
Invisible children in the Dominican Republic

A Minor Field Study on obstacles to birth registration

**By
Mikaela Flygge**

Supervisor: Clas Lindberg

Bachelor's Thesis Autumn 2009

Abstract

Birth registration is a fundamental key in ensuring several essential rights of the child; including the right to a name and a nationality, the right to education and health care, and protection from abuse and exploitation among others. The United Nation's Convention on the Right of the Child establishes that the child shall be registered immediately after birth and have the right to a name and a nationality. A total of 22 % of the Dominican children under the age of five are lacking an official proof of their existence within the Dominican society and in the world. A Minor Field study was conducted during a period of two months in 2009 with the aim of clarifying what obstacles to birth registration exist in the South-western part of the Dominican Republic. This clarification will contribute to a wider understanding of the causes to non-registration and the birth registration process in the country. Semi-structured interviews have been conducted with parents to unregistered children, civil registry officials and other relevant actors in the Dominican society. The findings of the study present a wide range of obstacles to birth registration and it is clear that the reasons behind non-registration in this region are numerous, complex and often inter-related. According to most parents, officials and other informants the main obstacle to birth registration was found to be the parents' lack of a Dominican identification card, a *cédula*. The lack of awareness about the importance of being registered and neglect by the parents were two other significant barriers to birth registration. The Minor Field Study was conducted with the support of the child rights organisation Plan International - República Dominicana.

Key words: Birth registration, Birth certificate, Convention on the Rights of the Child, Citizenship, Dominican Republic, Haiti

Resumen

Título: *Niños invisibles en la República Dominicana – Un estudio de campo acerca de los obstáculos para el registro de nacimientos*

Registro de nacimiento es una de las claves más importantes para asegurar los derechos fundamentales del niño; derecho a un nombre y una nacionalidad, derecho a la educación, derecho a servicio de salud, protección contra el abuso y la explotación entre otras cosas. La Convención sobre los Derechos del Niño establece que el niño será inscripto inmediatamente después de su nacimiento y tendrá derecho a un nombre y una nacionalidad. Un total de 22 % de los niños Dominicanos menores de cinco años de edad carece de una prueba oficial de su existencia dentro de la sociedad Dominicana y en el mundo. Un estudio de campo (Minor Field Study) fue realizado durante un período de dos meses en 2009 con el objetivo de aclarar cuáles son los obstáculos para el registro de nacimiento en la parte Sur-occidental de la República Dominicana. Esta aclaración contribuirá a una mayor comprensión de las causas de la no inscripción y el proceso de inscripción de nacimientos en el país. Entrevistas semi-estructuradas fueron realizadas con padres de niños sin registrar, oficiales del Estado civil y otros actores en la sociedad Dominicana. Los resultados de este estudio presentan varios obstáculos para la inscripción de nacimiento y es evidente que las razones de la no inscripción en esta región son numerosas, complejas e interrelacionadas. Según la mayoría de los padres, oficiales del Estado civil y otros informantes el principal obstáculo para el registro de nacimientos se encontró en la falta de cédula de los padres, un problema que muchas veces pasa de una generación a otra. La falta de conciencia sobre la importancia de estar registrado y la negligencia de los padres fueron otros dos obstáculos importantes para el registro de nacimientos. El estudio fue realizado con el apoyo de la organización no gubernamental Plan International- República Dominicana.

Palabras clave: Registro de nacimiento, certificado de nacimiento, la Convención sobre los Derechos del Niño, Ciudadanía, República Dominicana, Haití

Table of contents

List of Abbreviations	5
Information about Minor Field Study (MFS)	6
Acknowledgements / Agradecimientos	7
1. Introduction	8
1. 1. About Plan International	10
2. Aims and objectives	10
2.1 Delimitation.....	11
2.2 Definition of Birth Registration.....	11
3. Theoretical framework	12
3.1 International and national law	12
3.2 Theoretical Starting Points	13
4. Methodological Considerations	15
4.1 Research design	15
4.1.1 Choice of method.....	15
4.1.2 Selection of literature.....	16
4.1.3 Selection of informants	16
4.2 Critical approach, limitations and ethical considerations	18
5. The Field Study	19
5.1 The birth registration process in the Dominican Republic	19
5.2 Description of areas studied	21
5.3 Obstacles to BR according to parents or caregivers to unregistered children	24
5.4 Obstacles to BR according to officials at civil registry offices	27
5.4.1 Civil registry office in Belladere, Haiti.....	29
5.5 Obstacles to BR according to other relevant informants.....	30
5.6 Recommendations from informants.....	32
5.7 Summary of the results.....	34
6. Discussion	35
6.1 Local level.....	35
6.2 National level.....	37
6.4 Differences in answers given by parents, officials and other informants.....	38
6.5 Domínico-Haitians.....	38
7. Conclusion.....	40
8. References	41
9. Annex.....	43
Annex 1. List of informants	43

List of Abbreviations

BR	Birth Registration
CONANI	(Consejo Nacional para la infancia y adolescencia) National council for childhood and adolescence
DR	Dominican Republic
JCE	(Junta Central Electoral) Central Electoral Board
UNCRC	United Nation's Convention on the Rights of the Child
UNICEF	United Nations Children's Fund
<i>eng.</i>	English
<i>spa.</i>	Spanish

Spanish dictionary

<i>Alcalde</i>	Mayor
<i>Cédula</i>	Dominican identification card
<i>Constancia</i>	Certificate from hospital or <i>alcalde</i> , required for birth registration
<i>Oficialía</i>	Civil registry office

Information about Minor Field Study (MFS)

This study has been carried out within the framework of the Minor Field Studies Scholarship Programme, MFS, which is funded by the Swedish International Development Cooperation Agency, Sida (*sipa. Asdi*). The MFS Scholarship Programme offers Swedish university students an opportunity to carry out two months' field work, usually the student's final degree project, in a country in Africa, Asia or Latin America. The results of the work are presented in an MFS report which is also the student's Bachelor or Master of Science Thesis. Minor Field Studies are primarily conducted within subject areas of importance from a development perspective and in a country where Swedish international cooperation is ongoing. The main purpose of the MFS Programme is to enhance Swedish university students' knowledge and understanding of these countries and their problems and opportunities. MFS should provide the student with initial experience of conditions in such a country. The overall goals are to widen the Swedish human resources cadre for engagement in international development cooperation as well as to promote scientific exchange between universities and research institutes as well as authorities, NGOs and enterprises in developing countries and in Sweden.

Acknowledgements / Agradecimientos

I would like to express my gratitude to all of you who in some way or another supported and assisted me during the realization of this study. This thesis would not have been possible without your help. I would also like to thank Sida and the Institution of Life Sciences at Södertörn University for providing me this opportunity and the means to conduct this Minor Field Study. I also thank my supervisor Clas Lindberg for guidance of this thesis.

I want to express a special gratitude; Quisiera expresar mi agradecimiento especial;

- To all employees at Plan República Dominicana (in particular Rosario del Río, Pilar Arispe and Sussy Feliz) for helping me with the realization of this study.
- A la familia Elibo; Maritza, Eli, Juan Elías y Joshue con sus familiares, Yudy, Victor, Milagros y las niñas Naomi, Ligia y Nayeli. Gracias por brindarme su apoyo, su amistad y su generosa hospitalidad durante mi estadía en República Dominicana. Ustedes son personas que jamás olvidaré y que hacen la Quisqueya aún más bella.
- To my friend Sofie for your support and friendship and for dedicating your time to read this paper over and over again.
- To my family and my mother Agneta for invaluable support during all these years of studies and in particular during the writing of this thesis.
- And finally, to my son Benjamin for accompanying me on this journey and for showing incredible patience during the field work in the Dominican Republic. Thank you for sharing this experience with me; you are my greatest love and inspiration.

“Be the change you want to see in the world.”

