Increasing People’s Access to Legal Identity Documents
Rationale: Does it matter?

basic human right to identity

accountable & accurate population data informs planning and policy in development sectors
better allocation of resources
more effective services
more effective advocacy

facilitate access to health, education, social services, legal protection & economic means
The Context:
*Legal Identity in forms of….*

- ownership, impacts, barriers

| birth certificate | marriage certificate/divorce certificate |

- women living in poverty, vulnerable children, people with disability
In some countries, including Indonesia, legal document of parents marital status is a requirement for getting a birth certificate for a child with both the father's & the mother's name.

Having a birth certificate with both parents name is the right of a child, provides greater legal protection (inheritance, custody, etc.)

64% parents find it negative if otherwise.
Source of data:

1. Community-based survey done by PEKKA in 17 provinces

2. Cross-Sectional household-based survey done by PUSKAPA in 3 Propinsi (JABAR, NTB, NTT)

3. Analysis of Socioeconomic Survey Data (SUSENAS)

4. Administrative Data from Courts, Civil Registration Offices & Religious Affairs Offices in 20 Districts;

5. In-depth interview with stakeholders in 5 Propinsi (JABAR, NTB, NTT, SUMUT, SULSEL)
The Situation
over **24 million** Indonesian children do not have a birth certificate still **almost 40 million** if we include those who do not have the document with them.

- **52%** Have and able to show
- **18%** Have but unable to show
- **29%** Don’t have

SUSENAS 2012
Important to note…. 

More than 73% of respondents surveyed who answered they “have BC but unable to show it” admitted that they never had one when further asked why they were unable to show it.
in some provinces, that is the situation of more than half of children

Don’t know
Don’t have
Have but unable to show
Have and able to show

<table>
<thead>
<tr>
<th>Location</th>
<th>Don’t know</th>
<th>Don’t have</th>
<th>Have but unable to show</th>
<th>Have and able to show</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALL</td>
<td>29</td>
<td>19</td>
<td>52</td>
<td>1</td>
</tr>
<tr>
<td>JABAR</td>
<td>32</td>
<td>20</td>
<td>48</td>
<td>1</td>
</tr>
<tr>
<td>NTB</td>
<td>48</td>
<td>18</td>
<td>32</td>
<td>2</td>
</tr>
<tr>
<td>NTT</td>
<td>51</td>
<td>16</td>
<td>32</td>
<td>3</td>
</tr>
<tr>
<td>SULSEL</td>
<td>27</td>
<td>23</td>
<td>50</td>
<td>4</td>
</tr>
<tr>
<td>SUMUT</td>
<td>51</td>
<td>14</td>
<td>34</td>
<td>5</td>
</tr>
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</table>

SUSENAS 2012
The largest proportion of children without birth certificate is in the poorest families and under 1 year olds.

- Q1: 46%
- Q2: 34%
- Q3: 27%
- Q4: 20%
- Q5: 11%

SUSENAS 2012
50% of marriages are not registered, nationally

47% of children are not registered, nationally

75% of children do not have a birth certificate

55% of couples do not have a marriage certificate

in the poorest 30%

in rural areas

children without a birth certificate is double that of children in urban areas
the deprivation of legal identity is inter-generational

children from parents who do not have a birth certificate are 3 times less likely to have a birth certificate

children from grandparents who do not have a birth certificate are 13 times less likely to have a birth certificate
association of absence of legal identity with disability

children from parents who have disability are 5 times less likely to have a birth certificate
The Services
Absence Vs Issuance of BC in 2012 in AIPJ 20 Districts

- Mandailing Natal
- Asahan
- Humbang Hasundutan
- Bogor
- Sukabumi
- Cianjur
- Garut
- Lombok Barat
- Dompu
- Bima
- Lombok Utara
- Timor Tengah Utara
- Belu
- Sumba Barat Daya
- Manggarai Timur
- Bulukumba
- Jeneponto
- Bone
- Wajo

SUSENAS Estimate of Children do not have a BC in 2012
BC produced by DUKCAPIL 2010 to 2012
national coverage of registration at-birth

2012 35% coverage

4,669,125
2,259,653
1,658,100

2013 37% coverage

4,669,125
2,372,880
1,734,989

number of live birth a year before (MOH estimate)

realistic number of U1 with BC (SUSENAS estimate)

optimistic number of U1 with BC (SUSENAS estimate)

the gap
No significant improvement made in the past 7 years
Number of Under-1 BC increased only by max 4 to 8% over last 7 years

% of under-1yo children with a birth certificate

Realistic [have BC & can show only]
Increased the number of U1 BC by maximum 4 percentage points over last 7 years
"Optimistic" [have BC & can show + have BC but cannot show]
Increased the number of U1 BC by maximum 8 percentage points over last 7 years
Number of U5 BC increased by max 10 to 11% over the last 5 years

% of under-5yo children with a birth certificate

- [2008] 31%
- [2009] 34%
- [2011] 45%
- [2012] 49%
- [2013] 48%

Realistic [have BC & can show only]
- Increased the number of U5 BC by maximum 11 percentage points over last 5 years

