

Federal Government of Somalia

**NATIONAL CIVIL REGISTRATION AND VITAL STATISTICS
POLICY**



Ministry of Interior, Federal Affairs and Reconciliation

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Introduction

Preamble

This policy is part of the Federal Government's efforts to establish public registration services, provision of identity documents, certificates for vital events of the public and production of vital statistics according to the national laws and international and African standards.

This policy complements the **SOMALI REGISTRATION AND IDENTIFICATION POLICY** approved by the Council of Ministers in November 2018, which guides the implementation, and administration of registration and public identification through the use of modern technologies.

The Federal Government of Somalia's **Registration and Identification Policy** has established a state-of-the-art identification system to be implemented throughout the country, to be administered at a federal level to register the public with **Unique ID Numbers**, and issue **Identity Card** based on the database. The identity card identifies an individual throughout his or her life and facilitates access to social services

Civil registration refers to the compulsory, permanent, continuous, and universal recording of significant personal and public events in accordance with the national legal requirements of a country. Its primary purpose is to establish/provide documentation required by law and feed the statistical system of vital events.

Civil Registration encompasses comprehensive services typically provided by several agencies operating at various government levels such as the Ministry of Health, the Ministry of Justice, the Ministry of Religious Affairs, the National Statistics Agency, Local Governments, and others. As detailed in the below sections, it requires clear procedures and a systematically connected approach to achieve high-quality service delivery.

The civil registration policy and vital statistics will guide the design, legalization, coordination, implementation, and management of the vital events registration system (birth, death, marriage, divorce, and Kafalah of children), and provision of certificates associated with these events in accordance with international standards and national laws.

This policy also manages the production of vital events statistics in accordance with the national statistical legislation and sets the guidelines for the production of statistics.

Situational analysis

- Somalia's pre-existing registration system is outdated in terms of technicalities, technology, and regulations, yet there are little or no traces left of its records.
- Although rebuilding of the country's government system is in its infancy, reinstituting public institutions and the restoration of public services is underway. Still, there are no civil registration services launched by the government.
- The public's demand for civil registration services and certificates of vital events is steadily increasing since it's required to access some public services and essential transactions.
- Based on the findings of The Somali Health and Demographic Survey 2020, almost all children did not have a birth certificate. Four percent of children under two years were registered, of which less than 1 percent had a birth certificate. These figures may be significantly low due to the lack of civil registration and the lack of a vital statistics system. The levels of registration were generally low and no significant variations were recorded across the country.
- The increasing demand has resulted in some institutions (Ministries of Justice and religious affairs and courts) and the FMSs to issue vital events certificates independently without a permanent and timely registration system for the public's vital events.
- Besides, there is no tracking system and a central registry recording all the issued certificates in the country.
- There is an overlap in Certificates issued by some agencies. Different agencies issue certificates, such as marriage and divorce certificates, at varying costs. The person has to go through several agencies sometimes and pays for various expenses, as we will see in the below sections.
- The key events that are recorded globally are up to ten different services. Still, after reviewing the pre-existing registers, conducted several consultations on vital events of the public to be recorded, and assessed the country's situation, this policy covers only five events: *birth, death, marriage, divorce, and Kafalah*.

The Legal Framework of the Policy

International Legal Framework

As stated in article 6 of the Universal Declaration of Human Rights, everyone has the right to recognition everywhere as a person before the law. As the first step to establishing the recognition of a person before the law, birth registration is the principal foundation for the fulfilment of this right. Birth registration is recognized in article 24 of the International Covenant on Civil and Political Rights, which states that every child shall be registered immediately after birth. The Human Rights Committee has specified the link between that article and the provision on the right to special measures of protection, and that the main purpose of birth registration is “to reduce the danger of abduction, sale or traffic in children”, or of other types of treatment that are incompatible with the enjoyment of the rights provided for in the covenant.

