
CIVIL REGISTRATION AND VITAL STATISTICS:

Policy and Practices in Nepal

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1.0 General

1.1 Vital Events Registration Systems

Vital Events Registration Systems (VERs), generated statistics play an important role in planning various national programs. Such data serve the primary purpose of providing evidentiary records to meet judiciary and administrative needs of beneficiaries mostly the citizens. Vital events registration systems are generally the organized units of government as well-established civil administrative local as well as central offices. Systems of vital registration are normally administered through a network of local registration offices. Unlike Nepal, in many countries where such function is carried out by the population census agency, it is also an important source to generate and update population data in a regular manner. UN estimate shows that ‘more than 100 countries are yet to have functioning VERs and there are 230 million children under the age of five unregistered mostly in Asia and the Pacific.’¹

Civil registration is defined by the United Nations as “*Universal, continuous, permanent and compulsory recording of vital events provided through decree or regulation in accordance with the legal requirements of each country.*” (UNSD)²

Civil registration and Vital Statistics (CRVS) is a combined form of i) Civil Registration that captures the significant moments in people’s lives, and ii) generation of vital statistics on the demographics and health of the population.

The oldest systems of vital registration are believed to be of the Scandinavian countries that started during 1630s. Such systems in America, was introduced after the General Court in Boston enacted a registration law for the colony of Massachusetts in 1639 to start with the records of marriages.³ Such systems ‘have been “exported” from the Old World (Europe) to the Americas, parts of Asia, and Africa (with Egypt being a special case as earlier it had an elaborate registration system under Ramses II, circa 1250 BC).⁴

In England and Wales an act passed in 1694 provided basis for the registration of births and deaths throughout the country whereas it gradually introduced throughout other European nations in the 19th century. In the English-speaking Caribbean states it represents ‘a process involving the passage of several laws over a period of yearsit was not until 1869 that compulsory civil registration was introduced in that island and an Act was passed in 1889 introducing civil registration.’⁵

In India and Pakistan no complete and compulsory system of vital registration exists at present, although partial and incomplete systems operate in a number of areas. In Africa although the improvement has started, many countries are yet to establish such a system.

1.2 Vital Events Registration Systems in Nepal

Nepal’s population (284 million, Population Status, 2014, CBS, Nepal) with current growth rate will reach 31.49 million in 2025 and 36.48 million in 2050. Startup of a modern and data based VERs in Nepal dates back to 1950 managed through the Municipal Act 1950 and Village Panchayat Act 1961

¹ Global Civil Registration and Vital Statistics, Scaling up Investment Plan 2015–2024, May 28, 2014, World Bank /WHO

² Principles and Recommendations for a Vital Statistics System: Revision 3 (United Nations publication, Sales No. E.13.XVII.10).

³ Wikipedia ([https://en.wikipedia.org/wiki/Vital_statistics_\(government_records\)](https://en.wikipedia.org/wiki/Vital_statistics_(government_records)))

⁴ A Passport to Protection. A Guide to Birth Registration Programming, UNICEF, December 2013, Page 31

⁵ Technical Papers. Registration of Vital Events in the English Speaking Caribbean, International Institute for Vital Registration and Statistics, USA, June

1988, CB 28

(Legal Books Management Committee, Babarmahal). During the period the vital events registration and related tasks were limited to the record keeping of the personal events than as registration. Central Bureau of Statistics although conducted vital events registration in some of the Village Panchayat units (lowest tier of the local government) of Kathmandu valley during the 60s, it could not continue the process. Family Planning Association of Nepal also had carried out similar type of registration in two districts of the country but the results were for limited use and purpose and was later discontinued.

Realizing the importance of vital events registration, the Vital Events Registration Act was enacted in 1976 that defined five vital events (births, deaths, marriages, divorces and internal migration) and made the registration provisions more legal binding. The registration provisions of the Act in the districts came into force in a phase wise manner and it took almost 15 years to cover the whole geographic region.

The VERS while the enactment of the law was rolled out by the Ministry of Home Affairs through Vital Events Registration Division. The registration tasks were conducted by the local registrars at the Village and Town Panchayats. Later in 1993 the task was shifted to the then Local Development Ministry. A section under the ministry was responsible for the VERS that became an integral part of the services of the local bodies coordinated by the Ministry of Local Development (currently MoFALD) through District Development Committees (DDCs).

The formal registration of vital events namely birth, death, marriage, divorce and internal migration is ongoing since 1976. People register their personal incidents at the Village Development Committees (VDC) and Municipal Ward offices and the VDC and Municipal Ward Secretaries are designated as the local registrars.

Nepal in August 2014 showed its firm commitment on UN ESCAP ministerial declaration for Asia and Pacific towards universal and responsive civil registration and vital statistics systems that facilitate the citizen's realization of their rights and support good governance and development by the decade (2015-24) – “Get Everyone in the Picture”⁶. The commitment has further streamlined the government efforts to augment the rolling out of the systems and establishment of a specialized agency - Department of Civil Registration (DoCR⁷). The department established in November 2014 has in a short time period started improving its service delivery, record management and reporting system by introducing robust and dynamic Management Information Systems integrated with vital events and social security schemes through 2 factors authentication and unique personal 13 digit ID.

