registration (the enrolment in the system) can be said to be much more important in terms of registrar activity than death registration.

The CSRA registration rates for Yemen can be compared to those for other countries in the ESCWA region.[12] The map shows the member countries.
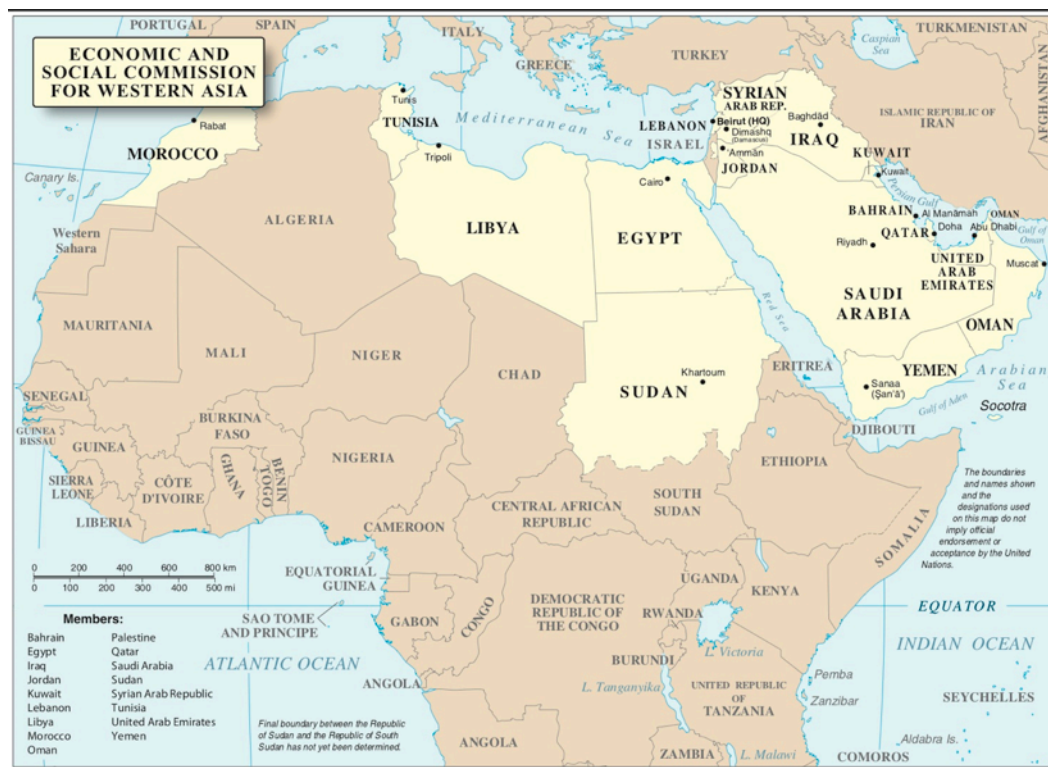
Among the member countries Yemen's registration compares only to that of Sudan (birth registration rate as of 1994 25%, death registration 5%) and Iraq (68% and 34% respectively). All other ESCWA countries have birth registration rates >90%.[13] However, Sudan is the only ESCWA country that comes close to Yemen's income per capita (US$ 1,310 versus US$ 1,070 Yemen, 2011). Iraq's civil registration has suffered from the war since 2000, but similar to Egypt, Morocco and Syria, it has an income almost triple Yemen's income per capita. It can be said though that the ESCWA countries in the lower middle-income range (US$ 1,006—US$ 3,975: Egypt, Iraq, Morocco, Sudan, Syria and Tunisia) are having relatively well-performing civil registration systems given their level of economic development.

The 2nd source of birth registration data, the MICS survey for 2006, shows that delayed birth registration indeed may only to a small extent happen within a child's first five years of life. The MICS data for the registration rate of children under five years old is disaggregated for the five cohorts of children 0—11 months of age, 12—23 months, etc. The overall registration rate for births according to the MICS survey was 22.3%; for the five cohorts the data is as follows:

---

[12] Cf. United Nations Statistics Division et al. (2007) and, for Kuwait, Libya, Morocco, Sudan and Tunisia see: http://unstats.un.org/unsd/demographic/CRVS/CR_coverage.htm.
[13] Cf. United Nations. Department of Economic and Social Affairs. Statistics Division. (2009), pp. 11-12.

Age bracket	Children born in	Birth registration rate
0—11 months	2005/2006	18.1
12—23 months	2004/2005	23.5
24—35 months	2003/2004	22.5
36—47 months	2002/2003	22.9
48—59 months	2001/2002	25.1
0—59 months	2001/2006	22.3

The rates for the cohorts can be read as a "history of birth registration", but the numbers are also a reflection of delayed registration. Assuming that CSRA managed to increase production in accordance with the growing number of births over the 2001/2002—2005/2006 period,[14] the increase from 18% for children born in 2005/2006 to 25% for children born in 2001/2002 would all be due to delayed registration and indicate that within the first five years delayed registration would be about 40% of the registration of children within a year from birth. The cohort data would indicate that this delayed registration especially occurs for children between age one and two, and perhaps at age four and five.[15] The 40% delayed registration is much lower than the ratio found in the CSRA data (8.1% timely versus 36.9% overall)—delayed registration picks up at age four and at the age of five and over which cannot be observed in MICS data.

The birth registration rates measured by CSRA and those used in the MICS survey are defined differently: see the box below. Comparison of the 2006 CSRA data for registration within a year, 8.1%, with the 2006 MICS data is therefore best done with the registration rate for 0-11 months old in MICS: 18.1%.[16] Sample size of MICS is sufficient to conclude that CSRA data may have understated actual coverage of birth registration, while the MICS rate might be overstating actual birth registration rates.

How birth registration data is calculated

DHS & MICS rates	The CSRA rate
The proportion of sampled children aged 0-59 months whose birth is registered.	The proportion of live births that are registered within the legal timeframe during a year. (This rate is closer to a measure of the registration rate of children of 0-11 months olds in DHS[17] and MICS data).

---

[14] The increase of the birth registration rate from 32.1% in 1990 to 36.9% in 2006 implies an average increase with one-third of a percentage point per year, which is close to a constant birth registration rate.

[15] The differences in registration rates by cohort are so small that only the increase between the 0-11 months old and the 12-23 months old is significant.

[16] Given the rate found for birth registration in the SPM survey in 2012 we tend to believe that the MICS rate may be closer to the "true" rate than the CSRA rate.

[17] DHS stands for Demographic and Health Survey. This USAID-supported survey can also include birth registration. Within one country MICS- and DHS surveys may be done on a rotation basis.

MICS (and DHS) data can also be compared internationally; the data for birth registration is available for more that 100 countries. The table below shows that Yemen, which belongs in the group of lower middle-income countries with a per capita income GNI of US$ 1,070 (2011), would actually be expected to have a registration rate of 49%, the average of the group. In a more precise way, given Yemen's per capita income, the country ought to have a birth registration rate of 41%.[18] The CSRA data indicating a 36.9% birth registration rate would mean that Yemen's rate is almost as expected given its income level, but four in five registrations are more than a year after birth and many are only at school-entry age. This practice appears to be of extraordinary magnitude by average developing country standards.

Birth Registration Rate Averages by Country Income Groups				
Income Group	Number of Countries	Population Total (Millions)	Weighed Average Birth Registration Rate	Standard Deviation as Percentage of Birth Registration Rate
Low income countries GNI pc US$1,005 or less	30	695	**32%**	78%
Lower middle income countries GNI pc US$1,006-US$3,975	45	2,408	**49%**	45%
Upper middle income countries GNI pc US$3,976-US$12,275	27	703	**94%**	5%
Total	102	3,806	**51%**	40%

Source: Civil Registration Centre for Development (2013), p. 27.

In conclusion, birth registration data implies that Yemen is, for its income level, underperforming mostly in terms of when births are registered rather how many are registered. Delayed registration (a year or longer after the occurrence of the event) is substantial: as many as 4 out of 5 births are registered "delayed" although MICS data indicate that birth registration within one year may be higher than CSRA data reflect. Within the ESCWA region Yemen's registration rates are higher only than the rates in Sudan, but Yemen and Sudan are also the poorest countries in the region.

DEVELOPMENT OF REGISTRATION COVERAGE 1990—2012

CSRA has published new data for 2012, for birth- and death registration as well as for the issuance of national IDs and family cards.[19] These data allow observing whether registration is improving. The CSRA data for 2012 show that the number of births registered was 323,094 (as compared to 306,037 for 2006,

---

[18] The scatter of registration rates and GNI pc for the 102 countries in the table gives a fit with a so-called "polynomial" with the following formula: birth registration rate = -0.0000010818* (GNI pc)^2 + 0.0174*(GNI pc) + 23.7.

[19] The data for 2012 were obtained from CSRA.

i.e. a percentage increase of 5.5%), while the number of deaths registered was 36,070 (as compared to 36,421 in 2006, i.e. a percentage *decline* of 1%).

The birth registration rate—already low in 2006—deteriorated from 2006 through 2012, from 36.9% to 33%.

Because of the political developments in the country in 2011 and the presidential elections in February 2012 the years 2011 and 2012 have shown a depressed civil registration activity, and it is therefore not possible to derive a secular trend from comparing 2006 and 2012. CSRA data published by the Central Statistics Organization (CSO) for 2010-2012[20] show that national ID issuance, birth- and death registration declined between 15 and 26% from 2010 through 2011. While national ID issuance declined further in 2012 from 2011 to only 70% of the 2010 level, birth- and death registration recovered to 87% and 98% of the 2010 level respectively. Birth registration declined more and recovered less than death registration, indicating a stronger incentive for continued death registration even during uncertain times. See the chart below. The cause of the decline in 2011 may have been a combination of interrupted service (i.e. reduced supply) and greater caution on the part of the population (depressed demand). It is impossible to say with certainty what would have happened to national ID-issuance and civil registration rates if the political events of 2011-2012 had not happened, but it is plausible that all would have improved rather than deteriorated as actually has been the case.

Graph 1—Impact of 2011 on civil registration and ID
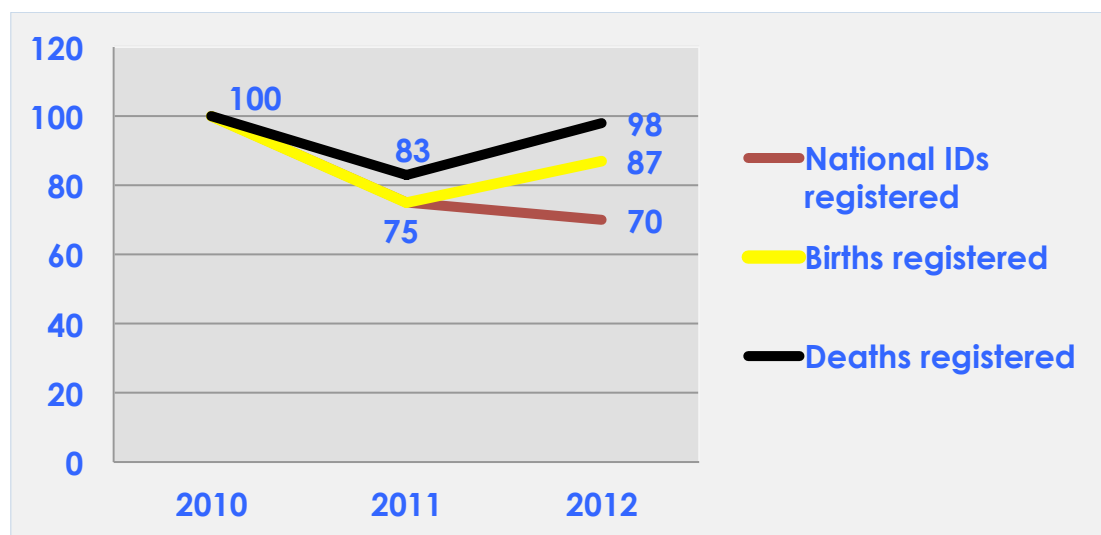
In 2012 the *Social Protection Monitoring (SPM) Survey*, a large household survey, was conducted which included a question on birth registration similar to the one included in the MICS Survey.[21] Like MICS, the SPM sample is representative for the country. **According to this survey (held in the last quarter of 2012) the registration rate of the under-five was 18.8%, as**

---

[20] Data obtained by national consultant Abdulmaheed M. Abdulkadar.
[21] Cf. International Poverty Center for Inclusive Growth (2013), p. 9.

compared to 22.3% measured in 2006. I.e., the MICS and SPM surveys reveal a similar decline for 2006-2012 as the CSRA data does.

Graph 2-Birth registration rates 1990-2012
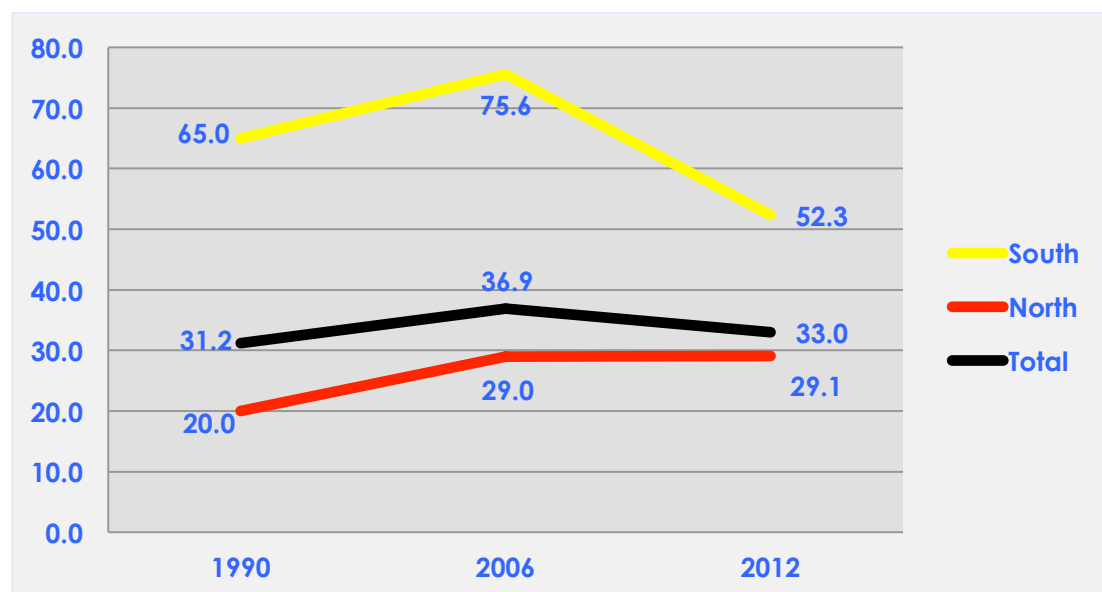
Before 2006, the aggregated birth registration rate (including delayed registration) for the southern governorates in 2006 had etched up to 75.6%, from 69.5% in 1988 and 65% in 1990, while in the north the aggregated rate had increased to 29% from an estimated 20% in 1990.

In conclusion: while the number of births has increased by about 3% each year, the birth registration rate has declined and the absolute number of birth registrations has been stagnant at best during the past 6-7 years. This means that a secular trend towards improvement in both the south and the north has turned into a downward trend. The events of 2011 and early 2012 have caused this but a recovery is visible in the data.

In 2013 the DHS survey will be conducted; data is expected to be available in September 2013. This data will be comparable to the MICS-data for 2006 and the SPM Survey data for 2012. This will allow firmer conclusions about the development and recovery of birth registration rates.

National ID

Yemen is one of many countries where the registration rate of children is low but adult identification—the issuance of national identity documents to adults—is significant: [22]

> Across the world, during 2012 alone, thirty countries—together accounting for more than 90% of the world's birth registration problem—introduced or upgraded their national ID systems. There is a tendency for countries to prioritize the identification of the adult population over their civil registration. Also, more often than not, the responsibility for IDs and that for civil registration resides in different offices of government.

The combined responsibility of CSRA in Yemen not just for civil registration but also for national IDs, and one law covering both, is **best practice** because of the important linkages between the two systems as well as the greater odds that individuals will have only one and the same identity in both systems. If parents both have an ID the registration of their children becomes less complicated than when one or both do not have identity papers.

The digital national ID database, started in 2000, holds 3,020,000 names for Yemeni citizens of 16[23] and above.[24] The issuance of national IDs has accelerated over time since 2000, when they were first issued. From 2000 through 2007 1 million IDs were issued, while in 2008 alone half a million IDs were given out. But, as mentioned above, issuance may have declined with 30% from 2010 through 2012 because of the political instability from 2011. While the ID is compulsory and issuance would be expected to be done especially to persons turning 16 year old in actual fact the age distribution for the persons issued the national ID for the first time is rather more around the age of 17 to 22, which age group accounted for 45% of the new IDs issued in 2012.[25] About 30% of new IDs were issued to persons of 29 or above. Only 3% of the cohort of 16—17 year olds, and only 6—7% of the 16—17, 17—18, 18—19 year old cohorts, applied for the national ID. Hence, the compulsory character of the national ID largely exists on paper. Only by the age of 30 will about 70% of Yemeni citizens have a national ID. Since many children will be born to parents under the age of 30, the birth registration of offspring of those without an ID is more onerous than would otherwise be the case. The enforcement of the timely acquisition of the national ID is thus important for birth registration. See however also the discussion of the electoral register below.

---

[22] Cf. Civil Registration Centre for Development (2013), p. 5

[23] In fact the database can include Yemeni citizens below the age of sixteen. The national ID is compulsory but not restricted for 16 and above.

[24] Data obtained from CSRA, March 9, 2013. A manual version of the national ID was introduced in North Yemen and reintroduced in South Yemen (where the ID had been introduced by the British ruler but had fallen into disuse after the 2nd World War) around 1973-1974. The new civil registration law of 1991 for the unified republic of Yemen included the national ID, and brought both under the tutelage of the ministry of Interior. In the South until then the ministry of Justice had been responsible for civil registration while the ministry of Interior had been responsible for the national ID.

[25] Data obtained from CSRA for 2012.

ID-issuance reveals a similar pattern as was found for birth registration: "delayed" application after age 16 is common.

Electoral register

A major boost to the civil registration and national ID systems could come from the use of the new voter registration in 2013/2014. Already in the early 2000s the government of Yemen proposed amendments to election law that included the plan to establish a civil registry system as the basis for a new register of voters for the 2003 parliamentary and local council elections. This combined civil/voter registry system was aimed at the issuance of a new national ID to the entire Yemeni population by April 2003. Citizens issued the national ID would automatically be enrolled in the electoral register.[26] Credentialing voter identity by means of a national ID is quite common practice across the world.[27]

The latest voter registration update held in 2008/2009 (prior to parliamentary elections of April 2009) resulted in a total of 10,334,000 registered voters.[28] Not only is this number impressive at about 90% of the population of 18 years and above, but also the gender balance in voter registration is second only to birth registration: 42.5% is female in the voter register versus 44% for birth registration. During elections politics appear to override culture within many Yemeni households. In contrast, only 26% of national IDs were issued to females in 2012. It is said that one of the reasons for the gender imbalance in issuance of national IDs is because enrolment takes place in CSRA offices around the country where CSRA personnel are wearing uniform. This is in sharp contrast with electoral registration which—relatively speaking—is brought to people's doorstep and is much less cumbersome and intimidating than the national ID application procedure. Also important might be that many men have cultural objections against their spouses having their own, individual identity document[29] while the family card (see below) is considered sufficient.

While the earlier plan for the linking of the electoral and civil registers has not materialized, the same idea is again mooted at present, in 2013. Under the political agreement brokered by the Gulf Cooperation Council (GCC), a constitutional referendum, parliamentary and local council elections and presidential elections are considered as part of the 2012-2014 political "transitional process".[30] For the presidential elections of February 21, 2012, the 2008/2009 electoral register was used. It has been decided that a new voter registration is necessary for presidential elections scheduled provisionally for February 2014. Discussions are taking place about how and to what extent the new registration of voters can benefit the improvement of civil registration and the national ID system. The voter registration is estimated to cost about

---

[26] Cf. IFES (2001), pp. 15—16.
[27] For example, in 2012, in neighbouring Oman citizens were encouraged to validate their national IDs because of municipal elections planned—cf. Gulf News (2012). Other current examples of countries using their national ID for elections are Kenya, Nigeria and Pakistan.
[28] Cf. IFES (2012), p. 4. According to UNDP the total is 10,243,364.
[29] Recent news from countries in the region, e.g. Egypt and Saudi Arabia, shows that in those countries special programs are conducted for the issuance of national IDs to women.
[30] Cf. IFES (2012), p. 2

US$30 to US$40 million, exclusive of the local contribution by the Yemeni government.[31]

The almost universal coverage reached for both sexes in voter registration holds significant potential for the improvement of national ID coverage, especially among women. Agreement has been reached that the data captured for voter registration will include all the data required for the national ID, and no legal impediments appear to exist for the use of voter registration data for the national ID. Voter registration has the potential to almost completely solve the problem of the backlog in civil registration and national ID issuance for the adult population.[32] This would mean more than just a temporary fix of under-registration: when parents both have an identity document the registration of their offspring becomes a lot more straight-forward as mentioned already. When national ID coverage is close to completeness, enforcement of the compulsoriness of the national ID becomes more viable. A population register populated and updated with the data from the ID database and civil register can become the basis for the electoral register as was envisaged more than a decade ago.

In conclusion, the number of registered voters in the electoral register (18 years and above) is more than three times the number of holders of the national ID (16 and above, measured five years later), and has an almost equal gender balance, second only to birth registration.

REGIONAL AND OTHER VARIANCE IN BIRTH REGISTRATION AND NATIONAL ID ISSUANCE

By governorate

Birth registration rates and national ID issuance (measured as percentage of the population) vary between governorate. The variance in rates between governorates is more pronounced for birth registration than it is for the national ID. This might be an indication that the importance of having an ID is more uniformly felt and hence spread across the governorates. Graphs 3 and 4 (see page 16) show the regional rates for both.

The governorates of Aden and Hadhramout stand out for their relatively good birth registration rates. Registration coverage is not built overnight, but rather results from a long history of civil registration. It also depends on the duration of a country's own existence as an independent state, during which the country builds its own (rather than the colonial power's) registration capability. Yemen's former northern part became independent from the Ottoman Empire in 1918, while Yemen's southern part obtained its independence from Britain only in 1967.[33] For that reason one would expect

---

[31] Data obtained from UNDP.
[32] The advantages and disadvantages of linking electoral and civil registration is discussed in Miiro, Hadija Nassanga. (Undated)
[33] The countries of the United Nations Economic and Social Commission region for Western Asia which all have "complete" (>90%) or close to complete civil registration coverage, except Iraq because of the war, Sudan and Yemen, all belonged once to the Ottoman Empire. Egypt may have been the country where the world's first civil registration system was introduced under Ramses II by 1250 B.C., while the 2nd Caliph Umar (634—644) conducted the first of regular

Yemen's north to perform better than the south, but the opposite appears to be true: among the seven best performing governorates six make up the entire former South Yemen. An explanation could be that Aden has been a centre for international trade for centuries. For the (enforcement of) contracts the legal identity of parties to the contract is important. In days past civil registration was also conducted by sultanates. But the most important reason could be South Yemen's political order from 1970 until the unification with North Yemen in 1990. Countries of similar socialist political orientation have, or have had, virtually complete registration coverage. It was noted that in 1990 the south had substantially better rates of registration than the north, a difference still existing today though less pronounced. A factor of earlier influence may have been Yemen's resistance of Ottoman Rule: before the Ottomans re-conquered Yemen in 1849 it had been independent under the rule of local dynasties for more than two centuries. This may explain that Yemen does not share an age-old population census- and civil registration history with the other former Ottoman Empire countries.[34] However, whatever the historic explanation for registration differentials may be, the possibility of present-day factors explaining the differences in registration service delivery and demand should not be discounted.

Where registration is relatively good, best practice lessons may be learned.[35]

Data are also available from the MICS survey (2006) for civil registration rates by governorate, and from the SPM survey (2012), allowing comparison of differences in governorate rates for the under-five year olds from this alternative data source. Cf. Graph 5 (page 17). These data again rank among the best seven governorates six from South Yemen besides the Sana'a Capital City area, and with the exception of Shabwa governorate these southern governorates and Aden are also the ones that show improvement of registration between 2006 and 2012, as has been the case in the urban area while registration rates in the rural area declined.

Urban versus rural
It is common to find the highest registration rates in the capital city and urban areas of a country. Remarkably the registration rate in Sana'a capital city area was lower than that in four other governorates in 2006. When including delayed registration Sana'a moves to 2nd place, however. This might be the result of schools in Sana'a being relatively strict in requiring a birth certificate for school entry. In 2012 Sana'a also moved to first place in ID-issuance, after having been only in 8th place in 2006. Birth registration in urban areas at large is higher than in rural areas: 38.2% versus 16.4% (2006, MICS survey). In 2012 (SPM Survey) this gap has further widened: 47.5% versus 11.6%. There are indications that Sana'a city and Aden start to show the broad public

---

censuses well before the first was organized in Europe. Jordan and Egypt introduced marriage and divorce registration as early as 1400 and 1521 respectively, while Egypt, Syria and Turkey started compulsory birth-, death- and marriage registration in 1912-1914, followed by Lebanon and Jordan by1925-1926. Cf. United Nations. Department of Economic and Social Affairs. Statistical Office. (1955), p. 213—216.

[34] Cf. for example Kuehn, Thomas. (2011).

[35] It would be especially useful to study why the Hadhramout region has its—by country standards—high birth registration rates.

acceptance of people's legal identity as an important condition for social participation in urban life.

