

CIVIL STATUS AND VARIOUS ASPECTS OF TRUTH : CIVIL STATUS OFFICE, CREATOR OF IDENTITY

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The right to an identity and a nationality is firmly embedded in the Universal Declaration of Human Rights and in the Convention on the Rights of the Child. It is the responsibility of Governments to defend these fundamental rights.

In our globalised society, we need to have an identity and a proof of our identity in order to travel, work, to build a new life for ourselves, and to gain access to education, health care, public services and much more. In other words, we need an identity in order to live. Many Governmental services are responsible for ensuring that the correct identity is linked to the right person during the various activities in our lives. This poses a huge challenge to these organisations.

In the Western world, linking a real person to his or her administrative identity begins shortly after birth – during birth registration – after which a birth certificate is issued. An administrative identity goes through a cycle: it is created, it is used, controlled, and finally it ends. Clearly, it is important for all the phases that come later in the cycle that we get the correct administrative identity right from the start. It is not all that different from real life, actually. If the administrative identity gets off to a bad start, it will have a negative effect on the entire cycle. Or, as UNICEF Executive Director Carol Bellamy put it: “A birth certificate is one of the most important pieces of paper a person will ever own. If we do not get it right from the start and register babies, it is an up hill battle from there on”.

As the creator of the administrative identity, the Register Office plays a crucial role in the identity cycle. If the registrar does his work properly, he will make it a lot easier for the public officials to do their job afterwards. And if a Registry Office performs its tasks well as a Government organisation, it serves the public well.

In the Western world, the crucial phase, that of creating an identity, seems to be reasonably well regulated. We have rules for registration laid down by national law. At the same time, however, in our Western world, including the European Union, the birth certificate – which is the key source document issued in this phase – does not have to meet any standards, and is poorly secured. The United States of America, for instance, has 7,200 different types of birth certificates in circulation. Worldwide, there are insufficient safeguards to ensure that birth certificates are issued in a reliable and secure way. The Register Office in non-Western countries, on the other hand, is either non-existent or in the early stages of development.

Although the birth certificate is a source document on which many decisions, controls and follow-up documents are based, there is still very little uniformity in the appearance of the birth certificate, and few guarantees that the issuing procedure is reliable. We risk making the wrong decisions on the basis of birth certificates, the appearance of which is unknown to us and the authenticity of which we cannot verify.

Identity fraud is growing in the real and digital worlds. Increasing internationalisation and the creation, or registration, of identities by foreign registry offices seriously threaten the integrity of the identity infrastructure. These developments can cause the public to lose confidence in the information provided by the government and lead to financial loss.

It is obvious that the way in which we used to be able to rely on the identity infrastructure no longer applies: it is no longer effective and leads to abuse.

To reverse this situation we need a dynamic, integrated identity management, in which all the separate elements of the identity infrastructure are viewed and managed as a coherent whole. Some countries have already made this transition in order to enhance the integrity of their infrastructure and significantly reduce the risk of abuse.

As long as we are unwilling to go so far as to allow the Register Offices worldwide to implant chips in children immediately after birth, establishing and controlling identity will continue to pose a challenge, the risks of which we must be constantly aware.

The motto for the “Commission on Civil Status (ICCS)” should be “one person one ID”.