Mahatma Gandhi

1. Introduction

“Me siento como alguien que está en un hoyo sin esperanzas de salir, porque sin un acta de nacimiento no puedo hacer nada; es peor que estar preso”

“I feel like someone standing in a black hole without hope, because without a birth certificate I can't do anything; it's worse than being in jail”

Citation from a young adolescent in 'Horizontes', Visión Mundial (2006)

Birth registration and access to birth certificates are issues people in high income countries rarely have to worry about since the civil registration process is automatic and already embedded into the social security system. However, from a global perspective the birth registration process is not to be taken for granted. Today, as much as 50 % of the children under the age of five in the developing countries (excluding China) are not registered at birth and thereby lack a formal proof of their existence within the society (UNICEF, Childinfo, 2009).

Then why is birth registration important? It may sound like a simple administrative process but it is of great importance in practice and in principal. By registering a newborn child the state makes its first acknowledgement of the existence of the child as a citizen of the nation. The state thus recognizes the child's right to fully exercise its rights (and obligations) in the society. Birth registration gives the child the right to education and health care in addition to making it available to the child. A child without a birth certificate will face a lot of challenges and difficulties, as will the society. Unregistered children can easily become targets for exploitation, abduction, child trafficking, sexual abuse, child marriage, unfair trials in the juvenile justice system and recruitment of child soldiers in wartime. The older the child becomes, the more obstacles it will encounter if a birth certificate is missing. One problem might be that the child can not inherit its parents, since it will not be able to demonstrate its relationship to the deceased. As an adult the non-registered individual will have problems getting a legal employment since he or she cannot obtain a work permit. The right to things that most people take for granted including identification card, passport, driver's licence, social/health care insurance, the right to vote and the right to marry or even access to a bank account are all out of reach for those who are unregistered. Birth registration is therefore a fundamental key in gaining access to several important rights.

Apart from the legal aspect, birth registration is also significant for a country's demographic statistics. Without any information on a nation's population the state becomes unable to accurately count the population or to predict trends such as rising birth or death rates (Plan, Cody, C. 2009). This in turn makes it difficult for the government to plan and allocate resources to the areas and the groups with the most urgent need. The United Nation's fourth Millennium Development Goal aims to reduce the child mortality rate by two thirds by the year 2015. These calculations and figures are based on each country's estimations of their population. But how is it possible to calculate the mortality rate of children if the number of unregistered children is so large?

International conventions and agreements establish that a newborn child shall be registered immediately after birth and thus have the right to a name and a nationality. All countries in the world, with the exception of the United States and Somalia, have ratified the United Nation's Convention on the Rights of the Child (UNCRC, 1989) and thereby committed themselves to follow its rules. In spite of this the number of unregistered children in the world is very large. Achieving universal birth registration is of great importance from a development perspective as well as for a state to fulfil its obligations as stated in the UNCRC.

So what are the obstacles and problems in this process, that stop so many children from being registered and consequently getting access to their rights? One of the countries with the highest number of unregistered children in Latin America is the Dominican Republic. A total of 22 % of the Dominican children under the age of five are lacking an official proof of their existence within the Dominican society and in the world (ONE, ENHOGAR, 2006).

The Dominican Republic is a small Caribbean nation with approximately 9 million inhabitants. It shares the island called 'Hispaniola' with the neighbouring country Haiti - the poorest nation in the Western hemisphere. The Dominican Republic is in economic and social terms a bit better off than its neighbour but is still considered a developing country with high levels of poverty. A poverty that is seldom seen in the fancy travel magazines which portray the Dominican Republic as the number one tourist paradise in the Caribbean Sea.

1. 1. About Plan International

This Minor Field Study has been conducted in collaboration with the non-governmental organisation Plan International (hereafter Plan). Plan is an international children's rights organisation working with and for children in Latin America, Africa and Asia. Plan is independent, with no religious, political or governmental affiliations. Plan's work is linked to the United Nations Convention on the Rights of the Child. For further information please see;

Plan International website: www.plan-international.org/

Plan Sweden website: www.plansverige.org/

Plan Dominican Republic website: www.plan-international.org/wherewework/americas/dominicanrepublic/dominicanrepublic_en/

2. Aims and objectives

The subject of this Minor Field Study is birth registration in the South-western provinces of the Dominican Republic. Special attention has been paid to the provinces Azua, Barahona, Elías Piña, Pedernales and San Juan.

The overall aim of the study is to clarify what obstacles to birth registration exist in the South-western part of the Dominican Republic. This clarification will contribute to a wider understanding of the causes to non-registration and the birth registration process in the country. The report will be useful for Plan and other stakeholders while implementing adequate and necessary measures and strategies to achieve birth registration and to facilitate the birth registration process in the Dominican Republic.

This research seeks to answer the following questions;

- *What are the obstacles to birth registration in the South-western Dominican Republic?*
- *What are the opinions amongst parents on birth registration? What do they perceive as obstacles to birth registration of their children?*
- *What do the personnel at the civil registry offices perceive as common obstacles?*
- *What do other relevant stakeholders perceive as common obstacles?*

2.1 Delimitation

The results of this study are not an attempt to generalize the reasons behind the low birth registration rates in the Dominican Republic as a whole or to any other developing country for that matter. The study is restricted to the South-western provinces of the Dominican Republic and for the specific time of the research. The main reason for choosing the South-western region is because it has the highest number of unregistered children in the country (ONE, ENHOGAR, 2006 p. 133). Plan Dominican Republic has field offices and operates in five South-western provinces; Azua, Barahona, Elías Piña, Pedernales and San Juan. Due to practical reasons and limited time to visit other regions the above mentioned provinces are in focus of this study. (See provincial map p.21)



Source: Maps.com

Accessed: www.maps.com/ref_map.aspx?cid=694,726,742,891&pid=12005&nav=MS 2009-12-08

2.2 Definition of Birth Registration

According to Plan International's report *Count every child: the right to birth registration* (2009):

“**Birth registration** is the official recording of the birth of a child through an administrative process of the state and is coordinated by a particular branch of government. It is a permanent and official record of the existence of a person before the law.”

3. Theoretical framework

This section describes the theoretical framework set up for this Minor Field Study. The purpose of using theory is to put the result in a wider perspective and increase the generalisability. International law and previous research of the topic lay the foundation for how the result is being interpreted and analyzed in this thesis.

3.1 International and national law

Birth registration was first acknowledged as a human right in the Universal Declaration of Human Rights (1948) (Plan, Cody. C 2009). An extended international legal framework for birth registration was set up 1989 in the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC is today one of the most accepted and widely ratified conventions and it constitutes the theoretical base of this Minor Field Study. The seventh article of the convention states in its first section (§1) that;



“The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and as far as possible, the right to know and be cared for by his or her parents.”

And in section two (§2);

“States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.”

Achieving the seventh article on birth registration is a fundamental key in the fulfilment of several other articles in the Convention, for example the right to education and health care. The Dominican Republic ratified the Convention in 1990 and is since then obliged to follow its rules. The Dominican Constitution also establishes in article 9 §1; the right to a nationality, which means that all people born in the territory of the Republic are considered Dominicans, with the exception of the legitimate children of foreigners residing in the country in diplomatic representation or those who are *in transit* in the country (Constitución Dominicana, 2002). A constitutional change planned for the 26 January 2010 will add the words *“or those who are residing in the country illegally”* to this paragraph.

Based on the principles of the UNCRC, the Code for the Protection of Child and Adolescents Rights (*spa. Ley 136-03 - Código para el sistema de protección y los derechos fundamentales de niños, niñas y adolescentes*) was drafted in 2003. The juvenile code also establishes in article 4 the Right to a name and a nationality and states that the child shall be registered free of charge in the civil register immediately after birth. Further national law on civil registration will be discussed in chapter 5.