GRAPH 3—BIRTH REGISTRATION BY GOVERNORATE, 2006

■ Birth registration rate 2006, birth registered within one year only

■ Birth registration rate 2006, all
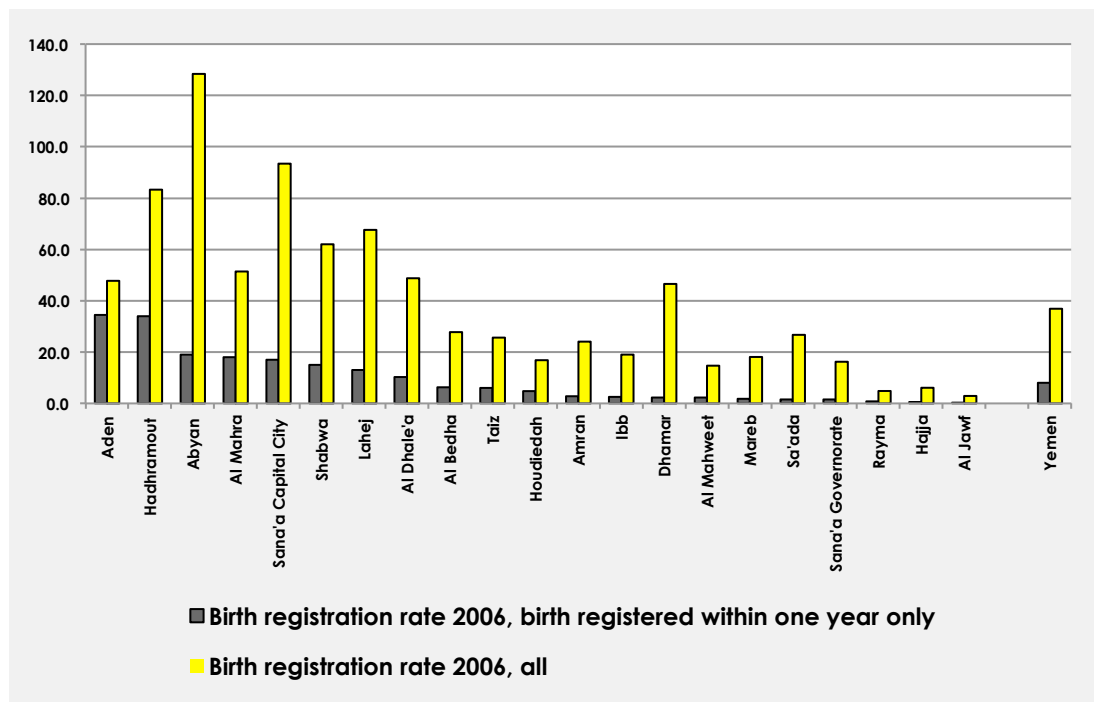
Source: CSRA data

GRAPH 4—ID-ISSUANCE BY GOVERNORATE, 2006 AND 2012

■ Total IDs issued, 2006, as % of the population

■ Total IDs issued, 2012, as % of the population
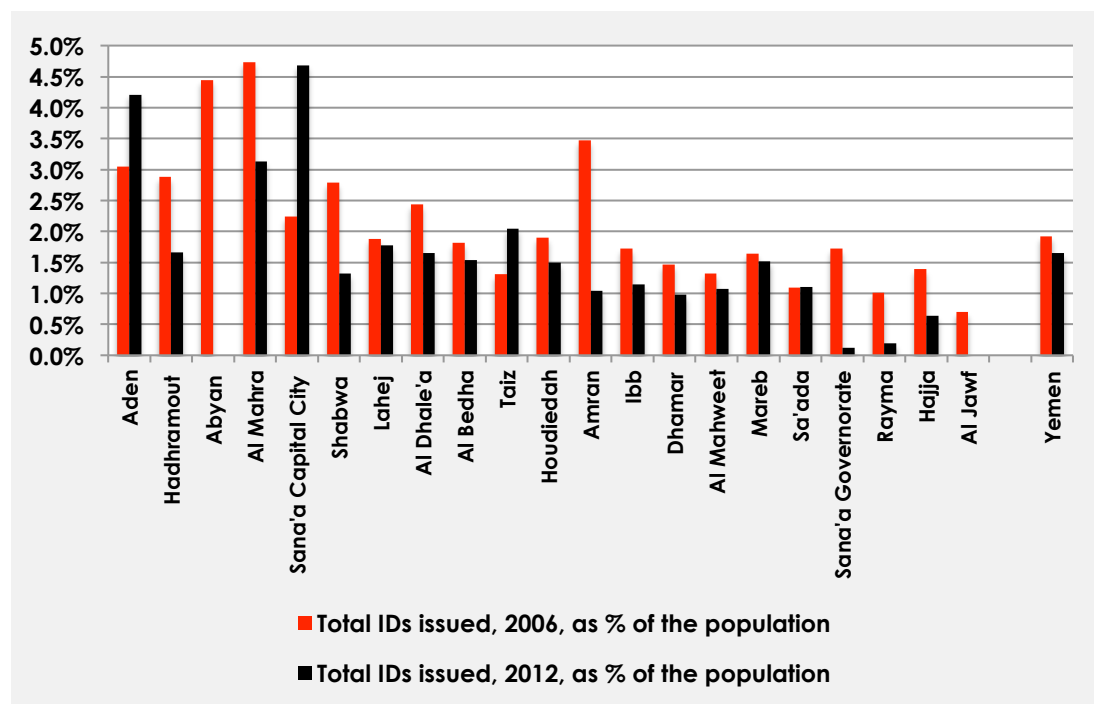
Source: CSRA data. Governorates shown as ranked for birth registration within one year.

GRAPH 5—BIRTH REGISTRATION RATES BY GOVERNORATE, 2006 AND 2012
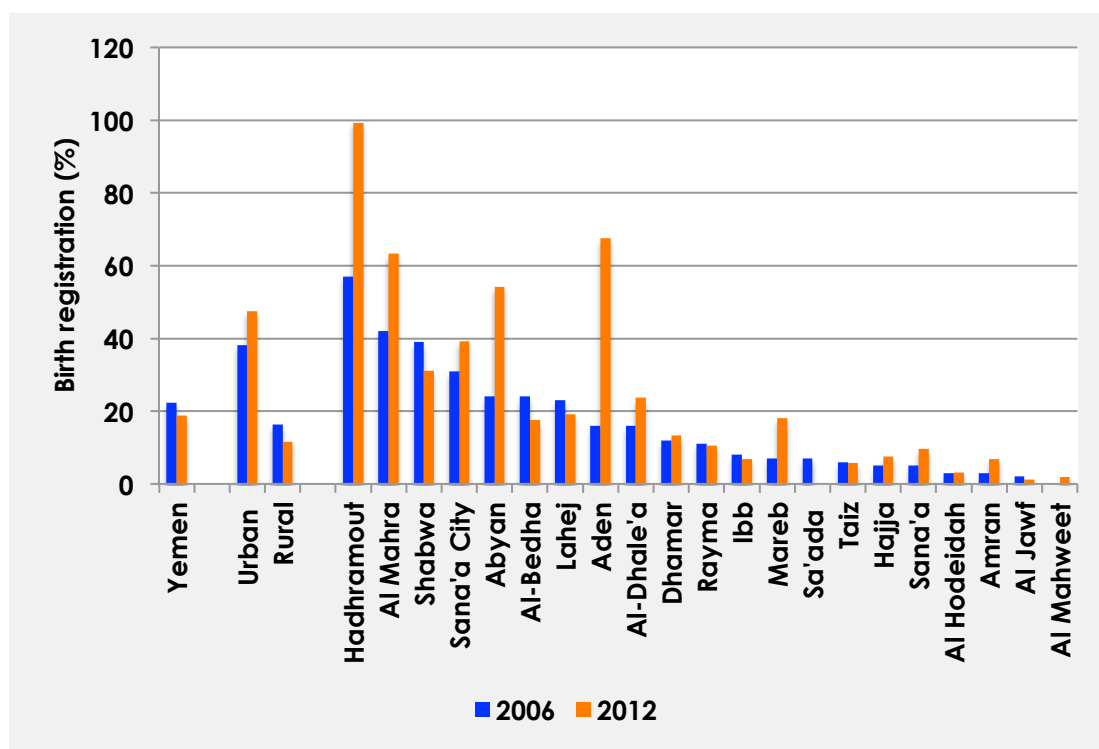
Source: MICS (2006)—UNICEF derived data, and International Poverty Center for Inclusive Growth (2013) for 2012 (Sa'ada not covered).

Variance by wealth and educational level

Birth registration is *ten times* as likely to happen in families in the richest wealth quintile as it is among the poorest 20% of families: the rate of registration is only 5.4% for the poorest children as compared to 50.4% for children of the richest quintile. *This is an extraordinary large difference. The average for the least developed countries is 20% versus 47%, or a ratio of 1 to 2.3, rather than the 1 to 9.3 found for Yemen.*[36] The education of the mother is an important factor as well: the registration rate of children born to women with no education is 15.8% versus 41.4% for children of women with secondary education or higher.[37]

For birth registration the highest rates are found in urban areas, and among the richest and best-educated citizens. The disparity between registration rates of rich and poor in Yemen is extremely large by international standards. The inequality between urban and rural rates is increasing from a—by international standards—low level as registration in Sana'a and Aden have especially improved over the past 6-7 years. Remarkable are the relatively high levels of registration and ID-issuance in the former South Yemen, although CSRA data for 2006 and 2012 indicate a substantial overall decline in the south.

---

[36] Cf. UNICEF (2011)
[37] Cf. MICS (2006)

THE "EXOGENOUS" CONDITIONS FOR CIVIL REGISTRATION IN YEMEN

Yemen shares with many other developing countries two "exogenous" (=external to the civil registration system and the demand for and supply of civil registration services) factors that have great impact on civil registration coverage: its relatively low population density (47 inhabitants/km2, 2012) and its still modest income level (US$ 1,070/capita, 2011). The combination of these factors results in modest resources for government and citizens alike to deliver respectively avail of civil registration services. As a result relatively large distances have to be bridged for service delivery and service use.

That Yemen has "only" 294 civil registration offices currently is likely based as much on political as on economic considerations. There is an unwritten policy that every one of the 331 districts[38] should have a civil registration function, but there are reasons of government finance why that has not been possible for now.[39] Benchmarking with countries within the region is recommended. Instead of having a presence in every outpost in the country there is a universal tendency to look for a possibility for the civil registration service to "piggy-back" on another government service. Current civil registration law in Yemen provides for a role of the health sector, which has a service network far superior to the one CSRA has, but the health sector has not taken up its assigned role thus far.

Normally the unification of two countries would negatively impact on civil registration performance. In Cameroon, for example, the fusion of two territories, one formerly French and the other formerly English, still has impact on civil registration today. For Yemen this may also be a factor that impacts on civil registration, but an important decision has been that both parts of current-day Yemen already before unification adopted a similar legal framework in 1973, which was based on practice in Egypt and Syria. More than the unification the relatively short history of civil registration in Yemen might be part of the explanation that civil registration as a universal practice of government and population has had too little time to establish itself.

Yemen, as stated before, has about the registration rate expected for its level of income. But it lacks the outreach of the civil registration service that in Egypt is responsible for universal coverage, which in Egypt is achieved by an important role of the health sector. Yemen's relatively young history from the unification in 1990 is another likely reason why civil registration is still incomplete.

---

[38] Yemen has 301 districts with an elected official, and another 30 (or 32) without.
[39] United Nations recommendations are not to align strictly with administrative boundaries, but to in stead give the civil registrar general the authority to deviate when necessary when delineating registration areas. Cf. United Nations, Department of Economic and Social Affairs, Statistics Division (1998-5), p. 149, pt. 362.

1.2   ORGANISATIONAL REVIEW

HISTORY

While, as mentioned, the north of Yemen has been part of the Ottoman empire until 1918 and the south was ruled by the British until 1967, both parts of Yemen discarded the old organisation of civil registration and ID management soon after 1967. In 1973 new systems were put in place in North Yemen and South Yemen that were largely informed by civil registration practice in Egypt and to a lesser extent by Syrian practice. In the north the ID was introduced with Law No. 123 of 1976; in the south the ID was reintroduced in 1977 with Law no. 12. After unification a new law, No. 23, was passed in 1991, although this new law brought little change. In 2002 (Law No. 22 of 2002), again, minor amendments were made, the most important of which was the provision for the introduction of a national identity number. The civil registration system in Yemen therefore is not a system that still is based on a former colonial system that served the purpose of a colonial ruler. It is "home-grown". Illustrative for the break with the colonial era has been that national IDs were not used for some time since the 1950s. Under British rule IDs were imposed in South Yemen (as they were in other countries under British rule such as Kenya, where male natives needed to wear the "kipande" ID around the neck in a tin container).[40]

LEGAL STATUS

The civil registration service, the Civil Status and Registration Authority, is an authority with a special status under the ministry of Interior.[41] Governorate and district offices are under control of the central CSRA office. Yemen has thus chosen to give the civil registration service a semi-government status, as done by some other countries, such as Tanzania (RITA) and Uganda (URSB) in Africa, Pakistan (NADRA) in Asia and Peru (RENIEC) in Latin America. Cameroon (Africa) is in the process of establishing BUNEC as central management office with special status. The only example of a semi-government organization that has been successful thus far is RENIEC; the other examples have not had the time to prove themselves as yet.

The present organizational set-up in Yemen does have some downsides. For example, CSRA while having its own small budget, does not pay for its own

---

[40] Remarkably the present-day ID in Kenya is still called kipande. The colonial kipande featured basic personal details, fingerprints and an employment history. The "Native Registration Amendment Ordinance" of 1920 made it compulsory for African males above the age of 15. The practice was introduced in several British colonies, apparently including Aden. Cf. Anderson, David. Master and Servant in Colonial Kenya. Journal of African History 41 (2000), pp. 459-485.

[41] Before, in the northern part of Yemen, CSRA had already been established as an "authority" in 1980 by decree No. 119. Other examples of "authorities" are the Yemen Customs Authority, the Civil Aviation and Meteorology Authority and the Petroleum Exploration and Production Authority.

staff (salaries being the most important cost of civil registration) and does not itself "hire and fire"—importantly, this is also the case at local level. Instead it is the ministry of Interior still wielding this power. CSRA also cannot retain its own revenues (especially from the national ID).[42] This is a sub-optimal situation for an agency of government that has been given the "authority" status as it makes it impossible for managers in CSRA to strive and be held accountable for results. Incentives for management to steer the organization towards more efficiency and effectiveness are weakened.

Centralised versus decentralised control
Quite in contrast to Yemen's modest registration levels it has chosen to organize its civil registration service with some features that one could call international ***good practice***. What stands out is the control the centre—on paper— is able to exert on governorate- and district offices, respectively 22 and 272 in number. This is the de-concentrated service that might be the most appropriate for countries in Yemen's position, in which there is not yet a well-functioning local government. Centralized control ensures the standardisation of forms, procedures and methods, and promotes co-ordination, advice and assistance to registrars, as well as uniform interpretation of the law.[43] The current availability of information and communication technology makes centralised control more feasible and, in principle, allows services to be delivered from offices across the country, rather than only in the office where a vital event was registered. Also in Yemen the general policy direction is towards decentralisation. But rather than itself being part of that decentralisation process it is a ***de-concentrated*** civil registration service and a well-functioning nationally held population register that on a continuous basis can deliver the demographic data and vital statistics to local government to effectively govern and prove decentralisation right. The primary, ***national*** role of the civil registration function is to establish and safeguard the legal identity of ***Yemeni*** citizens.

INTEROPERABILITY

Nowhere in the world is civil registration a stand-alone government service. Rather it is a service always offered in conjunction with other services, and the health sector and local government services stand out as the most common

---

[42] It is understandable that the Yemeni government has provided for cash management solutions at local level, for example for reasons of efficiency and security. However, the transfer of cash does not have to imply that such revenues are "lost" in an accounting sense.
[43] Cf. for example United Nations. Department of Economic and Social Affairs. Statistics Division. (2001), pp. 53-54. Over the course of the past sixty years the trend has been towards the decentralisation of government functions and therefore there has also been a more "politically neutral" stand of the United Nations Statistics Division with regards to the centralised versus decentralised organization of civil registration, which in the early days clearly was for the centralised option.

partners for civil registration. An alternative model is the bundling of a variety of registration services, for example the registration of motor vehicles or the licenses of fire-arms, bankruptcies etc., within one multi-purpose office.[44]

Health

In Yemen the necessity of working with another government service has been acknowledged witness the role given to health by law. In the *Executive Regulation for the Law of Civil Affairs and Civil Registry* Article 20 is stated:

> *In all cases, the doctor or midwife is to notify the Director of Civil Affairs within (60) days from the date of birth they conduct through the form provided (Reporting Birth). However, this reporting is not enough to register the incident in its own record. The chief of neighborhood shall report the births that occur within their jurisdiction.[45]*

The civil registration authority and the health sector in its supporting role to civil registration (in Yemen the health sector has also a role in the notification of death) ideally should be "interoperable", that is: working as if they were one organization. Unfortunately this is not yet the case; the role assigned to the health sector seems largely unexecuted.[46] The potential of the health sector to contribute to higher levels of birth registration can be illustrated by the following statistics:

Indicator of interface health sector with mothers and newborns	Indicator value
1. Percentage of children age 12-23 months immunized against DPT, 2011	81%
2. Percentage of children immunized DPT1 2010	94%
3. Skilled attendant at birth, percentage of births	36%
4. Institutional deliveries, percentage of births	24%
5. Mothers attending antenatal care at least once, 2006-2010	47%

Source: (1)—World Bank, (2)—(5): UNICEF (2012)

The data in the box above show that, while (according to 2006—MICS data) only about 18% of newborns will get registered within one year, across all forms of interaction the health sector has with newborns and their mothers, higher (24%) to much higher (94%) percentages of newborns are reached by the health sector. When a skilled attendant is present at birth (36%) or the

---

[44] The civil registrar general of England and Wales during the years of the 2nd World War used the phrase "parasitic vitality" to indicate that civil registration and national IDs could not exist unless there is a parasitic (or symbiotic) relationship to another government service: Cf. Agar, John (2001), p. 119.

[45] In the English translation of the law there is some ambiguity in the use of terms. The term 'declaration' (or 'reporting') of a vital event (by the 'informant' as indicated by law) and 'notification' (by a 'notifying' agency or 'notifier') is sometimes blurred. "In its own record" probably should have been translated as "of its own accord". Also, the regulations are not in accordance with the law, which states in Art. 21 that doctors or midwives are only obliged to notify when they have attended to the birth or persons closer to the child are unable to report the birth, but the health sector has a legal notification role in 60% of deliveries (cf. the table at this page for institutional plus skilled birth attendant deliveries).

[46] Health staff interviewed in Al-Hudaydah governorate appeared to not have ever seen the notification form. In the Al-Thawra referral hospital in Hodeida city a self-designed form was used which is in fact a request to register the birth of a child delivered in the hospital.

delivery is in an institution (24%) the law requires the health worker or institution to notify the birth, a duty rarely carried out in those 6 out of 10 births.

Based on these data the interoperability by law between CSRA and MOH, which currently in practice is close to non-existing (but by law should be performed for at least 36 out of 100 births) should be focused on the immunization population-government interface.

The immunization interface lends itself for notification rather than registration of vital events. Besides this immunization interface for notification, health centers with a substantial number of deliveries can be considered for the establishment of birth registration points with sufficient economic scale. A start with the latter has been made in Sana'a, in two hospitals.[47]

National ID
Apart from the collaboration between CSRA and the health sector there are other "natural" partners for interoperability, one of which is within CSRA: **national ID** (run by CSRA) and **voter registration** (SCER responsibility). Yemen has the advantage that it has combined its work on national IDs and civil registration within one agency, since the law of 1991 was passed. The promotion of the national ID among the population has an indirect beneficial effect on civil registration, while the integrity of the national ID database benefits from a well-functioning civil registration system. The former effect happens because clarity of the identities of parents, as mentioned before, simplifies the birth registration process. Since the 2002 amendment of the law of 1991 each newborn in principle is being assigned a national ID number.[48]

Within a country such as Yemen, where many adults had their births never registered, the enrollment in the national ID system serves much of the same purpose as delayed civil registration ("registration of the backlog") would, especially when civil register and national ID system are both feeding into, or based on, one population register.[49] **Vital event information should flow from civil register to population register**. For example, a birth that occurred in a hospital in another location than the usual residence of the parents needs to lead to an entry in the population register for the place of residence. In the case of a death, a burial permit needs to be issued only after death registration, and death registration needs to lead to the surrender of the national ID when the national ID database indicates the deceased had a national ID. Civil registration is often said to produce planning data, but much of that data—for example the size of the population of an area—can only be generated from a population register (when it is complete).

---

[47] The establishment of CSRA registration points in hospitals is supported by Dar Ltd., a local software firm which in 1998 entered into a contract with CSRA to digitise the civil registration system and introduce the "mechanical" (digitised) national ID system.
[48] In the CSRA offices that have been digitised and brought "online" this assignment of national ID numbers is real time or from a stock of ID numbers provided for off-line episodes.
[49] A *population register* is a database of the population organized by people's usual place of residence. A *civil register* is a database of vital events organized by where the vital events occur. The family cards used in Yemen are in fact a manual population register, but it is far from complete.

As CSRA has responsibility for both civil registration and "civil identification" (national ID issuance), an important condition for interoperability between civil registration and ID systems has been met. However, the potential for interoperability has only been used in a limited way because both systems have low coverage, and digitisation of the civil registration system is still in its infancy.

As the pictures below—taken in one and the same office—show, the two systems represent each a different era. The two systems are under the same management and under the same roof.[50] Proof of identity obtained from the civil register is officially needed for enrolment in the ID system but, obviously, the connection between the two systems is still rather low-tech. Where civil registration is digitised the national ID of the parents is verified online.

New (ID) and old (civil registration)—CSRA Al-Hudaydah Governorate Office

From 1978 through the mid-1990s UNFPA funded five civil registration projects in Yemen. The rather negative evaluation of these projects and projects in other countries came, in 1993, to one interesting conclusion, especially since Yemen had already linked its civil registration with identity cards and thus was an early example of good practice:

"In this context it would be relevant to consider the linking, as in some countries, of the civil registration system to the systems of population registers and identity cards. Such administrative linkages can strengthen the civil registration system. The importance of inclusion in the population registers and the need to possess an identity card are clearly perceived by the public."[51]

Not only the public perceives this utility: politicians and civil registration management see that utility as well. Probably one of the key reasons why international support for civil registration has failed to yield significant success has been its focus on vital statistics rather than on the important legal role civil

---

[50] National ID biometrics and other data collection is available in only a limited number of district offices. All governorate offices have an ISDN connection with the central office.
[51] Cf. Padmanabha, P. (1993), p.52.

registration and other ID systems play—which has indeed a utility that is clearly perceived by the public and the government. This does not mean that vital statistics and demographic data are unimportant; they just lack the same perceived utility, *and they can be obtained through other means when civil registration cannot as yet produce the data.*[52]

Voter registration

Another natural collaboration potential lies in alignment between the work of CSRA and the Supreme Council for Elections and Referenda (SCER). Earlier was mentioned that the voter registration of 2008/2009 succeeded in the enrollment of over 90% of the adult population, and—importantly—captured almost all adult females in the country.[53] A new voter registration, which includes capturing of biometric data, is planned for this year.

Why is voter registration more successful than the other types of registration in an identity system? The reasons for the difference seem to be straightforward:

1. **Proximity.** Voter registration—to be distinguished from actual voting—has been brought closer to the population than any of the other identity systems.

2. **Cost.** The cost—direct and indirect—of registration is minimal for the population (though not for the government; often substantial foreign assistance has been footing much of the bill of the voter registration).

3. **Ease.** The process of enrollment in the voter registration system has been made minimally onerous.

4. **Incentives.** There is a strong incentive among the population to be registered for voting and exercise the right to vote. This incentive is so strong that the majority of men urge their spouses to register for voting while they are less inclined to urge them to have their own national ID.

Among the ID systems in place in Yemen, voter registration can be said to be the most successful. It is because it is the most people-friendly. However, registration of the electorate cannot replace civil registration because civil registration should be continuous while voter registration is not.

This follows from the characteristics of civil registration mentioned in the definition:

Civil registration—definition[54]: The continuous, permanent, compulsory and universal recording of the occurrence and characteristics of vital events in accordance with the legal requirements of a country, carried out primarily for the purpose of establishing the legal documents provided for by law.

---

[52] One of the articles in a series of four articles in the Lancet deals with these alternatives ("interim measures"). Cf. Hill, Kenneth et al. (2007)

[53] Yemen also has a family card (or household) registration system, which partly goes back to the early phase of civil registration in Aden, but coverage of families, thus women, is low.

[54] Cf. United Nations. Department of Economic and Social Affairs. Statistics Division. (2001), p. 50

There has been general agreement, at least from the early 2000s, about the desirability to develop a civil registration system that could function as the electoral register on a continuous basis. It is more pragmatic though to look at what voter registration could do to improve civil registration first. This would work through voter identity information being transferred to and used for the national ID system, which in turn will lead to improved personal data for registration of birth, deaths, marriages and divorces, and the 'population" of a population register which can be used to produce the voter registers in future.[55] See also section 2.2.1.

Ministry of Justice

In Yemen legal trustees (called "*al-wasee al-sharee*" or "*al-qayem al-sharee*" in Arabic) are responsible for the officiation of marriage and divorce, the administration of which is the responsibility of the ministry of Justice. Yemen's civil registration law includes articles about marriage and divorce registration, but this especially relates to the sharing of information with CSRA, although also entries in, for example, the family register are discussed. The ministry of Justice is therefore another "co-producer" of the registration of vital events. Registration of marriages is still rare. In 2012 less than 5,000 marriages were registered. An estimated 300,000 couples form a union annually. Just over 50,000 couples obtain a family card per year.

Within the context of child protection it is especially underage marriage that makes marriage registration important. In 2006 19% of women from 15 through 19 were married/in union, and 3.6% of women from 15 through 19 were married/in union before their 15th birthday. But underage marriage is gradually declining.[56] This is an example of the important legal function of civil registration, not just in relation to Yemeni law, but also in relation to Yemen's international legal obligations, e.g. as regards the Convention on the Rights of the Child.

The ministry of Justice is also playing a role in the tri-partite committees that by law have the task to decide on delayed registration (more than one year after the occurrence of the vital event). The two other parties in the committee are a ministry of Health and Population representative/physician, for the aspect of probable age assessment, and the civil registrar. Since we have seen that four out of five birth registrations officially are the responsibility of these committees one can see the workload this would imply, and the response seems to have been to not use the committees.

The delayed registration committees are reportedly largely dormant, meaning that in actual fact civil registrars in most cases handle cases of delayed registration unilaterally. This would render four out of five birth registrations a

---

[55] Miiro, Hadija Nassanga. (Undated) fails to look at this linkage between the two identity systems and is limited to whether linking voter registration with civil registration improvement *prior to an election* is judicious or not. The conclusion is that only when a country has a well-established, accurate population register that register can function well to generate the voter list.
[56] Cf. MICS (2006), p. 119

*legal conundrum. **It is not advisable to leave legal practices in place that are not enforced by the duty bearers themselves.***

The Justice ministry has a role in any change in civil registration law as well. ***But especially important is the role of the judiciary in the application of juvenile justice***. Recently UNICEF, the European Union and Human Rights Watch have stepped up their advocacy for the fair and judicious application of criminal law—and especially the implementation of capital punishment—to juveniles. This advocacy work has driven home the importance of the civil registration system to be able to produce trustworthy evidence on identity and age, and—of course—to achieve universal registration and identification in the shortest possible time.[57]

Central Statistics Organisation—CSO

CSO is—contrary to what may generally be assumed—***not*** a potential interoperable partner for CSRA in the sense that the country's statistics office would or should be a co-producer of civil registration services (rather than of vital statistics). There are very few countries in the world where the national statistics office is responsible for civil registration. The main reason for that is that national statistics offices usually have little of no "footprint" (presence through the agency's own offices, or through day-to-day work relations with offices of another ministry or government layer) across the country.[58] Civil registration is a very important source of demographic data (vital statistics); the dual purpose of civil registration is 1) to provide the population of a country with a legal identity and 2) to generate vital statistics. A country's statistics function is a *client, a customer,* for data from the civil registration function. The degree in which the civil registration function can play its role of generating vital statistics depends on the coverage and the quality of civil registration.[59]

The incompleteness of civil registration, the virtual inaccessibility of the paper records for statistical purposes and the quality deficiencies of civil registration records in Yemen rule out, for the foreseeable future, that reliable vital statistics could be generated through the use of civil registration records.

In Yemen, as is usually the case, CSO is responsible for the implementation of the population census, the next one of which will be conducted in 2014. The population census is important as an alternative source of vital statistics and for the evaluation of the civil registration system. Another alternative source for vitals statistics are household surveys.[60] It is important to recognize that a convention for the conduct of population censuses (and household surveys) is that the information obtained from households is anonymous, contrary to the information in and obtained for alternative identity systems (population

---

[57] Cf. Human Rights Watch. (2013)

[58] Examples are India and the Philippines. Another country where the statistics bureau (the Census Bureau) was responsible is the United States. Because of serious shortcomings of the service that became evident during the Second World War a presidential commission appointed to investigate advised that the Ministry of Health would be given the responsibility. Cf. Landrum, Shane (2010) and Hetzel, A.M. (1997).

