

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	707
Land:	Pakistan
Kilde:	Nationalt ID-center
Titel:	Pakistan: Birth registration and related civil status documents
Udgivet:	28. februar 2024
Optaget på baggrundsmaterialet:	19. april 2024



28 February 2024

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Pakistan: Birth registration and related civil status documents

Introduction

The following note describes the birth registration and the issuance procedures regarding birth registration certificate, child registration certificate and family registration certificate.

The note likewise includes a brief description of the administrative structure in Pakistan related to the registration of personal data.

The note is primarily based on interviews conducted in Islamabad, Rawalpindi and Ahmadal in March 2018 and in Islamabad in April 2019, and is one out of several notes focusing on Pakistan.

For tactical information related to Pakistani documents, please see »*Pakistan - Tactical information related to Pakistani documents*«.

The administrative structure in Pakistan

The National Database Organisation (NDO) was established under the Pakistani Ministry of Interior in 1998. The NDO was merged with the Directorate General of Registration, establishing The National Database & Registration Authority (NADRA), with the NADRA Ordinance of March 2000.¹ With this ordinance, registration of birth, death, marriage and divorce was made mandatory.² Furthermore, NADRA was made responsible for the establishment and development of a central registration database named the Civil Registration Management System (CRMS) and for the issuance of ID cards and uniform civil status documents.³ The authority to issue a number of the civil status documents, including the marriage registration certificate and the divorce certificate, was delegated from NADRA to the union councils.⁴

Today, the union councils continue to be responsible for the registration of Pakistani citizens regarding birth, marriage, divorce and death and for the issuance of

¹ NADRA I, 2018; EASO, 2015, p. 41.

² The National Database and Registration Authority Ordinance, 2000, V 9 & VII 21.

³ The National Database and Registration Authority Ordinance, 2000, IV 7a-b; NADRA, Islamabad, March 2018.

⁴ Union council 83 Rawalpindi, March 2018; NADRA, Islamabad, March 2018.

related civil status documents. The union councils are obligated to keep a handwritten register over these four vital events concurrent with a voluntary digital registration in NADRA's civil registration system (CRMS).⁵ The digital registration is not mandatory by law.⁶ The union council also keeps an archive with records of all the civil status documents they have issued and the breeder documents, which were submitted when applying for a civil status document.⁷

The procedure for birth registration

The manual birth registration in Pakistan takes place at union council level.⁸ Registration of birth in the union council's handwritten register is free of charge.⁹ Representatives from NADRA, a local lawyer and a representative of union council 49 in Ahmadal stated that birth registration is mandatory.¹⁰

Birth registration does not happen automatically when a child is born. The parents, or a close relative, register the birth at the local union council by completing a form known as Form A.¹¹ The required documentation is a hospital or midwife note and in case the child is not born in a hospital or without the presence of a midwife, a vaccination card is used as documentation.¹² The Form A is signed by the union council chairman, but in the case of his absence, the vice chairman is authorised to sign the document on his behalf. The original Form A is kept by the parents, while a copy hereof is kept at the union council along with the required breeder documents, e.g. hospital note, and a copy of the parents' Computerised National Identity Cards (CNIC).¹³ The union council secretary then registers the birth in the manual birth register.¹⁴

According to the National Database and Registration Authority Ordinance 2000, a child has to be registered within a month after delivery.¹⁵ The delegation's visits to Pakistan in March 2018, however, showed that there exist different local practices for when a registration is regarded as a normal entry or late entry. Union council 83 in Rawalpindi consider a normal entry to be within 60 days of childbirth.¹⁶ However, union council 49 in Ahmadal considers a normal entry to be within the first month.¹⁷

⁵ Local lawyer A, Islamabad, March 2018; NADRA, Islamabad, March 2018; Union council 49 Ahmadal, March 2018; Union council 83 Rawalpindi, March 2018.

⁶ NADRA, Islamabad, March 2018; Local lawyer B, Islamabad, March 2018.

⁷ Union council 49 Ahmadal, March 2018; Union council 83 Rawalpindi, March 2018; Local lawyer A, Islamabad, March 2018; Landinfo, 29 May 2012, p. 8.

⁸ Union council 25 Islamabad, March 2018; Union council 49 Ahmadal, March 2018.

⁹ Local lawyer A, Islamabad, March 2018; Local Lawyer B, Islamabad, March 2018.

¹⁰ NADRA, Islamabad, March 2018; Union council 49 Ahmadal, March 2018; Local lawyer A, Islamabad, March 2018.