Birth registration provides an official record of a child’s existence and nationality and is also recognized as a human right under article 7 of the Convention on the Rights of the Child, which provides that, in addition to their right to be registered immediately after birth, all children have the right from birth to a name, the right to acquire a nationality and, the right to know and be cared for by their parents. All children should have access to birth registration in the country where they are born, including non-nationals, asylum seekers, refugees and stateless children. As per article 8, when a child is illegally deprived of some or all the elements of his or her identity, States parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity. Birth registration should be free and universal.

The importance of birth registration is also acknowledged by the Committee on the Rights of the Child by way of general comments (see A/HRC/27/22). Which states that; lack of birth registration and a birth certificate heightens the risk for a child later in life of entering into early marriage, or into the labor market or the armed forces before the legal age, including the risk of being denied their other basic rights to health, education and social welfare services.

The right to birth registration and legal identity is further reflected in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (art. 29) and the Convention on the Rights of Persons with Disabilities (art. 18). In adulthood, birth certificates may be required to obtain formal sector employment, to buy or prove the right to inherit property, to vote and to obtain a passport. Non-registration therefore undermines fulfilment of the rights of all persons.

National Legal Framework

The legal mandate of the local governments defined under Law No 7/2003 and Somalia Local Government Law No 7 Article 9.10 states that the approved legal civil registrar services to be provided include the registration and records of four core events: birth, death, marriage and divorces. The Somalia Penal Code Legislative Decree No. 5 of 1962, under Article 428(2), penalizes failure by anyone to conceal the name of child from being captured on the civil registrar.

Somalia signed the Convention on the Rights of the Child (CRC) and the UN Convention on the Rights of Persons with Disabilities (CRPD) and ratified them on October 2, 2015 and August 6, 2019 respectively

Policy objectives

Policy Rationale:

As the civil registration system has collapsed in the country, its techniques and former laws are now antiquated since they cannot keep pace with changes in the country's federal structure.

Therefore, the rapid population growth in Somalia and the improved quality of civil registration systems worldwide make it necessary to have a national policy to guide Somalia's civil registration system.

The civil registration service is recognized as an essential service that everyone in the country must obtain. And it is the basis of the identification process.

This policy will address the overlaps within the various government agencies that have emerged recently, which provide inconsistent certificates of vital events that pose a hefty financial burden on the person receiving the certificate.

It also outlines the procedures for obtaining vital statistics necessary for formulating different national development plans from the recorded events data.

The Policy Scope

This policy specifies the implementation of a modern and unified civil registration system throughout Somalia in accordance with international standards and

declarations of the African Union's Ministers responsible for Civil Registration, and it will:

- Describes the objectives of the civil registration process.
- Identifies participating agencies and their roles.
- Establishes a coordinating committee for the re-establishment of the civil registration system and defines the functions of the committee.
- Guides the policy implementation process.

Holistic Approach to Legal Identity System

Working hand in hand Between the CRVS systems and ID management system constitute foundation of legal identity system that caters for registration of legal identity, the issuance of a proof or legal identity to each individual and the maintenance of systems for managing information and documents associated with such identity.

A holistic approach to legal identity system implies that every new legal identity is introduced in the identity system when birth is registered, and it is retired in the system right after death.

Both these systems today are at embryonic stage of development in the country and in the effort to establish strong linkages and full interoperability between these functions in a simultaneous manner, this policy promotes the holistic approach to civil registration of all vital events, production of vital statistics and the identity management apparatus from birth to death.

The Guiding Principles

The following principles will guide the implementation of this policy:

1. Complementarity

The CRVS program will include various stakeholders working together and complementing one another will be involved in the implementation of this policy to ensure the delivery of the registration of vital event services to the population. This policy will complement and reinforce the work streams executed under other national policies and relevant systems of identification.

2. National Ownership

The Ministry of Interior, Federal Affairs and Reconciliation (MoIFAR) will take the lead in implementation of this policy and provision of civil registration services. The Ministry will therefore bear the direct responsibility of running the initiative at all levels; federal, district, municipal, and village. Co-owners of the initiative will include other stakeholders including all government ministries, the local

government authorities, international and local partners, civil society groups, the media, and public institutions.