[59] Cf. note 52 (Hill, Kenneth et al. (2007)

[60] Cf. United Nations, Department of Economic and Social Affairs, Statistics Division, (2001). p. 87 and p. 90 ff.

register, national ID, electoral register). The population census therefore has limited value for the verification or addition of confidential _personal_ data in vital records.

An important difference between CSO and CSRA is how relatively well-financed CSO is compared to CSRA. This difference lies in CSO's success in carrying out paid assignments such as household surveys, which often are for a large part supported from international sources of funding, coupled to its apparent ability to retain or claw back such revenues. CSRA has a similar, still untapped potential of revenues, provided CSRA would be entitled to retain such revenues. The sale of data to other government agencies, in future as part of the electronic delivery of government services ("e-government"), is another source of future CSRA revenue.

**The immediate and urgent reason to improve civil registration coverage and quality in Yemen is to provide the population with reliable legal identity documentation which can be verified with data held in a central register. Along with and as a result of this effort associated with the legal purpose of civil registration, the quality, quantity and scope of the demographic data that civil registration can provide on a continuous basis will improve.**

COUNTRY OFFICE NETWORK AND REGISTRATION/NOTIFICATION POINTS

Yemen's rural population still makes up 68% of the total.[61] The crude birth rate is 3.8% and the crude death rate is 0.6%. The number of vital events (births and deaths) occurring annually in the rural part of Yemen is 742,000 (2011). If Yemen were to have civil registration offices within 5 kilometres distance from where people live (which means an office has a service area of 78.5 km2) it would need 6,700 of such registration centres. It has only 294 (including 22 governorate offices), or about 5% of what would be needed, _and of those that exist not all are functional_. That Yemen has only a fraction of the "ideal" number of registration offices is because of an unfortunate mix of economics and demographics. The costs of an office infrastructure with offices within 5 km for all would be prohibitively high. But also, the average number of rural vital events each centre would have to register in a year—when **_all_** births and deaths would be registered—would be only 110, **_or just one vital event per two workdays._** No viable office—let alone one with computer equipment and Internet connection—could be maintained with this little a workload, **_and it would not be judicious for Yemen to build such an office infrastructure._**

Al-Hudaydah illustration
One of CSRA's offices, the governorate office in Al-Hudaydah city, employs approximately 100 staff and another 50 in 28 district offices (of which 3 are in Al-Hudaydah city).[62] In 2012 the "production" of all the offices in Al-Hudaydah

---

[61] The data on population, crude birth- and death rate etc. are all obtained from the World Bank.
[62] In 2006 the staff strength in Al-Hudaydah was 121. Cf. Ministry of Interior (2007), p. 43.

governorate (population 2,791,000 in 2012, area: 13,500 km2) was as shown in the table:

Vital event/Activity	Total Number
National IDs issued, new and replacement	41,692
Family cards issued	7,508
Births registered	17,909
Deaths registered	3,020
Marriages and divorces registered	7
Total production	**73,149**

The example of the Al-Hudaydah governorate illustrates the dilemma for CSRA to bring its services to the people. Given the land area of Al-Hudaydah the governorate would need 172 offices, while it has "only" 28. In each of the 28 offices the average number of vital events registered is 747 per annum (2,612 when including national IDs and family cards), or 3.5 per working day (12 per working day all-in). This workload is shared between an average of 5.4 staff/office. All registration and issuance work included, this means that each staff will perform a total of two registrations or issuances per working day, which indicates room for an increase of productivity, especially since the civil registration process will move to an enhanced level of efficiency and labour productivity through computerization. In 2012 Al-Hudaydah had, for Yemeni standards, a relatively respectable birth registration and death registration rate (17% and 18% respectively), but its production would have to rise with a factor six for universal registration.[63] The number of marriages registered is very low for a governorate—an indication that CSRA and the Justice ministry need to develop a proactive policy to register marriages (and divorces).[64]

That registration rates are at the present, low, level, in Al-Hudaydah and Yemen at large, is partly caused by the large distances people have to bridge to register vital events. Al-Hudaydah's 25 district offices outside of Al-Hudaydah city have an average service area of 520 km2, which means that they have on average a perimeter 13 km away from the centre. For people lacking means of transportation this distance can be an obstacle that is too difficult to overcome. For that reason it is crucial to develop the notification role that the law has assigned to the health sector. Health officials in Al-Hudaydah expressed willingness to take up their role, of which they have been hardly (made) aware thus far.

ESCWA illustration
The average service area of the 294 CSRA offices is 1,800 km2. This is high in comparison to Lebanon (200 km2), Egypt (225 km2) and even Jordan (1,200 km2)—countries that all have (almost) complete coverage of birth- and

---

[63] This ignores that much of current birth- and death registration is delayed registration.
[64] A site survey done in the Sana'a Metropolitan Area revealed the weakness of the interoperability between CSRA offices and the Justice ministry. Reportedly district offices often fail to obtain the duplicate registration forms of marriage, divorce and remarriage, which provides an example of the physical transportation required by the paper-based system.

death registration.[65] It is important to note that Lebanon and Jordan are relatively small, urbanized countries (Lebanon's rural population is only 13% and Jordan's 17% of the total population) with higher personal incomes translating in higher personal disposable income and a larger tax base that allows government to provide services with greater proximity.

Egypt is more alike Yemen with a GNI per capita of US$ 2,600 (Yemen US$ 1,070) and 56% of the population classified as rural as compared to 68% in Yemen. In fact the registration service of Egypt has only 27 offices across the country and birth- and death registration is performed in 4,417 health establishments across the country.[66] Egypt—which has universal registration of births and deaths—is providing important benchmarking information for Yemen, for decisions regarding the CSRA office network and the interoperability with the ministry of Health and Population. The average workload per health establishment with civil registration function in Egypt is 2.1 birth- and death registrations per day. This is less than the average daily workload of 3.5 in Al-Hudaydah (12/day overall when including national ID c.a.). It is important that CSRA obtains more detailed information about the organisation of the role of the health ministry in Egypt, especially whether the health ministry has a notification, a declaration or a registration role.

DIGITISATION

Digitisation in CSRA can be traced back at least to the 1980s and 1990s when UNFPA supported civil registration projects that included a computerization element.[67] In 2000 the national ID system was first digitised.[68] A more recent digitisation project for civil registration has been implemented with support from the Social Fund for Development (SFD). In 2009, four local offices were established with SFD support and concerned staff trained in the use of IT equipment and database maintenance; in 2010, another local office was established. In 2011, SFD support was suspended. However, SFD support was scheduled for resumption in 2012 in four different governorates (18 offices). CSRA will need to ensure the coordination of proposed SFD and EU support as well as compatibility of IT systems.[69]

In 1998 CSRA contracted a local ICT firm, DAR Ltd., for the digitisation of the civil registration process and the introduction of the digitised national ID system. The law of 1991 and the 2002 amendment of the civil registration law of 1999 have not yet made digitisation legal, and hence alongside the civil

---

[65] Cf. United Nations Statistics Division et al. (2007). Jordan reported 60% death registration caused by confusion between burial permits and death certificates and benefit fraud.
[66] There are even more registration units for marriage and divorce registration in Egypt: 5,594, mostly resorting under the Justice ministry.
[67] Cf. Padmanabha, P. (1993), pp. 29-38.
[68] The contract, with local software firm DAR Ltd. dates from 1998. According to United Nations. Department of Economic and Social Affairs. Statistics Division. (2009), p. 62 the introduction of computers was part of UNFPA and UNDP-supported projects in the 1980s and 1990s—in fact from 1992. See also Padmanabha, P. (1993). pp. 29 ff.
[69] Cf. European Union. (2012), p. 5. Reportedly this coordination between digitization projects is not taking place.

registration digitisation project the paper-based traditional system is still continued. This is a judicious policy decision. The digitisation pilot is running in nine locations (three governorate offices, four district offices and 2 hospital locations across five governorates, Sana'a included). The digitisation does include online operations. For example, the national ID information of parents is verified online and national ID numbers are obtained online (or taken from a stock provided for off-line episodes). Vital statistics are collected and processed centrally; this is a dormant system function that is virtually unknown. Activity to expand the digitisation depends on the availability of CSRA funding. The system is simple to use and the hardware required is low-cost (only about $500 per station).

The CSRA Office of Hodeida Governorate

The design of the digitisation has thus far not included the introduction of the use mobile devices and the use of Yemen's cellular network. More than 12 million mobile phones are registered in Yemen, which is equivalent to a penetration of 47%. Cellular coverage is almost complete across the country. UNICEF's EU-funded project includes the support to help introduce these new technologies.

There is, in conclusion, a need to introduce control mechanisms to ensure that civil registration records are accurate and kept in a secure place with a backup kept in another place, that procedures are in place to restrict access to storage rooms, and risks, such as fire, are managed adequately. The present state of affairs could get out of control, cause major loss of evidence of the legal identity of citizens and/or be used for nefarious political agendas.

Digitisation initiatives for civil registration, while having a few decades of prior history of small-scale introduction, were made the subject of a CSRA contract in 1998 that has now resulted in digitisation in nine locations. In 2009 a parallel activity has commenced (supported by the Social Fund for Development). These pilots do not yet provide for the use of mobile phones or electronic transmission of civil registration data through cellular networks. The EU-funded UNICEF project is designed to introduce the use of mobile devices for vital event notification over the 2013—2014 period.

SUPPLY CHAIN MANAGEMENT, SECURITY AND AUDIT

CSRA offices are being supplied from the centre. This includes the registration books and certificates, and the supplies for national IDs (blank cards, film, etc.). Computerization of the civil registration function will greatly reduce the need for the physical transportation of registration materials, and so reduce the vulnerability of this supply chain for misappropriation and damage along the long way supplies have to travel within Yemen.[70]

Archive CSRA Al-Hudaydah governorate office

The CSRA governorate office collects all civil registration— and ID application forms and other documents from the district offices except for the register books, which are kept by the district offices. This meets the UNSD requirement that duplicate records are made (in Yemen the application forms act as such) and kept in a location separate from the original records (the register book in Yemen). The Bait Alfaqih district office in Al-Hudaydah governorate also keeps a lose card index that allows searching on name. In theory the

---

[70] In the Al-Hudaydah office an unusual turnout of clients on the day of the visit was caused by a stock outage of birth certificates. The supplies had arrived the day before.

centralisation of registration materials in the central office allows better care for the preservation of registration materials, which according to international standards and Yemeni law require that the records are kept forever. In practice the registration materials are more at risk than they would have been if they had been kept in the district offices. The Al-Hudaydah office has no fire extinguishers or air-conditioning in the storage room and there is no evidence of security measures, for example for access to the archive. The governorate office keeps its own application forms and registration records, violating the rule that a copy of records needs to be kept in another location. Civil registration records have been targeted in conflicts in countries such Côte d'Ivoire and the former Yugoslav republic, e.g. in Kosovo—a risk which is not at all fictional in Yemen.

The Al-Hudaydah governorate office has run out of storage space; it appears that this might be partly caused by the practice of storage of supporting documents. There seems to be a lack of clarity of what needs to be preserved and what not, and, more importantly, what are legal records and what are not. It proved impossible to find the oldest civil registration record in the Al-Hudaydah governorate office.

Governorate offices are required to conduct regular audits of the operations of district offices. It is not clear whether an audit of the quality of record entries ("content error") is taking place. Although the Sana'a central office has an office for investigations it is reportedly in need of improvement and, as the name gives away, the understood role appears to be curative rather than preventive. In the Sana'a city governorate office there are four audit staff. Total staff strength is 480 (the central CSRA office staff not included).

CIVIL REGISTRATION WORKFORCE AND FINANCIAL RESOURCES

Human resources
From 1990, when the unification of North and South Yemen took place, the Civil Status and Registration Authority has had five chairmen, implying an average tenure of Yemen's civil registrar general of 2.5 years over this period. This is quite unusual in the world of civil registrars general which generally tend to have long tenures and this may indicate one area of concern with regards to CSRA management.

In 2006 the number of CSRA employees excluding the central office was 1978. In 2013 the staff strength at the central office in the ministry of Interior was estimated at 400, while the staff in other offices across the country is reportedly about 3,000, which would bring the total CSRA workforce at about 3,400. This number compares well with the workforce in other comparable countries. Cameroon (GNI per capita US$ 1,210 in 2011), with a slightly smaller land area (475,000km2) and a slightly smaller population (ca. 20 million in 2011), had a registrar workforce of 3,700 staff in 2007, responsible for civil registration (including marriage and divorce registration, the numbers of which are very low as they are in Yemen) *but not for the national ID and no family cards are used in Cameroon*. However, the birth registration rate in

Cameroon was 70% (MICS 2006, Yemen: 22%), and the registration rate of the 0—11 months old was 60%, compared to 18% in Yemen. Civil registration procedures in Cameroon are relatively onerous, especially for delayed registration. Registrar productivity may not differ much between the two countries.

The age distribution of the registrar workforce (2006) is shown in the table below. Yemen's registrar workforce is much younger than is the case in Cameroon, which is a very positive feature. In the Al-Hudaydah governorate office the age difference between staff in charge of civil registration and those in charge of the national ID was very obvious (see pictures next page), and this also may apply to educational level. It appears that the combination of operations of civil registration and national ID under one roof is ideal to familiarize civil registration staff with modernity, computers and cameras.

Age distribution (%) civil registrars in Yemen and Cameroon

Age group	<31	31-35	36-40	41-45	46-50	51-55	>55
Yemen	48	24	15	7	3	2	1
Cameroon	3	5	10	14	13	16	40

Source: Ministry of Interior (2007), Rép. Du Cameroun, Yaoundé (2007)

In comparison, Yemen's registrar workforce is slightly better educated than the workforce in Cameroon (see table next page). In both countries the workforce is predominantly male at about 90%. It is necessary to change this gender ratio as it may make a large difference for women to avail of CSRA services. In 2012 thirty-seven per cent of Yemeni registrars reported to have received training, while very few registrars in Cameroon have had any other training than training on the job. The ministry of Interior has its own training facility. It is not known whether the training received by registrars had been given by the MOI training facility. The training facility is reportedly in need of improvement. The EU intends to support CSRA capacity building.

Cameroon does have better civil registration rates (although MICS data show a decline over the past decade). Cameroon has more registration offices than Yemen: 2,129 as compared to 294 for Yemen. But many registration offices in Cameroon are not functional, as one would expect to be the case since many of them would have a minimal workload (cf. discussion country office network,). Cameroon's better birth registration rate may largely be a heritage from colonial time.

Educational level registrars Yemen and Cameroon

Educational category Yemen/Cameroon	Yemen, 2006 (%%)	Cameroon, 2007 (%%)
Illiterate/No education	5	2
Literate/Primary educ.	21	29
Secondary education	54	53
Graduated/Superior	19	15

Source: Ministry of Interior (2007), Rép. du Cameroun, Yaoundé (2007)

Civil registration staff (left, Bait Alfaqih, Al-Hudaydah) and national ID (Hodaidah city)

In conclusion, in comparison with a country about as rich and with a comparable land area and population, Cameroon, Yemen's civil registrar workforce has a slightly better education and training and is no less productive, but in Yemen labour productivity can be improved as is the case in Cameroon. The training function in the ministry of Interior may need to be strengthened; this is on the radar of the EU for international support.

Finance

Local resources

It is unusual for the civil registration function to be financially supporting anywhere in the world. Even in a relatively rich state as Victoria is in Australia. where the registration service can charge for its services, revenue can be generated through online genealogy services and innovative revenue sources as decorative birth certificates, 60% of the costs need to be covered by government. In Yemen CSRA offices are entitled to receive back 5% of their revenues which they have to hand over to government. The Al-Hudaydah governorate office, to use one example, receives YER 12,500 per month for operational cost but hands over on average to the governorate government YER 2.5 million/month. Income is especially generated by national IDs for which YER 1,000 (US$ 4.65) per ID can be charged (for Sana'a the charge mentioned is YER 1,065).[71] Site survey information for the Sana'a

---

[71] The fee charged for the national ID is said to be less than the cost.

governorate office showed that the CSRA offices rely on local government to finance capital investment. The ministry of Interior pays for salaries of staff. The Sana'a governorate office issued about 58,000 IDs in 2012, which would have generated almost US$ 300,000 in revenues. But costs of depreciation of the equipment used are nil as government provides this equipment when replacement is required. The way CSRA is financed and its inability to retain revenues makes financial and general management of CSRA more complicated. Accountability for CSRA's performance becomes harder to enforce with the current mechanisms for budget and revenue management. However, it is important to state that the way CSRA operations receive and dispose of cash or who pays the salaries of CSRA staff are paid do not imply that CSRA could not _account_ for its costs and revenues. Public cash management policy may require for CSRA and other offices of government to abide by these procedures. But CSRA has been given its special status presumably to benefit from an exemption of such obligations, as would generally be the case when a government department is given such a status of a parastatal organisation. What is reported also is that the very limited cash income available to CSRA office leads registrars to levy "unofficial" fees so that necessary supplies could be procured. Officially civil registration services are free of charge. This is not per se required: United Nations recommendations are for _registration_ to be free, and UNICEF advocates birth certificates to be free of charge. CSRA could charge for other services without being in contravention of international recommendation and standards.

International resources
CSRA has also had little international funding for its operations. The UNFPA-funded projects in the 1980s and 1990s totalled an amount of less than $1 million.[72] This is about to change as the international community (the "Friends of Yemen") in 2012 has pledged over US$ 6 billion for the 2012—2014 _Transitional Program for Stabilization_, and donors have given emphasis to programs that strengthen governance, among which support for the National Dialogue, democratic institution building, elections and civil registration play an important role. The European Union has earmarked EUR 10 million for support (of which EUR 2.5 million through UNICEF) to elections and civil registration reform. The United Arab Emirates have pledged a multiple (up to US$ 60 million) of that amount for support.[73] Support comes also from UNICEF, the World Health Organization and Germany (through local NGO MADAR, which is focusing on registration of women). CSRA management has rightly pointed out that fragmentation of effort needs to be avoided.

Deficient funding for CSRA operations can lead to charging illegal fees, as is a common phenomenon across developing countries. This can weaken the high ethical standards that are crucial for a well-functioning civil registration service. It can lead civil registrars onto a slippery slope towards complicity in fraud. Civil registrars are "attestors" of legal events that have probative value

---

[72] Cf. Padmanabha, P. (1993), p. 67.
[73] According to some sources (inter alia the European Union, the minister of Interior) this support is earmarked for the national ID; according to other sources the support is for the introduction of e-passports.

in court. They are comparable to notaries public. Hence the ethical standards for the civil registrar profession are demanding and require strict compliance.

Present financial arrangements for the civil registration function hamper accountability of CSRA management and staff, and require change. Sufficient budget for the civil registration function helps to prevent registrars to charge illegal fees or commit other fraud. The international community has come forward recognizing that democracy, good governance and the rule of law require increased support for civil registration. Coordination of efforts is indicated.

1.3   LEGAL FRAMEWORK

International law
Yemen is a signatory to four of six international human rights instruments that include the right to birth registration:[74]

1. International Covenant on Civil and Political Rights (1966, Article 24; ratified 1987)
2. Convention on the Elimination of All Forms of Discrimination Against Women (1979, Art. 9; ratified 1984)
3. The Convention on the Rights of the Child (1989, Article 7, 8; ratified 1991)
4. Convention on the Rights of Persons with Disabilities (2006, Article 18; ratified 2009)

States Parties to these human rights instruments have the duty to ensure that national law does not contradict the international law the country has signed on to. Importantly, when child rights are at stake the definition of a child and the ability to know a child's age is essential. When birth registration coverage is as low as it is in Yemen, adherence to national and international legal obligations becomes problematic. The latest *Concluding Observations* from the Committee on the Rights of the Child date from 2005 and are a response to Yemen's third periodic report to the Committee.[75] The 4th periodic report that was due 2008 has not yet been submitted. The Committee repeated its concern also expressed previously about Yemen's failure to ensure universal birth registration. In addition there is an expression of concern about areas such as child labour, juvenile justice and underage marriage that depend on age determination that is problematic in the absence of registration at birth and evidence of registration. In the Committee's response[76] to the initial report on the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography the Committee recommends that Yemen ensures that no fees be levied for birth registration as per civil registration law, and mechanisms such as mobile registration and registration in hospitals be used to improve registration rates.[77] Yemen's continued inability to register the majority of children immediately after birth compromises the country's ability to comply with national and international law.

---

[74] The 1948 Universal Declaration of Human Rights states in Article 15 that everyone has a right to a nationality, but Yemen is a signatory to the Cairo Declaration on Human Rights in Islam which is a response to the Universal Declaration by the Organisation of the Islamic Conference (OIC). The Cairo Declaration speaks of women's right to their own "civil entity", which would imply that men have their own civil entity as well, i.e. all would have a right to a civil status, thus civil registration.

[75] Cf. United Nations (2005)

[76] Cf. United Nations (2009)

[77] The recommendations of the CRC should be seen in the context of time. Mobile registration, considered a solution for under-registration in remote parts of a country a decade ago, has proved to be an unsustainable intervention in most relevant country contexts.

Yemen is not a signatory to the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (1990, Article 29), presumably because migrant workers in Yemen are few.

In 2012 the report of a review of the Yemeni legal framework as it pertains to children was published.[78] One of the findings was that Yemen's constitution does not adequately provide for the way Yemen will reconcile international obligations with national law and it is suggested that this will be addressed in the constitutional review process.

National law[79]
Before the unification of North and South Yemen in 1990, civil registration was governed by the civil registration Act No. 123 of 1976 in the north (which included the national ID from age 14)[80], and by Law No. 13 of 1973 in the south. The south also enacted Law No. 12 for the national ID in 1977. Law No. 23 of 1991 replaced these laws as the new unified Yemen had been formed in 1990. Reportedly UNFPA support was given to the drafting of the law of 1991, which included the national ID for the whole of Yemen for persons age 16 and over.[81] In 1999 regulations were issued. The development of the law of 1991 preceded the issuance of a handbook for the legal framework of civil registration by the United Nations in 1998, and hence these UN guidelines could not be used. During the years of UNFPA and UNDP support (1978 until the mid-1990s) civil registrars from Yemen had the opportunity for international benchmarking of the organisation of and legal framework for civil registration by paying visits to Egypt, Jordan and Tunisia that may also have informed the law of 1991.

Observations about the law
Following are some observations with regards to the current law of 1991.

1. Art. 3.2. Stating that every governorate and district should have a registration office. *UN states that registration areas should be delineated as is best for civil registration, while government structures will have been designed to accommodate multiple other interests and purposes that*

---

[78] Cf. Republic of Yemen. National team for legislation review. (2012)
[79] The European Union will support an extensive review of the organization of and the legal framework for civil registration. The review of the legal framework in this report is limited to major observations about the law of 1991 and its 2002 amendments (based on an unofficial translation in English), since much of related law and preceding law is not available in an English version. That review can/should include the Constitution, Child Rights Act, naturalisation law, personal status law, laws on public records, electronic transactions and communications, election law, the law on authorities and decentralization law (law on local authorities. The review in this report is based on an unofficial translation of the law and should be seen in that light.
[80] According to Padmanabha, P. (1993), p. 33 in the north the ID and family cards system may have only become operational at the end of the 1980s at the earliest.
[81] In an evaluation of UNFPA-funded projects one project, YEM/88/PO1, was said to have had some "creditable achievements. The drafting of the unified law and getting it adopted and promulgated is an important step forward. The forms and procedures have been finalized and are capable of adoption nation-wide." Cf. Padmanabha, P. (1993), p. 35. The national consultant contributing to this report is of the opinion that no such claim can be made.

may have led to a government office infrastructure not geared to the specific needs of civil registration.

2. Art. 4.1 and 4.2. Provide for the combined responsibility of CSRA for registration of vital events and ID and family card issuance. A new clause in the 2002 amendments has introduced the unique national number, which should be given for every new citizen entry in the civil register. *This combination is good practice (although not provided for in the UN recommendations for the legal framework).*

3. Art. 4.3. Defines the registers to be kept, including ID- and family card register. *There is some deviation from UN guidelines (divorce register) but keeping the registers in one place (including the ID) is good practice. However the law is silent about duplicate (back-up) records.*

4. Art. 5.1. States that the form of records and extracts is decided in the regulations. *This could be an opening for electronic records.*

5. Art. 5.2. States that civil registration is free of charge. *This is good practice for registration, but UN suggests a fee for replacement or additional certificates.*

6. Art. 6. Registration when abroad. *This article should but does not cover what to do when in a country without a consulate.*

7. Art. 7.1. Registers/records cannot be moved from offices. *Without back-up records this is problematic. The national ID register is kept centrally in Sana'a, which seems to be a breach of the law. Potentially problematic for electronic records kept outside of the registration office.*

8. Art. 14. What needs to be done in case of loss and damage to records. *This appears both impractical and to some extent legally dubious: to replace a legal record because other legal records have been lost seems wrong. The absence of a provision for duplicate records is underlying this unfortunate article.*

9. Art. 15. To whom extracts can be provided. *This article seems to give the registrar too much discretionary power.*

10. Art. 20. Provision for sixty days to register "to the Civil Status Department". *A shorter period may give more accuracy and more registration according to the UN. Which civil registration office is unclear (where the vital event occurred, or place of residence), while it is clear for death registration (where the death occurred; cf. art. 35).*

11. Art. 21. The declarants of vital events. An important—and gender-sensitive—change was made to change the father as the first declarant of birth into any of the parents of the child. *The UN has a different list and sequence of declarants, with a health official as the first declarant of the vital event, rather than as third declarant.*

12. Art. 22 and 23. Contents of the birth record and birth certificate. *The UN recommendations have been followed for the record (especially with regards to the nationality—of parents: yes, of the child: no). But the stipulation in Art. 23 that the content of the certificate should be the same as the birth record is not necessary. What is missing here as well is data collected for statistical purposes, e.g. birth order, birth weight, etc.*

13. Art. 24. CSRA office to notify health. *This article seems odd, and is perhaps a translation mistake.*

14. Art. 25. *This article seems to deal with foetal death (still-born) but is unclear.*

15. Art. 30. Registration in the grace period ("late registration", up to one year). *Text unclear, for example what is different in the registration procedure.*
16. Art. 35, 36 & 37. Health role in death registration and coordination between civil registration offices. *Procedure seems problematic.*
17. Art. 45 & 46. Committee for delayed registration. *The composition of the committee mirrors what is practice elsewhere and according to UN recommendations. However, the committees do not seem to function in general. This renders about 80% or registration a legal conundrum.*
18. Art. 47 & 48. Registration in the place of residence. Art. 47 was changed in 2002 and states that registration should either be in the place of "origin" (presumably this is birth place) or the "permanent place" (presumably place of usual residence). *In the 1991 text it was unclear that these articles related to IDs and family cards; this is now clear in the new text.*
19. Art. 49. ID and family card compulsory. *The data show that the law is not enforced and people apply for the ID card when they see fit.*
20. Art. 50. Fees ID and family card. *General practice and one way to generate income for CSRA, but CSRA cannot retain the revenues.*
21. Art. 57 through 60. These articles require the ID (or family card) to be carried, mandatory for military and government service, for university students and employees and for hotel guests. *The law is not enforced.*
22. Art. 61&62. Fines. These are adjusted upwards by the amendment of 2002. *UN guidelines are that fines and sanctions are necessary, but cannot be expected to be very productive. Larger fines may therefore not be advisable. When the law contains elements that may need regular updates—for example fees—it is best to put those amounts in regulations rather than in the law itself.*

In conclusion, the current law, while accommodating some excellent practices, such as covering civil registration and national ID in one law, including nationality of parents in the registration record, making civil registration free of charge and inclusion of the role of the health sector, also falls short in some very crucial respects. The law is not clear in defining declaration and notification of vital events as two different actions. It does not provide for any written documentation for either. The law does not provide for back-up records and has an impractical solution for the reconstitution of lost or damaged records. Most importantly, the law requires change to accommodate digitisation of civil registration and civil records.