¹¹ NADRA, Islamabad, March 2018; Local lawyer A, Islamabad, March 2018.

¹² Union council 83 Rawalpindi, March 2018; Union council 49 Ahmadal, March 2018; Union council 25 Islamabad, March 2018.

¹³ Union council 25 Islamabad, March 2018; Union council 83 Rawalpindi, March 2018.

¹⁴ Union council 83 Rawalpindi, March 2018; Union council 49 Ahmadal, March 2018; Union council 25 Islamabad, March 2018.

¹⁵ The National Database and Registration Authority Ordinance 2000, V 9.

¹⁶ Union council 83 Rawalpindi, March 2018.

¹⁷ Union council 49 Ahmadal, March 2018.

The requirements for late entry vary depending on how late the child is registered. In the timespan between 31(32)/61 days up until seven years after birth, the chairman has to attest the document.¹⁸ If registration is done later than seven years after birth, the parents will have to get an affidavit from court and the district commissioner in order to approve the registration. Furthermore, the parents need to submit a medical certificate, which evaluates the age of the child and a school attest when completing the Form A, and the parents need to publish a note in the local newspaper, stating that they intend to register the child.¹⁹

NADRA civil status documents

Civil status documents printed on the NADRA Format (security paper or plain white paper), including those printed at the union councils, are always issued on the basis of a corresponding breeder document issued by or archived at the union council.²⁰ E.g. the child registration certificate is issued on the basis of the birth registration certificate and the birth registration certificate is issued on the basis of Form A.

Birth registration certificate

After the mandatory birth registration into the hand-written register, the parents can choose to get their child registered in NADRA's digital CRMS database and have a birth registration certificate/birth certificate issued. This digital registration is done at the union council's standalone computer and the data is collected two to four times a month by a NADRA officer, who subsequently adds the data into the central CRMS database. The birth registration certificate is only issued by request of the parents and the Form A is the only documentation required.²¹ When a birth registration certificate is issued, a unique CRMS document number is generated.²²

According to several sources, it is voluntary to receive the birth registration certificate but the certificate is regarded as proof of identity, according to a chairman interviewed in Islamabad in April 2019.²³

In order to change information in a birth registration certificate, it is required to present a stamped affidavit to the union council, where after the union council has mandate to change information and issue a new birth registration certificate.²⁴

If the birth registration certificate is lost, one can apply for a new copy. The union council print a new certificate based on the already registered data from NADRA's CRMS database, or by entering the data again based on the original Form A held by the union council, or by applying for a late entry with the parents' completion of a

¹⁸ Union council 49 Ahmadal, March 2018; Local lawyer A, Islamabad, March 2018.

¹⁹ Union council 83 Rawalpindi, March 2018; Union council 49 Ahmadal, March 2018.

²⁰ Local Lawyer B, Islamabad, March 2018.

²¹ Union council 83 Rawalpindi, March 2018; Union council 49 Ahmadal, March 2018; Local lawyer A, Islamabad, March 2018; Local lawyer B, Islamabad, March 2018; Union council Islamabad, April 2019; NADRA, Islamabad, April 2019.

²² NADRA, Islamabad, April 2019.

²³ Union council Islamabad, April 2019.

²⁴ NADRA, Islamabad, March 2018.

new Form A.²⁵ Everyone who is able to register the birth, including parents and close relatives, can apply for the child's birth registration certificate by presenting their CNIC.²⁶

Child registration certificate

The child registration certificate is a document issued to children holding Pakistani citizenship under the age of 18, and is also known as Form B. The child registration certificate is issued by NADRA on the NADRA Format (security paper or plain white paper). According to NADRA's official website, the child registration certificate is issued by submitting documented proof of childbirth from the union council.²⁷ However, according to representatives from NADRA a birth registration certificate is not required to have a child registration certificate issued.²⁸

The parents are required to be present when the application is submitted, and to be holders of a CNIC or a National Identity Card for Overseas Pakistanis.²⁹

When the child registration certificate is issued, a personal 13 digit citizenship number known as the CNIC number is generated. The number follows the child through life, and the CNIC number registered at the National Identity Card or Smart National Identity Card will be the same.³⁰

According to NADRA, a child registration certificate is mandatory to obtain no later than three month after a person turns 18.³¹ To what extent this rule is actually respected is, however, unknown.

