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Pakistan: Administration and registration routines related to Pakistani documents

Introduction

The following note describes the administrative structure in Pakistan in relation to registration of personal data and to issuance of documents. The note includes a description of the different civil registers in Pakistan, their interplay and the related archival and registration routines.

The note is primarily based on interviews conducted in Islamabad, Rawalpindi and Ahmadal in March 2018, 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

With the Constitution of 1973, Pakistan was declared a federal republic with Islam as the recognised state religion. The Constitution established a parliamentary system and defined the relationship between the federal and provincial levels. With the Local Government Ordinance of 2001, a three-tier local government system was established with the union councils as the lowest level.¹

The union councils are responsible for the registration of birth, marriage, divorce and death and for the issuance of the related civil status documents. The union councils are also obligated to keep a handwritten manual register and an archive of all civil status documents, which have been issued, including the breeder documents, which have been submitted when applying for civil status documents.²

¹ EASO, 2015, p. 22, 24; Arif, S. et al., January 2010, p. 2.

² Landinfo, 29 May 2012, p. 8; Union Council 49, Ahmadal, March 2018; Union Council 83, Rawalpindi, March 2018.

The establishment of NADRA

The National Database & Registration Authority (NADRA) was established in March 2000 as a result of the NADRA Ordinance.³ With this ordinance, birth, death, marriage and divorce shall be reported to the relevant local authority, which in most cases is the union council.⁴ Related to birth registration, representatives from NADRA, a local lawyer and the representative of Union Council 49 in Ahmadal all corroborated that birth registration is mandatory.⁵

According to the ordinance, NADRA was made responsible for the establishment and development of a central registration database named the Civil Registration Management System (CRMS) and issuance of ID cards and uniform civil status documents.⁶ The authority to issue a number of civil status documents was delegated to the union councils. NADRA was to provide technical assistance to the union councils as well as supplying the union councils with the required NADRA format on which the civil status documents were to be printed.⁷

The Union Council and its civil register

The union council is the local administrative authority. The specific number of union councils in Pakistan is uncertain, but every area in Pakistan is under the jurisdiction of a union council.

A union council consists of 12-13 members including a chairman, who is head of the council, a vice chairman, six councillors each representing one of the unions six wards, a councillor representing the labourers, a councillor representing the youth, two councillors representing the women and a councillor representing the minorities. If there is a low number of minorities in a given constituency, there is no councillor representing the minorities.⁸

Beside the above mentioned, every union council has a union council secretary, who is responsible for the manual registration, both in the handwritten register and in NADRA's digital CRMS database.⁹ All members at the union council are elected members, with the exemption of the union council secretary who is appointed by the state.¹⁰ The chairman, the vice chairman and the secretary are authorised to sign and stamp civil status documents.¹¹

The union council keeps a hard copy archive of childbirth based on a formula known as a Form A, marriages based on the nikahnama (original marriage certificate), divorce based on a written notice and death based on a formula known as Form B. If

³ NADRA, About Us, 2018; EASO, 2015, p. 41.

⁴ The National Database and Registration Authority Ordinance 2000, V 9 & VII 21.

⁵ NADRA, Islamabad, March 2018; Union Council 49, Ahmadal, March 2018; Local Lawyer A, Islamabad, March 2018.

⁶ The National Database and Registration Authority Ordinance 2000, IV 7a-b; NADRA, Islamabad, March 2018.

⁷ NADRA, Islamabad, March 2018.

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

⁹ Local Lawyer A, Islamabad, March 2018.

¹⁰ EASO 2015, p. 24; Union Council 49, Ahmadal, March 2018.

¹¹ Danish Ministry of Foreign Affairs, 22 January 2019; Union Council 25, Islamabad, March 2018; Local Lawyer A, Islamabad, March 2018.

other breeder documents are required they are likewise stored in the union council archive.¹²

According to NADRA, 90 % of the union councils have been supplied with a standalone computer with installed NADRA software where the digital registration is done, and a printer from where the registration certificates are printed. Two to four times a month a NADRA supervisor visits the union council and collects the digitally registered data from the standalone computer with a USB-stick, and provides more NADRA paper if needed.¹³

The 10 % of the union councils without a computerised system are organised in clusters where one union council collects the manually registered data from the remaining union councils in the cluster. A NADRA supervisor then collects the data from this central union council. One NADRA supervisor covers 12-14 union councils and is responsible for collecting the registrations and educating the union council members in digital registration.¹⁴

NADRA and the Civil Registration Management System (CRMS)

In addition to the main headquarter in Islamabad NADRA has provincial headquarters and many local offices.¹⁵ NADRA also runs mobile registration units, which on request will visit remote villages in order for the local population in rural areas to register.¹⁶

According to NADRA, 90 % of the Pakistani population is registered in the CRMS.¹⁷ However, the number of unregistered children is still relatively high and an estimation is that only 34 per cent of children in Pakistan under the age of five have had their birth registered.¹⁸

NADRA issues different kinds of identity cards including the Computerised National Identity Card. NADRA also has the authority to issue Birth Registration Certificates (also known as Birth Certificates), Child Registration Certificate, Marriage Registration Certificates, Family Registration Certificate and Cancellation Certificate. As mentioned above, NADRA has delegated the authority of issuance of the Birth Registration Certificates, the Marriage Registration Certificate and the Death Certificate to the Union Councils.¹⁹ The identity cards and the civil status documents from NADRA are always issued based on a corresponding breeder document issued by the union council, meaning that every NADRA document has a related form at the union council.²⁰

¹² Union Council 83, Rawalpindi, March 2018.