3.2 Theoretical Starting Points

The researcher has used conclusions regarding obstacles for birth registration from UNICEF and Plan International's reports as theoretical starting points¹. From these reports it is obvious that the problems concerning birth registration are diverse and differentiate due to what area the child lives in, the parents' social status and the child's family situation. Obstacles that are common at the **local level** include;

- Lack of knowledge about the importance of birth registration
- Lack of motivation (if children are registered the parents may still not be able to afford to pay for education or medical care, and therefore see no reason for registering the child)
- Discrimination against certain groups
- Lack of financial resources and costs in relation to registration
- Little confidence in governmental and public institutions
- Areas with difficult access, long distance to the nearest registry office

Furthermore, it is reported that rural areas tend to have a higher amount of unregistered children than urban areas due to the long distances to the registry offices. In addition, births occurring in hospitals are recorded more often than births that take place at home. The obstacle of discrimination against certain groups is particularly interesting in the case of the Dominicans. UNICEF (2009) reports that sometimes there may be a deliberate lack of birth registration, with particular groups being excluded.

Thousands (possibly more than a million) of Haitian immigrants and their descendents reside both legally and illegally in the Dominican Republic and several human rights

¹ Plan, Cody, C. (2009) *Count every child: the right to birth registration* ; Plan (2005) *Universal Birth Registration - A Universal Responsibility* ; UNICEF (2005) *The rights start to life - A statistical analysis of birth registration*

organisations claim that these immigrants face widespread discrimination in the Dominican society (Amnesty International, 2008; Human Rights Watch, 2002). UNICEF (2009) reports that discriminatory policies intended to minimize the official size of ethnic minorities directly affect the provision of assistance to these immigrants.

Further obstacles that are common at the **national level** include;

- Lack of political will to implement an efficient registration system
- Lack of resources to implement such systems

And finally, it is reported that the lack of recognition and support at the **international level** of birth registration is not prioritised on the global agenda.

All mentioned obstacles do not need to be represented in all countries or areas, but they give a general picture of the situation in the world today. These theoretical starting points will hopefully put the result of this research in a larger context and thus increase the possibilities for generalization.

4. Methodological Considerations

This section describes the methods used for collecting the empirical data during the two months' Minor Field Study in the Dominican Republic and how it was interpreted and analyzed by the researcher.

4.1 Research design

A field study was conducted in February to April, 2009 in the Dominican Republic. The field study was necessary since the much needed material to answer the research questions and fulfil the purpose of the study as stated above could not be collected in Sweden. The researcher acknowledges that the importance of birth registration and the consequences of inefficient registration systems have already been clarified and described in several reports from e.g. UNICEF, World Vision and Plan International. As opposed to studying the effects of non-registration, the researcher considered studying the *causes* of non-registration and the obstacles to the birth registration process in the Dominican Republic more significant.

4.1.1 Choice of method

This Minor Field Study has been conducted as a qualitative case study. The reason for choosing a qualitative approach is the researcher's desire to achieve a deeper understanding of and create an in-depth description of the birth registration process and the obstacles to this process in the DR. Considering the sensitive aspects of birth registration (discrimination, migration, illegal residents etc.) the researcher argues that a qualitative study including direct communication and interaction with informants offers more in-depth, personal and valuable information, thereby contributing to a contextual understanding of the obstacles to birth registration in the DR.

The chosen methods for this Minor Field Study are literature study and semi-structured interviews. The result relies on multiple sources of evidence as literature, interviews and direct observations are all included in the research design. Information has thereby been collected from both primary and secondary sources. The reason for using the technique of semi-structured interview is that it is a flexible method, allowing the informants to speak freely and for new questions to be brought up during the interview. An interview guide is being used but the sequence of questions can be varied. (Bryman, A. 2004, p.543) Through

this approach the researcher aims to capture the actors' interpretation of the social reality (Bryman, A. 2004, p.279). Another advantage with semi-structured interviews is that the comparability of the results increases when a few predetermined questions are used in the questionnaire. Interviews were recorded through written notes during the conversation to make sure the informant felt as comfortable as possible to speak freely. A more detailed recording was conducted immediately or as soon as possible after an interview. All interviews were then analyzed and interpreted in interplay with the researcher's theoretical starting points and personal direct observations.

A study of the literature concerning birth registration worldwide and in the Dominican Republic was conducted in the initial stage of the research. This pre-study on the topic helped the researcher to understand the underlying causes to non-registration and it thereby contributed with some theoretical starting points for the minor field study (see chapter 3 Theoretical Framework). The literature study was then supplemented with the results from the semi-structured interviews held with key stakeholders during the field study in the DR.

4.1.2 Selection of literature

The material for the literature study has been chosen by way of Internet and the Plan International Intranet. Key words such as: *birth registration*, *registro de nacimiento*, *oficialías de Estado Civil*, *inscripción de nacimiento* och *registro civil* have been used. Several reports from UNICEF, Visión Mundial and Plan International have been chosen since these organisations are globally recognized and have a long-term experience in the topic of birth registration (see References). During the field study additional literature was collected and requested from different stakeholders (NGOs, governmental institutions etc.) that work with birth registration in the DR. The Dominican governmental institution for national statistics ONE (Oficina Nacional de Estadística) provided important statistics on the amount of unregistered children at a national as well as a provincial level in the Dominican Republic. The literature study was carried out before the field study but additional literature and information was analyzed after and throughout the research.

4.1.3 Selection of informants

The researcher is of the opinion that the aspect of responsibility for the child's registration is interesting and wanted to interview representatives from both the civil registry offices and parents. Does the responsibility lie with the government, who because of the UNCRC has

committed itself to oblige with its rules and register the child immediately after the birth, or does the responsibility lie with the parents, being the legal guardians of the child? Parents to children living in the South-western provinces of the Dominican Republic were the main target group. Ten semi-structured interviews were conducted with parents or caregivers that have either non-registered children or both registered and non-registered children. Studies using qualitative interviews tend not to employ random sampling to select participants or informants (Bryman, A. 2004, p.343). So was the case of this minor field study. Purposive sampling was used since the researcher wanted to interview people who are relevant to the research questions. Plan's staff and volunteers in the field that are familiar with the locals and their backgrounds helped the researcher to find appropriate informants (parents) to interview. The informant was either contacted before hand by Plan's staff or approached directly upon arrival to a community. This means that some of the informants might have been more prepared to discuss the subject than others who were caught while doing their everyday chores. In some cases during an interview the informant referred to another possible informant who shared a similar situation. These informants were then contacted and if possible also interviewed. As far as possible, parents have been described in terms of gender, age, number of children, province, educational level, etc. Every province has also been described in terms of different factors such as poverty levels, educational level among the inhabitants, level of unregistered children etc.

Four interviews with governmental representatives were conducted with employees at the civil registry offices (*spa. Oficialía*) in the South-western provinces Barahona, San Juan and Elías Piña. One additional interview was conducted with an official in the Haitian border town Belladere. These informants were contacted directly by the researcher upon arrival to a research area. Other relevant informants that were interviewed were three employees at Plan Dominican Republic that in some way or another have been involved with the subject, one representative from CONANI (National council for children and adolescents) in Pedernales, two representatives of Despacho de la Primera dama (First Lady's office) in Azua and two principals of schools in primary education in San Juan and Pedernales. The findings from the 23 interviews are presented in the chapter 5 The Field Study.

4.2 Critical approach, limitations and ethical considerations

When conducting semi-structured interviews a few limitations might occur and it is important to keep this in mind when interpreting the respondent's answers. In this study the presence of other people during an interview might have limited the responses of an informant. Interviews were in most cases conducted inside or just outside the informant's house. Plan's staff, other family members and neighbours were often present and curious about the discussion or the actual presence of the researcher in their community. Interviews were sometimes interrupted by other individuals who commented or added to the informant's testimony. In some cases this was limiting and disturbing but in other cases the extra material gave more value and clarification to the testimony.