Despite the importance of population statistics management and its administrative purpose, vital events registration has not achieved the targets on registration rates. The coverage of the birth registration is still as low as 42% (N-MICS, 2010/N-DHS, 2011). Although, the government has been successful to make the vital events registration obligatory, getting focused attention at the both levels, the state and the people in general is still lacking. The perception of people towards VER is an obstacle to its improvement as there is a ‘lack of recognition of the utility of the system in their daily lives.’⁸ A mini

⁶ <http://www.unescap.org/news/asia-pacific-governments-declare-decade-action-achieve-universal-civil-registration>

⁷ www.docr.gov.np

⁸ Urgently Needed Reforms in Civil Registration in Asian Countries, International Institute for Vital Registration and Statistics. Original report was published as IIVRS Technical Paper No. 28, October 1986

survey⁹ carried out in 2015 shows some promising results in vital events registration. The study done in a small number of respondent shows the birth registration as 76 % and death registration coverage as 75%. Likewise marriage registration coverage has reached 76%, divorce registration coverage as 87%, while internal migration registration coverage shows merely a 60%. The same survey has also revealed some of very surprising results on geographical coverage of birth registration. Terai area (plains) stands at 79%, Hill 75%, whereas in mountain area the coverage is as low as 58%. Community wise birth registration coverage shows more coverage in Madheshi community (85%), Brahman/ Chhetri (81%), Dalit (79.5%) and Janjati (ethnic group) (58%). The analysis shows improvement since the results of Nepal Multiple Indicator Cluster Survey, 2010 and Nepal Demographic Health Survey, 2011.¹⁰

1.3 Achievements

A consolidated and well implemented VERS calls for the identification of the individual and the families through a well-designed and created family folder. During past four decades state intervention are seen in on doing ground work for establishment of VERS. The major instrument provisioned in the VERS Act- establishing the ‘Parivarik Lagat’ (Family Inventory) has not been initiated so far. Initially, the inventory were tried to keep in paper form which were later computerized in a small number. Currently DoCR has stepped ahead and geared to establishing a consolidated MIS (VER and Social Security Program) with grievance mechanisms. Online event registration is in operation in more than a dozen Municipalities and seven districts (Kathmandu, Lalitpur, Ilam, Jhapa, Palpa, Kailali and Tanahu). At present CRVS-IS generated unique identifier of beneficiaries have been provided to more than 1.3 million members entered into the MIS.

Nepal is one of the countries in Asia and the Pacific which is making a satisfactory progress in managing vital registration including birth registration. Through limited provisions of the VERS Act and with issuing directives and guidelines in various dates during past four decades, Nepal’s track shows significant increment in the rate of the registration.

Table.1
Vital Events Registration during 80s

Vital Events Registration	Year					Remarks
	1980	1981	1982	1983	1984	
Births	43 517	54 202	68 010	97 778	108 352	
Deaths	12 698	17 882	18 119	16 071	20 181	
Marriages	4 525	8 231	8 651	10 346	14 499	

Source: Annual Reports, Ministry of Home and Panchayat

Table.2
A steady progress in Vital Events Registration

Vital Events Registration	Year					Remarks
	2010/11	2011/12	2012/13	2013/14	2014/15	
Births	717 966	565 211	752 024	1 029 681	876 193	
Deaths	98 338	111 350	104 923	121 849	114 352	

⁹ The Survey was conducted by DoCR in 2015 with small sample numbers of districts and local government units in order to provide a base for the Survey carried out by the Central Bureau of Statistics for DoCR. (www.docr.gov)

¹⁰ Annual Report, Vital Events Registration, 2013/14, 2014/15, Department of Civil Registration

Marriages	185 449	171 235	194 294	317 316	224 826	
Divorces	338	395	522	1104	1355	
Internal Migration	86 104	86 471	81 298	94 613	121 429	

Source: Annual Reports, Vital Registration Programme, Ministry of Local Development

While comparing the registered vital events (Table.1) with that of the population covered it was found that only 25 percent of the expected births were registered during 80s.¹¹ A huge gap exists between the estimated births and deaths and the reported ones.

The lowest levels of birth registration are found in sub-Saharan Africa (44 per cent) and South Asia (39 per cent) - the region with the largest overall number of births and children under five.¹²

Registering a child's birth is a critical first step towards safeguarding lifelong protection. Promoting children's right to birth registration falls clearly within UNICEF's mandate. It has been a key component of its programming since the late 1990s. Approximately 230 million children under the age of 5 have not had their births registered. There has been some progress, albeit small in raising birth registration levels. Between 2000 and 2010 global birth registration levels rose only slightly, from 58 % to 65 %.¹³

If alone Nepal Crude Death Rate figure 194,077 in 2011 be compared to the VERS deaths record of the same year 98,338 (Table 2), it comes as 50.7 %. The registration coverage although much claimed to be based on demand side, the supply side has been equally responsible. Details are dealt under constraints below. Both the Tables 1 and 2 show a steady progress in registration of vital events. Although in all categories there is much fluctuation of numbers which is seen to be the result of improper reporting system from the local registrars.

At present most of the events registration certificates are made mandatory for obtaining services. The births registration certificate are made compulsory for enrolment at schools and educational agencies and child nutrition grants. The deaths certificates are compulsory for transferring the entitlement and legal ownership. Similarly internal migration registration certificates are compulsory to obtain Social Security allowances from non- residing district. Despite this the per cent increment in the events registration is low.