The enforcement of the law is a serious, separate problem that needs to be addressed.

Laws and enforcement mechanisms should be reviewed with a special focus on marginalized groups, to identify whether the attitudes of legislators and law enforcers facilitate or obstruct equal access to services, and whether legal recourse is available in case of discriminatory practices. The perspectives and voices of communities, especially of groups that face discrimination and marginalization, should be included in legal/policy review and in developing the advocacy strategy. The data available indicates that the registration rate of children of the poorest families is extremely low. There are strong indications a communications strategy may have to be targeted

at the executive and the legislature, in order to achieve a better service delivery where possible and bring about the legislative changes to bring Yemen's legal framework for civil registration and identity management up to 21st century standard.

Refugees and IDPs

The country is also not a signatory to, importantly, the Convention on the Reduction of Statelessness (1961, Article 1). Yemen is located in a "neighbourhood", the Horn of Africa, where large displacements of population are common. Sudan and South Sudan, Eritrea and Somalia are important source countries of refugees, but Yemen has also a substantial domestic problem of internal displacement. With a population of concern of 574,000 by the end of 2011 Yemen ranked 19 in the world. Relative to Yemen's population size the country climbs another few steps on the ladder to rank 14, and relative the country's income Yemen would be among the top ten.

Displacements across borders are the most serious for people's legal identity, and especially for children born to refugees. While the Convention of the Rights of the Child are clear with regards to children's rights to be registered irrespective where they are born and to whom they are born, in practice refugees often will be denied the right to register their children. These problems are also reported to occur in Yemen to refugee children. As per end of 2011 215,000 refugees were reported to reside in Yemen, to whom an estimated 5,000 to 7,000 children may be born each year. Yemen has also 347,000 internally displaced persons (IDPs) who may experience registration problems of their own. As for birth registration information about the identity of the parents is required, which IDPs may not be able to produce because of their displacement and verification is hard given the way civil registration record-keeping is organized, the registration of a new-born child may be hard or outright impossible.

1.4 DEMAND FOR REGISTRATION SERVICES

The analysis in section 1.1 and 1.2 is giving insight in the demand of the Yemeni population for birth registration and for identity documents in general. Key findings are:

1. Effective demand for birth registration services is low, although about what would be "normal" for Yemen's level of development. But postponing birth registration is very common: only one in five births is registered within the first five years, and about another one in five in the five years after that.

2. Data on delayed birth registration shows that parents are led by the need for registration when manifest: around school entry age. See also pt. 9.

3. Data shows that the disparity in registration rates between the poorest and richest quintiles in Yemen is extreme by international standards. Poverty is severe in Yemen, and registration services are remote and therefore expensive for many people in the countryside.

4. Data shows that across the board little if any change in birth registration rates has taken place since 2006, but there is some evidence that the urban rate may have improved while rural rates may have deteriorated. This could be related to the security situation in the country.

5. Low birth registration rates do not mean that people do not value identity documents. Over 90% of the adult population registered to be able to vote. The gender balance in the electoral register (42.5% is female) is much better than is the case for the national ID (only one-third is female). The electoral register holds more than three times as many Yemeni citizens as the national ID database, the reasons for which are that voter registration is 1) low-threshold: brought close to where people live, low-cost and less onerous than application for the ID and 2) people feel there is a real purpose to registration as voter.

6. There is a cultural lesson to learn from the gender ratio for voter registration as compared to the one for the national ID.[82]

7. CSRA's 294 offices across the country imply an average service area of 1,800 km2 per office. In Egypt such an area would not have one but 8 registration points.

---

[82] Reportedly in Yemen many men do not want their spouses to have their own ID. The family card includes the spouse and can be used as a valid ID for the wife when traveling. However, of late in Egypt as well as in Saudi Arabia campaigns have started to increase the enrolment of women in the national ID. These two countries may not be too different from Yemen culturally.

8. In Egypt, birth- and death registration points are located in health establishments, run by health staff. The interoperability between the civil registration authority and the ministry of Health in Egypt is real while in Yemen that same interoperability is laid down in civil registration law but has not materialized. In fact Yemeni health staff seem to be largely unaware of the legal duty they have for the notification and declaration of vital events. Egypt has universal coverage of births and deaths.

9. Application for national IDs, while obligatory at the age of 16, shows a similar tendency for postponement and "delayed identification" as is observed for birth registration. This is an indication of 1) how many people behave with regards to obligations put onto them by government and government enforcement of such obligations, and 2) awareness of such obligations. It appears that delay of registration and identification in Yemen has become the normal state of affairs. The government also appears to have settled for that situation witness the relaxed effective rules for delayed birth registration: the special committees for delayed registration seem to have all but been put out of action.

10. Political instability and fragile security in 2011 caused a decline of CSRA activity of about 25% from the previous level. Parts of Yemen continue to be instable and insecure and hence supply and demand will be negatively affected.

Given the above findings it appears that a great majority of Yemeni adults are well aware of the need and benefits of enrolment in identity systems, and—by extension—of the need to register births and of the benefits of doing so. The incentives to do so "in time" are there as well—but "in time" for Yemeni citizens does not coincide with what Yemeni civil registration and national ID law has determined as being "in time". Civil servants applying the law seem to agree. Also, for many poor Yemeni citizens the costs (mostly in terms of travel cost and the cost of their time away from home) are prohibitively high while immediate benefits for timely registration (or timely application for the national ID) are not felt.

Raising awareness—often seen as the way to enhance demand—may be largely ineffective because people's behaviour appears to be informed, fully rational and in their best interest. Rather the problem is one of insufficient incentives as well as present disincentives leading to late birth registration or no registration at all. Evidence to that effect seems to have been ignored by the donor community. A survey conducted in 1983 in the north revealed "there was no motivation to register since birth- and death certificates were not required for any purpose." Another survey done in 1988 in the south pointed out that while knowledge of the law was widespread the lack of particular benefits of registration was quoted as a major reason for non-registration.

Policies to enhance incentives and eliminate or curb disincentives for timely registration (and identification) should be informed by common sense and lessons that can be learned from Yemeni and international experience.

1. **Cost.** The single most important disincentive to timely birth registration is the distance for many Yemeni to the nearest registration office. A solution such as the one used in Egypt—piggy-backing on the "footprint" the health sector has in the countryside—can be considered, given that civil registration law already provides for that interoperability.

2. **Benefits.** For the many poor Yemeni cost is key, but benefits are important as well. Yemen has a large social safety net program, the *social welfare fund*, catering for no less than 1.5 million beneficiaries directly and almost 9 million Yemeni citizens in total. By its nature this program would be targeting the same people as the ones that are least likely to register. See below under "social transfers to create demand". In addition, primary education is perceived by many as a valuable government service worth the cost of registration.

3. **Gender and coverage.** When identity systems are not seen in isolation but in a holistic way benefits perceived from registration for one system can be "short-circuited" to other systems by removing the separation between those systems.[83]

4. **Law and law enforcement.** When the law is not being obeyed by large numbers of people—including duty bearers who are supposed to implement the law—the lawmakers need to rethink the law and law enforcement. Sanctions and their enforcement for violating the law deserve a place, but the incentive route may prove more successful.[84]

5. **Awareness.** As an element within an intelligent package of measures raising awareness and advocacy ("C4D", i.e. communication for development) have a place. But C4D itself needs to be intelligent as well in determination the people and actors who need to be on the receiving end of C4D.

This review (see sections 1.1 and 1.2) provides indications that among different segments of the population, demand is affected by the variance in the availability and physical, financial and social accessibility of services. Given the very low level of coverage of civil registration across the board it is believed that generic measures that "lift all boats" may initially be benefiting many more deserving people than any "targeted approach" could be expected to achieve. However, social and cultural factors that facilitate or obstruct birth registration should be identified, including people's perceptions of self-efficacy and confidence to demand services. The levels of integration and inclusion of children from traditionally marginalized groups also need to

---

[83] In countries such as Cameroon, Kenya, Nigeria, Pakistan and Oman national IDs have been used and promoted for use for voting. If this were done in Yemen the favorable gender balance in the electoral register would spill over to the national ID system.

[84] It is recognized that the government of Yemen has reduced influence in parts of the country where tribal law and governance act as a substitute for an absent, or partly absent, state. No data is available about civil registration disaggregated for population groups that could be considered as ruled by tribal governance and those who are subject to the central government. Such data could defy common wisdom: see for the sophistication of tribal governance Corstange, Daniel. (2008).

be examined. The data reveals that only one in 20 children of 0-59 months of age from the poorest families is registered. This may require moving beyond the investigation of KAP[85], to include a social-anthropological study at community, household and kinship group levels. However, the data available points to the predominance of physical and financial barriers for access to civil registration services for poor families located in remote areas lacking transportation infrastructure. The EU-funded UNICEF project scheduled to be implemented in UNICEF districts, which are the poorest districts in Yemen, aims to remove or reduce those physical and financial barriers.

While the general public is the prime client of civil registration services it is by no means the only actor exercising demand, or being a potential customer. Any agency, private or public, depending on credible information with regards to the identity of citizens is a customer of the CSRA or will be. The government at large is an important customer, whether it is for school entry or availing of benefits from the Social Welfare Fund. The Social Welfare Fund, with its 1.5 million beneficiaries (reaching 9—10 million poor Yemeni citizens) is the single-most important "customer" vying for the services of the CSRA—at least, *it should be* (see below). The legal identity of citizens is so essential for the normal functioning of society that it is a public good of which the national value exceeds what the public can afford to pay or perceives as individual benefit. It is for that reason that governments subsidize—in fact pay on behalf of citizens—the service. The national statistics office, CSO, is a customer for data that it can use to produce statistics on the population. The private sector depends on credible identity information for contracts, for the opening of bank accounts, etc. A well-functioning civil registration system is the cornerstone to e-government.

What is important for CSRA is to know its clients and potential clients, and to be able to distinguish between clients that are more important and those that are less so. CSRA should be aware that its clients are unlikely to be able or willing to pay for the service what the service costs. Consequently it needs to make a well-documented case each time government decides on budget.

SOCIAL TRANSFERS TO CREATE DEMAND

Social transfers have been proven as an effective means to ensure that the benefits of growth reach people living in chronic poverty and inter-generational poverty cycles are broken. They are regular and predictable grants, usually in cash, provided to vulnerable households or individuals. Evidence from existing social transfers in developing countries suggests that they can help tackle hunger, increase incomes, improve the education and health of the poorest families, promote gender equality and contribute to empowering poor people. In addition there is evidence that social transfers can contribute to growth and development of local markets.[86]

---

[85] Knowledge, Attitudes and Practices
[86] Cf. Department for International Development (2005)

The large-scale implementation of social transfer programs has been endorsed by major aid agencies, including the World Bank in its 2006 World Development Report, entitled "Development and Equity".[87] A publication in which the total magnitude of social transfer programs is mapped, the title of which speaks of a "quiet revolution", comes to an estimated *500 million beneficiaries* of these programs.[88] The authors write about the World Bank:[89]

"The World Bank developed a social protection strategy in the mid-1990s as a response to the impact of structural adjustment on developing countries and the failure of its 'social dimensions' initiatives. The Bank's Social Protection Group, initially focused on labor market and pension reform, and safety nets, but more recently it has supported a wider range of instruments including cash transfers. The Bank is now a major player in social protection, leveraging change through technical assistance and financial support."

A recent reaffirmation of the importance of establishing identity has come through the work of the (UNDP) *Commission on the Legal Empowerment of the Poor.* The Commission was the "first global initiative to focus on the link between exclusion, poverty, and the law."[90] The Commission proposes strategies for creating inclusive development initiatives that will empower those living in poverty through increased protection and rights. In its 2008 report is stated that "everyone has the fundamental right to legal identity and is registered at birth" while delineating the 'first pillar' of its recommendations relating to access to justice and the rule of law. Identity, according to the Commission, is a key condition for legal empowerment of the poor. A prime domain in which legal identity will have the most powerful effect of unleashing the development potential of the poor is the area of property rights. One of the lead persons of the Commission is Hernando de Soto, the President of *the Institute for Liberty and Democracy*, whose book "The Mystery of Capital" according to The Times (London) is a "blueprint for a new industrial revolution."[91] De Soto convincingly shows that the legal framework in developing countries has not kept up with realities, and stifles growth and development. The extralegal economy to which the poor are confined is waiting to be unshackled through legal development, which needs to include the legal identity for individuals currently still operating in the extralegal sphere.

Social transfer programs are most effective when integrated within a social protection strategic framework, which in turn is part of the national poverty reduction strategy. The best results are achieved when they are complemented by other actions: accessible and well-functioning health and education services, local development and employment opportunities. One UNICEF paper on social protection policy[92] calls for four broad sets of interventions aimed at reducing social and economic risk and vulnerability, extreme poverty and deprivation affecting women and children dis-

---

[87] Cf. World Bank (2006)
[88] Barrientos et al. (2008)
[89] Ibid., p. 11
[90] Cf. Commission on the Legal Empowerment of the Poor and UNDP (2008)
[91] De Soto, H. (2000)
[92] Cf. UNICEF (2008)

proportionately: 1) *Protective interventions* that offer relief from economic and social deprivation and include humanitarian relief in emergencies and targeted cash transfer schemes; 2) *Preventive interventions* that include mechanisms such as health and unemployment insurance as well as non-contributory pension schemes; 3) *'Promotive' interventions* that enhance assets, human capital and income earning capacity among the poor and marginalized, including skills training and employment guarantee programs, and 4) *Transformative interventions* aimed at addressing power imbalances that create or sustain economic inequalities and social exclusion. These include legal and judicial reform, legislative processes, policy review and monitoring, budgetary analysis and reform and social and behavioral change. It is no hard to see that within all four sets of interventions the legal identity of the poor is a key element as programme condition and/or as programme outcome.

Accuracy and efficiency in "targeting" are, in economically advanced countries, achieved through reliable and complete civil registration and identification systems. Population registers provide information partly relevant to the qualification of recipients for social programs such as age, gender, number of dependents and addresses. The use of IDs helps to allocate transfers accurately and avoid fraud.

Targeting depends on the nature of the social transfer program. "Means-testing" can be used to determine the economic status of potential beneficiaries, though it is complicated to implement in practice. Targeting, alternatively, can be on a particular area where there is a high incidence of poverty, such as in an urban slum. "Community-based targeting" is used when community members identify the poorest or most vulnerable themselves. "Self-targeting" is when a below-market wage is set for a program, for which needy individuals can opt to join.

Most important, though, it is to see (improved) civil registration as a result of rather than as a tool for social transfer programs. A key condition for legal empowerment of the poor, the target group of these social safety net programs, is their legal identity. Legal empowerment is what will wean the poor off social transfer programs, and if identity is a key condition to achieve that then beneficiaries obtaining a legal identity, i.e. civil registration, should be as much a deliverable of a social transfer program as are the social transfers.

Social protection has for long been recognized as a fundamental human right and is incorporated in Articles 22, 23 and 25 of the *Universal Declaration of Human Rights*. While there are many definitions of social protection, it is generally considered to be a sub-set of public actions that address risk, vulnerability and chronic poverty.

The link between civil registration, social security and development has in fact a much older history: "Identity registration at birth is a UN proclaimed human right. However, it is not available in many of the world's poorest countries today. A national system of identity registration dates from 1538 in England and was used by individual citizens to verify their property and inheritance

rights and by local communities to verify social security claims. This facilitated the effective functioning of a nationwide social security system and a mobile market in both labour and capital, contributing to Britain's pioneering process of economic development. Today identity and vital registration systems should also be a high priority for development policy as a democratic institution vital for turning the liberal rhetoric of rights into a reality of empowered individuals."[93] England's nationwide social security system was established through the Poor Laws of 1699 and 1701.

Social safety net programs in Yemen[94]

Three main programs of Yemen's social safety net are the Social Welfare Fund (SWF), the Social Fund for Development (SFD) and the Public Works Project (PWP).

Social Welfare Fund
Established in 1996, SWF is the largest social cash transfer program in Yemen: USD 280 million budget in 2011 (about 0.65 percent of GDP). SWF currently has nearly 1.5 million beneficiary cases. According to the 2012 Social Protection Monitoring Survey 35% of Yemeni households (equivalent to almost 9 million persons) had at least one SWF beneficiary. The cash transfer ranges from USD 9—18 per household per month, and is transferred on a quarterly basis. SWF also offers other benefits to its recipients: fee waivers for health and education services as well as emerging programs of conditional cash transfer for health and education. SWF has multiple programs for beneficiaries' development including microfinance and training. Also beneficiaries who meet specific criteria can get an advance payment equivalent to their annual entitlement, to purchase income-generating assets.

Social Fund for Development
The Social Fund for Development was established in 1997. The SFD contributes to reducing poverty by: increasing the access of poor communities to basic social and economic services, building the capacities of local partners and, empowering communities and local authorities to implement developmental works. The SFD seeks to achieve these goals through, especially, four multi-sector programs: 1) Community and Local Development; 2) Small and Micro Enterprises Development; 3) Capacity Building; 4) Productive Safety Net Labor-intensive Works Program (LIWP). From 1997 through 2011, SFD implemented more than 12,000 projects in all sectors worth USD 1.44 billion (equivalent to about USD 100 million/year); more than 70 percent of this amount was disbursed. In 2012 SFD elaborated its fourth phase (2011—15) Strategy Paper to respond to the crisis/post crisis situation. The new strategy will imply a much wider geographic coverage, and expansion and acceleration of programs.

---

[93] Cf. Szreter, Simon. (2007)
[94] Cf. The World Bank, United Nations, European Union and Islamic Development Bank. (2012), pp. 44-47.

Public Works Project

The Public Works Project was established in 1996, under the auspices of the Ministry of Planning and International Cooperation (MOPIC) and implements basic infrastructure projects. Its aim is to mitigate the adverse effects of Yemen's structural reforms that started in 1995. The PWP aims to create job opportunities for skilled and unskilled laborers while providing infrastructure service projects for the poor and deprived communities in remote areas. PWP also promotes the development of the local contracting and consulting industry. By the end of 2010 PWP had implemented over 3,600 projects, with an estimated cost of USD 310 million (equivalent to about USD 20 million/ annum) and creating temporary job opportunities of approximately 650,000 person-months.

Yemen's social transfer programs target citizens that are the least likely to be registered and the most likely to lack a legal identity. Because a legal identity in its own right is empowering the poor it is absolutely logical and warranted that social transfer programs include efforts to enroll beneficiary household members in the national ID or family card system, or in the civil register through late or delayed registration. This will establish the direct link between civil registration and civil identification with tangible benefits the current absence of which is in all likelihood the single most important reason why people do not register, obtain a family card or apply for the national ID.

1.5 GOVERNMENT POLICY, PLANS AND INTERNATIONAL SUPPORT

There is no written government policy for civil registration and identity management. The government could consider developing such a policy as for example was done recently in Kenya and Uganda among the developing countries and in Ireland, England and Wales as well as in Australia (for the aborigine population) among rich countries. The process of developing a policy allows broad consultation and inputs and can subsequently lead to amendment of the legal framework.

In 2008 the ministry of Interior and the Civil Status and Registration Authority issued a strategy for the improvement of civil registration and ID issuance in the country, titled the *"Civil Status and Vital Registration Development Strategic Project 2008—2015".* [95] In the absence of a policy document the strategy is the best official source for what the Yemeni government's intentions are for civil registration. Reportedly the strategy has not been implemented for lack of resources. Possible other reasons are the political instability of Yemen over the years and no less than five changes of top management over the period 2000—2013. At present a review of the strategy is proposed.

The 2008—2015 strategy aimed at achieving the goals of universal birth- and death registration as well universal ID and family card coverage. Through this CSRA planned to provide the data necessary for development planning, for various use by government agencies and for citizens to avail of services as well as to ensure the fulfillment of child rights. Detailed objectives of the strategy (further elaborated in the strategy document) were the following:[96]

I—SYSTEM STRUCTURE DEVELOPMENT

1. Population register

    1.1. Establish a population register
    1.2. Digitisation of civil registration
    1.3. Introduce smartcard IDs

2. Legal framework

    2.1. Revision of the law
    2.2. Reorganization of CSRA
    2.3. Develop regulations with the law

3. Strengthen management and organisation

    3.1. Introduce better coordination and teamwork
    3.2. Apply penalties and rewards
    3.3. Expand statistical and demographic research
    3.4. Enhance monitoring

---

[95] Cf. Ministry of Interior. Civil Status and Registration Authority (2008).
[96] Rephrased by the author of this report.

4. Formalize partnership with notification agencies

    4.1. Give support to ministries of local administration, health and justice with a notification role
    4.2. Develop effective notification procedures
    4.3. Strive for proof of identity required for use of government services

5. Interagency coordination

    5.1. Development of tools for interagency coordination and communication
    5.2. Interagency partnerships for evaluation and planning in the areas of population, human rights and development
    5.3. C4D, raising awareness about the importance of civil registration

II—INSTITUTION BUILDING

1. Human resource development

    1.1. Recruit graduate staff
    1.2. Develop a dedicated CSRA training department
    1.3. Select trainers from CRSA management
    1.4. Development of a national and international training program
    1.5. Seek technical support from local and international experts

2. Communication and awareness raising

    2.1. Create a communication centre
    2.2. Raise public awareness re civil registration
    2.3. Create a capable communications team
    2.4. Procurement of supplies and incentives

3. Office space, furnishing and equipment

    3.1. Construct or acquire space for new offices
    3.2. Supplies provision including forms, registers and certificates
    3.3. Provide means of transportation

4. Digitisation

    4.1. Develop the ICT department
    4.2. Procure hardware
    4.3. Migrate from paper-based archive to electronic record-keeping
    4.4. Bring all offices online
    4.5. Establish electronic communication with government ministries for notification: Justice, CSO, Health, local administration, private hospitals

For the implementation of the strategy the implementation period was divided into two stages (2008-2011 and 2012-2015) and mechanisms were envisaged for multi-actor involvement in the implementation both from outside as well as from within (including governorate and district office staff) CSRA. Project management, monitoring and evaluation were addressed. Crucially, budget information was all but lacking.[97]

---

[97] The text on the budget is somewhat unclear, but it appears that the intention was to 1) establish the pledge from international sources, and 2) expect the government to supply the remaining budget.

International support for civil registration development—small in scale—dates from the late 1970s.[98] From then until the mid 1990s, UNFPA and UNDP formulated a number of projects to assist the Government of Yemen to improve its registration. Although the amounts allocated were not sufficient to assist the government to establish a full fledged system, they were planned to help the government to carry out registration on a pilot scheme in demonstration areas that can be expanded to cover the whole country on a gradual basis. The last project ("Strengthening and Computerization of Civil Registration and Vital Statistics System in Pilot Areas")—was implemented during the period 1992—1999. The project aimed at establishing registration in six pilot areas, three of which were planned to be in rural areas. The project was formulated to achieve full registration in the pilot areas, to computerize its activities and to produce statistics from the six demonstration areas. The United Nations projects managed to achieve the following:

1. Establishment of legal basis for the system after unification (1991 Law)
2. Design of the vital events forms and content
3. Establishment of procedures for registration of births, deaths, marriages
4. Initial steps for computerization of the civil registration system

Since the Gulf Cooperation Council Agreement (2011) was reached the international donor community has come together to support the transition with a priority program for the 2012—2014 period, including funding for new support for civil registration, albeit after more than a decade during which UNICEF was virtually alone in giving support. The European Union has summarized the work on civil registration to be resumed and supported by the donor community:[99]

"Governance has been identified as a cornerstone of the Government of Yemen's draft Transition Plan, which aims at "...*realisation of the hopes of the society and its expectations to build a modern civil state on the basis of strengthened good governance in all its aspects, including towards strengthening rule of law and improving efficiency and accountability and transparency of the public sector...*"[100]. Strengthening accountability and transparency of the public sector should be addressed in a dual fashion to be most efficient: through a bottom-up approach strengthening demand for accountability and through a top-down approach to ensure a culture of accountability, transparency and democratic governance is embedded throughout the administration and society."

The EU explains why civil registration deserves support:

"*One of the concerns towards a real transparent functioning of Yemen's administration is the absence of reliable vital statistical data, which could underpin the planning processes for delivery of (social) services and strengthen the rule of law throughout the country. To this end, it is crucial that Yemen capitalises on the current momentum for change by building a reliable and credible population register, to be used as source for different purposes: education and health planning, social welfare distribution, electoral administration, but also strengthened performance of judiciary and increased protection of human rights (e.g. enforcement of child-protective legislation[101]).*"

---

[98] Cf. United Nations. Department of Economic and Social Affairs. Statistics Division. (2009). p.62.
[99] Cf. European Union (2012).
[100] A full final Transition Plan is currently under development; an initial document was developed in end 2011 (as attached to Identification Fiche).
[101] In particular specific legislation on safe childhood (determination of minimum marriage age) and legislation regulating rights of juveniles (prohibition of death penalty for juveniles)

The EU then states that it wants to build its support on the 2008—2015 strategy:

"An initial strategy had been developed in 2008, which already identifies the main gaps and needs in the existing embryonic civil registry system and provides the basis for strengthening the roll-out of the system country-wide. The intervention proposed in this fiche takes this Yemeni strategy as its basis and has been developed in close consultation with the Yemeni authorities to ensure full ownership of the final systems developed."

The support proposed by the EU takes into account the support given already by other donors, recapitulated hereunder.

"On the side of the civil registry, the SFD [Social Fund for Development] has also been supporting the expansion of the CSA's[102] offices in different governorates[103]. Likewise, UNICEF is currently working on a birth registration proposal. The intent is to establish 106 birth registration locations across the country, jointly with the CSA. Activities are to start in the 2nd quarter of 2012, by embedding one or more management and IT experts who will help assess and build or upgrade the CSA's registration systems. Additionally, Germany has been funding a local NGO, the MADAR Legal Foundation, with the overall goal of facilitating access to identification documents for women.

Moreover, the Ministry of Interior plans to roll out a national biometric ID card system with United Arab Emirates' assistance up to U\$ 61 million; it has not been possible to confirm the launching of this programme or its state-of-implementation with the UAE Embassy in Sana'a. In the absence of Yemeni co-funding, there are serious risks to the actual implementation of this proposal. In addition, the United States has expressed interest in the CSA's information systems; a project is being identified by USAID with support from Homeland Security and Narcotics/Law Enforcement departments. The main aim of this support is likely geared towards introduction of a biometrics system to support address concerns on international crime/drugs trafficking and terrorism.[104]

The main complementary action at EU level is the Sharaka Shabab programme (AAP[105] 2010). This programme proposes a component on birth registration – which is to be considered a first step towards building a credible civil register, but which is not geared towards institutional support of the General Authority for Vital Statistics and Civil Registry (CSA) or addressing the legal framework for registration. Its main objective is to strengthen respect for human rights (e.g. early marriage and juvenile detainees), but it will nevertheless be a main building block for the support to be provided under this current action."