Due to the sensitive subject of being unregistered and in some cases even illegally residing in the DR, some informants clearly demonstrated fear of expressing their views, answering the interview questions or providing personal information. The fear of being deported or handed in to the authorities limited their answers and participation in the interview. For ethical reasons all respondents are anonymous which also means that it is difficult to replicate the exact same study.

The unstructured nature of qualitative research is another limiting factor. Complete objectivity is almost unachievable in qualitative research since the interpretation to some extent will be influenced by the subjective leanings of the researcher and it is also possible that the responses given by the informants are affected by the characteristics (personality, age, gender etc.) of the researcher. (Bryman, A. 2004, p.284) The researcher speaks Spanish fluently therefore the language was not an obstacle to the realization of most interviews. However, a few interviews were conducted with non-Spanish speakers in Haitian Creole. An (unskilled) interpreter facilitated the communication between the researcher and the informant. This was performed in an informal manner thus permitting a risk of misinterpretation and unobserved opinions. The risk of bias in some interviews is of course a limiting factor when interpreting the result.

It is important to point out that the findings of this minor field study are valid to this particular case and period of time and cannot be applicable or generalized to the whole South-Western part of the DR. But, they do give strength to the theory used in the present study and it offers a contextual understanding of the obstacles to birth registration.

5. The Field Study

This section describes the findings of the field work conducted in February - April 2009 in the Dominican Republic and Haiti. The first section describes the birth registration system in the DR followed by provincial descriptions of the areas studied. Each following sub-section describes different obstacles to birth registration according to a certain group of informants; parents or caregivers to unregistered children, officials at civil registry offices and other relevant informants.

'*La muñeca sin rostro*', the doll without a face, is a typical Dominican handicraft sold all over the island. The symbolism of the doll not having a defined face is said to reflect the cultural mix of the Dominican heritage; a mix of indigenous people, Spaniards and Africans. Sadly, the dolls also remind us about the many invisible and unrecognized citizens residing in the Dominican Republic today.



5.1 The birth registration process in the Dominican Republic

Surprisingly, most people in the Dominican Republic had stories to tell about civil and birth registration, whether it was through the retelling of personal experiences or from the narratives of family members or friends. It is a topic that can be discussed with older generations as well as with younger ones since the obstacles of registering children in the country still exist. The general perception of many locals was that the process of birth registration is problematic and slow in the DR.

In many high-income countries the birth registration process is automatic. This is not the case in the DR which means that several steps are needed in order to complete a registration of a newborn child. The governmental institution JCE (Central Electoral Board) is responsible for the civil registration of the Dominicans born in the country. Birth registration is performed by the parents of the child and a civil official at a so called *Oficialía*, a civil registry office, which is located in every municipality. The national 'Law 659 on civil acts' establishes the procedures and the different requirements for birth registration. The law states that a newborn child shall be registered in the official civil registration system within 90 days after birth,

through a so called *timely* registration. However, this period of time is restricted to rural areas whereas children born in urban areas shall be registered within 60 days. Due to several reasons some parents miss out on registering their children within this period of time. A *late* registration, after 90 days, can then be made. Different requirements for birth registration are established in Law 659 and depend on *when* the registration takes place. Requirements for registration;

Within 90 days → Timely registration (spa. Declaración oportuna)

- A constancia (eng. certificate) from the hospital or in case of birth at home; a certificate from the Mayor of the town where the birth took place.
- Copies of cédula, identification card, of the father and the mother.
- Marriage certificate if the parents are married.

After 90 days → Late registration (spa. Declaración tardía)

Of children under the age of 16;

- A *constancia* from the hospital or in case of birth at home; a certificate from the Mayor of the town where the birth took place.
- Copies of cédula, identification card, of the father and the mother.
- Marriage certificate if the parents are married.
- Certificate from school if the child is more than 5 years.
- Baptismal certificate from the Catholic Church, which states that the child was baptised with or without presenting a birth certificate.

Of children over the age of 16;

- A *constancia* from the hospital or in case of birth at home; a certificate from the Mayor of the town where the birth took place.
- Copies of cédula, identification card, of the father and the mother.
- Marriage certificate if the parents are married.
- Certificate of non-registration from all civil registry offices in the municipality.
- Baptismal certificate from the Catholic Church, which states that the child was baptised with or without presenting a birth certificate.
- Copies of photo of the applicant.

The mother is entitled to register the child alone as *hijo natural* (eng. illegitimate child) if the father is absent or does not want to recognize the child. If the parent(s) are deceased, an additional requirement of a death certificate of the parent needs to be presented before the

civil official. From May 2007 children born to a foreign mother or foreign parents shall be registered in a separate “Foreigner’s book”. (Ley 659 Sobre Actos del Estado civil, 1944)

5.2 Description of areas studied

The South-western provinces Azua, Barahona, Pedernales, San Juan and Elías Piña are located in the drier region of the Dominican Republic. As opposed to the more well-known Northern and Eastern part of the country where tourism and protected hotel complexes are located, the South-western region remains an area where many of the nation’s poor reside. A considerably high proportion of the residents in the border provinces are immigrants with Haitian descent. The tables presented below give a statistical description of the areas studied in terms of area of residence, proportion of poor households, educational levels and proportion of the population with a Birth Certificate and *Cédula*.



Source: Plan International

www.plan-international.org/wherewework/americas/dominicanrepublic/dominicana/dondetrabajamos/

Accessed : 2009-12-17

Table 1. Area of Residence

Province	Urban	Rural	Total
Azua	55.0 %	45.0 %	100 %
Barahona	75.0 %	25.0 %	100 %
Elías Piña	34.5 %	65.5 %	100 %
Pedernales	68.1 %	31.9 %	100 %
San Juan	47.0 %	53.0 %	100 %
Total Dominican Rep.	63.6 %	36.4 %	100 %

Source: Compilation of figures given in 'Perfiles Sociodemográficos Provinciales' ONE, 2008

In two of the provinces in the present research a considerable amount of the population live in rural settings. Only Barahona and Pedernales present a smaller rural population than the national average.

Table 2. Proportion (%) of poor households

Province	Poor(including extreme poor)	Extreme poor
Azua	62.0 %	21.6 %
Barahona	63.3 %	21.6 %
Elías Piña	82.4 %	47.6 %
Pedernales	60.5 %	26.8 %
San Juan	70.4 %	29.2 %
Total Dominican Rep.	40.9 %	7.8 %

Source: Compilation of figures given in 'Perfiles Sociodemográficos Provinciales' ONE, 2008

All provinces present a large number of extreme poor in comparison to the national average. In the border provinces Elías Piña the majority of the households are poor.

Table 3. Proportion (%) of population between 15 and 19 yrs. with complete primary education or more

Province	Complete
Azua	50.58 %
Barahona	46.10 %
Elías Piña	34.38 %
Pedernales	39.69 %

San Juan	54.47 %
Total Dominican Rep.	63.48 %

Source: Compilation of figures given in 'Perfiles Sociodemográficos Provinciales' ONE, 2008

All provinces present figures under the national average and significantly low figures of adolescents with complete primary education or more. The border provinces Elías Piña and Pedernales have the lowest amount of adolescents with complete primary education.

Table 4. Proportion (%) of population with a Birth Certificate and Cédula

Province	Birth Certificate	Cédula
Azua	91.2 %	83.1 %
Barahona	91.9 %	84.8 %
Elías Piña	85.4 %	78.5 %
Pedernales	85.1 %	82.6 %
San Juan	90.5 %	84.4 %
Total Dominican Rep.	94.2 %	87.8 %

Source: Compilation of figures given in 'Perfiles Sociodemográficos Provinciales' ONE, 2008

All provinces in this study present lower figures of registered citizens with a birth certificate than the national average. Access to a *cédula* is also lower in these provinces in comparison to the national average. The border provinces Elías Piña and Pedernales account for the lowest amount of unregistered citizens. According to this source, the governmental National Office of Statistics (ONE), the total number of registered citizens with a birth certificate is 94.2% which means that (only) 5.8% of the Dominican population is unregistered. Other sources present lower figures of registered citizens, in particular children. According to the demographic survey ENHOGAR (2006), also conducted by ONE, the number of registered children under the age of 5 was 82.1 % in urban settings and 70.2 % in rural settings. The total number of registered children under the age of 5 in the Dominican Republic was 77.9 % which means that slightly more than 22 % of all children under the age of 5 lack a birth certificate. Another survey conducted by Visión Mundial (2004) reports that 75.5% of the children were registered.