"Optimistic" [have BC & can show + have BC but cannot show]
- Increased the number of U5 BC by maximum 10 percentage points over last 5 years
<table>
<thead>
<tr>
<th>Province</th>
<th>BC Owned by U-1 in 2012</th>
<th>Coverage [as per live birth number a year before]</th>
<th>BC Owned by U-1 in 2013</th>
<th>Coverage [as per live birth number a year before]</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>JABAR</td>
<td>289,175</td>
<td>35%</td>
<td>300,289</td>
<td>35%</td>
<td>2 of 4 districts where AIPJ works apply administrative penalties for late registration</td>
</tr>
<tr>
<td>SUMUT</td>
<td>46,437</td>
<td>16%</td>
<td>120,587</td>
<td>40%</td>
<td>1 of 4 districts where AIPJ works applies administrative penalties for late registration</td>
</tr>
<tr>
<td>NTB</td>
<td>17,016</td>
<td>17%</td>
<td>19,786</td>
<td>19%</td>
<td>None of 4 districts where AIPJ works applies administrative penalties for late registration</td>
</tr>
<tr>
<td>NTT</td>
<td>11,372</td>
<td>10%</td>
<td>12,819</td>
<td>11%</td>
<td>1 of 4 districts where AIPJ works applies administrative penalties for late registration</td>
</tr>
<tr>
<td>SULSEL</td>
<td>43,145</td>
<td>26%</td>
<td>50,435</td>
<td>31%</td>
<td>2 of 4 districts where AIPJ works apply administrative penalties for late registration</td>
</tr>
</tbody>
</table>

* Absolute number of BC increased by 2% coverage did not increase
* Absolute number of BC increased by 16% coverage increased by 24%
* Absolute number of BC increased by 16% coverage only increased by 2%
* Absolute number of BC increased by 13% coverage only increased by 1%

ESTIMATION OF LIVE BIRTH DATA A YEAR BEFORE FROM PUSLITBANG KEMENKES RI
ESTIMATION OF BIRTH CERTIFICATE OWNERSHIP OF U-1 WHO CAN SHOW DOCUMENT FROM SUSENAS
The Impact
no difference of ownership rate between boys and girls but girls suffer greater impact

in the poorest 30%

25% of girls were married before turning 18 yo
99% of them did not have a birth certificate

13% of girls were married before turning 16 yo
99% of them did not have a birth certificate

none of them complete 12 years of education
absence of legal identity impedes children’s chance to further their education

when children have a birth certificate, their likelihood increase by **58%** to be in junior secondary school

when children have a birth certificate, their likelihood increase by **89%** to be in senior secondary school
mothers & children who have legal identity **have better access to health services**

mothers with birth certificate and marriage certificate are accessing **pre and post natal care services**

children with birth certificate are accessing **basic immunizations**

children with birth certificate are accessing **health care services in the past 2 months**
women heads of household with legal identity **have better access to social assistances**

women with legal identity are accessing **health insurance and subsidized rice**
the study was not designed to investigate hidden population such as those living in non-household settings, people on the move, people in border areas, etc.
The Barriers
- Too far (15%)
  - Mobility
  - Geographic

- Too expensive (41%)
  - Time
  - Fines
  - Fees
  - Middlemen (80%)

- Too complicated (9%)
  - Min. 3 agencies
  - Not clear
  - Requirement

- Do not know (12%)
supply side barriers

- poor resources & leadership
- discriminative regulations & disincentives (fees, fines)
- disconnect between CR, statistics body & health

demand side barriers

- poor resources (cost, distance, mobility)
- lack of trust
- lack of knowledge

poor access to legal identity
Program Response
- distance
  - mobile services
  - assistance from civil society organisations
- costs
  - fee waiver policies
- complex procedures & lack of knowledge
  - information
  - integrated services
- inclusive policies
civil society partnership

data and research

policy and regulations

integrates & mobile services

information

FACILITATE

ILLUMINATE

REALIZE

COMMUNICATE

ADVOCATE
Integrated Mobile Services
(Court-Religious Affairs-Civil Registrar)
on the same day in the same location at village level

Religiously married couples

Late registrants

Late registrants

Religious Court for Marriage Legalization

Religious Affairs office for Marriage Registration

Civil Registration Office for Birth Registration

Court Decision

Marriage Certificate

Birth Certificate

People by Wilson Joseph from The Noun Project, Institution by Alex Fuller from The Noun Project, Document by S Madsen from The Noun Project, Document by Dan Draper from The Noun Project, Document by Melissa Gaviria from The Noun Project
Broader Birth Registration Strategy
Birth Centers/Midwives/CR

IMMS

DATA & RESEARCH
POLICY & BUDGETING
ADVOCACY
SERVICE DELIVERY & QUALITY
COMMUNICATION STRATEGY
CIVIL SOCIETY PARTNERSHIP

AT-BIRTH

parents do not have MC

BEFORE 1 YO

parents do not have MC

BEFORE 5 YO

parents do not have MC

BEFORE 18 YO/SPECIAL SITUATIONS

parents do not have MC

ALL CHILD REGISTERED UNDER FATHER’S & MOTHER’S NAME

IMMS

AKTA!

IMMS

AKTA!

IMMS

AKTA!

IMMS

AKTA!

IMMS

AKTA!
Broader CRVS Strategy
advocacy for resource allocation
regulations reform (fees, fines, requirements)
connect CRVS, statistics body & health sector

supply side barriers

poor access to legal identity

demand side barriers

enablers
(removal of fees & fines, integrated & mobile services)
transparency and public information
community outreach

enablers (removal of fees & fines, integrated & mobile services)
terima kasih.

<table>
<thead>
<tr>
<th>NAMA Lengkap</th>
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<tbody>
<tr>
<td>TEMPAT LAHIR</td>
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