Beside the CNIC number, the child registration certificate contains information about the name and gender of the child, date and place of birth and parents' names and CNIC numbers.³² According to NADRA, the CNIC number is required when entering school, opening a bank account or applying for Smart CRC and a passport.³³ According to representatives from NADRA, the citizenship number refers to the owner's residential area at the time of registration and will not change if the person changes his/her address.³⁴

If both parents have died, the child registration certificate can be issued to the grandparents by presenting an affidavit, the original birth registration certificate and their CNIC.³⁵

²⁵ Union council 83 Rawalpindi, March 2018.

²⁶ NADRA, Islamabad, March 2018.

²⁷ NADRA II, 2018; NADRA, Islamabad, April 2019.

²⁸ NADRA, Islamabad, April 2019.

²⁹ NADRA II, 2018; NADRA, Islamabad, April 2019.

³⁰ NADRA, Islamabad, March 2018.

³¹ NADRA, Islamabad, April 2019.

³² Landinfo, 29 May 2012, p. 10.

³³ NADRA, Islamabad, March 2018; NADRA, Islamabad, April 2019.

³⁴ NADRA, Islamabad, April 2019.

³⁵ NADRA, Islamabad, March 2018.

Family registration certificate

The family registration certificates are issued by NADRA and provides details about the applicant's family relations, including information about parents, siblings, spouse or guardian.³⁶ The family registration certificate is only issued on request.³⁷

It is not possible to acquire a family registration certificate without having a CNIC number, which means that a person holding a family registration certificate also has child registration certificate or a CNIC card. To get a family registration certificate that includes a child, both parents must present their CNIC.³⁸

In some cases of dual citizenship and if a person is not registered in NADRA's CRMS, it is possible that a person's spouse is not registered at a family registration certificate.³⁹

Corruption and trustworthiness of civil status documents

Archives and registration routines at the union councils

During the Danish National ID Centre's visit to the three union councils in March 2018, it became clear that there exist different local practises when it comes to registration. At union council 83 in Rawalpindi, the digital registration in NADRA's system (CRMS) concerning birth, marriage and divorce did only occur on the request of the concerned citizens, when they applied for the related NADRA document. Furthermore, the registration in NADRA's system together with the issuance of NADRA certificates was subjected to a fee of 60 rupees.⁴⁰

In comparison, at the union council 49 in Ahmadal, birth and marriage registrations are done as a standard procedure simultaneously in both the union council's handwritten register as well as in NADRA's digital system. The digital registration in NADRA's system is done regardless of whether the parents request the issuance of a birth registration certificate or the couple request a Marriage Registration Certificate.⁴¹ That the digitalisation is a standard procedure is supported by a source consulted by the Danish Ministry of Foreign Affairs.⁴²

The union councils also deviated when it came to when the registration of a child birth is considered a late entry. One union council applied a 30 days period and the other a 60 days period.⁴³

In rural areas, birth is often not registered due to a lack of awareness of the importance of civil registration. In many cases, registration of a vital event is first done when the person needs the documentation.⁴⁴

³⁶ NADRA III, 2018.

³⁷ NADRA, Islamabad, March 2018.

³⁸ NADRA, Islamabad, April 2019.

³⁹ NADRA, Islamabad, April 2019.

⁴⁰ Union council 83 Rawalpindi, March 2018.

⁴¹ Union council 49 Ahmadal, March 2018.

⁴² Danish Ministry of Foreign Affairs, January 2019.

⁴³ Union Council 83 Rawalpindi, March 2018; Union Council 49 Ahmadal, March 2018.

⁴⁴ Local lawyer B, Islamabad, April 2019.

Changes in the union council handwritten register

The consulted sources disagree when it comes to the legal requirements related to changing personal information in the union councils' handwritten registers. According to Local Lawyer A, it is a requirement to present an affidavit stamped by relevant legal authority to the union council if one's personal information has to be changed. The procedure is to add the changes in the handwritten register in red ink next to the old information, meaning that the old information is still readable in the register. The lawyer added that in some cases, not related to nikahnama, the chairman, vice chairman and union council secretary can choose to change the information without the affidavit.⁴⁵

According to Local Lawyer B, a new law has changed the requirements and the union council chairman is now authorised to change personal information in the handwritten register without the approval of the court.⁴⁶

Lastly, according to NADRA, it is a legal requirement to obtain a stamped affidavit and present it to the union council in order for the council to change personal information. The NADRA officers underlined that if a person changes his/her name, NADRA will still have a record of the person's old name.⁴⁷ This presupposes that the changes made in the union council handwritten register are also added to the CRMS at the union council standalone computer.

⁴⁵ Local lawyer A, Islamabad, March 2018.

⁴⁶ Local lawyer B, Islamabad, March 2018.

⁴⁷ NADRA, Islamabad, March 2018.

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