5.3 Obstacles to BR according to parents or caregivers to unregistered children

Unregistered children in the DR can be divided into two main groups; children born to Dominican parents and children born in the DR to a Haitian mother or father or both, here referred to as *Domínico-Haitians*. Many children in the latter group are born to Haitian economic migrants that work in the DR. However, it is not uncommon for these children to be ‘third’, or for that matter ‘fourth’, generation Dominican-born immigrants, with therefore an established and extended set of familial and communitarian ties to the DR. One problem that both groups share is the fact that the status of being unregistered in the DR often is a status that many children inherit from their parents or even from their great grandparents. It is a problem that exists through generations. When birth registration of a child takes place at the civil registry office it is required of the parent to prove the child’s family roots and kinship in order to receive a birth certificate and thereby a legal proof of the child’s existence.

Ten semi-structured interviews were conducted with parents or caregivers to unregistered children. Many of these parents lacked a so called *cédula*, a Dominican identification card, which is required when you register your child at the civil registry office. In order for a parent to obtain a *cédula* one needs a birth certificate. In some cases the grandparents did not register the parent and she/he is now unable to register her/his child. A vicious circle of undocumented citizens is thereby created. The lack of a *cédula* of one or both parents was in this study the main obstacle to birth registration of their children in nine out of ten cases. Most of the informants were native Dominicans who by different reasons had not been registered by their parents when they were born. Children belonging to the group of *Domínico-Haitians* were only represented in one out of the nine cases that mentioned lack of *cédula* as the main reason for non-registration². In this case the mother was brought to the DR from Haiti by a woman who found her abandoned in her home village as a little girl. Escaping poverty and political instability in Haiti they took off and crossed the border to the neighbouring country and later settled down in the South-Western town Barahona. The mother is not registered and has no legal rights in the DR. Her six children who are growing up in the DR are facing the same reality now. The children do not attend school due to lack of a birth certificate and the whole family find difficulties travelling outside the town since there

² It is possible that the representation of this group is small due to the unstructured procedure of selection of informants. Plan’s staff has limited knowledge of Haitian Creole, thus the language barrier might have restricted the access to informants from this group.

are military checks along the roads. The fear of being deported back to a country they no longer have any ties with is highly present. She confirms that many people with her background share the same situation in her community.

In another case the informant, a native Dominican mother, had a birth certificate for herself but had not applied for a *cédula* and could thereby not register her children. This leads us to another significant obstacle to birth registration, low awareness of the importance of being registered and having a birth certificate. It is also possible that it is due to disinterest, neglect, low educational level or ignorance. This was also evident in two other cases where the mother who actually had a *cédula* and in legal terms has the right to register her children on her own said that she did not want to register her children without the name of the father. The problem was that the father was not registered and lacked a *cédula* himself. One of the mothers had not attended school and could not read or write. The children to both mothers are now facing the same destiny growing up without attending school due to the lack of birth certificates. One mother claimed that she had tried to put her children in school but that they were denied enrolment until they could present documents for identification. The reason for the non-registration could either be that the mothers did not understand the value of having a birth certificate or that they were highly concerned that the children, due to cultural acceptance, would be registered without the name of the father.

The absence of the mother (and/or the father) was found to be another significant obstacle to birth registration. It is common that children are left at home with the grandparents when the parents take off in search for work in the capital Santo Domingo or elsewhere. A grandmother lived with some of her children and several grandchildren, 11 in total. She found herself in a difficult situation since she was not entitled, as the legal guardian, to register her grandchildren on her own. One of the mothers was working in the capital and the other one had disappeared and left the children with their grandmother. The grandmother also said that the fathers of the children denied being their parents. In legal terms the denial of the father has no actual impact on birth registration since the mother is entitled to register the child on her own. However, mothers are influenced by the unwillingness or the inability (due to lack of *cédula*) of the father to register the child. In the cases where the mother is deceased it becomes even more difficult to register the child, since the father, by law, cannot register the

child on his own. This obstacle was mentioned several times by informants when they were asked about the different obstacles to birth registration in their communities.

A 23-year old mother with two unregistered children explained that she was earlier denied to register her children at the civil registry office. She had her first child at the age of 12 and seeing as she was a minor parent the official informed her that she was not allowed to register the child until she had turned 18, by which she could obtain a *cédula*. The grandparents are entitled to register the child when the parent is of minor age, however this tends not to be a uniform practice at some civil registry offices. Worth mentioning is that the mother had no former education. At the age of 23 she was now considered an adult in the legal sense and had obtained a *cédula* but in spite of this she had not yet registered the children.

Many interviewed parents expressed that the birth registration process is complicated and time-consuming. “*Hay que dar muchas vueltas*” (eng. you have to take many turns, ‘jumping through hoops’) was a common expression of the parents. This referred to the many journeys back and forth and the requirements for registration, in particular ‘late registration’ such as different documents, photos etc. to be collected from different places such as the church, the *Alcalde* (eng. Mayor), several civil registry offices and so on. This also means that parents sometimes are required to go to the main office in the capital to obtain certain documents for registration. Some parents perceived the costs associated with birth registration as an obstacle. One mother said that officials at the civil registry office charged more than necessary for birth registration. Costs in relation to travel, long distances to the civil registry office and bad communications for transport were also found to be obstacles according to a few parents.

The many difficulties that parents encounter in registering their children have lead to unfortunate consequences both for the Dominican Republic as a nation and for the parents and children themselves. Many parents find themselves in a complex situation where the only way they can register their children is to let someone else do it. In practice it means that a Dominican national who has a *cédula* tries to register the child through a ‘late registration’ as her/his own. Other family members, friends or neighbours who have a *cédula* might accept to register a child in this way in order for the child to receive a birth certificate. Some people do this as a favour on a voluntarily basis. Yet, several informants confirm that this option to obtain a birth certificate has become a business where ”possible parents” charge the

mother/father for registering the child as their own. In two cases of this study the parents said that their children were registered with other persons, one with the aunt of the child and one with a neighbour to the family. In this regard it is probably impossible to estimate the accuracy of the present Dominican civil register.

5.4 Obstacles to BR according to officials at civil registry offices

Interviews were conducted with three officials at civil registry offices in Elías Piña, San Juan, Barahona and with one former official in San Juan. Also, an official at a civil registry office in the border town Belladere in Haiti (see map p. 20) was interviewed with the aim to investigate if there is any collaboration between the two countries with regard to civil registration. The answers given by the officials in the DR were in some cases quite limited and formal. One official said initially that he was not authorized to give interviews and referred to the press department of the JCE (Central Electoral Board) in Santo Domingo. He was clearly skeptical when asking if the interview would be recorded by a hidden camera. When he was told that the purpose of the study was to listen to his personal opinions on the obstacles to birth registration in the province he accepted to be interviewed.

Initially, all officials were asked if they had a procedural manual for birth registration available at the registry office. Two of them had no such manual present but referred instead to the Ley 659 (*eng.* Law 659) and Amnistía para declaraciones tardías (*eng.* Amnesty for late registrations). One official told that the administrative department of the JCE recently had held a workshop for all officials towards the unification of practices and registration procedures in the civil registration system. A new procedural manual for the civil registration system (*spa.* Manual del oficial del Estado Civil) was said to be released to all officials shortly after the event.

