

Formal Identity and Civil Registration for Women

I. Key Issues

Civil registration is the passport to formal identity and citizenship. Without a formal identity, women are often excluded from accessing basic and essential services such as education, health care, social protection, and social assistance. Civil registration provides women with a legal identity, proof of nationality, place of birth, age, kinship, and marital status—all critical for women to exercise their voice and rights.¹ Legal identity opens the door for women to register on voter lists, vote in elections, open bank accounts, secure property, set up businesses, access the justice system, obtain passports, take up formal employment, and access benefits and social services. In short, it gives women voice, choice, and protection.² Without civil registration, women are invisible, stateless, and excluded from exercising their civil rights.

Despite the significance of civil registration, large numbers of women and girls in Asia and the Pacific remain unregistered. The United Nations Children's Fund (UNICEF) estimates that, globally, South Asia has the largest number of unregistered children, with two-thirds of births unregistered, while 22% of births in East Asia and the Pacific were not registered. About 60% of Indonesian children under 5 do not have birth

certificates, and half are not registered anywhere.³ In Timor-Leste, an estimated 70% of children under 5 do not have a birth certificate⁴—one of the lowest birth registration levels of any country in the region.⁵ With no official identity, individuals can be rendered stateless since they are unable to prove who they are, who their parents are, or where and when they were born.

While registration systems exist in most countries, they often fail to reach the poor and marginalized, especially in rural and remote areas. Parents often do not see the benefits that birth registration would confer on their children. Where registration facilities are difficult to access, or registration incurs official fees and involves cumbersome procedures, parents may be reluctant to register their children. The lack of adequate awareness about the benefits of legal identity or high levels of illiteracy pose additional barriers. Birth registrations work best where parents are able to quickly and easily register children relatively soon after birth with little or no cost to the parents.⁶ The highest rates of non-registration are among women and other disadvantaged groups such as indigenous communities.⁷

Since civil registration establishes proof of age and identity, it can function to protect individuals. For instance, in cases of statutory rape, birth certificates

¹ ADB. 2007. *Legal Identity for Inclusive Development*. Manila.

² Integrated Regional Information Networks (IRIN). 2012. *Why Civil Registration Matters in Asia*. Bangkok.

³ IRIN. 2009. *Indonesia: Unregistered Children at Risk*. 1 September. See <http://www.irinnews.org/report/85952/indonesia-unregistered-children-at-risk>

⁴ IRIN. 2012. *Timor-Leste: Making Inroads on Birth Certificates*. 25 September. See <http://www.irinnews.org/report/96384/timor-leste-making-inroads-on-birth-certificates>

⁵ UNICEF. 2011. *Fact Sheet: Birth Registration*. Bangkok.

⁶ Footnote 5.

⁷ Footnote 5.



are used to establish whether the victim is below the legal age of consent. Age identification through civil registration document may also protect young girls from underage marriage or child labor. Documentation of marriage serves to protect the property rights of women through proof of marriage.

Civil registration is central and fundamental to women exercising their social, economic, and political rights. It is the most basic requirement to establish a legal identity that gives women legal protection and access to courts and law enforcement agencies, and to exercise their rights.

II. Programs Supporting Civil Registration for Women

The Asian Development Bank (ADB), through its lending operations, has facilitated women's access to civil registration services in several Asian countries. The following are some examples of ADB's experiences.

Pakistan: Social Protection Development Program

As in many other countries in South Asia, more than 50% of women in Pakistan are not registered and do not possess a national identity card.⁸ Without formal identification, they are denied access to benefits and social services, as well as excluded from participating in elections; from formal employment; and from exercising their social, economic, and political rights.⁹ In a social and cultural environment of *purdah*,¹⁰ frequently reported forced marriage, and other discriminatory practices, the lack of a formal identity reinforces women's dependence on male family members, further constraining women from exercising their rights and agency.