¹³ NADRA, Islamabad, March 2018; Union Council 49, Ahmadal, March 2018; Union Council 83, Rawalpindi, March 2018.

¹⁴ NADRA, Islamabad, March 2018.

¹⁵ EASO, August 2015, p. 41.

¹⁶ NADRA, Islamabad, March 2018.

¹⁷ NADRA, Islamabad, March 2018.

¹⁸ Landinfo, 29 May 2012, p. 9; DFAT, 20 February 2019, p. 68.

¹⁹ NADRA, Islamabad, March 2018.

²⁰ Local Lawyer B, Islamabad, March 2018.

The Civil Registration Management System (CRMS)

The CRMS has been developed by NADRA and contains registrations of the four vital events: birth, death, marriage and divorce. The idea behind the system was to provide a computerised and standardised system for registration and certificate issuance.²¹

Citizenship number (CNIC number)

The citizenship number (also called the CNIC number) is a unique 13-digit number, which is generated either during the issuance of the Child Registration Certificate (CRC) or during the issuance of the CNIC in case the child did not get a CRC. The number will follow the person throughout life and according to the Directorate General of Immigration and Passport, even in the case where a person renounces his/her citizenship; his/her CNIC number will not be reused. If the same person chooses to regain his/her Pakistani citizenship the person will get back his/her old CNIC number.²²

The database at the Directorate General of Immigration and Passport

Pakistani passports are issued by the Directorate General of Immigration and Passport under the Ministry of Interior, and every citizen of Pakistan is entitled to a machine readable passport. There are passport offices all over Pakistan including in the Tribal Areas and Baluchistan and it is possible to get a passport through Pakistani diplomatic missions abroad.²³

There are three types of passports including ordinary passport, diplomatic passport and official passport.²⁴

When applying for a passport, it is a requirement that the applicant is registered in NADRA's database and is in possession of a valid Computerised National Identity Card (CNIC), which is the only breeder document required when applying for a passport.²⁵ The passport database is linked with NADRA's database and when an application for a passport is submitted the personal data is checked and has to match that of NADRA, including biometric data, picture and place of birth.²⁶

Archives and registration routines at the Union Councils

It was clear from the delegation's visits to three union councils in March 2018 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.²⁷

²¹ Hand-out from Local Lawyer B, Islamabad, March 2018.

²² NADRA, Islamabad, March 2018; Directorate General of Immigration and Passport, Islamabad, March 2018.

²³ Directorate General of Immigration and Passport, Islamabad, March 2018.

²⁴ Directorate General of Immigration and Passport, Islamabad, March 2018.

²⁵ DFAT 20 February 2019, p. 70.

²⁶ Directorate General of Immigration and Passport, Islamabad, March 2018.

²⁷ Union Council 83, Rawalpindi, March 2018.

In comparison, at the Union Council 49 in Ahmadal, birth and marriage registration were as a standard procedure done simultaneously in both the union council's handwritten register as well as in NADRA's digital system. The digital registration in NADRA's system was done regardless of whether the parents requested the issuance of a Birth Registration Certificate or the couple requested a Marriage Registration Certificate.²⁸ That the digitalisation is a standard procedure is supported by the Danish Ministry of Foreign Affairs.²⁹

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

Changes in the Union Council handwritten register

The consulted sources disagree when it came 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 with 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 nikahnamas, the chairman, vice chairman and union council secretary, can choose to change the information without the affidavit.³¹

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.³²

Last, 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 that person's old name.³³ This, of course, presupposes that the original data entry and the subsequent changes made in the union council handwritten register were/are also added to the CRMS at the union council standalone computer.

Changes in the CRMS

As described above, the union councils are responsible for the correct registration of personal data in their respective constituency, including the registration in NADRA's CRMS via their respective standalone computers.³⁴ This data is then collected by a NADRA officer who integrates it into the CRMS. This means that if this procedure is adhered to and the union council updates its digital register, the

²⁸ Union Council 49, Ahmadal, March 2018.

²⁹ Danish Ministry of Foreign Affairs, 22 January 2019.

³⁰ Union Council 83, Rawalpindi, March 2018; Union Council 49, Ahmadal, March 2018.

³¹ Local Lawyer A, Islamabad, March 2018.

³² Local Lawyer B, Islamabad, March 2018.

³³ NADRA, Islamabad, March 2018.

³⁴ NADRA, Islamabad, March 2018.

CRMS, the digital register at the union council and the hard copy archive are identical.

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