According to the officials the main obstacles to birth registration were; lack of *cédula*, neglect by the parents and lack of awareness about BR. They said that parents often did not understand the importance of BR or showed no interest in registering their children. The former official added some obstacles that were not mentioned by the other officials. She pointed out hindrances as; long distances, too many requirements for registration and births taking place at home. She had also experienced that discriminatory practices against *Domínico-Haitian*, due to nationality, skin color or Haitian related names sometimes occurred

at the civil registry office. Another official informed that in 2007, the JCE had introduced a so called ‘pink book’ program (or the ‘foreigner’s book’), a parallel birth registration system in which children of Haitians and foreigners can be issued pink birth certificates. However, these certificates do not at all grant the right to Dominican citizenship.

When asked of opinions on possible improvements of the birth registration process all officials in the DR proudly mentioned a recent initiative taken by the JCE, the creation of a mobile registration unit for late registrations (*spa*. Unidad Móvil para declaraciones tardías). The installation of this unit, as one official expressed, ‘has the purpose of reducing to the maximum extent the number of unregistered children in the DR’. The mobile unit was supposed to travel the regions, thereby improving the inaccessibility of remote areas.



Observably, some communities where parents with unregistered children were interviewed were located in areas with limited access for certain vehicles and transportation. Roads were sometimes in such bad conditions that during rainfalls they turned into a soggy mud. Several parents expressed the obstacles (e.g. bad communications and travel costs) they encounter when having to run errands in

town. A mobile unit for registration is therefore (in theory) a very good solution. Although, in San Juan the mobile unit for late registrations turned out to be a huge trailer placed a few blocks away from the civil registry office.

With the intention of creating an integral approach to birth registration practices the civil registry offices collaborate with several actors in the Dominican society. The officials mentioned; the Department of Education, the Catholic Church, juvenile courts, city councils, civil society organisations and non-governmental organisations like Plan República Dominicana. All registry offices operate in a network together with the head office JCE in the capital. When asked if they collaborate in any way with the civil registry offices in Haiti in order to solve the many cases of unregistered children of *Domínico-Haitians*, the uniform answer was no.

5.4.1 Civil registry office in Belladere, Haiti

Haiti is a country with an even greater amount of unregistered children; more than 30 % do not have a birth certificate (UNICEF, 2006). The civil official in the Haitian border town Belladere shared his experiences of birth registration in Haiti and described a few differences from the Dominican civil registration system. In Haiti, only children born in the territory or born to Haitian parents abroad are considered Haitian. Citizens of Haiti are not allowed to have a dual nationality to another country. According to the official, this means that in practice a child born in the DR to one Haitian and one Dominican parent is not considered Haitian and does not have the right to Haitian citizenship. Another significant difference is that the mother *as well* as the father is entitled to register the child alone. In the DR this right is restricted to the mother. The civil official looked quite surprised when asked if there was any collaboration between the civil registry offices in Haiti and the DR. He said that there was no such cooperation and that he had never been in contact with a civil official in the DR. He was asked how the problem of statelessness and unregistered children with Haitian descent in the DR could be solved and responded that ‘it depends on the two governments of Haiti and the DR’. ‘At the moment there is no dialogue on this matter but they should sit down together and solve the problem.’ He believed that Haiti was prepared to initiate a dialogue and he hoped that the Dominican government was willing as well.



Picture to the left; civil registry office in the DR, to the right; civil registry office in Haiti

5.5 Obstacles to BR according to other relevant informants

Other relevant informants that in some way or another are involved with the topic of birth registration in the DR were interviewed during the field study. These informants include; two representatives from **Despacho de la Primera dama**³ (First Lady's Office) in Azua, one representative from **CONANI**⁴ (National Council for Childhood and Adolescence) in Pedernales, three employees from **Plan República Dominicana** field office in Azua and two **principals at primary schools** in San Juan and Pedernales.

The three female representatives from Despacho de la Primera dama and CONANI gave their views on the obstacles to birth registration. They confirmed that most women in the Dominican Republic give birth at the hospital. However, they pointed out that BR becomes complicated in those cases when women give birth at home as there, in some communities, is no doctor or midwife nearby who can write a *constancia* (eng. certificate) immediately when the birth takes place. *El alcalde* (eng. the Mayor) is the only one except for the doctor who has the authority to write a *constancia*. He has to be contacted after the birth and in that sense more steps are added to the BR process and it becomes delayed. They also mentioned that many parents experience the 'late registration' as problematic, one reason being that the parents have to go to all registry offices in the district to get a certificate that the child has not been registered in the region before. The province of Azua, for example, has 9 civil registry offices. Travel costs and long distances to the registry offices therefore become additional obstacles to BR. The representative from CONANI highlighted the low awareness and neglect by the parents as being the main obstacles to BR. She argued that many parents do not see the importance of birth registration until it is too late and often in relation to the enrollment of the child in school. Children to *Domínico-Haitians* were also mentioned as being a difficult group to register. CONANI collaborates with the civil registry offices and work with raising

³ The First Lady's Office was created in 2000 as a technical-administrative body under the Presidency of the Republic. The main objective is to support plans, projects and initiatives developed by the Presidency of the Republic. The right to a name and a nationality is one of the matters that the institution is concerned with. <http://beta.primeradama.gob.do/>

⁴ CONANI is a decentralized institution of the Dominican State. Their main objective is to ensure the basic rights of children and adolescents and promote their overall development in the Dominican Republic. www.conani.gov.do/

awareness about BR. However, she informed that there is no collaboration with Haiti on this matter.

The three employees at Plan República Dominicana in Azua worked as facilitators in the communities where the organisation conducts child centered community development work together with the local inhabitants. They meet a lot of parents with unregistered children in their daily work and similar to the answers given by the parents they also perceived the lack of *cédula* as the main obstacle to birth registration. Children to *Domínico-Haitians* were in particular perceived as a difficult group to register due to lack of documentation of the parents. During work the facilitators sometimes encountered parents that did have a *cédula* and were issued with a *constancia* at the hospital when the child was born, but in spite of this they had not yet registered the child. Neglect and low awareness about the importance of BR are once again highly significant obstacles. Other difficulties mentioned were found to be; costs (for travel and fees), long distances to registry office, inaccessible areas/no transport, absent/deceased parent. One facilitator claimed that the civil registry offices did not have the sufficient resources or enough staff to take care of all the work. He also believed that the gap between law and practice in regard to birth registration practices caused a lot of difficulties for parents in the communities where he worked. He described the BR process as being too bureaucratic and complicated.

Principals at primary schools are individuals who come across several cases of unregistered children a year. When a child is to be enrolled in school the parents are asked to present the child's birth certificate. The information of the child is then put on an attendance list of students that the principal has to present to the local authorities each year. Observably, some parents are not able to present these documents but according to Dominican law primary education is mandatory for all children in the DR and all children are legally entitled to participate in school without a birth certificate until the eighth grade (before the national exams when identification is required). However, in practice this law is not always applied and followed. Several parents in this study confirmed that their children had been denied to start school or forced to drop out earlier due to lack of birth certificates. Both interviewed principals in Pedernales and San Juan agreed with the Dominican law. The Principal in San Juan specifically stated that children without a birth certificate can be enrolled in his school until the eighth grade. Interestingly, a young mother that was interviewed shortly after

explained that her children were denied access to this same school due to lack of birth certificates.

One of the principals illustrated some of the cases of unregistered children that he had tried to help obtain a birth certificate. While speaking, it was clear that he was upset by the inefficiency of the civil registration system in the DR. He showed a birth certificate from one of the cases he had been struggling to solve lately. In this case the student had a birth certificate but it was of no use due to administrative errors. A student called 'Virgilia' who with no doubt is a female was marked as being of the masculine sex in her birth certificate. 'Such an obvious mistake, he said, is just one example of the many administrative errors that are present in the civil registration system of today'. He continued, 'parents sometimes find it hard to pay for the extra costs that are required in order to correct such errors'.

