

Information for the UN High Commissioner for Human Rights regarding birth registration and the right of everyone to recognition everywhere as a person before the law according to the Human Right Council Resolution 22/7

Civil Acts and Citizenship Registration Division of the Public Service Development Agency of Georgia has considered the letter received from the Office of the United Nations Human Rights Commission, dated October 1, 2013 on OHCHR report on birth registration – Human Rights Council Resolution 22/7 and within its competence hereby provides response to the following:

- 1. Please indicate the current status of the right to birth registration in your country's legal framework. Please include references and information on legal provisions which explicitly recognize the child's right to birth registration.*

The law of Georgia "On Civil Acts" (Article 20-30) and Order #18 dated 31 January 2012 of the Minister of Justice of Georgia "On Approval of the Rule of Civil Acts Registration" (Article 15-25¹) regulate birth registration-related relations in the country.

Birth is a fact of legal significance subject to mandatory registration by civil acts registration authority. Civil acts registration authority carries out registration of birth of a citizen of Georgia, of a child of a stateless person having the status in Georgia born abroad, as well as of a child born in Georgia. Manager of medical institution or his/her authorized representative shall submit medical certificate of birth to the Agency electronically only within 5 working days of a child's birth. On the basis of a message received the Public Service Development Agency registers a child's birth, determines his/her citizenship, gives him/her personal number, registers at residence address and issues birth certificate to authorized person upon request.

- 2. Please provide data on birth registration, including by gender, age (under 5 and above) and according to urban and rural areas, if available.*

From 1 October 2012 to 1 November 2013 67665 birth act records were registered. Among them 32666 are females and 34999 are males, 63638 persons are under 5 years of age, and 4027 are of 5 years old and older.

- 3. Please indicate what authorities are in charge of registering births, deaths and marriages. Does your country have a mechanism in place, mandated with the coordination of all actors engaged in/responsible for civil registration? Please indicate what information is included in birth certificates issued in your country.*

Birth, death and marriage registration is carried out by the Legal Entity of Public Law – Public Service Development Agency subordinated to the Ministry of Justice of Georgia, which exercises its authority by means of territorial offices, and within the delegated authority – by diplomatic representations and consular offices of Georgia abroad.

Civil acts are being registered via special electronic program. All territorial offices have online access to this program, which ensures coordinated actions between territorial authorities and almost precludes mistakes.

The following data is indicated in birth certificates: given name, surname, date of birth, place of birth, sex, personal number, citizenship of a person, birth registration date, act record number, parents data: father – given name, surname, personal number, citizenship; mother - given name, surname, personal number, citizenship; certificate issue date, certificate issuing authority.

4. *Please provide example of programmes undertaken by your Government to improve the rates of birth registration and to ensure awareness of the importance of birth registration in the whole territory. Please also specify whether such programmes are carried out in a systematic manner and, if so, with which regularity.*

Non-government organization – Innovation and Reforms Centre has been cooperating with the Public Service Development Agency since 2011. With support of this organization the Agency conducts documenting of persons having no registration documents, as well as establishing of facts of births of legal significance and issuing birth certificates.

5. *Do children in your country need to be registered and/or have a proof of identity to access education, health services and other services? Please elaborate.*

Pursuant to Article 3 of the law of Georgia “On the Rule of Registration of Citizens of Georgia and Aliens Residing in Georgia, of issuance of ID (residence) Card and Passport of a Citizen of Georgia”, citizens of Georgia and aliens residing in Georgia, regardless their age, shall undergo registration at their place of residence, and if they have several places of residence – at one of their places of residence. Upon registration they are given personal number, which is unique and is not reused after death of a person. A person can be identified by personal number. Along with registration of civil act of birth an under-age person is being registered at his/her place of residence and is given personal number.

Pursuant to Article 26 of the “Rule of Registration and Removal from Registration of Citizens of Georgia and Aliens Residing in Georgia, of Issuance of ID (residence) Card, Passport, Travel

Passport and Travel Document” approved by Order #98 dated 27.07.2011 of the Minister of Justice of Georgia, “a citizen of Georgia shall obtain ID card within 6 months of reaching 14 years of age. ID card may also be issued to a citizen of Georgia under 14 on the basis of legal representatives”.

As to the necessity to hold ID card for obtaining education, medical or other services, this does not fall within the competence of the Agency.

6. *Has your government benefited (or is benefitting) from setting up new, and/or strengthening the functionality of existing birth registration and civil registration and vital statistics systems? If so, please briefly indicate in which activity/sector/area of work and whether this has been done to address a specific barrier to birth registration and civil registration.*

Under the law of Georgia “On Public Service Development Agency”, the Agency is an authority carrying out registration. Accordingly, the main goal of the Agency is the registration of persons residing in Georgia and issuance of identification documents. Activities performed by the Agency (improvement of legislative framework, electronic management systems) provide registration and documenting of population.

7. *Does your country have a National Strategy in place to improve civil registration systems with technical, financial and human resources allocated? If so, please specify the resources available per year.*

Pursuant to Article 4 of the aforesaid law, the goals and functions of the Agency are: maintenance and constant improvement of civil register and creation and proper functioning of an organized system of registration of citizens of Georgia, aliens residing in Georgia and other persons envisaged by Georgian legislation and issuance of documents to them, as well as provision of access to relevant data in order established by Georgian legislation. Accordingly, the Agency is an authority, the main function of which is exactly the regulation of registration system. Vision/strategy of the State on registration issues is given in Georgian legislation, in accordance with which the aforesaid process is carried out. Efforts to further improve the existing system are undertaken on a daily basis.