The Vital Events Registration Act clearly states that birth should be registered and certified. The act does not have any provisions relating to the non-registration of personal events. It shows that birth registration is not compulsory obligation of the parents. It is also noteworthy that it has given open period (any age) for birth registration along with other vital registration; which hinders proper record of the child birth registration. Consequently, there is a tendency to register the birth only when they need it. The very little fine amount up to NRs. 50 for late registration and the nominal fee (from free of cost to NRs. 8) for obtaining certificates and the copies also is to be considered one of the factors for overlook by the service recipients.

¹¹ Status of Civil Registration and Vital Statistics in Asia and the Pacific, United Nations, Economic and Social Commission for Asia and the Pacific, Bangkok,1987, Page 177

¹² EVERY CHILD'S BIRTH RIGHT Inequities and trends in birth registration c United Nations Children's Fund (UNICEF), Data and Analytics Section, Division of Policy and Strategy, December 2013.

¹³ Global Civil Registration and Vital Statistics Scaling up Investment Plan 2015–2024May 28, 2014World Bank WHO

In Nepal marriage are registered under many provisions. The social and customary marriages are registered as events at the local registrar's office. However, one could get court marriage under Marriage Registration Act, 1971. Upon any social and or illicit relations courts decides to designate or not the litigating parties as husband and wife and afterwards the marriage registration. This has serious implication on marriage age. Although the Muluki Eien (Civil Penal Code) has specified the marriage age as 20 and 18(parental consent) years but upon the litigation and courts judgment the underage or 'otherwise' marriages are also to be registered.

1.4 Institutional Framework and support

The Births, Deaths and Other Personal Events (Registration) Act 2033 (1976)¹⁴ that defined five vital events has provisions for the institutional arrangements for the management of vital registration. There are provisions to appoint a Registrar and Local Registrar for each VDC and Municipal Wards. The government at the Department of Civil Registration under the Ministry of Federal Affairs appoints the Director General as the Registrar and VDC and Municipal Ward Secretaries as local registrars. Currently the number of local registrars is 6239 (3157 VDCs and 3082 Wards of 217 Municipality). The Registrar's core function is to control the VERS. The Local Registrars are authorized to register and issue the certificates and cater registration related tasks like amendments and issuance of certificate copies. They also keeps the authority to perform punitive actions on registration related delays and frauds. Additionally, staff are deputed to supervise local registrars to work in DDC and Municipal offices. The Local Self-governance Act, 1999 has given more autonomy to VDCs and municipalities including civil registration. Department of Civil Registration was established on October 2014 and formally inaugurated on March 2015. The Department has been assigned to manage, regulate and control vital events registration. Local Registrars in Municipal Wards and Village Development Committees are coordinated by DDCs. District Development Committees are assigned the task of coordination, data storage, administrative function; and bears some of rights of the Registrar.

Vital Events Registration Program has been getting support by the UN and other bilateral agencies. During the earlier development phase, UNICEF was and has been a major player to support the birth registration and its promotional activities. WHO has been one of the partners supporting in data base preparation for the MIS focused in 'death and causes of death' and UNFPA in various population activities. The World Bank and the Asian Development Bank has been initiating and supporting to design and establish the MIS.

1.5 Regional/Global commitment

Birth registration has been recognized as a right of the child under Article 7 of the United Nations Convention on the Rights of the Child¹⁵ that has been endorsed by most countries including Nepal. In the light of article 7 of the Convention, the Committee urges the State party to increase its efforts, including awareness-raising campaigns, to ensure the registration of all children at birth. In this regard, the Committee recommends that the State party ensure that local government authorities, which are entrusted with the task of birth registration, actively engage with the local communities to ensure that births are registered in a timely and effective manner. Article 8 states, 'Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as

¹⁴ <http://www.lawcommission.gov.np/en/documents/2015/08/birth-death-and-other-personal-events-registration-act-2033-1976.pdf>

¹⁵ <http://www.un.org/documents/ga/res/44/a44r025.htm>

recognized by law without unlawful interference.' Thus, it has become obligatory on the part of the national governments, to ensure registration of births within the framework of national laws.

The Asian and Pacific Decade (2015-24) on Civil Registration and Vital Statistics in Asia and the Pacific through the regional action framework responds to that request as a catalyst for Governments and development partners to focus and accelerate their efforts to realize a shared vision and the '3 CRVS goals and 15 targets'¹⁶ outlined in this document during the proposed civil registration and vital statistics decade.

United Nations Principles on Vital Events Registration defines VERS and recognizes VER as a major foundation for a legal system for establishing the rights and privileges of individuals in a country.

Nepal is one of the committed nation towards the commission of Information and Accountability for women and children's health (COIA¹⁷). Its recommendation for improving CRVS to establishment of system for registration of births, deaths and causes of death, through well-functioning health information systems that combine data from administrative sources and surveys by 2015 is to be fulfilled by Nepal. Nepal has started doing initial works along with the initiation doing survey for bench marking of vital events registration per cent and submit the targets to UNESCAP. Also piloting in 10 district on mobilizing Female Health Volunteers for birth registration is planned with joint efforts of WHO and Department of Health.

2. Review of provisions

2.1 National policy/Periodic Plans ¹⁸

Vital events registration although it has been considered as one the oldest activities and important government responsibilities, it did not get any separate considerations in the periodic plan prior to 90s. During late 90s it was addressed in the Population Policy for the first time in the Seventh Plan (87-91). It had a fifteen-year population programme on consolidation of vital registration system to be extended gradually in all the districts and making registration of birth and death more effective through Panchayats.