Above the importance of the electoral register for improvement of civil registration and national ID was discussed. Hence international support to the elections is relevant in this context as well. The EU summarizes:

"In particular the area of electoral assistance shall receive substantial funding by various donors, given its importance in the transition process. [..]. Potential contributors [..] include UNDP, Germany and Japan among others; USAID is likely to provide additional assistance to the electoral process through direct arrangements with NDI and IFES[106]. DfID has identified electoral support as one of its priority areas for the transition phase and contributed to the 2012 elections through the MDBF. For future assistance to the electoral process in the coming 2 years, DfID is considering alternative options (in addition to the MDBF) and might be interested

---

[102] CSA=CSRA, the Civil Status and registration Authority

[103] In 2009, 4 local offices were established with SFD support and concerned staff trained on use of IT equipment and database maintenance; in 2010, another local office was established. In 2011, SFD support was suspended; however, it is scheduled to be resumed in 2012 in 4 different governorates (18 offices). CSA will ensure coordination of proposed SFD and EU support as well as compatibility of IT systems.

[104] US is still in the identification phase and this provides an opportunity to coordinate their incoming support with the here proposed project throughout the implementation phase. US has expressed a keen interest for strengthened (donor) coordination in this area, under chairmanship of Ministry of Interior.

[105] Annual Action Program

[106] National Democratic Institute and International Federation for Electoral Support are both US-based organizations with a proven track record in providing electoral and political support programmes.

to conclude a Transfer Agreement with the EU for the electoral component of the project proposed here." [107]

Links between the support to elections and the support to civil registration development are made. Discussion takes place between actors in the two domains about how the data collected for the voter registration planned for 2013—2014 can be adjusted to fit the requirements for the national ID. Also, hardware used for the voter registration will reportedly be handed over to CSRA afterwards.

The planned European Union support to civil registration development is EUR 10 million for the 2012—2014 period.[108] The proposed activity and budget allocation are shown below, while the broader program including the two other components is shown in Annex 2. There is visible alignment in the envisaged activity funded by the European Union and the 2008—2015 CSRA strategy. However, as of this moment (April 2013), the EU funding is still in the pipeline and has not become available for implementation as yet.

PLANNED EU-SUPPORT FOR CSRA, 2012-2014

Component 2: Civil Registry

Expected Results:

1.1 Improved capacity of General Authority for Vital Statistics and Civil Registry (CSA) to maintain and update a full-fledged civil registry[109].

Main activities:

- Baseline survey on CSA institutional performance, development of monitoring indicators on performance and options towards restructuring

- Capacity building for CSA staff at all levels towards improved registration services

- Support the development of an adequate legal framework for civil registration

- Strengthen CSA capacities for institutional coordination with concerned Government institutions

1.2 Improved coverage of civil registry (% of registered population) throughout the Republic of Yemen.

Main activities:

- Expansion of CSA activities country-wide to improve access for citizens to CSA services

---

[107] Initial discussions with DfID in Sana'a were positive, although no amounts have yet been identified and consultation with London continues throughout April.
[108] The European Union has provided a grant of EUR 2.5 million to UNICEF for a birth registration project. Unclear is whether this funding is additional or included in the EUR 10 million.
[109] The current civil registry includes records of approx. 10% of Yemen's population and is largely a manual register.

1.3 Improved public awareness on civil registry.

Main activities:

- Capacity building of CSA towards public outreach/civic education on benefits/needs for registration

- Civic education activities on registration through civil society organizations (CfP)

Budget

Component 2: Support to Civil Registry (EUR 7.5 min; 42% of overall programme)				
Technical Assistance: support to CSA	4.600.000	Service contract	4th quarter 2012/early 2013	36 months
Supplies: equipment for CSA	2.400.000	Supply contracts	Mid-2013	
CSO activities for civic education on registration	500.000	Call for proposals	2nd/3rd quarter 2013	

The technical assistance element in the EU-support program includes a baseline study, which can contribute to the update of the civil registration strategy.

The lack of dedicated donor support for CSRA has resulted in the absence of formal coordination mechanisms to date. Given increasing interest in supporting the CSRA, the European Union funded project will support the establishment of a formal structure to coordinate EU—, Social Fund for Development— and incoming US initiatives. It is necessary that this coordination structure is led by CSRA and will be inclusive.

WHO support

In the last year the World Health Organisation (WHO) in Yemen has started an engagement of CSRA and initiated support. The WHO interest is in improvement of the availability and quality of vital statistics, especially of those data that are health-related, e.g. causes of death data. In March 2013 WHO Yemen sponsored a "comprehensive assessment" workshop with CSRA, the ministries of Health, Justice and other ministries, CSO and other agencies to generate intelligence for civil registration improvement. The workshop concluded with 23 recommendations—see Annex 4. Reportedly WHO Yemen earmarked $140,000 for civil registration support in 2013. No data is available for support in coming years.

UNICEF support

UNICEF has given support to CSRA at least from 2007. More detail re this past support is given in section 1.8. It included assistance to the work done for the development of the strategy CSRA developed for 2008-2015.

In 2012 UNICEF was successful in applying for a EU-contribution to a project to support CSRA, the "Promoting Equity and Legal Identity for Children in Yemen Through Improving Civil Registration (2012-2015)"-project. The $3.7 million project will focus on strengthening systems at central and decentralised level,

as well as improving planning and monitoring, capacity development and service delivery. The birth registration system will be strengthened, including through modules that will pilot recommended changes and expansion of infrastructures in selected districts. The use of technology including mobile phone technology and the Internet, and the reinvigoration of the role of the health sector is part of the project for subsequent scale-up nationwide. Gains made through this sub-component will be bolstered through complementary work in the empowerment component to ensure that children not only have access to birth registration services when they need protection, but that duty-bearers are more aware of children's rights before protection needs arise. The project will be launched in the first half of 2013 while a second project supported by the UNICEF office of Japan (project value about $300,000) has already been started and is precursor to the EU-supported project.

Communication for development

Awareness and knowledge among policy makers and planners of the importance of birth registration as a critical factor in social and economic development requires improvement. Measures should also aim to include their attitudes towards the rights of specific groups (including the poor, girl children and women, minority and indigenous populations, refugees and internally displaced persons). These measures should be informed by the views and voices of marginalized groups regarding the extent to which they feel that national policies, legislation and enforcement mechanisms are responsive to their situation and to the unique problems that they may face.

1.6 ANALYSIS FOR COMMUNICATION FOR DEVELOPMENT[110]

Traditional social marketing approaches usually limit C4D situation analyses to conducting formative research, usually in the form of Knowledge, Attitudes and Practices (KAP) studies at community level. This tends to limit the information and data collection to the individual, household and community level, without adequately investigating and analysing the **context** in which certain population groups are consistently neglected and left outside the purview of social services. Therefore, it is important to expand the scope of information and data collection and analysis by using the social-ecological approach, to include contextual issues and the complex interaction of policy, legislative, systemic, social, economic and personal factors in determining the provision of services, their physical, financial and social accessibility and consequently, the extent to which they are utilized and demanded.

In sections 1.1 and 1.2 the analysis of civil registration and national ID coverage data has shown substantial variance in rates, especially between rich and poor but also between governorates of the former South Yemen and the former North Yemen, and in availability and accessibility of the civil registration service. This warrants the study of attitudinal aspects of the civil registration delivery system and whether some population groups are left and/or "pushed out" due to discriminatory behaviours of policy makers, managers and service providers, based solely on the socio-economic class, ethnicity or minority status of the person seeking the service. This should be part of a civil registration strategy going forward. The data has shown that physical and financial barriers are the predominant reason why especially the poorest families in Yemen are left out of the civil registration system. These obstacles can be overcome by new measures that break new pathways to reach these Yemeni citizens.

---

[110] Cf. Civil Registration Centre for Development (2013), pp. 50 ff. The consultancy underlying this report, although as per terms of reference it was to cover a C4D component, could not include site surveys for reason of unavailability of local consultants to conduct the required fieldwork. It is important to note that the processes of conducting the C4D review and analysis, identifying strategic options and developing the C4D strategy must also be undertaken in close collaboration and coordination with key stakeholders and partners.

1.7 BOTTLENECKS

In a workshop held by CSRA and UNICEF with stakeholders and partners the bottlenecks for the development of Yemen's civil registration system were summarised and categorised into six major groups, as shown in the box below.[111] Two categories were further split as they both included a "sub-problem" of major importance. Within the category of "Organisation" the problem of the civil registration services "Not reaching the poor" was separated out. And from the category "Legal framework" the problem of non-compliance, labelled as "DIS-obedience" was elevated to another problem of major significance by itself.

> **Bottlenecks in:**
>
> 1. Organisation
> 2. Interoperability
> 3. Legal framework
> 4. (Dis) Incentives
> 5. Enabling environment
> 6. Awareness

These (initial) six categories of problems are explained as follows.

1. Organisation refers to the internal organisation of the CSRA in particular, including its management at different levels, as well its relationship towards the government at large.

2. Interoperability refers to the degree in which CSRA works with co-producers of the civil registration services: the ministry of Health and Population, and the ministry of Justice. Full interoperability means that CSRA works with its production partners as if it were one organisation.

3. The legal framework refers to the civil registration law and the regulations that go with it, but it also refers to other relevant body of law to the extent such law is relevant for civil registration: Constitution, personal status law, election law, public records law, electronic communication law, local government law, etc.

4. (Dis)Incentives are those factors that either impede or reduce registration (disincentives such as indirect cost) or positive stimuli to seek registration: government benefits such as cash transfers, voting right, access to education and employment.

5. The "enabling (or disabling) environment" stands for factors that are external to the civil registration system. Examples of those factors are the geography of the country, culture.

---

[111] The workshop was held in Sana'a on 4 and 5 May 2013. Workshop materials including the presentations done by participants on the bottleneck analysis can be accessed through this link: https://www.box.com/s/laf32scnkyzsxha5lnzz.

6. Awareness relates to the extent to which actors relevant to civil registration—those who make use of the service but also those who deliver the service or create the conditions for service delivery—know the individual and social benefits of registration.

The first major category of problems, "Organisation", is broken down into three sub-problems:

Bottlenecks category 1: Organisation

1. CSRA "authority on paper"
2. Paper-based system
3. Not reaching the poor

1. While CSRA was established as an authority in stead of a department, its special status is watered down by three key issues: 1) It cannot hire and fire, which is done by the ministry of Interior at central level, 2) it has only a small budget and needs to hand over revenues, i.e. it has little financial autonomy and 3) because of the influence local government (including MOI) can exert, CSRA is not really a de-concentrated service.

2. The civil registration system is still paper-based. This greatly affects control, accuracy, archiving and preservation of records, cost of transportation, monitoring, timeliness etc. Computers are used for the national ID system, which is digitised since 2000. International support (UNFPA) for computerisation has been given from before 1990 in the south. Current digitisation is through small projects without online functionality, funded by CSRA and SFD.

3. The poor are not reached to a serious extent. This could be associated with where the poor live, which might be too far away from the closest registration office. Present organisation is one reason why the poor are not reached, as there are "only" 294 CSRA offices and the health sector is not performing its role. The country would need more than 6,700 registration points to be within 5 kilometers distance of all people. Compare this to Egypt (birth registration rate 98%): 995,450 km2 land area, 82,5 million people, 27 governorates with each one civil registration service office only, but 4,417 health registration points.

Bottlenecks category 2: Not reaching the poor

- Yemen's land area is 528,000 km2.
- All registration points within 5 km: 6,730 needed (Egypt would need 12,680)
- Rural population: 68% = 16.4 million
- Rural vital events per year: 721,600 (births 38/1,000 and deaths 6/1,000)
- Per registration point/year: 107=2/week
- Egypt has 27 registration offices (1 per governorate), *but an additional 4,417 health sector registration points*
- Yemen has 294 registration points (an equivalent number to Egypt would be 2,344)

This sub-problem, "Not reaching the poor", elevated to a "major" problem in its own right, is explained in the box above. For Yemen to emulate Egypt there is a need for 2,344 health registration points in rural areas, each on average

responsible for 310 birth- plus death notifications per year. It is proposed that the health sector does (predominantly) *notification*, not *registration*.[112]

The "Interoperability" problem category is further disaggregated in relation to the three sectors that are key "co-producers" for the civil registration "product".

1. The health sector is the most important partner for CSRA, also by law. For 36% of births the ministry has a legal duty to notify, which it does not perform as yet. The example of Egypt shows how it could and should be.

2. The potential for improvement of identity systems by developing them in an integral way is far superior and far less expensive than development in isolation. Moreover the importance of people having a unique identity rather than varying identities in different systems is fundamental for identity management. An amendment to the election law requires that an electronic civil register capable of producing the voter register for elections from 2011. Current exchanges between donors supporting the elections on the one hand and CSRA and SCER on the other are aimed at seeing CSRA benefit from the investments in the elections, in the form of data and hardware. In the meantime the almost universal coverage of the voter registration system shows that people see the benefit, cultural obstacles are set aside (female registration), and the direct and indirect cost of registration are kept very low as the registration is brought to people's doorstep. When fully developed the civil register (basically birth registration) will be the basis of the right to vote.

3. The interoperability with the ministry of Justice is hampered by the complications inherent to the current paper-based, fragmented civil registration system. This clearly is an area for digital sharing of registration information and for online connection between the ministry of Justice and CSRA.

1. The right to vote originates in a person's legal identity. In a mature situation the civil/population register—in fact the birth registration of newborn citizens—is the basis for the electoral register. If the birth certificate would be required to vote, and obtaining the birth certificate would be as easy as it is now to be enrolled in the voter register, then people would enroll in the civil register in the same numbers as they now do in the electoral register.

---

[112] A few civil registration points have been introduced in hospitals in Sana'a but these are run by CSRA-staff. By (current) law the health sector has a notification role, and a declaration role in the (rare) absence of parents and family members.

2. A government benefit that forms an incentive for birth registration—though delayed—is access to education services (primary school). Another benefit on paper is the requirement by law that government personnel, military personnel and staff and students in higher education, for enjoying employment or access to higher education should have a national ID or family card. This is not enforced. Other benefits are cash transfers, employment obtained through public works programs and food rations. The Social Welfare Fund (SWF) has 1.5 million beneficiaries (one or more per household) and reaching approximately 9 million people in total. SWF could be said to be the most important customer for the services of CSRA.

3. Indirect costs refer to the cost of travel, lost income, illegal fees, etc. that are associated with difficult access to the civil registration service. The solution to reduce or eliminate these costs is a combination of more registration points, digitisation and (electronic) control. Greater accuracy through digitisation or easier retrieval of records also will reduce the need for rework, repeat visits and avoidable indirect cost.

Bottlenecks category 5: Legal framework

1. Current law
2. Consistency across laws
3. Compliance with the law

The main bottleneck category "Legal framework" covers issues with regards to present civil registration law, the consistency across the broader legal framework relevant to civil registration and the rather serious extent to which the law is not complied with. The latter "sub-problem" is therefore elevated to a problem of the first order in its own right.

1. The law needs to be reviewed and updated to incorporate the latest insights. It needs to be conducive to universal registration. Essential links with other identity systems need to be incorporated.

2. It will not be sufficient to only change civil registration law. For example: local authority law should allow CSRA to function countrywide without undue interference. Laws on electronic communications and public records may need to be cross-referenced. Thus law review needs to be broader than just a review of the civil registration law only.

3. The massive occurrence of late/delayed registration (and late enrolment in the national ID system) and the non-compliance with the role of the committees for delayed registration are examples of non-compliance, as is the fact that the health sector does not play its legal role in notifying vital events. These examples of non-compliance need to be addressed.

The third sub-problem of the previous category is so important that it deserves management at the level of a major problem in its own right.

Bottlenecks category 6: DIS-obedience

1. Only a few percent of births registered within 60 days
2. 36% of births should be, but are not, notified by the health sector
3. 78% of births require a committee's decision, but the committees do not function
4. Only a few percent of 16 year olds get the national ID within the legal timeframe
5. Government and military personnel, staff and students in higher education should have a national ID, but perhaps half do not have the ID
6. Civil records should be kept FOREVER but archiving conditions do not support this

In most countries civil registration is compulsory. It is in Yemen, and the law stipulates fines. The law requires births taking place in health facilities and assisted by a doctor or midwife—the latter account for 36% of births—to be notified. Births that are registered after more than a year require a decision of a 3-person committee (court officer, health officer and civil registrar), i.e. 78% of all births require that decision. The national ID is mandated from the age of 16. The ID is required also for qualified adults working for government, military and in education—which is not enforced. And, although it is not stated explicitly in the law, the international rule is that civil records should be kept forever. But archiving practice puts in doubt whether records are given the care (and security) they need for perpetual preservation.

Bottlenecks category 7: Enabling environment

1. Governance and public security
2. Population scatter

1. The political, governance and security situation in Yemen is unstable and uncertain. This makes it difficult to organise and deliver government services in an optimal way. In the meantime the civil registration service and the organisation of regular elections are essential to improve stability and the normal functioning of Yemeni society.

2. The low average population density—in combination with a rugged landscape, an underdeveloped road infrastructure and limited financial resources for government and population—poses another complicating factor for achieving universal birth registration and civil registration completeness.

Bottlenecks category 8: Awareness

1. Duty bearers
2. Donors
3. Population

1. One barrier to achieving adequate registration services is low awareness within the legislature and the executive branch of the strategic importance of civil registration, of the needs of the civil registration service and of government obligations towards citizens under national and international law. The legislature and the executive have an important role to play in improving budget for CSRA,

in strengthening CSRA's management and organization as well as in supporting coordination within government.

2. There has been an improvement in the awareness of the donor community of the foundational importance of civil registration and elections for the strengthening of the functioning of the Yemeni state and the rule of law. Limited international support was given in the 1980/1990s by UNFPA. According to the evaluation of UNFPA projects the most significant contribution made was to the development of the 1991 law and regulations.[113] New donor support should be effective and well coordinated.

3. The population is aware of the importance of the required identity papers for government benefits, for travel and other purposes. That 95% of the adult population is registered to vote shows how well awareness is regarding the right to vote and the requirement to be registered for that purpose. The registration rate in Sana'a shows that the need and benefits of having identity papers expand in urban areas. However, it remains necessary to explain both the duty to register (in time!) and the advantages of being registered.

Grading the bottlenecks by relative importance

Workshop participants, divided into eight groups of 8—10 persons, graded the eight major bottlenecks categories. Categories could be color-coded as "very important" (red), "intermediate" (yellow) or "less important" (green). A CRC4D grading is given here as well, and a composite grading has been generated.

Bottleneck category	1-Organisation	2-Not reaching the poor	3-Interoperability	4-(Dis)Incentives	5-Legal framework	6-DIS-obedience	7-Enabling environment	8-Awareness
Participant grade	Red	Red	Red	Red	Red	Orange[1]	Red	Orange
CRC4D grade	Red	Red	Red	Red	Yellow	Red	Red	Green
Composite grade	Red	Red	Red	Red	Yellow	Red	Red	Yellow

[1] A fifty-fifty mix of grades red and yellow.

The composite result of the grading of the bottlenecks is that six out of the eight major bottlenecks categories are graded as "very important" while two—legal framework and awareness—are graded as "of medium importance". CRC4D feels more strongly than workshop participants that awareness is not a key issue. The analysis provided in previous chapters has made that point in several places. The CRC4D view on the importance of the issue of non-compliance with the law is more "hawkish" than the participant view; as the great majority of participants were CSRA-staff it is understandable that participants would show a more tolerant and perhaps

---

[113] Cf. Padmanabha, P. (1993). However, there is disagreement with this claim (source: Abdulmaheed M. Abdulkader, National Consultant).

also more resigned stand on non-compliance. CRC4D takes a milder stand on the legal framework as a bottleneck than participants do. The law needs to be brought to modern standard, allowing for digitization especially. But legal reform takes time. The continuation in parallel with the current paper-based system—until switching the old system off has been proven as prudent—is advisable.

Workshop participants discussed at length the possible solutions for the bottlenecks presented in this section. Those solutions and their grading according to the perceived complexity of implementing those solutions are discussed shown in section 2.3.

1.8 UNICEF SUPPORT

Country office annual reports and CPD 2007-2011
UNICEF's country office annual reports provide information about the work UNICEF country offices—including UNICEF Yemen—have carried out in birth registration. Excerpts of the reports are given below. The activities reported for the 2007-2011 period flow from the 2007-2011 country programme document.[114] The latter document states:

"A universal birth registration system will be institutionalised. Advocacy efforts will focus on making birth certificates free and compulsory for all children. A family- and community-friendly birth registration system will be piloted in selected districts for scaling up elsewhere. The partnership for these interventions will include the Ministries of Interior, Justice and Social Affairs."

COAR 2007
"Taking into account the lack of outreach capacity, human and financial resources of national civil registration systems, perhaps the most effective approach to ensuring children are registered is partnering with the **health services**. Visible outcomes of this collaboration between civil registrars and the health sector carried out with UNICEF support in 17 countries—Yemen included—in 2007 include: the increased presence of civil registrars stationed in health centers, maternity clinics and hospitals; integration of birth registration in early childhood, immunization and other public health campaigns; integration within routine health service provision.[115] Results included:

- **The Gambia's** integration of birth registration into the **Reproductive and Child Health Services**, which reaches 90 per cent of children nationwide, has resulted in an increase of birth registration rates for children under-five from 32 per cent in 2000 to 55 percent in 2005 (MICS II, 2000 and MICS III, 2005-2006).
- **In Uganda,** the integration of birth registration in child health days cleared over 70% of the backlog of unregistered children.
- **In Mozambique**, within the framework of the national Accelerated Child Survival and Development (ACSD) strategy a community-based routine birth registration system was established, reaching over 800,000 children (eight per cent of all children in Mozambique).

Evaluations of Brazil's[116] and South Africa's experience in integrating birth registration into maternity clinics and hospitals respectively have yielded

---

[114] UNICEF Yemen. (2007)
[115] Angola, Brazil, Belize, Botswana (initial steps), Burkina Faso, Gambia, Ghana, Mozambique, Myanmar, Namibia, Sierra Leone, South Africa, Suriname, Swaziland, Timor Leste, Uganda and *Yemen*.
[116] UNICEF Brazil (2007

important findings which need to be considered by other countries pioneering this strategy, such as Swaziland which has integrated birth registration in the eight major hospitals in the country, building upon lessons learned in South Africa.

However, challenges in integrating birth registration in Health services exist. In South Africa, for example, findings of an assessment of the On-line Birth Registration Project at Prince Mshiyeni Memorial Hospital conducted in 2007, show that despite the success of the on-line birth registration system targeting mothers who give birth at the hospital, pending concerns include: i) hospital administration staff discharged mothers without issuing their babies' birth certificates; ii) the on-line system was of no use to mothers without ID documents (i.e. until the backlog of ID documents for adults, particularly mothers, can be addressed, future children will continue to be denied their right to birth registration)."

COAR 2008—Integrated approaches to birth registration

"There are several examples of integrated approaches that have contributed to increased birth registration rates including integrating birth registration into routine health services and partnerships with Health and Education Ministries. During 2008, birth registration was integrated into health services in 19 programme countries—including Yemen—with for example a presence of civil registrars in health centres, maternity clinics and hospitals, child health weeks and immunization campaigns.[117] In Venezuela, the establishment of 155 civil registration units in hospitals and clinics over the course of 4 years led to a 17% national increase in birth registration. Angola and Gambia have integrated birth registration into Reproductive and Child Health Services [..]. In Cape Verde, Brazil and Timor Leste birth registration units have been placed in hospitals and medical health centres.

COAR 2009—Capacity building and community-based awareness-raising

UNICEF's support to capacity building, registrar training and community-based awareness-raising campaigns has remained an important component of UNICEF birth registration initiatives. In 2009, 12 countries—including Yemen—conducted capacity building and training of judges and registrars and 10 countries conducted awareness-raising campaigns related to birth registration. [118] In Cote d'Ivoire, UNICEF supported capacity building of civil registrars in four regions with the lowest rates of birth registration of children under five years. All centres were equipped with birth registration kits and registrars were trained in birth registration procedures; on the right of children to an identity and the harmful consequences of not registering children. In Angola, UNICEF supported [..] two community theatre projects focusing on key messages related to birth registration."

---

[117] Angola, Bangladesh, Brazil, Cape Verde, Ecuador (initial set up in 38 hospitals) Gambia, Ghana, Indonesia, Madagascar, Mozambique, Myanmar, Namibia, Pacific Islands, Peru, Swaziland, Timor Leste, Uganda, Venezuela, and **Yemen**.
[118] Angola, Bosnia & Herzegovina, Cameroon, Colombia, Ghana, Honduras, Iran, Madagascar, Mozambique, **Yemen**.

COAR 2010—on Yemen:

A birth registration campaign was launched, targeting some 14,245 children who were in contact with the law and other vulnerable children, including street children and orphaned children.

COAR 2011—on Yemen:

Q: Does the country have sex disaggregated data available on child protection indicators for all age groups?

A: Partially. There is existing data on some areas such as child protection in emergencies, trafficking, birth registration, and juvenile justice. Data on child rights violations are also available which is disaggregated by sex.

Q: Does the country have institutional or administrative sources of data on child protection indicators?

A: Partially. CSRA provides birth registration data; the ministry of Justice provides data on children in conflict with the law; the ministry of Social Affairs provides data on trafficking; indicators for the CPSC are also available but not easily and systematically available; however, there is no institutional mechanism for reporting FGM, and VAC.

The estimated number of children whose births were registered, during the year, associated with the work of UNICEF: 245,679. This result was not obtained by direct UNICEF-support, since activities related to birth registration had to be halted because of the situation of public unrest. However, UNICEF enlisted the help from the Social Fund for Development to provide supplies and equipment for the computerization of civil registration.

Constraints: The political instability and deteriorating security situation due to civil unrest and conflict were the constraints with significant impact on the Child Protection Programme, leading to suspension of the majority of the programme planned under Annual Work Plan (AWP) 2011 which included birth registration and juvenile justice. Key critical interventions were identified which resulted in focusing on child protection in emergency interventions and continuing the efforts in ending death penalty.

Future plans: Entering the first year of the new Country Programme 2012—2015, bearing in mind the continued political instability, a transitional government and upcoming planned presidential elections in early 2012, and considering the alarming humanitarian needs due to conflict and increased hardship and vulnerability, the key priority areas will continue to be focused and include the following: (Among other) *Strengthening evidence-based protection programming, including through strengthening birth registration and the justice information system.*

UNICEF is part of the United Nations Country Team (UNCT). In 2011 UNCT brought out a new "CCA" (common country assessment).[119] The technical purpose of this CCA was to prepare the "UNDAF", the United Nations Development Assistance Framework, for the period 2012-2015. Considering the relative strengths of the UNCT the CCA came to the following four development priorities:

1) Inclusive and diversified economic growth with a social dividend
2) Sustainable and equitable access to quality basic social services to accelerate progress towards MDGs[120]
3) Women and youth empowerment; and
4) Good governance and social cohesion

The work on improvement of the civil registration and identification (national ID, family card) system such that it will be inclusive and universal has a bearing on every one of these four development priorities. For (1) the adequate coverage of the poor through the social safety net offered through the Social Welfare Fund and other programs is key. For 2), as is mentioned in the CCA,[121] the lack of identity documents is reported to restrain access to some government services. Re (3) this report has in several places stated that evidently a legal identity is a necessary requirement for genuine empowerment. And, as far as 4) is concerned, it is hard to see how good governance and social cohesion could happen without the legal identity of citizens establishing the necessary relationship between those who govern and those who are governed, or those who are recognized as citizens and those who still are "invisible".