3. Transformational Leadership

The policy will be based on transformational leadership model. This means that the leadership at all levels (federal, district, municipal and village level) will possess transformational leadership traits including inspirational motivation, idealized influence, personalized consideration and intellectual stimulation to deliver services. Other actors involved in the process will support this underpinning leadership style to facilitate the attainment of the stated goals

4. Equity and Inclusivity

Registration of Vital events will target those from poor households and rich households alike. Special interventions will be executed to give those in geographically remote areas as well as those with physical disabilities equal chance of accessing registration services. Specially attention will be accorded to Internally displaced persons (IDP's) and Refugees. Additionally, special consideration will be given to social groups including sick persons. All district offices will be capacitated to deliver registration services to prevent local population for travelling long distance seeking for registration services

5. Integration and Coordination

The CRVS system will be designed to ensure there is no duplicity in the activities of the different stakeholders. The integration of communication systems will be conducted to ensure smooth exchange of information between and among the stakeholders to eliminate the vulnerabilities inherent in lack of coordination. Civil registration will be provided in an efficient, harmonized and a reliable manner, with well-defined roles and responsibilities among the various stakeholders; government ministries and departments, private actors and international partners involved in civil registration. All the stakeholders will commit to financial and operational management, monitoring and reporting processes that are in line with international, regional and national guidelines.

6. Partnerships and Participation

Relevant and sustained partnerships will be cultivated and developed among the stakeholders in the civil registration process. This will involve targeting and establishing links with the stakeholders and creating a synergy of information exchange based on mutual respect. The public will be informed and involved in the design, planning, and implementation of the birth registration interventions

7. Transparency and Accountability

The civil registration process will be a transparent undertaking, incorporating timely and accurate information sharing. There will be public announcements and press releases on progress, any system abuses, and unit costs of agencies that provide civil registration services. There will also be a program of robust monitoring and evaluation of the results. An accountability system will be put in place identifying which teams, departments and ministries are responsible for what actions

8. Cost

The Civil registration process will ensure the free delivery of birth registration services for children under five years. However, fines for late registration for any child aged above 5 years upon request for birth certificates will be defined in the CRVS bill and will be applied once the bill is endorsed and a CR/BR system is established and functional. This will encourage parents to seek birth registration earlier. The government will cultivate strategic partnerships with relevant stakeholders and donors to obtain the necessary funds for ensuring the efficient and effective process of Civil registration

9. Interoperability

The CRVS system for Somalia should be context appropriate and adaptable for long-term needs. It should have an effective architecture blueprint with measures to ensure robustness, integrity and resilience, interoperability and operational sustainability with the national ID system. Therefore, regardless of the option chosen, the CRVS systems in Somalia aim to achieve common standards and to use open source software to enhance interoperability. In this regard, the CRVS system will be managed at the state/municipality level and that it will be done in parallel with the national identity system. Linking civil registration with other government systems such as identification, health, and social welfare provides the opportunity to rapidly improve CRVS and supports interoperability across sectors.

10. Sustainability

The sustainability and risks of the CRVS system should be carefully considered, specifically with regard to investment, operations, and maintenance costs of the system, potential benefits from its use including fiscal savings as well as the wider benefits, extend to which the costs of CRVS services can be covered by service charges. In ensuring sustainability of CRVS systems it is imperative to have an advocate for a decentralized system down to sub-district level will be achieved through designating increased authority and responsibility to subdistrict mayors, community and religious leaders, health workers, midwives and birth

attendants. Advocate for a national legislation that will deliver free, simple, accessible and non-discriminatory civil registration system.

Objectives of the Civil Registration and Vital Statistics System

The purpose of the civil registration system is to create a modern registration platform that unites the country's civil registration schemes, which:

- Records vital events.
- Provides certificates for vital events.
- Implements in a decentralized manner and administered by local governments.
- Is Available, Accessible and Functional widely across the country.
- Has a national central database, which stores all event records.
- Produces quality vital statistics.