In 2008, in response to the food, fuel, and financial crises, the Government of Pakistan, with assistance from development partners¹¹ including ADB,¹² launched the Benazir Income Support Programme (BISP)—a flagship safety net program to reduce poverty and cushion the impacts of the crises on the poor. BISP targets poor families, and monthly cash grants are paid to adult women in the targeted eligible families.¹³ Under BISP, the beneficiary unit is the “family” but the cash grant is paid to an adult female in the family, i.e., “ever-married woman older than 18 years.”¹⁴

Most importantly, the program linked possession of a computerized national identity card (CNIC) as a prerequisite for receiving the cash grants and access to other BISP benefits. This requirement kick-started a national drive to register women who previously had no national identity card. Since 2008, an additional 20 million women have been registered and issued a CNIC.¹⁵

The benefits of a CNIC go beyond just receiving BISP support. Women have come out in droves, supported by their families, to register and obtain CNICs. It has encouraged women's social mobility since the woman's presence is mandatory for the initial issuance of the CNIC and for receipt of cash benefits. With the introduction of new payment modes such as smart cards and mobile phones, poor women are interfacing with new technology and have been introduced to formal financial products and services. Women are now visiting ATMs and banks to receive their payments and using free mobile phones distributed by the National Database and Registration Authority. Further, BISP's definition of the beneficiary unit has also contributed to changing perceptions and women's empowerment in various ways. It implicitly identifies the female as the head of the unit and defines other household members in relation to her, and her

⁸ ADB. 2013. *Pakistan: Social Protection Development Program*. Manila.

⁹ ADB. 2008. *Releasing Women's Potential Contribution to Inclusive Economic Growth: Country Gender Assessment for Pakistan*. Manila. p. 18.

¹⁰ Refers to cultures where there is strict sex segregation, limited interaction between unrelated males and females, and women as the custodians of family honor.

¹¹ The Department for International Development of the United Kingdom, the United States Agency for International Development, and the World Bank.

¹² ADB. 2009. *Pakistan: Accelerating Economic Transformation Program – Subprogram 2*. Manila.

¹³ ADB. 2012. *Gender Tool Kit: Public Sector Management*. Manila. p. 24.

¹⁴ The woman can be either (i) married, living with her husband and unmarried children; (ii) divorced, living with her unmarried children; (iii) divorced, living alone or with her parents and/or relatives; or (iv) a widow living alone, with her unmarried children, and/or with her parents and/or relatives.

¹⁵ The News on Sunday. 2014. *The Power of Cash Transfer Schemes*. 16 February. See <http://tns.thenews.com.pk/power-cash-transfer-schemes/>

presence in the unit determines eligibility for the program.¹⁶ It has made women less dependent on male family members for accessing services and opens new opportunities and avenues for their socioeconomic and political empowerment.¹⁷

ADB's follow-on Social Protection Development Project¹⁸ targets the registration of an additional 2.8 million women, especially those more difficult to reach. Support is also provided under the project to expand benefits to cover health insurance and skills development programs for BISP women beneficiaries and their families. The provision of supplementary benefits is expected to serve as an additional incentive and encouragement for more women to register and obtain national identity cards.

Cambodia: Commune Council Development Projects

Cambodia was devastated by 30 years of civil conflict that resulted in the destruction of all national and individual archives including birth, marriage, and other records. In the 1980s, some districts in Phnom Penh began collecting civil records, and individual provinces subsequently introduced their own systems of civil registration. This resulted in a patchwork of different civil registration systems using different methods, making a unified national system and statistical aggregation difficult.¹⁹ Millions of births, deaths, and marriages dating back many years remained unregistered. The consequences for individuals, particularly women, included difficulties in proving legal age, inheritance, ownership rights, entitlements, proof of residence, and citizenship. The lack of a legal identity also proved to be a major hurdle to many who wanted to run for commune council elections.