In addition to the inefficient civil registration system other obstacles to BR that were mentioned by the principals included; absent or deceased mother, minor parents, the complex process of 'late registration' and the gap between law and practice. Both principals touched the subject of unregistered children with Haitian descent and one of them expressed one of the many dilemmas of these cases;

'How do you register a girl born in the DR to unregistered Haitian parents that are now deceased? She has lived here her whole life and is familiar with the Dominican culture and speaks only Spanish. Should she be sent back to Haiti?'

He had no answers or solutions to this dilemma but he recognized that this problem is the result of many years of uncontrolled migration between the countries. The other principal gave the example 'if an unregistered Haitian mother and a Dominican father with a *cédula* want to register their child it is nowadays very difficult since the mother has no papers and the father is not entitled to register the child on his own.'

5.6 Recommendations from informants

All informants were asked to give recommendations to possible solutions to the different obstacles to birth registration in the DR. Most informants mentioned that raised awareness about the importance of BR and the benefits it gives to the child, different requirements and

procedures, is needed in order to increase the number of registered children in the country. Other recommendations from informants include;

➤ **Mobile registration unit**

Many parents said it would facilitate the birth registration process if officials from the civil registry offices came out to the villages by themselves. A mobile unit for registration (smaller units than those of today) would therefore reduce the obstacle of travel costs and lost working hours for parents who live in remote areas.

➤ **No child leaves the hospital without being registered**

Many officials proposed the installation of a civil registry office at every hospital building. This would allow families to access the service as soon as the child is born and make sure that no child leaves the hospital/clinic without being registered or at least having obtained a *constancia*.

➤ **Give the father the right to register on his own**

In cases where the mother is not available to register the child (due to death, disappearance etc.) many children tend to be rendered stateless and unregistered. Several informants recommended the State to give the father the right to register on his own. This would for example solve many of the cases where the father is a Dominican national with *cédula* and the mother undocumented (with or without Haitian descent).

➤ **Catholic Church**

Many informants believed that the Catholic Church could play an important role in promoting birth registration among its members. The church has a powerful voice within the Dominican society and it should be considered an actor with great potential in transmitting the message of the importance of BR to the population.

➤ **Make the birth registration process easier**

Plan's staff believed that the BR process needs to be simplified, faster and less bureaucratic. Parents felt that BR was time-consuming and that too many requirements were solicited. They also expressed, together with other informants, that more uniform

practices and better coordination between the civil registry offices are needed in order to enhance the efficiency of BR. One parent explicitly said that the only solution to the lack of BR is for the State to fulfil the article in the Constitution which states that every child born on Dominican soil should be considered Dominican and be registered immediately after birth.

Further recommendations can be found in previous research on birth registration (see references).

5.7 Summary of the results

The following list is a summary of the obstacles to birth registration mentioned by parents, officials and other informants (stated in no particular order);

- Lack of *cédula*
- Neglect, low awareness about birth registration, disinterest, ignorance
- Denial of the father
- Absent mother/father
- Father cannot register on his own
- Minor parent (mother)
- Costs in relation to travel and fees at the civil registry office
- Long distances to the registry office, bad communications/public transport
- BR is perceived as complicated
- Administrative errors in the present registration system
- *Domínico-Haitians*, difficult group to register

6. Discussion

This section is an attempt to analyse and discuss the result in relation to other literature on the topic of birth registration and together with the theoretical starting points stated in chapter 3. In this section I also allow myself to express my personal opinions based on the experience of the field study and my own perceptions of the birth registration system in the Dominican Republic.

The findings of this study present a range of different obstacles to birth registration of children in the South-western region of the DR. Many of the obstacles mentioned by parents, officials and other informants correspond to the theoretical starting points from Plan International and UNICEF (see chapter 3). In these reports the obstacles to BR were presented at the local, national and international level. This division is also applicable to the present study in the South-western region of the DR. In this chapter parents represent the local level, civil officials the national level and a short discussion on the DR and Haiti represent the international level.

6.1 Local level

Children whose births are unregistered are often children of parents who are socially, economically and educationally underprivileged. Parents with unregistered children in the present study lived in poor conditions and many of the obstacles they encountered in registering their children were (with the exception of lack of a *cédula*) related to poverty in one way or the other.

The provinces Azua, Barahona, Elías Piña, Pedernales and San Juan present high levels of poverty, among the highest in the DR, and they also present some of the highest rates of unregistered children in the country. It can be concluded that there is a strong correlation between poverty and low birth registration rates. Similar to what Plan and UNICEF reported, the lack of financial resources inhibited some parents in the present study to register their children due to different costs in relation to BR. BR is for many parents a significant investment in both time and money.

The lack of knowledge about the importance of birth registration or neglect is often related to the educational level of the parents. There are clear differences in birth registration

patterns in the DR due to the level of education of the parent. Children to mothers with no education are more at risk of being unregistered than children to mothers with higher education (ONE, ENHOGAR 2006 p.47; Visión Mundial, 2004 p.82). Without awareness or education it is many times impossible to claim, or even to know, one's rights in society. Several parents in the present study had none or a very low educational level. Some informants were in fact illiterate and one young mother in particular was surprised to hear that her children had the right by law to be registered and to participate in school. Based on the findings of this study and previous research it can be concluded that higher education and higher income levels are directly correlated to higher birth registration rates.

Plan and UNICEF reported that rural areas tend to have a higher amount of unregistered children than urban areas. ONE, ENHOGAR 2006 (p.47) also confirms differences in birth registration patterns in rural and urban settings in the Dominican Republic. Several informants in this study believed that geographical barriers such as long distances, bad communications, lack of public transport and transportation costs complicate the provision of BR services in remote areas. This information presents a strong correlation between rurality and low birth registration rates.

Another obstacle linked to rurality is related to where the birth of a child takes place. Plan and UNICEF reported that births occurring in hospitals are recorded more often than births that take place at home. Most women in the DR give birth at a hospital or a clinic, however some births still occur at home and mostly in rural areas. Some informants found it difficult to register these children since additional steps are added to the BR process. When discussing this obstacle with an informant living in a rural area with difficult access the mother told how she had actually given birth to twins alone in her house and then cut the umbilical cord on her own. She now had 11 children and grandchildren to care for. Understanding the reality that some inhabitants live in makes it easier to comprehend why birth registration is a huge challenge in the DR.

Most parents mentioned that they could not register their children due to the lack of a *cédula*. Visión Mundial (2004) and ONE (ENHOGAR 2006 p.47) also confirm this as being one of the main obstacles to BR in the DR. Informants often said that the reason for not having a *cédula* was neglect or lack of a *cédula* by their own parents, or due to cultural heritage (in this case Haitian). One informant said that she was not registered at birth but had obtained a

cédula some years ago by the Social Christian Reformist Party (Partido Reformista Social Cristiano, PRCS) during the campaign for the presidential election. Corruption is sadly not unusual in the DR and offering a *cédula* to unregistered citizens is just one way of buying votes. The woman expressed her preoccupation since the identification card needs to be renewed soon and in order to do so one needs a birth certificate.

6.2 National level

The DR is considered the baseball nation number one and the theme tends to come up everywhere, even when discussing birth registration with civil officials. One official said that he was once approached by a baseball agent who wanted to “arrange” for a new birth certificate to one of the players. Some players try to bribe officials in this manner in order for them to appear younger on the paper and thereby enable them to play successfully in a team with younger and less experienced players. This case has nothing to do with the actual obstacles to birth registration in this study but illustrates an excellent example of how corruption once again finds its way into the civil registration system.

Plan and UNICEF reported that the lack of political will to implement an efficient registration system and lack of resources to implement such systems are common obstacles to birth registration at a national level. According to the information given by the civil officials several initiatives had been taken by the Dominican government to facilitate and modernize the civil registration system; a law on amnesty for late registrations and a mobile registration unit for late registrations. These are good initiatives, but in practice they tend to leave out certain groups of unregistered children in the DR. The law on amnesty is only applicable to those who can prove Dominican citizenship in one way or another, which means that birth registration services are still not accessible to all groups of unregistered children. Instead of a huge trailer the mobile unit (earlier described in chapter 5) could be much more efficient, as many informants recommended, in smaller units circulating inaccessible areas and reaching remote populations.