The policy implementation framework:

The CRVS system involves a variety of stakeholders and processes whose understanding, synergy and cohesiveness is essential to ensuring efficient acquisition of correct data on vital events. The long-term goal will be to deliver a range of support across the spectrum of stakeholders, processes and systems. This policy will be implemented in phases. It will commence with the pilot phase to establish and develop political and public support, establish lessons for informed judgment, build capacity and establish grounds for stakeholder coordination.

This document highlights the policy priorities for **until 2025** and will constitute immediate priorities, based on the evaluation of what is deemed practicable in the interim and serving as pre-requisite to the more ambitious long-term goals and will serve as the basis for the establishment of a sustainable universal civil registrations system, including free and universal birth registration

Implementation of the policy objectives and priorities

No	Policy Objectives	Priority actions
1	<i>Formulate and implement a legal framework for Civil Registration to establish a legal basis for the processes aimed at registering vital events in</i>	• Enact and implement laws that identify the lead agency and key institutions responsible for civil registration and permit data sharing among the institutions.

	<i>line with international standards (Ensure the existence of sound laws and policies)</i>	• Simplify the registration law and make it more user friendly, including ensuring that law is gender neutral and inclusive to minority groups.
2	<i>Strengthen the capacity of designated government institution in Somalia and create a CRVS system with an organizational structure and infrastructure that are responsive to the CRVS needs (Ensure administrative and operational capacities as well as availability of supplies)</i>	• To plan and undertake public information campaigns on the availability and the importance of vital events certificates. Furnish the institutions with qualified human resources, supply of certificates and the necessary technical equipment and storage facilities. • To conduct training and other capacity building activities for the civil registration personnel, health workers at MCH's, midwives and traditional birth attendants on birth registration processes. • Sensitize human resources at all levels of administration - national, cities, regional and municipal on the importance of birth registration by establishing a birth registration short curriculum for civil registrars and health professionals.
3	<i>Design, execute and continually strengthen programs for registration of vital events and establish the country's national repository for CR data and enhance national capacities to ensure the safe and secure long-term management and archiving of legal records (Ensure availability of digitized/electronic CRVS information system and archiving system)</i>	• Design, and build an automated cost-effective and sustainable system for electronic capture, processing, storage and retrieval of CRVS information measure the operational systems for beneficiary registration. • Define and document business process maps for the registration of vital events. • Draft a cost and sustainability framework for the management of CRVS initiatives. • Adopt appropriate technologies to speed and scale up civil registration, manage civil registration records and application of ICTs in improving CR. • Engage mobile internet service providers on the provision of mobile services in vital event notification.
4	<i>Establish a system in all districts to register all vital events occurring in Somalia according to the above stipulated principles</i>	• Installation of ICT equipment in selected MCH's and Civil Registrars departments at the municipalities to scale up birth and other civil registration services. • Explore opportunity to use mobile technology for reporting births, deaths and other vital events

		through engagement of local municipalities and relevant service providers. • Training of the CRVS system users in selected districts and eventually scaling up of the database throughout Somalia.
5	<i>Strengthen coordination between the Ministry of Interior and Ministry of Health at both FGS and FMS levels, - National Bureau of Statistics between municipalities and health facilities for an effective and wider coverage of civil registration systems (Ensure linkages between sectors to expand the CRVS system with a strong coordination mechanism at the federal level and with FMSs)</i>	• Identify the key representatives for the various stakeholders, the individuals' persons that can be engaged as part of each stakeholder group. • Establish frameworks and forums for consulting the diverse stakeholder groups and for incorporating their feedback in the planning process and for creating ad hoc strategic priorities. • Implement a plan for transparent and effective communication and a responsibility sharing memorandum of understanding among the various stakeholder groups are signed. • Establishment of decentralized coordination working groups while broadening the institutions involved in coordination working groups.
6	<i>Strengthen monitoring and oversight</i>	• Detailed Monitoring and Evaluation plan in place.