The UNDAF for 2012—2015[122] indeed includes the commitment to invest in the improvement of birth registration (though in a modest way, from a baseline 22% to a target 30% as measured by MICS). UNICEF is lead agency for development priority area 2 mentioned above, and "outcome" 3: "By 2015, vulnerable groups and deprived districts (including those in humanitarian emergency situation) have improved access to sustainable quality basic social services." One of 11 indicators (3.11) for this outcome is the birth registration rate. After IFAD (International Fund for Agricultural Development), UNICEF is the 2nd largest source of financial support for the USD 402 million programme with a contribution of USD 88 million. UNDAF covers three levels of results: at the highest level are the four national development priorities, at the 2nd level the priorities are elaborated into major UN objectives and at the third level are the UNDAF outcomes.

A fourth level of results—outputs and specific interventions—are developed by individual UN agencies. In the case of UNICEF the "CPAP" (Country Programme Action Plan) 2012—2015 provides that detail of outputs and interventions. The CPAP states: *"The birth registration system will be*

---

[119] Cf. United Nations. (2011)
[120] Millennium Development Goals
[121] Ibid. p. 24
[122] Cf. Republic of Yemen and United Nations. Sana'a (2011).

strengthened, including through piloting recommended changes and expansion of infrastructures in selected districts and eventually scaling up nationwide."[123]

UNICEF's CPAP is further concretised in (rolling) annual work plans. The plan for 2012—2013[124] mentions the increase of the birth registration rate.[125] The work plan gives the following planned activities:

1) Conduct an overall review of the Birth Registration System in Yemen and development of a comprehensive plan to enhance birth registration services and access for children.
2) Piloting a low cost and sustainable birth registration system in selected Districts/Governorates.
3) Conduct a comprehensive review of laws, policies, procedures and by-laws related to children (child rights law, juvenile justice law, penal code and other civil laws: personal status law, birth registration, etc.) and recommendation made for amendments in line with international standards for endorsement during the transitional period.

This report covers planned activities 1) to good measure and 3) as far as civil registration law is concerned. The EU-funded grant discussed in section 1.5 will address the 2nd activity.

UNICEF has given support to the development of civil registration at least from 2007 in which year CSRA was financially supported to develop its long-term strategy. Through the years 2007-2010 UNICEF's support to civil registration development has been modest. An acceleration of support at the end of the 2007-2011 period was interrupted by the security and political events of 2011, leading UNICEF to hand over to Social Fund for Development. UNICEF activity was resumed in 2012 with financial support from the National Committee of Japan. A major step change in support has now been made possible by the award to UNICEF of EUR 2.5 million for civil registration development.

---

[123] Cf. Government of Yemen and UNICEF Yemen. (2012). p.9.
[124] UNICEF Yemen. Country Programme. Annual Work Plan 2012—2013. Sana'a (2012).
[125] Erroneously it mentions targets of 5% and 20% by 2012 and 2013, and a correct target of 30% for 2015. The baseline mentioned in the UNDAF is 22.3% (MICS 2006).

2. PROGRAMMING

2.0 INTRODUCTION

In this chapter the outcomes of the situation analysis are translated into recommendations for a birth/civil registration improvement programme and UNICEF support. The role of and internal responsibilities within the UNICEF office are discussed first (section 2.1). This is followed by a discussion of the suggested policy measures, also informed by the recommendations of participants at the 4—5 May 2013 workshop, in the areas of organisation, legal, demand and awareness (section 2.2). Section (2.3) pulls together the recommendations of section 2.2 within the format of UNICEF's MoRES and Bottleneck Analysis framework. Finally, in section 2.4 recommendations for UNICEF support are summarised.

2.1 THE ROLE OF UNICEF IN BIRTH REGISTRATION AND UNICEF YEMEN'S INTERNAL ORGANISATION

UNICEF's Medium Term Strategic Plan, which ends in 2013, focuses UNICEF's programming on contributing to the equitable achievement of the Millennium Development Goals (MDGs). It gives guidance on this through five Key Focus Areas and related Key Result Areas. Birth registration is part of the Key Result Area "Strengthening Child Protection Systems" that contributes to the Focus Area of Child Protection.

As in most UNICEF offices, in Yemen birth registration is part of the Child Protection area of work within the Medium Term Strategic Plan of UNICEF. In some offices, birth registration is located within the Planning, Social Policy or Health clusters, sections also in Yemen involved with birth registration programming. It is important for all staff in the UNICEF office to recognize that the relevance of birth registration goes beyond child protection, and is also critical to social protection, strengthening good governance, and, in the long run, contributing to the generation of stronger national data in a more cost-effective way. Coordination mechanisms between the sections are of great importance.

Birth registration support is a key systems-strengthening intervention that contributes to two of UNICEF's major crosscutting strategic objectives:

1. **Improving Governance:** by ensuring that all children are counted and thereby strengthening the quality of vital statistics and demographic data to enable governments to improve the planning of interventions for children (including the sectors in which UNICEF works).

2. **Furthering equity:** by ensuring a legal identity for all children, reaching the most vulnerable in society and removing barriers to health, education and development opportunities, citizenship benefits and participation in e-governance.

UNICEF programming for birth registration is becoming more tightly integrated with the other sectors in which UNICEF works. The health sector has unrivalled national reach through its service infrastructure.

Beneficiary identity is an essential ingredient for the operation of social transfer schemes, which by their nature are designed to assist the most vulnerable who are the least likely to be registered or to have a legal identity, and whose graduation from these safety nets could not be envisaged without their empowerment through registration.

UNICEF's work on maternal and child health and the protection of women's rights, also give it an interest in promoting more accurate data on the mortality of children and women, and marriage registration. However, until now, UNICEF country offices have not generally engaged with broader civil registration programming at the country level, apart from a few initiatives in South Asia—and also in Yemen—on countering early marriage through promotion of registration of marriages. The World Health Organisation has been the main agency involved in strengthening death registration and improving methodologies for recording cause of deaths. However, it is important to realize that in Yemen as in many other countries substantial improvement of the coverage and quality of civil registration data is needed before reliable vital statistics can be generated. Other UN agencies than UNICEF and WHO that have a stake in the promotion of civil registration and strengthening national vital statistics include UNFPA, UNHCR and UNDP.

Birth registration programming—not just within UNICEF but within WHO, UNHCR—is now broadening to include civil registration as a whole, because it is not feasible or logical to address only one component of the system to the exclusion of the others. This shift in focus may cause some discomfort as UNICEF programming experience is confined largely to birth registration. The role UNICEF needs to play in this broadened agenda is primarily one of advocacy with other partners. These partners will bring in the technical resources necessary to address other aspects of civil registration. It should be noted though that birth registration in developing countries accounts for the lion's share of civil registrar work and is the very foundation for the remainder of work.

Due to its CRC mandate, governments look to UNICEF to assist them with birth registration. UNICEF's convening role in relation to birth registration has been well established at the country, regional and global levels, particularly in responding to the Concluding Observations of the Committee on the Rights of the Child on State Party Reports (cf. section 1.3).

2.2 PROGRAMMING FOR BIRTH REGISTRATION

Programme design and implementation should be based on the situation analysis described in Chapter 1, and on results-based programming processes. The most important recommended actions for government and UNICEF fall under four key intervention domains, where each intervention corresponds to an important component or aspect of the civil registration system. These are:

- Organisation (Bottleneck categories 1—3 and 7)
- Legal (5 and 6)
- Demand (4)
- Awareness (8)

The recommendations have been informed by the contributions made by Yemeni stakeholders who participated in the Sana'a bottlenecks workshop of 4—5 May 2013. The corresponding bottleneck categories are shown in brackets above.

2.2.1 ORGANISATION

(Covers bottlenecks category 1-Operation, 2-Not reaching the poor, 3—Interoperability and 7—Enabling environment)

MAIN AREAS OF INTERVENTION FOR ORGANISATIONAL CHANGE - CHECKLIST

Resources
- Adequate provision in the state budget
- Coordinating international technical and financial support

Optimal control and development of the service network
- Central control of civil registration systems
- Proximity of the service to the population
- Enabling environment

Interoperability
- Adequate organisational, and human and financial resource arrangements
- Adequate control of the civil registration service being offered
- Civil registration and health
- Civil registration and national IDs

Digitisation and the use of ICT
- ICT as part of an integrated approach with adequate resourcing
- Organisational redesign that allows optimal use of appropriate technological solutions, such as mobile phones
- Ensuring technological solutions are secure
- Legal provision for digitisation

This report will address only major structural issues of organisation. CSRA also faces day-to-day operational challenges. These challenges require an adequate response through board or management policies and measures, covering human resource management, financial management and control, etc. Admittedly, CSRA's governance and managerial autonomy is curtailed by current practices with regards to human resource management and financial management. This is a structural issue and only when it is removed can CSRA be held accountable for its operational management. These are issues that require a local response, such as local lobbying. International partners of CSRA can support such advocacy; their support to fund running cost deficits is not a sustainable solution.

In order for CSRA to carry out its function properly it will need to be given responsibility for hiring and firing, and it needs to be able to manage its own financial affairs while being subject to normal controls and checks and balances, for example by board approval of annual budgets and accounts, and approval of multi-year development plans. If the present authority status does not allow this, a change of status should be considered, or a change in CSRA's current reporting line to a deputy Interior minister.[126]

While international support for CSRA has been little in the past this is changing rapidly. This is because policies of the international donor community have evolved towards greater reliance on local mechanisms and resources, the importance of good governance and the rule of law. That has pushed elections and the legal identity of the people higher on the development agenda. Hence, as explained in section 1.5, CSRA now is receiving support from multiple sources, which requires coordination.

In order for CSRA to effectively manage international support from multiple sources a donor coordination forum is needed covering all major initiatives associated with identity management (elections, national ID, population register/family card system, civil register).

OPTIMAL CONTROL AND DEVELOPMENT OF THE CIVIL REGISTRATION SERVICE NETWORK

During the past few decades many countries have devolved central government functions, including civil registration, to local government. In Yemen the local authority law of 2000 has meant the same. The reduction of central government control over local government implementation of the civil registration function is a major problem in many countries. UNSD has recommended that, "when the administrative and geographic organisation of the country permits", *local registration offices will be directly dependent on*

---

[126] This is not meant to imply that current practices of the monthly deposits of cash revenues with local government treasury need to change. Cash management and financial management should not be confused.

a national office.[127] In federal states, where central control is not possible, the recommendation is that "effective coordination", will be in place instead.

The Civil Status and Registration Authority was established in 1980 in the northern part of the country and continued as an authority after unification in 1990. The rationale for the establishment of a parastatal (= semi-government) organisation is to provide a legal and organisational framework to a government service such that the public will be served better (more competently and efficiently). The civil registration and civil identification role is by definition a national function (as applies to voter registration).

The example of Egypt—a country only fractionally less poor than Yemen—has been mentioned before. The national civil registration service performs its nationwide task through as few as 27 governorate offices. Over 4,000 health registration points have an important civil registration implementation role. Egypt has reached universal coverage of its birth- and death registration.

It is recommended that the Government of Yemen (ministry of Interior and CSRA, ministry of Justice, ministry of Health and Population) study in depth—through a well prepared and -organised study tour—the organisational design of the Egyptian civil registration and identification service, and emulate the model when found possible and feasible. Important aspects are: 1) Is the service de-concentrated or decentralised?, 2) What are the modalities for the interoperability between the ministry of Interior and the ministry of Health, and 3) how does Egypt solve proximity of service issues in areas with poor access?

PROXIMITY OF THE SERVICE

The importance of the ***proximity of the service to the population*** is often translated into proposals to increase the number of offices, without taking the workload of an office or registration service point into consideration. In rural areas of low–income countries with low population density, traditional office solutions are not economically feasible because of the minimal workload. This requires a paradigm shift towards novel solutions for service delivery, such as interoperability and the use of the mobile phones for vital event notification. These interventions are discussed below.

An example of an attempt to achieve better registration results through the opening of more offices is provided by Cameroon; see the text box on the next page.

The right response to the proximity dilemma is NOT more offices, but more notification and registration points, made possible by interoperability with the health and justice system and combined with the use of information and communication technology. The proximity problem is very much also the

---

[127] Cf. United Nations (1955), p. 33. In later publications UNSD has taken a less normative position with regards to centralized or decentralized systems. For highly developed countries decentralized systems work with sophisticated country-level coordination. In developing countries the evidence for the effectiveness of decentralized systems is negative.

problem of the civil registration system <u>not reaching the poor</u> (and the poor not reaching the service).

First, the example of Egypt[128] shows that—translated to the Yemeni situation—a total of 2,300—2,400 "registration points" are needed. With "registration point" is meant a location where either notification or registration (= declaration of the event by the legally authorised informant) is possible. The differentiation between notification and registration is important as explained in the <mark>text box below (cf. p. 80)</mark>. This differentiation allows a corresponding differentiation in types of registration points—whether they are full-service or part-service offices or service points other than offices.

More offices, less registration[129]

Cameroon is a country with a land area of 473,000 km2. The population is 20 million (July 2011); 48% of the population is living in the rural area. The birth rate is 36/1,000 and the death rate is 14/1,000.[130] The total annual number of vital events (births and deaths only) for the rural population is (36+14)/1,000x48%x20 million = 480,000. A registration centre serving the population within a radius of 5 kilometres has a service area of 78.5 km2. Cameroon would need 6,000 rural centres. The problem is that each of these centres would have an annual workload of only 480,000/6,000 = 80 vital events—just one every three working days—***if all births and deaths would be registered, which is not yet the case***. Cameroon has 2,231 registration centres in total (urban plus rural), 1872 of which are 'special offices' created by law in 1987. A study done in 2007 found that more than 400 of the 'special offices' were not operational.[131] The current civil registration reform program, however, still states that more offices (one study mentions 2,000) are needed. No less than 60% of the €27 million reform program is earmarked for new offices (computerization not included).[132] However, if the birth registration rates reported in the 1990s are to believed, the birth registration rates have been in decline ever since, and new special offices seem not to have made a difference. The birth registration rate dropped from more than 90% in 1995 to 79% in 2000, 70% in 2006 and 61% in 2011. ***Why did the special offices not make a difference?*** <u>Rural</u> registration rates dropped from 72.9% in 2000 to 47.6% in 2011. When three in four of the special offices (i.e. 1,400) were rural offices their workload on average in the 2000-2011 period was 310,000—320,000 birth registrations per year, or ***less than one per workday***. ***No office can be run with so little workload, the registrar can not learn on the job, be trained properly, be supplied with office equipment (let alone computer equipment) and consumables, keep records to minimum standard, or be supervised. It is no wonder so many offices closed. The solution is not more, but less offices. But what does that mean for the rural population? Fewer offices mean greater distances to travel for a registration and higher cost!*** The way out from this dilemma is to organize the registration process in a new way.

---

[128] Discussion is confined to Egypt's work with the health system. For marriage and divorce Egypt, like Yemen, works with the ministry of Justice, which like Health provides thousands of marriage and divorce registration service points.
[129] This example is from Civil Registration Centre for Development (2012).
[130] All data: World Bank
[131] Cf. République du Cameroun et al., Yaoundé (2007-1)
[132] Ibid

Based on benchmarking with the organisation of the civil registration (and national ID-) function in Egypt CSRA could develop the optimal organisational design for registration points of varying size and services offered, and the number of such registration points required. This may mean that the present office network needs to come under review. *There is no international recommendation that the civil registration office network needs to coincide with the local government office network.* The case of Cameroon shows that more offices can be counterproductive. And because every office requires resources and supervision, non-functioning new offices can be a drain on the whole organisation and cause the CSRA production to <u>decline</u> (cf. Cameroon example). About 2,000 registration points could—as is the case in Egypt—be run by the health system. This is discussed under "interoperability" below.

Breaking down the civil identification task: smart practice

One governorate office and 18 district offices are responsible for civil registration and national ID issuance in Sana'a Metropolitan Area. The governorate office issues national IDs, while in some of the district offices application is possible but ID cards cannot be printed. In total the country has 32 stations in CSRA offices that can issue ID cards and another 51 where only application is possible. The "decomposition" of the ID issuance task into application and issuance allows the division of labour between offices that is required because of limited resources, whether they are human, financial or physical. In the district office of Bait Al-Faqih (Al-Hudaydah governorate) application is possible and the collected data is on flash disk brought to the governorate office, which can issue cards. The Bait Al-Faqih district office has no air-conditioned room for the ID data collection for which the district office uses desktop computer with server and digital camera. The expected useful life of computer and camera will be reduced by the exposure of the electronic equipment to dust and temperature fluctuation, but the decision to bring ID data collection and application to Bait Al-Faqih is to try and improve proximity of service delivery to the extent possible.

Importantly, this breaking down of the national ID issuance process is an intelligent way of working within resource constraints in the best possible way. This way of decomposing a function into tasks and deciding which office will do which tasks is not applied to civil registration. Every civil registration office—whether it is a governorate office of a district office—performs all the tasks required for the registration of a birth or a death. This historically grown tradition limits CSRA to bring its civil registration services closer to the population. In stead CSRA could take a leaf from the book of the organisation of ID-issuance and besides offices with full civil registration ability introduce vital event notification points with a reduced offering of civil registration services: full-service offices versus branch ("sub-") offices.

What has been holding back the efficient collaboration between CSRA and partners such as the ministry of Health and Population and the ministry of Justice, is the fact that the civil registration function is still a manual, paper-based process, also sanctioned by current law. This problem is discussed under "digitisation" below.

Interoperability with other government services is a key strategy for extending civil registration countrywide, particularly in developing countries with large, low-density rural populations. For interoperability to work it is necessary to put adequate organisational and human and financial resource arrangements in place, such as a Memorandum of Understanding between ministries, clear delineation of roles and responsibilities, training for civil registration roles and adequate funding.

CSRA should work with a small and select group of other government services or ministries, over which it can exercise adequate control of the civil registration service being offered, otherwise civil registrars will be overwhelmed by too many collaboration arrangements.

Civil registration and health

The most important agency for interoperability is the health sector due to its outreach, which is greater than for any other sector, and its position at the centre of the events of birth and death. Collaboration between the civil registration service and the health sector is a worldwide phenomenon, and is a strongly recommended area of interoperability. In Yemen civil registration law has established the role of the health sector in civil registration at least from 1991 (Law No. 23).

UNICEF commissioned a study, which provides qualitative evidence of the advantages and potential of the partnership between civil registration and the health service.[133] The study examined four cases: Bangladesh, Brazil, The Gambia and the city of Delhi. It looked at three approaches: 1) placing civil registrars in health institutions, 2) engaging community health officers as outreach registrars, and 3) including a birth registration component in public health campaigns.

It is recommended that some caution should be exercised in advocating for these approaches. The placement of civil registrars in health institutions is an economically feasible solution only when the workload is sufficient. A more common and more appropriate arrangement is for health staff to play an *attestation or notification role*. Similarly, *attestation* rather than registration is the most appropriate role for health outreach officers. This is what the health sector in Yemen has to do by law but so far has not done. Digitised registration stations have recently been introduced to a few hospitals, run by a civil registrar employed by CSRA. Such solutions are viable when the number of deliveries is substantial (and a sufficient number of the new-borns are registered).

The best interface for births the health sector has with the population is through its immunization work. This interface is best suited for a notification role rather than for the more demanding registration task, because of the desirability to keep the demand on health sector staff to a minimum in terms of complexity and workload as well as to accommodate the fact that

---

[133] Cf. UNICEF. New York (2010)

immunisation is done in many locations that have limited facilities for administrative work.

Evidence of the impact of interoperability with the health service

A recent study providing quantitative evidence of the positive relationship between birth registration and public health campaigns was carried out in Ghana, where registration rates have improved substantially.[134] However, the impact needs to be measured over the long term. In Ghana, and likewise in the Gambia, the increase in birth registration rates could not be sustained.[135] Another project in Uganda in which civil registrars have been placed in more than 130 hospitals which have been linked to the registration system, may provide important evidence in the near future. An econometric study for Latin America has indicated the promise of the role of the health system, and so has UNICEF's own statistical study "The "rights" start to life".[136] But these examples are all overshadowed by the success of the collaboration in Egypt and the compelling evidence that in most high-income countries with mature civil registration systems the health sector role is a crucial part of the organisation.

The single-most important intervention to improve civil registration is to develop the notification role the health sector needs to play by law and tie this to the health sector's best interface with mothers and new-borns: immunisation.

Civil registration and the ministry of Justice

In Yemen, as is the case in Egypt, the ministry of Justice is responsible for the officiation and registration of marriages and divorces. But the collaboration between CSRA and the ministry of Justice is hampered by the need for physical exchange of information. As already software has been developed for a digital alternative to the current paper-based process it seems that the interoperability between CSRA and Justice just awaits the introduction and rollout of the computerisation, the acquisition of equipment and the training of staff. It is advisable that also in this case a benchmarking with Egypt takes place.

Improvement of the role of the ministry of Justice can be based on benchmarking with practice in Egypt and digitisation of the marriage and divorce registration process, allowing electronic sharing and exchange of information with CSRA.

---

[134] Cf. Fagernäs, Sonja. Brighton (2012)

[135] In Ghana birth registration rates increased from 44% in 2003 to 55% in 2006 and 71% in 2008, but declined to 62% in 2011. In the Gambia the increase was from 32% in 2000 to 55% in 2006, after which the rate dropped to 52.5% in 2010. In both countries there were health sector campaign elements, which can be hard to sustain. Also, in both cases the interventions included an important element of late and delayed registration. This is another indication that interventions may not have been aimed only at the immediate registration of newborns.

[136] Cf. Duryea, Suzanne, Analia Olgiati and Leslie Stone (2006) and UNICEF (2005)

Civil registration, national ID and voter registration

In less developed countries ID— and civil registration systems often are the responsibility of separate departments of government, competing for scarce resources, which is not good practice. The general recommendation for the relationship between civil registration and the national ID is one of optimal legal and organisational integration. Yemen has had this integration from 1991 (and in the north from an even earlier date).

The important ground rule for any national identity management system is that every individual should have one, unique identity. For this reason the international standard is that a birth record should be a requirement for the issuance of the national ID. Where this is not the case the very idea of identity management is compromised. However, non-observance of this rule is quite common, particularly in countries in which birth registration coverage is low, and retrieval of birth records is difficult (which is generally true when the system is paper-based). This, surprisingly, is the case with the *Aadhaar* project in India, which is the largest ID issuance project of its kind in the world, targeting all 600 million Indian adults.

> **Examples of best practice integration of civil registration and ID systems**
>
> Ethiopia, Malawi, Kenya and Sudan recently have all developed new civil registration and national ID legislation in one law. This is optimal legal practice, provided that only one agency is responsible, or if two they are optimally interoperable as is the case in the Americas. In the Americas in general the integration of civil registration and national ID systems is better than in Africa or Asia.[137] [138] In Uruguay new-borns (99% of whom are born in hospital)[139] receive a unique identity number, a birth certificate and a national ID before being released from hospital. In Yemen, in its nascent digital civil registration system, a new-born is assigned a national identity number while the identity of at least one of the parents is verified before birth registration becomes official.

Yemen is preparing for elections with a new voter registration. The previous registration in 2008/2009 covered over 90% of the adult (18+) population, and more than 10 million citizens. In comparison, the national ID database covers substantially less: 3 million citizens of 16 and over as of 2013. The Yemeni authorities and the international donor community have recognised that the $30—$40 million investment in the voter registration could serve to populate the national ID base and agreement has been reached for that to be the case. In turn, an improved coverage of the national ID will simplify civil registration as many more informants of vital events will themselves have adequate identity documents. If preparations would start in time, the new voter registration update to be conducted in 2015/2016 could be used for a joint operation of SCER and CSRA to further improve coverage and reduce

---

[137] According to data from CLARCIEV (the association of civil registrars in Latin America), among twenty Latin American countries fourteen (70%) have a single agency responsible for both civil registration and national ID. Among them a substantial number has an electoral body responsible for civil registration and national ID, which is optimal integration—when used in people's interest.

[138] The integration in Latin America has also led to the term "civil identification" getting hold, while it is not a common term anywhere else in the world. Cf. http://clarciev.com/

[139] Information Inter-American Development Bank.

content error of civil register, population register[140] and national ID database. The diagram below shows how the various identity systems could be improved in a virtuous circular way

A Virtuous Circular Process for the Improvement of Coverage and Reduction of Content Error in Four Key Identity Systems
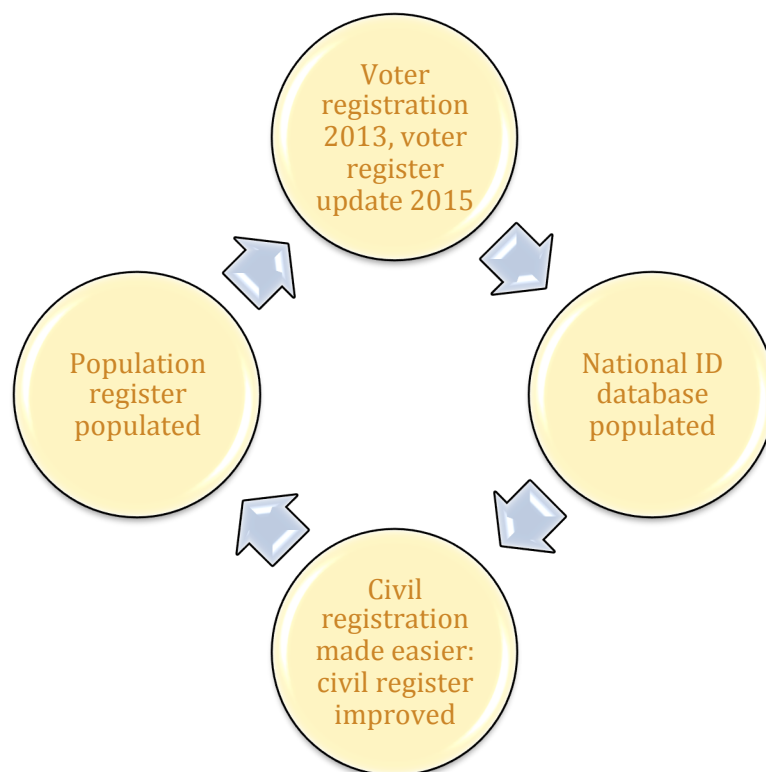
```
                    ┌─────────────────┐
                    │      Voter       │
                    │  registration    │
                    │  2013, voter     │
                    │    register      │
                    │  update 2015     │
                    └─────────────────┘
        ↗                                      ↘
┌─────────────────┐                    ┌─────────────────┐
│   Population     │                    │   National ID    │
│    register      │                    │    database      │
│   populated      │                    │   populated      │
└─────────────────┘                    └─────────────────┘
        ↖                                      ↙
                    ┌─────────────────┐
                    │      Civil       │
                    │  registration    │
                    │  made easier:    │
                    │  civil register  │
                    │    improved      │
                    └─────────────────┘
```

The voter registration of 2013/2014 offers a unique opportunity to populate other, as yet incomplete, identity systems, as well as to improve effective access to civil registration services as more citizens will possess identity papers required for the declaration as legal informant of vital events such as birth. It is important to seize the 2013/2014—opportunity as well plan for the use of the next voter registration in 2015/2016.