The Eighth Plan had limited scope to collect vital statistics on births and deaths, on a regular basis. VERS was not a priority until Ninth Plan (97-01). During the period VERS was considered a regular activities. It was one of the regular programme activities of the local bodies (VDC/Municipality) for which Ministry of Local Development conducted activities.

Tenth plan (2002-07) gave special emphasis while strengthening of vital registration system and its use. In its Policy and working policy of Local development a provision will be made for integrating vital registration program with the family statement, and will be implemented effectively.

Eleventh Plan (2008-10) took Registration Program Personal Event Registration Act- 2033 will be reviewed in order to make the registration of birth, death and other personal events effective and essential for administrative works in other administrative entities as well, for effectiveness of population management programs. Arrangements shall be made for personal event registration undertaken through local bodies. The process of registration of personal and family events will be strengthened.

¹⁶ <http://www.getinthepicture.org/asia-pacific-crvs-decade-2015-2024>

¹⁷ World Health Organization (2011). Keeping Promises, Measuring Results. Commission on Information and Accountability for Women's and Children's Health. Geneva, World Health Organization.

¹⁸ Periodic Plans, National Planning Commission (www.npc.gov.np)

Twelfth Plan (2011-13) without specifically giving out any policy guidance set the target of a vital registration computer programme package for 65 DDCs for registration. It also set a target of reaching a birth registration rate of 90% from 75% and other events registration to 65% from 40%.

Thirteenth Plan (2014-17) under Social Development Chapter /Population strategies has stated the reasons and trends of the internal as well as external migration. The Plan has more specifically laid out operational policy and VER strengthening Programme including a survey of current state of registration, Integrated MIS to be develop, training of civil registration personnel human resources and most importantly expanding network data connectivity for its use, currently not available in the rural sector.

2.2 Review of National Provisions/Arrangements and Chronology

Vital Events registration in Nepal is governed under The Birth, Death and Other Personal Events (Registration) Act, 1976 and Birth, Death and Other Personal Incident Regulation, 1977. The Birth, Death and Other Personal Incident Act, 1976 and Regulations 1977 are the main laws related to birth registration. The Act has come into force in ten districts in 1976 and later it had expanded in other districts too steadily (Table.3 shows the details).

However, the legal rights to birth registration was recognized only in 1992 after ratification of UN Convention on Child Rights, 1989 introducing the Children's Act 2048 (1992). The Sec. 3 of the act clearly provisioned right to name and determination of date of birth of child according to the religion, culture and tradition by his father from the birth. In addition to that, the government of Nepal has issued policy guidelines and directives. There are some other laws that closely link with birth registration such as the Personal Events Registration Directives, 1999; the Nepal Citizenship Act 2006; the Nepal Citizenship Rules, 2006; and the Citizenship Issuing Guidelines along with various verdict and decision of Supreme Court of Nepal.

A study report done in 2013 on Comprehensive Assessment of Civil Registration and Vital Statistics in Nepal has critically analyzed Legal basis and Resource, Registration practices, Coverage and Completeness.¹⁹

DoCR has developed a Road map²⁰ for three/four consecutive years for VERS management that has asked for the development Partners support. The Road map basically is set of objectives, Results and measuring indicators of broader goal of “Get Everyone into the Picture (2015-2024, UNESCAP)

Table.3
Related history of civil registration system in Nepal

Year	Arrangements
1971	Marriage Registration Act introduced to legalize the marriage. This Act has appointed the Chief District Officers in the districts as Marriage Registration Officer.
1976	The first legislation for vital events, The Births, Deaths and Other Personal Events Registration Act, 2033 (1976) enacted.

¹⁹ Report on Comprehensive Assessment of Civil Registration and Vital Statistics in Nepal, 2013, GoN/WHO

²⁰ Three Years Roadmap matrix, 2015-18 (Draft)

	<p>The legislation specified the management and control of d maintenance of vital events registration (f birth and death registration.</p> <p>Registration of births and deaths was enforced throughout the then kingdom in a phase wise manner.</p>
1977	Vital Events Registration Regulation introduced.
1980 amendments	<ul style="list-style-type: none"> -Non Nepali brought into jurisdiction for events registration -External migration in migration taken as event -Penalty for non-compliance -Correction of the details
1981amendments	Appeal to be heard by appellate court on CDO's decision
	Rights to birth registration was recognized only in 1992 after ratification of UN Convention on Child Rights, 1989
1989	All 75 districts covered
	All annexes/Schedules/Certificate issued In Nepali and English
1992	Introduction of Social Security Scheme that utilized data from VERS
1998	Enactment of Local Self Governance Act that defined VER as the responsibilities of Village/Municipal Government
2006 amendments	Informant of any sex family member
2006	Nepal Citizenship Act of 2006; the Nepal Citizenship Rules, 2006; and the Citizenship Issuing Guidelines that helped making VER mandatory.

2.3 Vital Events/Child Rights in the Constitution

Nepal's recently promulgated constitution stated Child Birth registration as the fundamental rights (39.1). It guarantees the right to a name with an identity and birth registration of a child among others. Similarly the Children's Act, 1992 has clearly specified the provision on Rights and Interests of Children viz. Right to name and determination of date of birth.

The State policy under the constitution states that 'population statistics will be updated and tied up with national development plans.'