Civil Registration Institutions and Coordination Framework

The CRVS system is a national service which is provided by the state. Somalia's state institutions are weak, and capacities will have to be built to raise their capacity to conduct Civil registration at all levels. This institutional framework advocates for the creation of a CRVS system under the MoIFAR with support from local and international partners. The civil registration system will provide the basis for enhancing a government led CR. In the interim to the midterm period, during Phase 1, the implementation of the proposed policy priorities will be contingent on engagement with non-state stakeholders including international bilateral and multilateral partners. The proposed institutional

framework establishes mechanisms for stakeholder coordination and defines the activities and responsibilities for executing the policy priorities.

Core Institutions of the Civil Registration System and their Roles:

Ministry of Interior, Federal Affairs and Reconciliation will be responsible for achieving the policy goals and overall coordination of its implementation.

This policy establishes a National Steering Committee for CRVS in order to achieve a coordinated approach which will compromise the core institution involved in the civil registration and vital statistics system which are as follows:

- Institutions that administer centres that report events, such as the Ministry of Health, Ministry of Justice and the Ministry of Religious Affairs and Endowments.
- Municipalities that are responsible for the registration and issuance of certificates.
- National Registration and Identification Authority.
- National Bureau of Statistics.
- Ministry of Education and Ministry of Women and Family Affairs.

Institution	Responsibility
Ministry of Health	The health sector is an active player in CRVS through its role in the notification of births and deaths, events that increasingly occur within health institutions or under the care of health personnel. The Ministry as the leading Health institution has a critical role in: • Liaises health institutions and community health workers to notify births and deaths for registration. • ensures the use of standard definitions for key vital events. • Provides statistics information on key health variables to the civil registry and national statistics office. • Ensures medical certification of causes of death in accordance with international standards. • Collects, analyses and disseminates health-related data for health purposes.
Ministry of Justice	• Liaises with the courts on the registration and certification of marriages and divorces

Ministry of Religious Affairs and Endowments	• Liaises with the religious centers on the registration and certification of marriages and divorces
National Bureau of Statistics	• Co-produces the annual vital statistics report • Undertakes data quality assurance activities • Estimates and monitors registration completeness
National Registration and identification Agency	• In coordination with MOIFAR will linkages with ID-systems and assure the interoperability of the systems. • Will assist on the software's.
Immigration and Naturalization Department	• Civil Registration Certificates are essential requirements to grant travel documents.
Ministry of Education	• Makes birth certificate a requirement for school enrolment for children (while ensuring that children are not denied admission because they do not have birth certificates) • Together with the anchor ministry, ensures civil registration officers receive adequate preservice training.
Ministry of Women and Family Affairs	• Engages in advocacy and community mobilization for civil registration and prevention of child marriage (by ensuring the ages of girls are ascertained using birth certificate prior to marriage).
Federal Member States and Banaadir Regional Administration	• The local governments are the direct provider of the service to population. • The Ministry of Interior of Federal member states will coordinate the overall implementation of the national policy at the state level. • The Ministry of Health of the Federal Member States will oversee and Liaises health institutions and community health workers at state level to notify births and deaths for registration. • Public Registration Directorate of Banadir Regional Administration will coordinate the overall

	implementation of the national policy in Banadir Region.
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Civil Registration and Vital Statistics, Technical Working Group

The Technical Working Group (TWG) on civil Registration and Vital statistic will serve as a precursor to CRVS authority which will be established under the Law. The TWG will be based in the Ministry of Interior, Federal Affairs and Reconciliation and will oversee the implementation of the CRVS system improvement action plan in Somalia.

The TWG will focus on all aspects of the development of the CRVS system in Somalia, including the preparation of a legal framework, processes, forms and any other related matter in compliance with national, regional and international standards with the overall objective of establishing a universal, inclusive, compulsory, continuous and permanent CRVS system in Somalia.