DIGITISATION AND THE USE OF INFORMATION AND COMMUNICATION TECHNOLOGY

The possibility of digitisation of civil registration is a break-through for otherwise intractable organisational problems facing the civil registration service as well as for a step-change in customer-service. Civil and birth registration programmes developed by UNICEF with government should generally lean heavily towards the introduction of ICT. UNICEF has considerable expertise in ICT4D, which is a potentially very fertile intervention domain for UNICEF's

---

[140] One of the identity documents issued by CSRA besides the national ID is the family card, which is also Yemen's paper-based version of a population register, as the family card system is organised on the basis of residential (= address) status, which distinguishes a population register from a civil register.

support to civil registration redesign. Few innovations have had so much impact on the organisation of civil registration as the rapid development and diminishing cost of powerful information and communication technology over the past two decades. At the same time ICT is not a magic bullet to solve the multi-facetted problems that beset civil registration and needs to be part of an integrated approach with adequate resourcing.

Yemen has a history of several decades of attempts to introduce computerisation to the civil registration service. In 1998 CSRA entered into a contract with a local software firm (DAR Ltd.) to computerise both the national ID and the civil registration system. A lack of funding has caused the rollout of especially the digitised civil registration system to be still limited to only a few locations, but the system appears to be adequate not just for the issuance of birth and death certificates but also for the generation of vital statistics and the registration of marriages and divorces. The investment per registration point (excluding secure cabling for electronic transmission of data via ISDN- or MPLS cable and office space investment) is around USD 500. The economic viability of a registration point will be largely based on staff cost rather than the depreciation cost of hardware. If acceptable contractual arrangements can be agreed upon there seems to be no reason besides funding why the digitisation could not be rolled out within a few years.

Digitisation allows an organisational redesign of the service based on the optimal use of appropriate technological solutions, such as the low-cost technology of the mobile phone. UNICEF has been a pioneer of the use of mobile phones for birth- and death registration, for example in Vanuatu, with technical support from the civil registration service of New Zealand.[141] The mobile phone is particularly appropriate given its relative simplicity and low cost compared with computers, but more importantly because of superior network coverage as compared to Internet access, the availability of low-cost solutions for power and the widely spread familiarity with the use of the mobile phone. Software for offline use of computers and mobile phones are an answer to power outages or limited power availability. Such software has just been developed for birth- and death registration in Uganda which is another country pioneering the use of the mobile phone for notification of vital events with UNICEF support. Other countries that are testing mobile phones for civil registration are Ivory Coast, Liberia, Nigeria and Senegal.

There is a quickly growing use of the mobile phone within the health sector, also in Yemen. It is advisable that CSRA and the ministry of Health and Population develop mobile phone applications that benefit both sectors.

Mobile phone providers have shown interest in supporting development projects that use mobile phone technology. Especially when it concerns the

---

[141] The use of the mobile phone, by authorised "informants" or "civil registration agents", is no different with respect to data management and data security to the use of the computer and the Internet. The explosion of commercial mobile money transactions is testament to relative data security on mobile phones and within cellular networks. For information on the use of mobile technology for civil registration see Gambo, Johannes (2010) for Vanuatu and New Zealand and Toivanen, Hannes et al. (2011), Virhiä, Tuulia et al. (2010) and Virhiä, Tuulia (2010) for Liberia. The civil registration agency of New Zealand provided technical assistance through one of its staff, alongside technical backstopping by the University of Auckland.

highly sensitive information managed by civil registrars it is important that technological solutions are secure, and also "open source", meaning that the government does not get "locked" into a proprietary solution that by nature is exclusive rather than universal, and may lead to steep payments of software licenses.

In order to overcome the serious obstacles in reaching the population—often the poorest of the poor—in remote locations CSRA could introduce a new organisational model: registration offices with a network of notifiers (health sector staff involved in immunisation) who use a mobile phone for the notification of vital events (births and deaths). These registration offices will have outreach registrars with means of transportation (motorcycle) who on a regular basis visit communities to complete the registration process based on the records generated by mobile phone notification. This model could be compared for cost-effectiveness with a control group of more conventional offices with sedentary staff.

Example of mobile phone notification and verification, registration and birth certificate distribution in Uganda
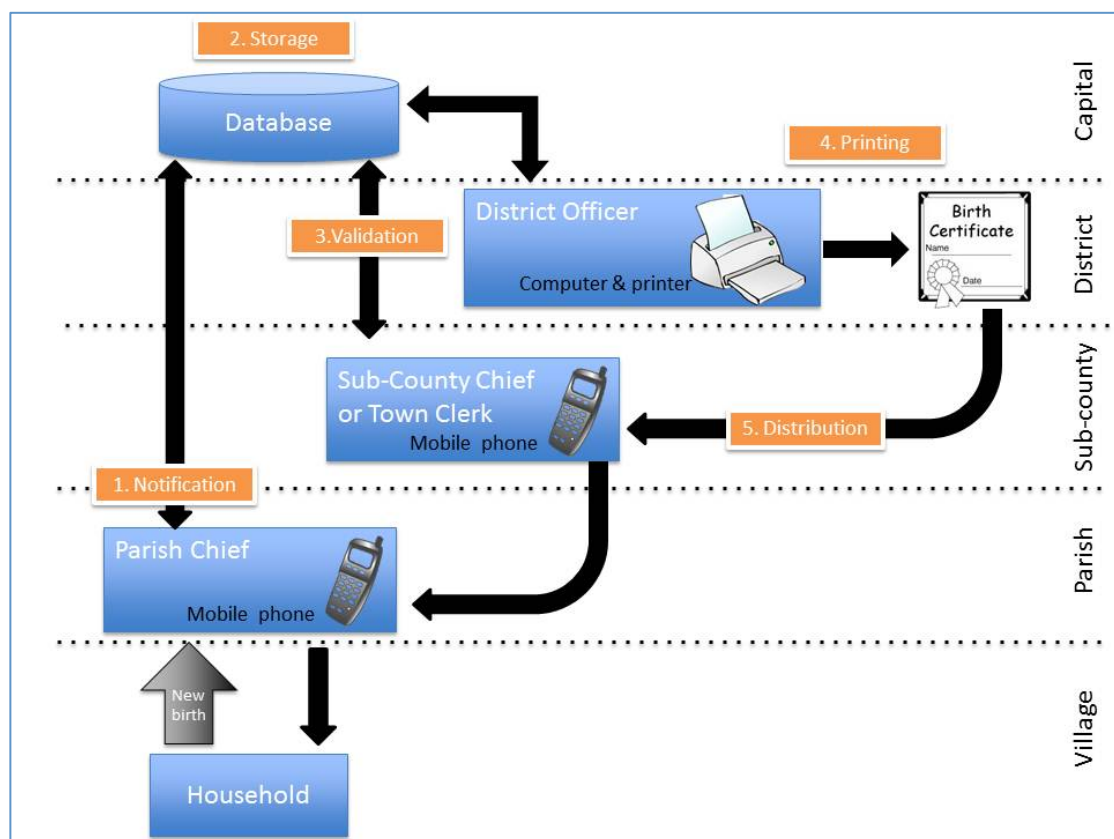
Security concerns related to civil registration

The security of civil registration and identity documents has become an international concern. This has led to substantial efforts by INTERPOL and other law enforcement agencies to gather intelligence on counterfeiting, identity theft and other identity-related crime. Concerns are voiced regarding the security of data transmission via cellular networks. The widespread use of the same networks for moving mobile money is evidence that there is a considerable degree of security. A recent study came to the following conclusion regarding the security of cellular networks compared with the Internet[142]: *"To date, incidents from malware and other identified dangers that have occurred against handheld devices have been limited when compared with those against desktop and networked computers."* Another study concluded: *"…the mobile banking channel has the potential to be more secure than traditional online banking."*[143] The security of data stored or transmitted electronically should also be compared with the security of the traditional modes of storage and transport of paper documents.

For the transmission of electronic data CSRA currently uses secure government-owned ISDN cable (which requires upgrading to higher capacity/speed MPLS cable).

2.2.2 Legal

(Covers bottleneck category 3—Legal and 6—DIS-obedience)

Key Recommendations for Legal Reform

- Civil registration law may need comprehensive revision
- Civil registration law should be culturally, socially and religiously sensitive and inclusive
- Provisions for the digital age need to be covered by civil registration law or related law
- Evidence based support to legal change

In many countries civil registration law has undergone only incremental change, which often causes difficulties in terms of the consistency and adequacy of the law for civil registration in the modern era. There are examples of countries that are planning to conduct a comprehensive revision of civil registration law. Kenya, for example is in the process of replacing a law dating from 1929, which had been incrementally changed up until 1972. Bringing civil registration and national ID systems under one legal and organisational umbrella is something new that cannot be found in the handbook issued by UNSD on civil registration legal frameworks, as it is more than ten years old, but is important with the current rapid expansion of national ID systems. Kenya has just produced a draft law for civil registration and the national ID system (both in one law). Yemen has the advantage of the integration of civil registration and national ID into one law and CSRA as the sole responsible agency.

---

[142] Cf. U.S. Department of Commerce, Gaithersburg MD (2008)
[143] Goode Intelligence, London (2012)

A major legal change that may be promoted is with regards CSRAs status and the central control of civil registration and identification.

The replacement of paper-based records by electronic records and the electronic transmission and sharing of civil registration information needs to be supported by law, for example to ensure that civil registration records maintain their evidentiary value in court. In Yemen the law still needs to be amended to accommodate electronic civil registration and in the registration points where digitisation has been introduced the paper-based system is still continued.

A separate project is needed to safeguard the paper records of the past ("legacy records"). This is an important matter that needs serious analysis and resolution, not least because the costs can be substantial, and the change over time of electronic formats needs to be anticipated.[144] Central storage of the paper records is a possibility for their permanent preservation.

A change for which some UNICEF offices have advocated is the extension of the legal timeframe for registration and the simplification of delayed registration procedures.[145] The former is actually in conflict with the civil registration principle that the shorter the period for registration, the better the registration rates and the accuracy of the registration information. Both in fact have happened in Yemen without a change of the law. Late and delayed registration are the rule rather than the exception and the required tri-partite committees for delayed registration no longer appear to be functioning. The gap between the law and the actual practice for delayed registration needs to be removed.

The new law should be culturally, socially and religiously sensitive and inclusive and promote the availability and access of marginalised groups—especially the many poor now left out—to civil registration services. Particular issues promoted by UNICEF are universal coverage as well as free services and the prevention of discrimination against children born out of wedlock. The 2002 amendment of civil registration law in Yemen has brought improvements in this sphere.

UNICEF has been involved in processes for civil registration legal reform for many years, and in the past five years has been involved in supporting (policy development for) legal reform in approximately thirty countries. In advocating for legal change, UNICEF works with members of parliament at the national level, and with the regional economic commissions (UNESCWA) and the Inter-Parliamentary Union and UNSD and at the regional and international levels. All of these bodies are sources of legal advice. The International Development Law Organisation (IDLO) may help with legal reform, and UNHCR and the Soros Foundation have relevant legal expertise on issues regarding refugees, asylum-seekers and stateless people.

---

[144] For the preservation of electronic records see CSIRO, Ernst & Young, Public Records Office Victoria (1999)

[145] From 2007 through 2011, UNICEF staff has been involved in the legal development of civil registration in about thirty different countries.

In this report it has been observed that there are examples of serious "disobedience": the substantial incidence of late and delayed registration—and non-registration—of vital events, of late application for the national ID, of dysfunctional committees for delayed registration, of the health sector not performing its legal notification duty and of archiving conditions that threaten the preservation of civil records. UNICEF's advocacy and support to legal change is aimed at the drafting of "evidence-based" law. [146] This is to address the situation in which the country has a "good law" but implementation is poor.

As a minimum, the transition from a paper-based system to a digital civil registration system requires amendment of civil registration law. While the legal change process is on-going the paper-based system needs to be continued in parallel. In addition a separate project is needed to safeguard the paper records of the past ("legacy records"). However, Yemen could choose to inform its new law for civil registration and identification by international best practice; there is time for a process that ensures as outcome the best possible and evidence-based legal civil registration and identification framework.

2.2.3 DEMAND

(Corresponds with bottleneck category 4—(DIS) Incentives)

> **The stimulating demand – Intervention checklist**
>
> - General improvement in the civil registration service
>   - Near to where people live
>   - Free or at reasonable cost
>   - Procedures that are transparent, clear, simple and culturally sensitive
> - Incentives, such as social transfer programmes
> - Services that are tailored to marginalised groups

The key issues that affect demand for civil registration and identification services are cost, distance and the quality (especially the efficiency) of the service. Low registration rates and markets for counterfeit identity documents indicate that part of the demand for identity documents is satisfied through the black market. The supply of documents in the black market may be partly provided by civil registrars themselves, especially when their work conditions are poor and pay is low or even non-existent, as is the case in some low-income countries.[147]

---

[146] See for evidence-based legislation: Seidman, Ann and Robert E. Seidman. Boston (2009) and [S&R: https://www.box.com/s/orjiny3m6bl5thlglp90]

[147] Pro-deo registration services are quite another matter when they are performed in Singapore, one of the richest countries in the world. One study for Cameroon provides relatively candid detail about the market for counterfeit documents in giving the average cost

A general improvement of the civil registration system is one way to reducing or eliminating disincentives to obtaining registration documents through the proper channels. Services should be nearer to where people live, delivered instantaneously, free of cost or available at reasonable cost, and use procedures that are transparent, clear, simple, efficient and culturally sensitive. In other words: efforts to improve the service (supply) through the measures described under the other intervention domains will increase demand. Improving the service lowers the indirect costs for the population. The law of supply and demand applies: at lower cost there will be more demand. This is especially true for Yemen as a large part (more than 40% in 2009) of the population is poor. Any direct or indirect loss of resources is a sacrifice for people who already cannot meet their most basic needs.[148]

Costs of registration and certificates

To reach universal birth registration UNSD recommends that when registration is within the time period prescribed by registration law no fee should be charged for registering births. The same applies to marriage and death registration. UNICEF's Implementation handbook for the CRC states that certificates should be free, at least for the poor. UNSD considers fees for extracts of the register (certificates) acceptable, and recommends a higher fee for certificates issued when registration is later than the prescribed period.

The highly successful *Registro Nacional de Identificatión y Estado Civil* ("RENIEC") in Peru charges fees for most of its services (civil registration and national IDs) but provides new-borns with their birth certificates and first identity cards (also issued from birth) for free. It should be kept in mind though that even when no fee is levied birth registration or obtaining a certificate rarely is without cost: often there are costs for travel, costs for accommodation and costs of lost income.

In its efforts to improve civil registration around the world, UNSD has emphasised the importance of incentives for people to register, such as the requirement for registration in order to access certain government services. Social transfer programmes provide an opportunity to link the requirement for identify documentation with economic assistance to very poor people, who are among the least likely to be registered, with the proviso that beneficiaries are not excluded from such programmes if they do not have identity documentation but are assisted to register.

Social transfer programmes should have the establishment of *the legal identity of program beneficiaries as a required program outcome*. This is a concrete way by which demand for birth- and civil registration can be enhanced through institutional coordination. The use of *"mobile money"* (money transferred by mobile phone, for example *m-Pesa*, Kenya) to reduce the transaction costs of transferring small amounts of money to beneficiaries is

---

of a counterfeit birth certificate by location in the country. Cf. République du Cameroun, CIVIPOL, IFORD, Groupe Agence de Dévelopement. Yaounde (2007), p. 29. Among interviewed registrars across the country 35% said that officers themselves issue false certificates, and a similar percentage reported to have seen them.
[148] Cf. The World Bank, United Nations, European Union and Islamic Development Bank (2012), p.xxv.

one of the modes of payment the World Bank is proposing.[149] UNICEF is rightly concerned about requiring identity papers to access basic social services. There is a strong case for abolishing or suspending such requirements when the government fails in the delivery of adequate civil registration services. However, there is a crucial point at which the advantages of requiring identity papers outweigh the disadvantages.

The conclusion of section 1.4 is repeated below—Yemen has had social transfer programs in place for quite a number of years now, reaching close to 9 million people in poor households. For the poor to sacrifice resources to obtain identity papers for children who do not need them until, for some, they are needed for school entry is to suggest a "trade" many cannot afford and will postpone until they have no other choice.

If a minority of the population are disadvantaged or in a special position (such the extreme poor, displaced persons, ethnic minorities or seasonal migrants) then the civil registration service needs to reach out with services that are tailored to these marginalised groups. It is necessary to state though that civil registrars will be in the best possible situation to perform such services when they have managed routine registration, achieving complete registration for the general population. Also, the number of poor Yemeni people not reached by the civil registration service is—by international standards—so large that targeting the poor will to a large extent be equivalent to targeting marginalised groups. But international financial support and technical support from international and local NGOs could help CSRA develop and pioneer such tailored services for specific minorities.

Yemen's social transfer programs target citizens that are the least likely to be registered and the most likely to lack a legal identity. Present identification requirements for qualification for a social transfer are "liberal". Because a legal identity in its own right is empowering the poor it is absolutely logical and warranted that social transfer programs include efforts to enroll beneficiary household members in the national ID or family card system, or in the civil register through late or delayed registration. This will establish the direct link between civil registration and civil identification with tangible benefits the current absence of which is in all likelihood the single most important reason why people do not register.

---

[149] The use of the mobile phone for social transfer payments is one of the modes of payment suggested by the World Bank. Cf. The World Bank (2012).

2.2.4 AWARENESS

(Corresponds with bottleneck category 8—Awareness)

> **Role of UNICEF in using communication for development strategies to strengthen birth and civil registration programming in Yemen**
>
> - Strengthening the identification and analysis of *who* is being left out and *why*
> - Building a broad coalition of partners to develop and implement advocacy strategies for birth registration
> - Developing appropriate strategies and techniques for raising awareness and fostering positive change in attitudes and social norms
> - Supporting demands for transparency and accountability

UNICEF uses a combination of strategies including *advocacy, social mobilization* and a *mix of community and household level interventions,* to facilitate the process of *behaviour and social change*. A review of reports from the field indicates that C4D is increasingly being used to: (a) garner political support to shape and implement policies and ensure adequate allocation of resources, by amplifying community voices and connecting them to upstream policy advocacy; (b) motivate and mobilize civil society, community- and faith-based organisations and social networks to help traditionally excluded groups to claim their rights; (c) raise awareness, foster positive attitudes, social norms and practices for decision-making and (d) actively empower households and communities to demand accountability and good governance at local, provincial/state and national levels.

Building on UNICEF's guiding principles and based on the human rights based approach to programming (HRBAP), particularly the rights to information, communication and participation enshrined in the Convention on the Rights of the Child (Articles 12, 13 and 17), the values and principles that guide UNICEF's C4D work include, among others:

1. **Facilitating enabling environments** that:

    a. Create spaces for plurality of voices/narratives of community
    b. Encourage listening, dialogue, debate and consultation
    c. Ensure the active and meaningful participation of children and youth
    d. Promote gender equality and social inclusion

2. **Reflecting the principles of inclusion, self-determination, participation and respect** by ensuring that marginalized groups (including indigenous populations and people with disabilities) are prioritized and given high visibility and voice.

UNICEF uses a *social-ecological* model that focuses on the complex inter-play of (i) national and international policy, legislation and systemic factors and (ii) social, economic and personal factors, all of which influence both the provision and uptake of services, and determine the extent to which

sustainable social transformation can be achieved. The following points highlight the areas in which the use of C4D tools and methods may be useful in promoting birth registration in Yemen:

- Strengthening the identification and analysis of *who* is being left out and *why*
- Supporting demands for transparency and accountability
- Building a coalition of partners to develop and implement advocacy strategies for birth registration

No other "solution" to the problem of birth registration is so widely suggested as the raising of awareness among the people who do not register vital events, in Yemen and elsewhere. However, unless there is convincing evidence that non-registration is correlated with a lack of awareness of the clients of the civil registration service the investments in efforts to raise awareness among those clients cannot reasonably be justified.

In Yemen the almost universal coverage of voter registration provides at least one reason to question whether adult people in Yemen, many of which are poor, in actual fact do not understand the value of identity documents. Studies of decision-making under poverty have shown instances in which poverty induces economic behaviour that is in some respects more realistic and more rational than that of people who are better off. The poor are more likely than the better off to respond to real outcomes than their abstract description.[150] Thus, the non-registration among the many poor Yemeni may not so much be correlated with their awareness as well as with their financial situation, and linking registration with tangible financial benefits—especially those already transferred to the poor—may have a whole lot more impact than investments in awareness–raising.

In the meantime this report has mentioned the resource-strapped situation CSRA is in, which has made it hard if not impossible to improve the service. The 2008-2015 CSRA strategy has not been implemented, reportedly for the lack of funds. One of the barriers for CSRA to scale is the low priority in government decision-making about budgets for civil registration relative to other objects of government finance. This can be broadened to include a possible lack of awareness among the executive and legislative branch of the strategic, cross-cutting and foundational importance of civil registration for good governance and modernization of government ("e"=electronic-government), the rule of law, the observation of human and child rights and the evolution of democracy and civil society—or what UNSD has summarised as "the normal functioning of society".

It is recommended that communication for development ("awareness-raising") activities will be based on adequately established evidence of hypothesised deficits in awareness of the benefits of birth and civil registration among relevant actors in the supply of and the demand for civil registration services.

---

[150] Cf. Bertrand, Marianne, Sendhil Mullainathan and Eldar Shafir (2006)

2.3   Synthesis: Addressing bottlenecks

In previous sections of this chapter four key intervention domains, corresponding with eight bottleneck- and barrier categories (cf. section 1.7), were presented and some selected priority areas for intervention were discussed in depth. The situation analysis of chapter 1 and the intervention domains of chapter 2 now need to shape UNICEF action in the context of the broader government and other stakeholder effort with the aim of universal birth— and civil registration. In section 1.7 the tool used—the bottleneck analysis—was presented.

The table below shows a broad civil registration intervention agenda organised by four major and eight sub areas of work. The selection of areas for implementation—based on their impact, ease of conducting the intervention and urgency—is a government decision. A provisional priority ranking (consultant's view) has been included in the table. In Yemen UNICEF has thus far been the government's main partner in the improvement of birth registration, which made the joint application of the bottleneck methodology possible. Stakeholders graded problems by relative importance (cf. section 1.7) and solutions by relative ease (shown in the table below).

The translation of the selected interventions into concrete action may require the development of an overall plan for civil registration reform and detailed implementation plans which will include a monitoring and evaluation component. These plans need to be approved through a process of appropriate administrative measures. UNICEF can assist the government with technical and financial support for the development of detailed action plans, and extend assistance in seeking international support.

The bottleneck analysis table is provided below

Bottleneck Analysis Birth/Civil Registration Yemen

Intervention Domain	Intervention Sub-Domain	Domain Situation Synopsis	Impact of Removal (High, Medium, Low)	Ease of Addressing Bottleneck (Achievable, Challenging, Difficult)	Bottleneck Priority
Organisation (Supply, Enabling Environment)	1—Organisation	- CSRA strapped for resources - CSRA lacks control over offices - CSRA unable to manage HR and finance - Paper-based system but digitisation software ready - Legacy records require solution - Not reaching the poor	High - essential for progress	Achievable	High
	2—Not reaching the poor	- Insufficient registration points - The poor lack incentives to register	High - essential for progress	Achievable	High
	3—Interoperability	- With Health virtually non-existent and embryonic - With Justice technically problematic - With ID fairly good -With SCER (elections) promising	High - essential for progress	Challenging	High
	7—Enabling environment	- Security situation grave and persistent - Geographic condition and population scatter require out of the box solutions	High – but bottleneck removal is virtually impossible	Infeasible in the medium term. Security situation is beyond control	Low – there is very little that can be done

Category	Item	Details			
Legal (Supply)	5—Legal framework	- Law is only a bottleneck for legal foundation of digitisation - Law may require change to emulate Egypt successful practice in interoperability with Health and Justice - Good law, poor implementation	Medium	Achievable, but incorporating international good practice recommended	Medium – law is not a pressing issue and given time outcome will be better
	6—(DIS)-obedience	- While the law is good compliance is poor - Attitudinal problems: qualified groups who should have ID - Abandoned health role - Dysfunctional delayed registration committees - Legacy records not preserved forever	High	Challenging	High – but intelligent, positive approaches to be used
Demand	4—(Dis) Incentives	- Voter registration shows incentives work - Registration before school entry shows incentives work - SWF social transfers potential not used - Police role deterrent	High – tangible incentives are key to stimulating demand	Challenging – especially the SWF cash transfers hold promise	High – the lack of tangible benefits is the single most important bottleneck
Awareness (Demand and Supply)	8—Awareness	- There is no evidence of a lack of awareness among the users - Problematic situation of CSRA points to need for advocacy with government decision-makers	Medium	Achievable – does not seem a serious bottleneck	Low – does not seem a serious bottleneck

2.4   UNICEF PROGRAMMING

In a multi-faceted endeavour such as strengthening the civil registration system, each stakeholder should support the elements best suited to its capacity. UNICEF should work in partnership with civil society organisations and INGOs to promote the role of children, families and communities as primary stakeholders who can contribute to the dissemination of understanding of the importance of civil registration and contribute their views and perspectives on the design of culturally sensitive civil registration systems. Local NGOs are an important bridge between families, communities and the government agencies responsible for registration and invaluable sources of local know-how that should inform policy and the development of appropriate CSRA service delivery modalities.

UNICEF can play a key role in supporting government to bring about a coordinated, multi-sector response to strengthening the civil registration system in which all stakeholders participate. In Yemen the collaboration of CSRA with the ministries of Health and Population, Justice and Social Affairs and Labour and the Supreme Council for Elections and Referenda requires new instruments for the institutionalisation, intensification and continuation of required collaboration.

UNICEF can coordinate advocacy to concerned ministries and agencies, including exposure to good examples from other countries could motivate better coordination. UNICEF can also work with the higher levels of government to ensure that a strong signal regarding the importance of civil registration, together with a requirement for regular reporting, could also facilitate better coordination. Commitments made by the government to bodies like the Committee on the Rights of the Child could also result in higher levels of commitment to joint action on civil registration.

UNICEF is well positioned to help the government of Yemen learn from best practice in other countries, both north/south and south/south, Countries in Latin America (for example Chile, Peru and Uruguay), in Northern Africa and the Middle East (for example Egypt) as well as in Asia (for example Malaysia and Thailand), which have state-of-the-art civil registration and identity management systems, offer an ideal learning ground for countries in need of

civil registration reform.[151] That includes international best practice UNICEF is associated with directly, such as the enhancement of the role of the health sector for civil registration, the application of technology such as the use of mobile phone technology for the notification of vital events, the development of the legal framework, the capacity-building of the corps of civil registrars locally and through regional learning events and the judicious use of UNICEF's convening strength in the area of child protection, and in birth registration especially.

UNICEF's country presence and work with birth registration in over one hundred developing countries, and the breadth of its relationships and partnerships with the wide range of different actors with an interest in birth registration, gives it a unique role in facilitating advocacy.