The vital events registration function is provisioned under concurrent list of Union, State and the Local Governments through Annex 9.²¹ This means that separate laws guiding these tiers of the governance will have to be drafted. While drafting new laws it should be clearly understood that Nepal has been exercising the center controlled VERS from the beginning. 'The advantages of having national control of registration was strongly emphasized in the United Nations Principles and Recommendations for a Vital Statistics System.'²² It has and will have good vertical linkage with the state and local government

²¹ The Constitution of Nepal, <http://www.can.gov.np/np/ncd.html>

²² United Nations, Department of Economic and Social Affairs, Statistical Office, Principles and Recommendations for a Vital Statistics System, Statistical Papers Series M, No 19, Rev. 1

units as perceived in the new constitution, also recommended by one of the UN studies has revealed that ‘central registration office was considered by many to be essential to success in developing nations’.²³

2.4 Surrogacy

Nepal do not have Surrogacy law. But the government, through a cabinet decision in September 2014 had decided to allow surrogacy services for foreign couples.’²⁴

The births from surrogate mothers in the hospitals are said to be considered by the private health facilities on ‘humanitarian’ ground. But the vital registration authorities, in absence of the provision, have been refusing to register such births with a name of genetic mother who would not give birth to the child at birth station. Also generally, the travel documents would not show the entry of genetic mother in the birth taking place country during baby’s birth, the local Registrars cannot register the birth with the name of the genetic mother.

Nepal government banned surrogacy in Nepal in September 2015. Surrogacy services for foreigners are no longer permitted. Without a visa and exit permission a newborn child will not be able to leave Nepal. However, an interim arrangements for the babies born earlier to the Supreme Court’s order allows the father of the babies to get a paper to take their wards from Nepal. For the documentation of children resulting from surrogacy processes started before August 25, 2015 potential parents need complete procedural matters to obtain birth certificates and registrations and other documents.

3. National priority vis- a- vis Investment

Analysis has been done in preceding sections about the policy provisions and priority of VERS in Nepal. The periodic plans although has lately vision the importance of CRVS, any concrete investment projection does not seem. Therefore VERS remained as a project under MoFALD. Plans also has failed to address the linkage of VERS with the population management, employment, social security schemes beneficiaries and related others.

Financial constraints and low priority assigned to VER have been the key issues in developing nations. The development and incremental recurrent costs for maintaining CRVS systems and strengthening the monitoring are the major areas of the investment. The World bank estimates such ‘cost per vital event (births and deaths) ranges from under US\$ 2 to over US\$ 13...The estimated development costs (incremental costs or additional funds for establishing and strengthening CRVS systems) in the 73 COIA countries during the period 2015–2024 is US\$ 2,281 million or US\$ 0.90 per capita.’²⁵

Comparing the investment of Nepal with the above estimates gives a very bleak state.

Table.4
Budgetary Allocation for Nepal VERS

Fiscal Year	Allocation (NRs ,000)	Source	

²³ Technical Papers- Number 15, May 1981, Major Obstacles to Achieving Satisfactory Registration of Vital Events and the Compilation of Reliable Vital Statistics, International Institute for Vital Registration and Statistics, USA

²⁴ <http://www.myrepublica.com/society/story/28417/nepal-bans-surrogacy-services.html#sthash>.

²⁵ Global Civil Registration and Vital Statistics Scaling up Investment Plan 2015–2024 May 28, 2014 World Bank WHO

		Government	Development Partner	
			ADB	WB Grant
2011/12	42375	1575	40800	50950
2012/13	100348	348	100000	1147
2013/14	190854	10719	180135	43800
2014/15	109345	12296	97049	34386
2015/16	314402	29152	285250(LGCDP)	-
Total	757324	54090	703234	130283
Percentage		7%	83%	

Source: Budget Speech of different Fiscal Years, Ministry of Finance (www.mof.gov.np)

The Table.4 shows a clear picture of the lower priority of the government. Although registration programme like computer package for 65 DDCs for registration. Analysis of the investment of year 2011/12 show a set target of reaching birth registration rate to 90% from 75 and other events registration to 65 from 40% and the budget allotted for the same fiscal year is NRs.42.37 mil. (USD 0.4 mil.) which comes as nowhere percent 0.15% of the recurrent annual cost NRs. 266 bill. (USD 27 bill.) of the same fiscal year. Similarly in FY 15/16 the total allocation NRs. 314.4mil (USD 3.14 mil.) comes as 0.65 % of the total recurrent annual cost of the same fiscal year NRS 484.26 bill. (USD 48.4). Of the total allocation, major part is being covered out of the development partners' support. If taken 5 years as a considerable period, the government contribution looks even less than 10%.

If the WB estimates and investment projection be considered (USD 0.9 per capita) the per capita Nepal (population 28.062 mil, 2015) investment on VERS comes lower than USD 0.1 per capita. This means, in order to achieve UNESCAP's regional goal, Nepal will have to increase its investment on VERS many folds.

The newly created Municipalities have shown great deal of interest in managing the VERS and funding some part of the cost. They seem to be potential agents to drive the process during initial establishment of VERS. At present civil registries in Nepal have major financing from the government budget and from International organization. Local Governments (particularly Municipalities) only fund the part of logistic cost not covered by the central budget. Local bodies with a realization that its vital statistics is crucial for planning and delivery of services, has started nominal funding from own sources. This also calls for an amendment in the limit of fees; and fines for late registration that legally goes in the Local Government fund. Subsequent new provisions in Union/State/Local Government laws are required to be drafted as per the concurrent list of the constitution. Because other charges and fee for late registration are considered 'counterproductive'²⁶ and a hindrance to birth registration any amendments on fees/fines upper limit may bring public wrath. Therefore, alternatively, municipal agencies should come up with a cost sharing schemes with INGOs involved in CRVS promotional activities.