ADB's Commune Council Development Projects included assistance for the establishment of a reformed and more efficient national registration system.²⁰ The projects supported (i) revision of existing procedures to simplify the civil registration process; (ii) training

of personnel involved in civil registration, including commune councilors, to operate the new national system; (iii) pilot testing of civil registration prior to the launch of nationwide activities; (iv) provision of mobile civil registration teams to access remote locations; and (v) development of a public awareness and mobilization campaign. From a baseline of 5% of total births registered, the project had facilitated the registration of 89% of the population (more than 50% women) to obtain birth certificates by the end of 2006.²¹ The number of registered and certified births, marriages, and deaths increased 30%–40% on average between 2010 and 2012.²²

Civil registration provided women with a legal identity and facilitated their access to education and jobs, inheritance of family assets, and legal protection. It also made it possible for them to participate in local decision-making bodies and to stand for elections. The outcomes of increased civil registration, combined with leadership training and capacity development for local women leaders and commune councilors, led to an increase in the number of elected women councilors from 8% in the 2002 election to 15% in 2007.²³ Newly elected women commune officials and other local women leaders were instrumental as the front line in the whole system of civil registration of births, deaths, and marriages. They also mobilized women to register and assisted with the commune registration systems.

In survey results, both men and women (97% of 259 communes)²⁴ agreed that the civil registration services had led to increased participation of women in economic activities—more women joining the workforce, engaging in business, working with the communes and private and government institutions; women enjoying more rights in family relations; and more local women participating in the political arena—in leadership at the provincial, district, commune, and village levels, and more women candidates for political parties.

¹⁶ S. N. Khan and S. Qutub. 2010. *The Benazir Income Support Programme and the Zakat Programme: A Political Economy Analysis of Gender*. London: Overseas Development Institute.

¹⁷ Footnote 16.

¹⁸ Footnote 8.

¹⁹ ADB. 2002. *Cambodia Commune Council Development Project and 2006. Commune Council Development Project 2*. Manila.

²⁰ ADB. 2002. *Cambodia Commune Council Development Project and 2006. Commune Council Development Project 2*. Manila.

²¹ ADB. 2008. *Project Completion Report: Cambodia Commune Council Development Project*. Manila.

²² ADB. 2013. *Performance Evaluation Report: Cambodia Commune Council Development Project*. Manila.

²³ Footnote 21.

²⁴ Footnote 22, p. 36.

Nepal: Gender Equality and Empowerment of Women Project

In Nepal, distance, remoteness, cumbersome procedures, and lack of knowledge and information, combined with lack of awareness and understanding of the benefits of registration, deter many from obtaining civil registration. ADB's Gender Equality and Empowerment of Women Project,²⁵ implemented in 15 of the poorest districts in Nepal, supported activities at the community level to increase birth and marriage registrations and provide women with citizenship certificates. The project brought the civil registration process to people's doorsteps through appointment of a female lawyer in each district to assist women in obtaining birth, citizenship, and marriage certificates. To generate demand, the project conducted mass awareness-raising campaigns informing women of the processes and benefits of civil registration. The campaign included translation of relevant legislation, regulations, and orders into local languages; media campaigns through print media and popular entertainment; and community-level orientation sessions.²⁶ By 2011, 80% of women in the project areas received citizenship certificates, and 76% registered their marriages and obtained birth certificates.²⁷

III. Conclusion and Lessons

The empowerment potential of civil registration and legal identity for women cannot be underestimated. The benefits of civil registration reach beyond mere access to basic services. Civil registration provides women and girls with legal identity as well as potential legal protection from discriminatory and harmful practices, and it opens new opportunities for them to exercise their civil rights and agency.

Successful civil registration systems are those that are simple and easy to access, incur no official fees, and use mobile teams, especially to reach marginal and disadvantaged groups living in rural or remote areas. Where births take place in public facilities, "bedside" registrations have proven to be effective. Finally, women are more motivated to register when they perceive that civil registration will not only recognize their identity but also provide them access to concrete benefits and opportunities.

²⁵ ADB. 2004. *Nepal: Gender Equality and Empowerment of Women Project*. Manila.

²⁶ Footnote 25, p. 7.

²⁷ Government of Nepal. Gender Equality and Empowerment of Women Project. Final Impact Report. Unpublished.