The international funding support obtained in 2012 by UNICEF from the European Union now provides an opportunity to accelerate or, for that matter, restart the process of civil registration reform that CSRA commenced in 2008 with its 2008—2015 strategy. UNICEF's programme area consists of 106 districts, selected because they are the poorest one-third of the 331 districts in Yemen. Incorporating the results of the bottleneck analysis the following are programme elements to prioritise:

1. (Organisation—Digitisation) UNICEF and CSRA can use the EU-funded project to accelerate the digitisation process of CSRA offices and registration points in hospitals with sufficient delivery numbers. Monitoring of progress and generation of management information for CSRA to be made an integral part of the digitisation process.
2. (Organisation—Digitisation) UNICEF and CSRA can work with the Ministry of Health and Population and WHO to strengthen health system notification role (institutionalisation, capacity building)
3. (Organisation—Interoperability; Legal reform) UNICEF can support a well-prepared study visit to Egypt.
4. (Organisation—Digitisation) UNICEF and CSRA can, with WHO and Ministry of Health and Population, design and carry out a pilot project to integrate birth notification by mobile phone in the immunisation process.
5. (Legal—Compliance) UNICEF and CSRA can restore and streamline the work of delayed registration committees in the project implementation area.
6. (Legal—Compliance) UNICEF and CSRA can include activity in the project implementation area that all military personnel, civil servants and staff and students in institutions of higher learning obtain their national ID.
7. (Demand) UNICEF and CSRA can work with the Ministry of Social Affairs and Labour to firmly integrate arrangements to provide SWF beneficiaries with a legal identity.
8. (Awareness) UNICEF and CSRA can commission work to collect scientifically credible evidence of the awareness of population in the project implementation area of the individual benefits of a legal identity,

---

[151] Cf. for example: Triangular Cooperation Program Brazil. (2009). South-South cooperation examples are those between NADRA Pakistan and civil registration authorities in Nigeria and Sudan in Africa.

of birth registration and of the individual benefits of registration of other vital events and of reasons of non-registration.

9. (Awareness) UNICEF and CSRA can develop an advocacy ("communication for development") campaign targeting policy- and lawmakers.

It is suggested that work on the status and constraints of CSRA, capacity building and the legal framework is kept in abeyance as the European Union will commission expert review of these elements of the civil registration system (cf. Annex 2). The work on the legal framework should include policy and project development for the legacy records. The important work of CSRA with SCER to reap benefits from the voter registration in 2013/2014 is likewise out of scope for the EU-funded project, although the hand-over of computer equipment to CSRA and how it could be used for the EU-funded project needs to be discussed.

ANNEXES

ANNEX 1—INSTITUTIONS AND PERSONS CONSULTED

Ministry of Interior; Civil Status and Registration Authority
      Brig. Dr. Ahmed Saif Noman Alhayani, Chief
      Jamal Abdulmawla
      Mohammed Al-Omari
      Marwan Al-Jamoozi
      Abdul Rahman Saif (Al-Hudaydah)
      Col. Mohammed Ahmed Al-Eryani (Sana'a city)
Ministry of Public Health and Population
      Dr. Jamal Thabet Nasher, Deputy Minister
      Dr. Adel Ibrahim Al-Moayed, D.G.
      Dr. Abduljabbar Ali D.G.
Ministry of Public Health and Population Al-Hudaydah
Ministry of Planning and International Cooperation; Central Statistical
Organization
      Tarq Saeed Al-Mathhaji
Delegation of the European Union
      Mary Horvers, Attaché
World Health Organization
      Mona A. Al-Mudhwahi
UNDP
      Darren Nance
IFES
      Hani Al-Odhari, Deputy Chief of Party
      Steve Canham
Dutch Embassy
      Noeke Ruiter, First Secretary
      Dr. Mohamed Aideroos Al-Sakaff
      Akram Yaseen Al-Akhali
MercyCorps
      Samar Thabet Noman
      Gamilah Dammaj
DAR Ltd.
      Abdulla M. Alaghil, President/CEO
UNHCR
      Hanan Zanoun
UNICEF
      Julien Harneis, Representative
      Jeremy Hopkins, Deputy Representative
      Pernille Ironside, Head Child Protection a.i.
      Section heads
      Child Protection section staff
      Chief and staff Al-Hudaydah field office

ANNEX 2—EUROPEAN UNION YEMEN ACTION FICHE 2012-2014

Objectives

Overall objective: Enhance State Building and democratic development in the context of Yemen's political transition

Project Purpose: Strengthen accountability and transparency in key areas of government administration at central and local levels

Specific objectives: (1) Support the increased transparency of the electoral cycle process in line with international standards as well as the improved institutional capacity of the electoral administration to deliver free and fair elections as per Yemeni legal framework; (2) Contribute to strengthening civil registry systems; (3) Support to the establishment of a democratic political culture by strengthening capacities for preparation of legislation and monitoring of political party activities; (4) Support accountable and transparent local governance structures.

Expected results and main activities

The project here described aims in general at strengthening transparency, efficiency and credibility of core democratic processes and institutions at central and local levels of the Yemeni administration. As such, performance of electoral management and availability of reliable vital statistics are deemed crucial. By promoting outreach and consultation mechanisms on legislative reform and registration processes, the programme supports increased popular interest and participation in political decision-making processes.

Component 1: Electoral Assistance:

Expected Results:

1.4 Improved ability of Supreme Commission for Elections and Referenda (SCER) to perform as a competent, independent and transparent electoral management body in the Republic of Yemen.

Main activities:

- Provide coaching and capacity building at all levels of SCER ahead of scheduled electoral events to improve performance.

- Undertake a baseline survey of SCER institutional performance, and develop monitoring indicators on performance for accountability and institutional reform purposes.

1.5 Increased credibility of the (existing) Voter Registry[152] within SCER and support for upcoming electoral events.

Main activities:

- Evaluate existing voter registry and support improving credibility of SCER's voter register[153]

- Provide strategic planning, capacity building and advisory services (including in the area of field security) for incoming electoral events and if necessary contribute to procurement of equipment as well.

- Strengthen the involvement of women as electoral staff, voters and candidates in scheduled electoral events

1.6 Improved transparency and communication capacities within SCER to strengthen credibility of electoral processes.

Main activities:

- Improve quality of media monitoring and SCER messages through improved efficiency of SCER Media Department

- Strengthen functioning of SCER CSO/Political Parties Department, in particular in respect of (transparent) accreditation of domestic monitors

1.7 Strengthen popular participation and demand for accountability in electoral events

Main activities:

- Small-grants scheme for CSOs on civic education & domestic monitoring activities[154]

Component 2: Civil Registry

Expected Results:

2.1 Improved capacity of General Authority for Vital Statistics and Civil Registry (CSA) to maintain and update a full-fledged civil registry[155].

Main activities:

- Baseline survey on CSA institutional performance, development of monitoring indicators on performance and options towards restructuring

---

[152] Although Yemen's policy documents indicate that eventually the voter register should be drawn from a reliable civil register, it is highly unlikely that such a civil register will be established in the short-term; it will therefore remain necessary to maintain—at least for the transition period—a separate voter register.

[153] Depending on evaluation outcomes through updating current or developing a new (fully electronic and/or biometric) register; support for the register is provided through a combination of technical assistance and targeted procurement.

[154] Yemen at present does not have real CSO platforms or networks; the project will aim to build coalitions among CSOs to strengthen impact of civic education as well as coverage/credibility of domestic monitoring.

[155] The current civil registry includes records of approx. 10% of Yemen's population and is largely a manual register.

- Capacity building for CSA staff at all levels towards improved registration services

- Support the development of an adequate legal framework for civil registration

- Strengthen CSA capacities for institutional coordination with concerned Government institutions

2.2 Improved coverage of civil registry (% of registered population) throughout the Republic of Yemen.

Main activities:

- Expansion of CSA activities country-wide to improve access for citizens to CSA services

2.3 Improved public awareness on civil registry.

Main activities:

- Capacity building of CSA towards public outreach/civic education on benefits/needs for registration

- Civic education activities on registration through civil society organizations

Component 3: Transparency and Accountability - strengthen democratic culture and popular participation in political decision-making

Expected Results:

3.1 New legal framework for local governance adopted and effective local governance structures supported towards implementing local development plans in a transparent, accountable and participatory manner

Main activities:

- Support drafting of revised local governance legislation, based on outcomes of National Dialogue conference, (revised) Constitution and international "best practices"

- Support development of mechanisms to strengthen citizens' participation in determining local development needs and plans within selected local councils

- Implement local development plans in selected districts, in a participatory, accountable and transparent manner (if required, through provision of core funding)

3.2 Strengthened democratic political culture and popular participation in political processes

Main activities:

- Strengthen capacities of Committee for Political Parties (under Minister of State for Parliament and Shoura Council Affairs) to monitor (financial) performance of political parties and provide adequate, transparent and accessible information systems to citizens

- Provide training and networking opportunities for political parties to strengthen their democratic awareness, principles and functioning

3.3 Strengthened capacities of Ministry of Legal Affairs to ensure a rights-based legal framework is adopted in line with international standards and following popular consultations

Main activities:

- Provide capacity-building and networking opportunities for staff of Ministry of Legal Affairs, incl. in the areas of public consultation and outreach

Assess organisational effectiveness of the MLA and prepare proposals for improved organizational structure.

	Budget allocation in EURO*	Procurement Method	Indicative Timeframe	Implementation duration**
Component 1: Electoral Support (EUR 5.5 mio; 31% of overall programme)				
Technical Assistance: support to SCER	3.000.000	Service contract	3rd/4th quarter 2012	36 months
Supplies: equipment for SCER	2.000.000	Supply contract	1st/2nd quarter 2013[156]	
CSO activities for civic education/domestic monitoring	500.000	Call for proposals	3rd/4th quarter 2013	
Component 2: Support to Civil Registry (EUR 7.5 mio; 42% of overall programme)				
Technical Assistance: support to CSA	4.600.000	Service contract	4th quarter 2012/early 2013	36 months
Supplies: equipment for CSA	2.400.000	Supply contracts	Mid-2013	
CSO activities for civic education on registration	500.000	Call for proposals	2nd/3rd quarter 2013	
Component 3: Transparency and Accountability (EUR 3.5 mio; 19% of overall programme)				
Technical Assistance to Min. Legal Affairs and Min. of Local Administration	1.700.000	Service contract	4th quarter 2012	30 months
Technical Assistance to Political Party Committee	600.000	Service contract	4th quarter 2012	30 months
Support to decentralisation	1.200.000	Programme Estimate	3rd quarter 2012	36 months
Audit and Evaluation				
External Mid-Term and Final Evaluations, Final Audit	500.000	Service contracts		
Contingencies				
Contingencies	1.000.000			
Overall Total	**18.000.000**			

---

[156] Equipment (if required) for improving the voter register can likely be procured in this period; however, equipment for incoming electoral events (again, if required) is linked to the actual date for elections.

ANNEX 3—BIRTH REGISTRATION AND THE GLOBAL RIGHTS AGENDA[157]

Following the devastation of the two World Wars, the international human rights framework was founded on the concepts of the dignity, worth, equality and inalienable rights of human beings. There is consensus within the human rights framework on the importance of the right to birth registration and to a name and nationality, and these rights are recognised in several of the core instruments.

THE RIGHT TO BIRTH REGISTRATION, A NAME AND NATIONALITY

The right to a nationality was recognised in the Universal Declaration of Human Rights of 1948, and was expanded in the treaties that followed. The 1961 Convention on the Reduction of Statelessness provides for the right to a nationality by setting out rules for granting nationality to children who are born within a State's territory, and to children

---

Main international human rights instruments that support the right of the child to birth registration, a name and nationality[158]

International instruments
1948: Universal Declaration of Human Rights, Article 15
1961: Convention on the Reduction of Statelessness, Article 1
1966: International Covenant on Civil and Political Rights, Article 24
1979: Convention on the Elimination of All Forms of Discrimination Against Women, Art. 9
1989: The Convention on the Rights of the Child, Article 7
1990: International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, Article 29.
2006: Convention on the Rights of Persons with Disabilities, Article 18.

Regional instruments
1969: American Convention on Human Rights, Article 20
1990: African Charter on the Rights and Welfare of the Child, Article 6
1997: European Convention on Nationality, Article 6.

---

born to a national living abroad, who would otherwise be stateless. This convention, which came into effect only in 1976, was the first to mention the link with registration. The right of the child to a name and nationality from birth was contained in Principle 3 of the 1959 Declaration of the Rights of the Child, which formed the basis for Convention on the Rights of the Child of 1989.

Use of the multiple references to birth registration in the international human rights framework for advocacy

The multiple references to the right to birth registration in the international human rights instruments can be used for advocacy purposes. Advocacy by UNICEF contributed to Thailand dropping its reservation to Article 7 of the CRC in 2010, using the argument that Thailand was also party to the ICCPR which committed it to birth registration for all children within its jurisdiction[159].

---

[157] Taken from Civil Registration Centre for Development (2013), pp. 9—11
[158] Adapted from: UNICEF Innocenti research Centre (2002)
[159] UNICEF (2010)

UNICEF's seminal article in *The Progress of Nations* 1998, highlighted birth registration as the 'first right' on which access to other rights was dependent, and gave impetus to UNICEF's current work on birth registration. UNICEF bases its work in support of birth registration principally on Articles 7 and 8 of the CRC, which give every child the right to be registered at birth by the State within whose jurisdiction the child was born, the right to a name and nationality and to the preservation of his or her identity.

Articles 7 and 8 of the CRC

Article 7
1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8
1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

There are other articles of the CRC that should be used to inform the way in which the right to birth registration should be administered, for example, the principles of non-discrimination (Article 2).

Articles of the CRC that inform the way birth registration should be administered[160]

Article 1: Definition of the child
Article 2: Non-discrimination
Article 3: Best interests of the child
Articles 4, 42, 44(6): General measures of implementation

There are many other provisions of the CRC that may require birth registration for their fulfilment. Birth registration by itself does not guarantee children's access to their other rights. This also depends on the existence of effective, inclusive systems of health, education, child protection, social welfare, justice, and social and economic development. However without birth certificates a child and his or her family are less likely to be able to realise many of their social, economic and civil rights.[161]

---

[160] Adapted from: UNICEF Innocenti Research Centre (2002).
[161] Cf. for example UNICEF (1998), pp. 4-5, UNICEF Innocenti research centre (2002), pp. 5-8 and UNICEF (2007-2), pp. 97-119

> ## Some of the articles of the CRC that may require birth registration for their fulfilment
>
> Article 9: Separation from parents
> Article 10: Entering or leaving countries for family preservation
> Article 19: Protection from all forms of violence
> Article 21: Adoption
> Article 24: Right to health and health services
> Article 28: Right to education
> Article 32: Child labour
> Article 34: Sexual exploitation of children
> Article 35: Prevention of abduction, sale and trafficking
> Article 38: Protection of children affected by armed conflict

The Committee on the Rights of the Child (CRC) addressed the issue of birth registration in its General Comment No. 7 on Implementing Child Rights in Early Childhood.[162] The Committee stated that comprehensive services for early childhood should begin at birth. It noted that provision of registration for all children at birth is still a major challenge in many countries and regions. This can impact negatively on a child's sense of personal identity, and children may be denied entitlements to basic health, education and social welfare. As a first step in ensuring rights to survival, development and access to quality services for all children (art. 6), the Committee recommended that States parties take all necessary measures to ensure that all children are registered at birth.

The United Nations Statistics Division (UNSD) is responsible for civil registration standards—including those for birth registration. While adhering to these standards, the Committee on the Rights of the Child formulated what have become de facto standards for UNICEF in its General Comment No. 7 (see the box below).

> ## UNICEF-Supported Birth Registration Standards formulated by the Committee on the Rights of the Child
>
> Ensuring that all children are registered at birth can be achieved through a **universal, well-managed registration system** that is **accessible** to all and **free of charge**. An effective system must be **flexible and responsive to the circumstances of families**...[163] The Committee notes that children who are sick or disabled are less likely to be registered in some regions and emphasizes that **all children should be registered at birth, without discrimination of any kind** (art. 2). The Committee also reminds States parties of the importance of **facilitating late registration of birth**, and ensuring that **children who have not been registered have equal access to health care, protection, education and other social services."**

---

[162] Cf. United Nations, Committee on the Rights of the Child (2006), pp. 11-12. See also UNICEF (2007-1), pp-99-100 where UNICEF's implementation handbook for the CRC aligns itself with the Committee with regards to the standards for civil registration systems from a child rights perspective.

[163] The Committee on the Rights of the Child mentions mobile registration as an example of being responsive to the circumstances of parents. Mobile registration and awareness-raising campaigns have proven to be interventions with a problematic cost-benefit ratio in many situations.

ANNEX 4—WHO WORKSHOP RECOMMENDATIONS

1. Re-drafting of the civil registration law and regulations to include all acts of civil registry in conformity of international standards and to include international definitions, electronic registration, data access policy, and confidentiality measures.
2. Amend the law so that the civil registration authority becomes a financially and administratively independent public body structurally linked to the Council of Ministers and that all revenues collected by the Civil Registration Authority remain for the use of the authority.
3. Rapid completion of the organizational and administrative structure and job descriptions for the realization of the tasks and functions of the civil registry in line with the decision of the financial and administrative autonomy; similar to the experience of successful friendly countries.
4. The need to focus and speed implementation of the project for the "Integrated System of Civil registry and Vital Statistics" including the provision of operational expenses.
5. The need to provide support from the government and the international organizations and donor countries to complete the infrastructure of the Civil Registry.
6. Providing headquarters for the Civil Registry in all governorates, independent of the police stations.
7. Activate and update the weekly notification system and apply it in the civil registry.
8. Develop a health information system in hospitals with respect to notification of death and its causes, as well as notification of birth, which is digitized and sent electronically to the Civil Registration Authority.
9. Providing all the forms and records of vital events for all registration departments that are compatible with standards of the World Health Organization.
10. Develop birth and death national certificates and reporting forms in accordance with the international certification standard.
11. Training and qualification of doctors on how to complete the updated national form for certification of death and create awareness about the importance of reporting the underlying cause of death and its sequential causes.
12. Enforcing the legislation which stipulates that notification of deaths in all public and private hospitals is obligatory, including those who die before reaching the hospital, with an indication of the cause of death.
13. Establishment of a centralized management of coding according to the International Classification of Diseases affiliated to the Ministry of Public Health and Population and connected electronically to the Civil registration Authority.
14. Deployment of international and national experts to increase capacity of Coders in the Ministry of Public Health and Population on the International Classification of Diseases, ICD-10.
15. Continuous communication between the established coding center and the World Health Organization for the success and sustainability of the Center.
16. Promote joint action and coordination between the relevant authorities of vital statistics: Health, Civil Registration Authority, the Ministry of Justice, the Central Bureaus of Statistics and the national and international organizations.
17. Benefit from routine immunization services and campaigns for the timely registration of newborns and issue appropriate vital certificates.
18. Usage of mobile phone technology to register vital events in remote areas by providing appropriate training to village heads (Al Amin) on registration of vital events using software activated on mobile phones including methods of automated verbal autopsy.
19. Providing training to civil registration officers on the use of methods of verbal autopsy for the production of cause of death statistics.
20. Strengthening capacity of cadres in the following entities:
    a. Department of Civil Status and Civil Registry
    b. Ministry of Health and Population
    c. Central Bureau of Statistics
21. The need to establish an information center within the civil registry to raise awareness of the importance of civil registration and vital statistics and supporting documents
22. The need to raise public awareness through the media about the importance of vital registration.
23. Exchange of best practices with regional and international entities for new developments in the field of civil registration.

INFORMATION SOURCES

Barrientos et al. Social protection for the poor and poorest in developing countries: reflections on a quiet revolution, BWPI Working Paper 30, School of Environment and Development, University of Manchester, Manchester, p. 3.

Bertrand, Marianne, Sendhil Mullainathan and Eldar Shafir. Behavioral economics and marketing in aid of decision making among the poor. Journal of Public Policy and Marketing. 25 (2006) pp. 8—23.

Civil Registration Centre for Development. Putting All The World's Children on the Map. A New Guide for UNICEF's Birth Registration Programming. The Hague (2013)

Commission on the Legal Empowerment of the Poor and UNDP, Making the Law Work for Everyone, New York (2008)

Corstange, Daniel. Tribes and the Rule of Law. Baltimore (2008)

CSIRO, Ernst & Young, Public Records Office Victoria, Keeping Electronic Records Forever. Melbourne (1999)

De Soto, H. The Mystery of Capital, New York (2000)

Duryea, Suzanne, Analia Olgiati and Leslie Stone. The Under-Registration of Births in Latin America. Working paper #551. Inter-American Development Bank. Washington (2006)

Fagernäs, Sonja. Birth registration and Access to Health Care. An Assessment of Ghana's Campaign Success. Brighton (2012)

Department for International Development. Social transfers and chronic poverty. Emerging evidence and the challenge ahead. Practice paper. London (2005)

European Union. EU Yemen Action Fiche EU 07-04-2012 final draft AF. Sana'a (2012)

Goode Intelligence. Mobile banking security. White Paper. London (2012)

Government of Yemen and UNICEF Yemen. The Country Programme Action Plan between the Government of the Republic of Yemen and the United Nations Children's Fund (UNICEF) 2012-2015. Sana'a (2012)

Hetzel A.M (1997), History and organization of the vital statistics system, National Center for Health Statistics, 1997

Hill, Kenneth et al. Interim measures for meeting needs for health sector data: births, deaths and causes of deaths. The Lancet 2007; 370: 1726—35

Human Rights Watch. Look at us with a merciful eye. Juvenile offenders awaiting execution in Yemen. Washington (2013).pdf

International Foundation for Election Systems. Prospects for a reformed voter registration system in Yemen. Washington (2001)

International Foundation for Electoral Systems. Next Steps in Yemen's Transition. IFES Briefing Paper. Washington (2012)

International Poverty Center for Inclusive Growth. Yemen national social protection monitoring (SPM) survey. SPM Round One. Sana'a (2013)

Kuehn, Thomas. Empire, Islam, and Politics of Difference. Ottoman Rule in Yemen, 1849-1919. Leiden, Boston (2011)

Landrum, Shane. Undocumented Citizens. The Crisis of U.S. Birth Certificates, 1940-1945. Waltham (2010)

Miiro , Hadija Nassanga. Combining Civil and Voter Registration: Advantages and Limitations. (Undated; cf. http://savepageaspdf.pdfonline.com/pdfonline/pdfonline.asp?cURL=http%3A%2F%2Face project.org%2Ftoday%2Ffeature-articles%2Fcombining-civil-and-voter-registration-advantages%23.UWqC8aDmiNE.pdfonline accessed 14 April 2013)

Ministry of Interior. Civil Status and Registration Authority. Civil Status and Vital Registration Development Strategic Project 2008 – 2015. Sana'a (2008).

Ministry of Public Health and Population and UNICEF. Monitoring the situation of children and women. Multiple Indiciator Cluster Survey 2006. Sana'a (2008)

Omanis urged to validate national ID. Elections being held for the first time. Gulf News. 22 July 2012.

Padmanabha, P. Review and evaluation of UNFPA-supported projects on civil registration and vital statistics. New York (1993)

Republique du Cameroun, CIVIPOL, IFORD, Groupe Agence de Dévelopement. Analytic Study of the Civil Status System in Cameroon and Feasibility of Priority Intervention Programme. Seminar on the Presentation of Results and Proposals. Yaoundé (2007)

Republic of Yemen. National team for legislation review. Policy paper on comprehensive

review of national legislation concerning children and aligning them with relevant international standards. Sana'a (2012)

Republic of Yemen. Ministry of Interior. Civil Status and Registration Authority. Civil Status and Vital Registration Development Strategic Project 2008-2015. Sana'a (2008)

Republic of Yemen. National team for legislation review. Policy paper on comprehensive review of national legislation concerning children and aligning them with relevant international standards. Sana'a (2012)

Republic of Yemen and United Nations. United Nations Development Assistance Framework 2012-2015. Sana'a (2011). pdf

Szreter, Simon. (2007). The right of registration. Development, identity registration and social security—A historical perspective. World Development. Vol. 35, No. 1, pp. 67-86 (2007)

Triangular Cooperation Program Brazil. Triangular Cooperation. New Paths to Development. (2009)

UNICEF Innocenti Research Centre. Birth registration, Right from the start, Innocenti Digest, No. 9. Florence (2002)

UNICEF. The 'Rights' Start to Life, A Statistical Analysis of Birth Registration. New York (2005)

UNICEF. Programme, Policy and Procedure Manual. Programme Operations. Revised. New York (2007)

UNICEF. Good Practices in Integrating Birth Registration into Health Systems (2000-2009). New York (2010)

UNICEF, State of the World's Children 2011. New York (2011)

UNICEF, State of the World's Children 2012. New York (2012)

UNICEF Brazil. Evaluating the implementation of Birth Registration facilities in Ceará Hospitals. (2007)

UNICEF ESARO. Social Protection in Eastern and Southern Africa: A Framework and Strategy for UNICEF, Nairobi (2008)

UNICEF Thailand. Country office annual report. Bangkok (2010)

UNICEF Yemen. Yemen country programme document 2007-2011. Sana'a (2007)

UNICEF Yemen. Country Programme. Annual Work Plan 2012—2013. Sana'a (2012).

United Nations. Common country assessment Republic of Yemen. Sana'a (2011)

United Nations. Committee on the Righs of the Child. Consideration of reports submitted by States parties under Article 44 of the Convention. Concluding observations: Yemen. CRC/C/15/Add. 267. Geneva (2005)

United Nations, Committee on the Rights of the Child. General Comment No. 7. Implementing child rights in early childhood. CRC_C_GC_7_Rev.1. Geneva (2006)

United Nations. Committee on the Rights of the Child. Consideration of reports submitted by States parties under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Concluding observaions: Yemen. CRC/C/OPSC/YEM/CO/1. Geneva (2009)

United Nations. Department of Economic and Social Affairs. Statistical Office. Handbook of Vital Statistics Methods. C9w7c8-Series_F7en New York (1955)

United Nations, Department of Economic and Social Affairs, Statistics Division. Handbook on Civil Registration and Vital Statistics Systems. Preparation of a Legal Framework. Series F_71E. New York (1998-5)

United Nations, Department of Economic and Social Affairs, Statistics Division. Principles and Recommendations for a Vital Statistics System. Revision 2. Series M_19rev2E. New York (2001)

United Nations Statistics Division et al. Report on the United Nations Workshop on Civil Registration and Vital Statistics for CSWA Region. New York (2007)

United Nations. Department of Economic and Social Affairs. Statistics Division. Technical Report on the Status of Civil registration and Vital Statistics in ESCWA region. New York (2009)

U.S. Department of Commerce. National Institute of Standards and Technology. Guidelines on Cell Phone and PDA Security. Gaithersburg MD (2008)

Virhiä, Tuulia, Timo Itälä, Gama Roberts and Tornorlah Varpilah. Mobile Solution for Birth Registration in Liberia. A Case Study of Using ICT in Statebuilding. Paper presented at the 9th Global Mobility Roundtable (GMR 2010). Helsinki (2010)

Virhiä, Tuulia. Design Framework for Sustainable Mobile Services in Developing Countries. Espoo (2010)

The World Bank, The World Development Report 2006, New York (2006)

The World Bank, United Nations, European Union and Islamic Development Bank. Joint Social and Economic Assessment for the Republic of Yemen. Washington (2012)

The World Bank. How To Toolkit Safety Nets. Version 1. Washington (2012)