4.0 Constraints

Several gaps have been seen indicating the needs of legal provisions to accommodate the global issues on births, deaths and internal migration; institutional capacity development; capital investment on

²⁶http://www.unicef.org/publications/files/Implementation_Handbookfor_the_Convention_on_the_Rights_of_the_Child_Part_1_of_3.pdf

establishment of consolidated database/MIS that rollout with connectivity; and adequacy of organizational structure for the growing scopes of CRVS in Nepal. Major ones are discussed below.

4.1 Legal Aspects

Because of legal complexities and ambiguities the VERS in Nepal has not been effective. Although provisions on 'registration informants' been updated and uneasy and burdensome procedures made simpler, the registration per cent could not get to a desired level. This is because of its non-obligatory characteristics. As a consequence significant portion of the population is being excluded from the benefits provided by the state in one hand and government's planning and budget allocation for direct benefit schemes (Social Security Schemes, cash transfers, free schoolbooks, citizenship, travel documents etc.) depend on distorted data on the other. In due lack of legal identity and proper documents the poor and vulnerable groups get to indirect discrimination.

The VERS Act has currently provisions for five vital events registration. Still Birth, Domestic Adoption and Family Separation, Distribution/redistribution of the entitlement that are very important events in Nepal are still not considered as events. Cause of death in the registration process is not mentioned while registering the Deaths. Although the health facilities centers provide cause of death, such is not captured legally in the registration process by the registrars. 'Verbal autopsy' related provisions need to be introduced in the VER Act.

Nepali nationals residing abroad are either deprived of or having much delayed VER services at the missions abroad. As the embassies or the consulates are not designated or authorized for the registration and issuance of the certificates, Nepali citizens largely register the events while they are back home. Also the law requires for such events to be registered in the country itself within sixty days of the entry in the country.

DoCR is a new set up for VERS. The Act has no provision for central level institutional arrangements and roles and responsibilities of the department. The sector ministries do not come under purview of the Act that also contribute to make the registration non obligatory.

Statistical information, production of vital information broadly comes under the Statistics Act 2015. The legal requirements for publication of vital statistics from civil registration data is not covered by this law, hence a horizontal linkages of data is missing. Also policy approach on population management and VER data in the Periodic Plans seems to be grossly missing.

4.2 Supply based service delivery

The VER is still supply based. Except in education sector the certificates are not mandatory while availing other basic services. Events registration as such is not taken seriously by the citizens. They carry these tasks once they require them. In such circumstances the local registrars face constraints while availing the required old proofs and documents. Also there is no limitations on time of the issuance and the number of copies of the certificate with the stipulated fines. There are different, often conflicting procedural framework of the agencies (health, education, Public Service Commission, Citizenship Issuing Office, CBS etc.) that demand side see as burdensome (different supportive documents) and non-standardized (physical presence while registration). Availability of local registrars at the stations, longer travel time (by public transport or walk) to the registrars' stations (VDC offices); necessity of

physical presence of the informants, and requirement of additional documents has been some of the issues on demand side as well.

In absence of functioning VERS the rescue and relief works after the April 2015 Earthquake in the country were severely hampered. Government agencies struggled hard to collect and verify the number of deaths and affected for relief distribution. In the absence of 'Family Inventory' relief agencies started and still carrying data collection for stronger recovery and resettlement schemes. Very recently proposed Earthquake Recovery and Housing Reconstruction Programme from support of the World Bank and other development partners has started collecting data on Earthquake Household Damages and Characteristics. This shows a clear need of civil registry system and documentation in place. The lesson learnt is -'vital events data if available in times of crisis could have supported a stronger recovery effort'.²⁷

Although the Act is considered as old and not having many situational provisions, it is very clear on creating a Family Inventory that many developed countries have done as pre requisite to an effective VERS. There is provision of maintaining the Family Inventory, but not mandatory as stated. As there is no family inventory system in the place, and record system is poor, likely to depend upon the information provided by the informants resulting to unnecessary hassles.

4.3 Complex information procedure

The formats of the registration forms are the part of the annex of the Act/Regulation. The information formats still require irrelevant and non-compatible data like religion, geographical location not needed for statistical purposes making registration more difficult. The informant is made solely responsible for any miss information and discrepancies while filling up the information form. In the absence of the records the local registrars get easily misled, hence, incorrect certificates are issued.

The fee for penalties and delays are of little amount. The service recipients go for penalties than the timely compliance.

The 'ambiguity' in terms of interpretation of the term "informants" that considers "head of the family", and in his/her absence, "from amongst one of the adult (16 years and above) members of the family" as key informants remains.

4.4 VER Data stores

A functional MIS requires server connectivity through internet, network and a backup management as major technical components and is a must. Currently not all DDCs are connected through the MIS, nor has the online registration been smooth. The connectivity related structure and connectivity speed are not up to the marks in rural Municipal areas and DDCs. The vital registration records still are kept manually. Prior to 90s all of the records were collected, entered and kept in secretariat which still awaits digitization. Later DDCs were made responsible to store the records. The forms/ formats which are integral part of the registration has been kept in manual form. The reasons behind the sorry state are seen as government's least priority, poor linkages of the service delivery agencies, and poor record management. Also because of shifting VER responsibilities to MLD/MoFALD the documentation and

²⁷ Earthquake and Disaster Management: Sindhupalchok (Nepali edition), Basant Raj Gautam, A Journal on Self-Governance, Issue no.6/7, September,2015

storage centres in the capital has been in poor state. The documents archive of a later date of 1990 has been poorly managed and stored by the respective DDCs. It shows an urgent need of digitizing the data and keeping up a backup. Also amendments in the law on provision of availing very old manual documents (once digitized data available) is needed.