The TWG will compromise representatives from CRVS relevant core institutions including Ministry of Interior, Federal Affairs and Reconciliation, Ministry of Health, Ministry of Justice, Ministry of Religious Affairs, Ministry of Education, Ministry of Women and Family Affairs, National Registration and Identification Authority, National Bureau of Statistics and Immigration and Naturalization Directorate, representative from each of the Ministries of Interiors of Federal Member States and Banadir Regional Administration. The Terms of reference of the CRVS TWG are in Annex one.

CRVS Steering Group

The CRVS Steering Committee consist of actors from all ministries of the government and will be mandated with issues of strategic-level policy design, planning, resource mobilization and coordination. the membership of the Steering Committee will comprise of the senior officials from the CRVS strategic ministries and the support group and it will be co-chaired by the Minister of Interior Federal Affairs and reconciliation. The Steering Committee will meet on yearly bases. The CR Steering Committee will direct the development of CR action plans and strategic framework and will ensure both oversight of and accountability for implementing the CR programmes:

- Give direction for the development of yearly national Civil registration plans of action.
- Raise public awareness for the need for Civil registration.
- Develop and endorse financing and resource mobilization strategy.
- Oversee and ensure accountability of resource allocation to CR programme
- Review, revise and approve annual budget and work plans.

- Monitor and Oversee coordination of CR activities.

Annex one Terms of reference of the CRVS TWG

The Terms of reference of the CRVS TWG are:

- To oversee and follow up the overall implementation of the CRVS system improvement action plan in Somalia based on a holistic approach for CRVS.
- Act as a coordination mechanism between the various stakeholders.
- Propose a legal and regulatory framework in concurrence with the approved process and agreed plan of action.
- Propose birth, death, marriage, divorce notification forms for streamlining the notification process as well as certificates.
- Advocate for the importance of CRVS as a development imperative

Membership

Members of TWG shall be appointed by their institutions and will be drawn from Ministry of Interior, Federal Affairs and Reconciliation, Ministry of Health, Ministry of Justice, Ministry of Religious Affairs, Ministry of Education, Ministry of Finance, National Registration and Identification Authority, National Bureau of Statistics and Immigration and Naturalization Directorate, representative from each of the Ministries of Interiors of Federal Member States and Banadir Regional Administration.

Members need to be active in the deliberations and activities of the group. The participation of relevant TWG and other stakeholders may be invited to meetings of the group.

Members of the TWG:

- shall be recognized experts in the planning departments having broad national experience and responsibilities at a high level for a wide range of aspects of Civil registration and vital registration development, maintaining extensive links with national and international organization, that support the development
- Are to serve for a standard length of two years;
- Shall participate in the technical committee in their personal capacity and shall provide views on national policies and strategies;
- Bring experts to provide additional information and share experience in the meetings of the TWG.
- The total membership of TWG shall not exceed 15 members.

TWG Chairmanship

Within available resources, the Ministry of Interior, Federal Affairs and Reconciliation will have the championship and the stewardship and will chair the TWG and provide the coordination of the meetings, provide support when needed to the managers and staff.

TWG Secretariat, administrative and technical support

The Civil Registration Unit of the MOIFAR will be the secretariat of TWG and will be responsible for administrative and technical functions of the TWG.

TWG Methods of work and deliverables

The TWG will determine its own methods of work, including time for consideration of requests, preparation of its agenda, establishment of special groups, keeping of records and other documents and report on its activities and findings. TWG may agree on the consideration of documents, reports, etc. through electronic channels.

Members of the TWG will inform their respective institutions of the activities of the TWG.

The activities of the TWG between periodic meetings shall be coordinated by the MOIFAR's CRVS Unit, taking into consideration the relevant recommendations of the TWG. All documents relevant to the activity of the TWG will be sent through the Missions of the Ministries.

Frequency of Meetings

TWG will meet at regular intervals but no more than two months. Extraordinary meetings may be called when required. To minimize travel, TWG meetings may be convened on the occasion of and attached to other meetings with a wide participation of interested organizations.