4.5 Poor coordination

Poor coordination among agencies has been frequently observed. Different purposes and use of VER data from several agencies has posed issues like standardization, unification, timing, access and uses has slowed the speedy digitization. The major stakeholders in the development of the MIS- National Identity Card Management Centre, the Election Commission and the CBS- has separate database on VERS and related field. The codification and digitization of the data should have proceeded in coordination to these agencies. But due to the reasons mentioned such could not be done, hence repeated and non-similar MIS is being prepared. NIDMC has moved ahead with a separate codification. Election Commission has its own database and coding. Although a coordination mechanism has been formed under the convene of the Secretary of MoFALD to discuss, analyze, coordinate and recommend the necessary to the respective agencies, it still has more legal and technical issues that cannot be resolved without having a separate law on National Card Management and codification or amendments in VERS Act.

4.6 Capacity gap

Many of the local Registrars are less familiar with information and communication technology and using computer and applications. DDC/VDC/Municipalities lack trained personnel. MoFALD's community development program (LGCDP) has supported VERS in the districts through Social Protection Officers and Information and Communication and Technology Officers. The long time exercised manual service and record keeping has resulted in reluctance in part of the local Registrars to modernize the system.

VDC Secretaries and Municipal Ward Secretaries, in the absence of the local political representatives are heavily burdened with the stipulated tasks. They often consider the VER as their additional job, hence less priority given on management of data and reporting. Reporting has been very weak. It is frequently observed that the data supplied to the center has a huge number of error and under reporting. In the absence of elected representatives at local government that were more known to local community the required services are been hampered and the massive extension schemes have not been possible. NGOs and CBOs in mass campaign have been proved effective tools. But they could not be brought into the collaborative manner for the promotional activities by the local registrars.

4.7 Budgetary gap

Lack of adequate fund/budget and investment plans has significantly hampered the effectiveness of VERS in Nepal. The Department has been providing minimum required support to the local governments for MIS and technical training orientation. The technical and MIS team at the Department are dependent on the Development Partner's fund and their sustainability remain questionable. AS the consolidated MIS equally serve the Social Security Programme beneficiaries, it is time for the government to increase the investment for the maintenance of the MIS.

4.8 Inadequate organizational set up and physical infrastructures

Physical infrastructures, equipment and technologies are also the prime concern to deliver VER services to deliver efficiently and accessibly. Capital investment on establishment of consolidated database/MIS, connectivity has been started only recently.

Before the establishment of the Department the tasks were overseen by one of the units in MoFALD. All of the units related to VERS were not liked and proper coordination and directions always remained as issues. However, Adequacy of organizational structure in line with the growing scopes of CRVS in Nepal is only recently discussed.

The VDC/Municipal Ward Secretaries who are designated as local registrars have their own core function on local governance and service delivery. They are not provided any additional working hands for VER. As a result differences of details of personal information in government papers, fake certificates, and unmatched details in vital records (citizenship card and passport) have been observed quite often.

4.9 Use and acceptance

Use of VER data in vital documents like Citizenship certificate, health education related documents, Passport etc. is increasing. But limited awareness among officials involved in VER and among the public in general and the relatively high indirect cost (e.g. Local Registrars, making copies of the documents, cyber services charge etc.) of registration, have been affecting the effective implementation of VER systems.

Since the coverage of vital statistics generated from VERS seems very low, data users prefer using census, survey and other routine information in health and other planning and evaluation process which further pose question on the data.

Acceptance of all the VER documents at international level is required. Currently the VER certificates are being issued with a random unique number and identification. It is designed in a way that the NIDMC number would supersede this without confusion. Nepalese registration framework is compliant with regional as well as international practices, but frequent amendments in the formats has made the data non-coherent to some extent (frequent change in name of Local Government units, additional true copies with minor amendments, the size and content etc.). All these turns out the fact that huge portion of the population still do not possess such legal identity documents.

Experience has shown that under conditions of high illiteracy and poor economic well-being, compliance cannot be achieved without an effective incentive, particularly in the rural areas. Awareness among the communities on VERS and its utility is, compulsory requirement within stipulated time of 35 days is still low.

4.10 Offing MIS

In the absence of the database, the manual records/registers has often been the source of irregularities. Issuance of several certificates, double entries, certificates with different information details, are some of the mostly found discrepancies. Local registrars often seemed to be tempted to temper, over write, delete information from the records/registers.

MIS is nonetheless expensive while its establishment. Data connectivity has been a serious challenge for the management of data base in the local Registrars' offices and data stores at the DDCs. The weak

electricity supply and telecommunication system bring frequent disruption in internet connection resulting in slower data transmissions in the central server/database and among data sharers including DoCR. VER is considered to be more technical in nature and therefore require more professional and technical employees that DoCR has yet to consider. DoCR remain largely dependent on the support from development partners' fund for recruiting such expertise. The additional required staff at the registrars' offices at the moment seems not an appealing agenda for consideration by the government. The coordination efforts from DoCR to bring the Rural Telecommunication Fund for support in expanding connectivity has yet to yield.

5.0 Recommendations

The objective of the paper has outlined the area of recommendation on policy and operational strategies. Therefore the recommendations, broadly is made on Institutionalization of the function including MIS set up; Formulation of a credible Road map; Legal reforms; and required Funding and investment in VERS as a priority sector.

5.1 Reliable system

Establishment, operation and maintenance of a reliable civil registration systems is always the responsibility of the central government. Such a reliable system can only produce legal documentation on vital events with fundamental characteristics that protect civil and human rights of the population. Ours is a practice of little use of data and not giving importance to data. It all depends on how the government plans to utilize the information and the vital statistics derived from the records in an effective planning; and other agencies take the database as reliable for sensible use in election purpose, and national identity and security. With the current commitment government should come forward with an increased investment to build upon the established automated systems. The proposed Road map could prove foundation to put more bricks on such system with more planning discipline.

5.2 Legal reforms

A functional VERS is not possible without establishment of a workable apparatus at the grass root level both at rural and urban area appreciated by the local government units. Legal instruments that cater present day needs and technically sound frameworks shall be more used by the government to fulfil VERS responsibilities and roles but at the same time amendments in legal provisions are must. The reform should also come up to accommodate the contemporary global issues on migration and on issues dealt earlier. It will be in favour of the service recipients to have service access 'on line' or from abroad, it should also be noted that the rural people also get such services through unified and functional and dynamic service centres as envisaged.

5.3 Coordinated Roles and Responsibilities

Vital events registration is multi-disciplinary and multi-sectorial in nature. This calls not only for a coordinated but also a holistic approach in improving and strengthening the systems. Effective civil registration is also about good governance. One of the impediments to the success of VER arrangement seemed as the lack of effective co-ordination and co-operative effort among the involved agencies including development partners. Unlike current arrangement of loose coordination mechanism set up under MoFALD/DoCR such roles should be carried out by authoritative and high-powered committee that would be able to coordinate the Election Commission, Ministry of Home Affairs, Ministry of Health, Ministry of Communication, Central Bureau of Statistics through amendment in the VER Act along with the roles and responsibilities of DoCR.

5.4 Decentralized VERS

If the CRVS systems are decentralized, the national coordinating body for civil registration and the vital statistics authority be located in the same ministry or department as the central statistics office responsible for the compilation of national statistics.²⁸ Our VERS although decentralized the central coordinating agencies' performance has been limited to supervision. The importance of VERS has not been realized. It is also felt that the current numbers of local registrars' offices could not be virtually linked through the internet. Therefore the policy agenda on clustering these units and bringing them to nearly 1000 consolidated service units for this purpose would be more effective. The central compilation authorities have not been able to coordinate as they are not in proximity and will not be again with the new tasks and responsibilities under the Constitutional Concurrent list.

Although Bangladesh introduced Birth and Death Registration Act only in 2004, later than Nepal, Bangladesh experience ²⁹ tells that Electronic registration in rural Local Government Institutions and linking to service delivery have been the major inputs to the improvement in the registration.

5.5 Funding

The funding gaps should be narrowed down through increased investment from the centre. The per capita investment for the VER at least need to be at USD 0.5 or more. Funding of the VERS shall be looked from or in partnership with the respective tiers of the government for the functions to be outlined for the State and the Local Governments as provisioned under the concurrent list of the recently promulgated constitution. The Registrars should be provided with additional resources for smooth and effective registration of all vital events in Nepal. Therefore, in order to increase the registration rates schemes encouraging the service recipients needs to be brought along with the setting up of the convenient units of registration and automation including online registration. NGO's resource and self-help groups could be potential source for funding at the local level or campaigning mass awareness programmes.

5.6 Capacity Building

Today's VERS cannot be visualized in absence of competing technology. Local Registrars need to be made more familiar with information and communication technology and using computer and applications through more trainings and orientations. This shall include technical knowledge in web link management, Short Message Service management and data computation. Trained personnel in DDC/VDC/Municipalities and proposed consolidated service units will have to be available to modernize the long time exercised manual service and record keepings.

5.7 Drawing out learnings

Use of important elements of ICT in VER surely facilitates the registration process; and saves cost and the time. Many developing countries have already entered into establishing such systems. Nepal May take such inference from regional experience from the Philippines or fast modernizing case in Bangladesh. Nepal's own case of VER evolution has own improvement and uniqueness.

²⁸ Handbook on Civil Vital Registration on and Statistics Systems Developing Information, Education and Communication. United Nations 1998 Studies in Methods Series F, No. 69

²⁹ Status of Civil Registration and Vital Statistics in Asia and the Pacific, United Nations, Economic and Social Commission for Asia and the Pacific, Bangkok, 1987 ST/ESCAP/465 STATISTIC AND THE PACIFIC

Recent discussion of National Focal on VERS (www.getinthepicture.org) has called for rigorous efforts on part of national focal to fueling up the agreed agenda for strong political commitment for scaling up the investment and making VER a part of the commoner. Reinvigorating the coordination mechanism set up in each countries was the strong felt need. The CRVS-related experiences from Australia (pioneer in treating Health data as an essential component of CR), Denmark (the electronic CR system generated information continuously used by public administration employees) and Norway (all functional areas of CRVS supported by regulation and legal acts)³⁰ are seen to be relevant for all countries while approaching the design and implementation of the CRVS systems. Any offering VERS if could accommodate the better practices available shall undoubtedly be robust.



³⁰ Civil Registration and Vital Statistics 2013: challenges, best practice and design principles for modern systems, WHO