Considering the answers given by several informants in this study and previous research there is obviously a lack of political will at the national level to solve the problem of birth registration of certain groups of children, especially those with Haitian descent.

6.4 Differences in answers given by parents, officials and other informants

Most officials highlighted the obstacle of lack of awareness or neglect by the parents and pointed out that the legal guardian of the child is the one responsible of registering the child, whereas parents tended to blame the state for not providing adequate assistance of birth registration or for using an inefficient registration system. The parents' lack of confidence for governmental authorities was expressed in different ways by several parents. The perceptions of who is to be responsible for birth registration differ in this manner between parents and officials (who in practice are public representatives and therefore more subjective). Other informants, e.g. Plan's staff and school principals, expressed obstacles to BR in both parents and governmental authorities, or in the actual civil registration system. Moreover, it could be questioned if BR is a top-down or a bottom-up process? I would say both. Ensuring birth registration of children is a challenge that needs to be tackled at all levels of society and should therefore be considered a shared responsibility of the state and the parents of the child.

6.5 Domínico-Haitians

The aspect of responsibility is once again relevant when discussing birth registration of children to immigrants. Previous research on the DR and birth registration tend to focus more on the group of unregistered children with Haitian descent, the reason being that this group represents the largest amount of unregistered children in the DR. However, in this study that group was not represented in majority and I have therefore chosen to only briefly discuss the issue in this report. For further research on the topic of unregistered *Domínico-Haitians* and statelessness I strongly recommend Van Waas, L. (2006) *Is permanent illegality inevitable? The challenges to ensuring birth registration and the right to a nationality for children of irregular migrants* and Wooding, B. (2008) *Contesting Dominican discrimination and statelessness*.

The intense flow of labour migrants and political refugees from Haiti to the DR has for decades caused debate about the right to Dominican citizenship. Both nations have a long history of bilateral conflicts and illegal migration. Amnesty for illegal migrants is, like in many other countries, a very sensitive subject to discuss. Both countries depend on the labour performed by Haitian migrants in the DR, whether it is through the recruitment of cheap labour or remittances that can be sent home to family members in Haiti. Conflicts arise when

someone is to be responsible for the provision of services to these migrants and their children or grand children. Birth registration, which provides a child with the right to citizenship, education and health care services, then becomes a tricky matter. As mentioned in chapter 3 the Dominican Constitution establishes that all children born on Dominican territory are considered Dominicans with a few exceptions; those who are 'in transit' or temporarily present do not have the right to Dominican citizenship. In spite of the fact that some individuals have lived for many years or even for generations in the DR, children born to Haitian parents are often denied birth registration and Dominican citizenship due to this 'in transit' statement. The new Constitution that is to be released in January 2010 will restrict the right to citizenship even further by adding the words 'and those who are illegally residing in the country'. It is estimated that between 10,000 and 20,000 children are born to Haitian migrants and their descendants each year (United States Department of State, 2008). The influence the new Constitution will have on future statelessness of unregistered children with Haitian descent is expected to worsen the situation, resulting in more children being trapped in this legal limbo.

Although discrimination against Haitians undoubtedly occurs and has been witnessed by several human rights organisations and the UN Committee on the Rights of the Child⁵ itself, it is important to point out another significant aspect of the problem. It is not always a question of discriminatory practices against Haitians but the simple fact that the Dominican Republic is a developing country with scarce financial resources. I believe that combating statelessness of children with Haitian descent is not the *exclusive* responsibility of the DR, but should be solved in agreement with Haiti and with the help of international aid and international cooperation. Many Dominicans expressed this alternative view of the problems with birth registration of Haitians in the DR. Few rich countries have given amnesties to illegal residents, so it is only fair to question why a developing country like the DR should do the opposite. However, statelessness and unregistered children is an existing problem in the DR that needs to be solved. The seventh article of the UNCRC obliges all member states to ensure the implementation of the Right to a name and a nationality, *in particular* in cases where the child would otherwise be stateless. Further cooperation and dialogue between the DR and Haiti *together* with the international community is of vital importance in order to solve the

⁵ Refers to the last report 'Concluding observations of the Committee on the Convention on the Rights of the Child: the Dominican Republic' (2008)

problem of statelessness in the DR. The lack of recognition and support of birth registration at the international level is still not a prioritised topic on the global agenda.

7. Conclusion

The overall aim of this study was to clarify what obstacles to birth registration exist in the South-western part of the Dominican Republic. It is clear that the reasons behind non-registration in this region are numerous, complex and often inter-related. Different social, economic, geographical and cultural factors all have an impact on birth registration rates. Any solution to low birth registration rates therefore needs a holistic approach. According to most parents, officials and other informants in this study the main obstacle to birth registration was found to be the parents' lack of a Dominican identification card, a *cédula*. This in turn was in many cases the result of neglect by older generations or due to cultural heritage. The lack of awareness about the importance of being registered and neglect by the parents were two other significant barriers to birth registration of children in this study.

Worth mentioning is that the obstacles to birth registration tend to be present at all levels of society; from the international level down to the local community level. Ensuring birth registration is a top-down as well as a bottom-up process. Birth registration should therefore be considered a mutual responsibility of the state and the legal guardians of the child. However, the ratification of the United Nations Convention on the Right of the Child obliges the Dominican Republic to undertake *all* necessary measures for the implementation of the Right to birth registration; this includes the willingness to create a bilateral agreement with Haiti. In the South-western Dominican Republic today, the right to a name and a nationality is a far cry from being fulfilled.

8. References

- Amnesty International (2008) *Challenging discrimination in the Dominican Republic: Protecting the rights of Haitian migrant workers and their descendants*
Accessed: www.amnesty.org/en/library/info/AMR27/003/2008/en 2009-12-17
- Bryman, A. (2004) *Social research methods*, Second edition, New York, Oxford University Press
- Government of the Dominican Republic (2002) *La Constitución de la República Dominicana* (Dominican constitution) Accessed: www.funcionpublica.org/portal/index.php?option=com_docman&task=cat_view&gid=44&Itemid=53 2009-12-17
- Law 136-03, *The Code for the Protection of Child and Adolescents Rights* (2007) (Ley 136-03 Código para el sistema de protección y los derechos fundamentales de niños, niñas y adolescentes) Government of the Dominican Republic,
Accessed: www.suprema.gov.do/codigos/Codigo_NNA.pdf 2009-12-17
- Law 659 on Civil Acts (1944) (Ley 659 sobre los Actos del Estado civil) Government of the Dominican Republic, Accessed: www.suprema.gov.do/pdf/leyes/1944/Ley_659-44.pdf 2009-12-30
- Human Rights Watch (2002) "Illegal People": Haitians And Domínico-Haitians In The Dominican Republic Chapter: Obstacles to Registering Births
Accessed: www.unhcr.org/refworld/publisher,HRW,,DOM,3cf2429a4,0.html 2009-12-22
- ONE, Oficina Nacional de Estadística (2008) *Perfiles sociodemográficos provinciales: Azua, Barahona, Elías Piña, Pedernales and San Juan* Accessed: www.one.gob.do/ 2009-12-04
- ONE, *ENHOGAR 2006* (Encuesta Nacional de Hogares de Propósitos Múltiples) (2008)
Accessed: www.one.gob.do/index.php?option=com_docman&task=doc_download&gid=327 2009-12-04
- Plan, Cody, C. (2009) *Count every child: the right to birth registration*, Woking, Plan Ltd,
Accessed: <http://plan-international.org/birthregistration/resources/publications/count-every-child-2009> 2009-12-17
- Plan (2005) *Universal Birth Registration: A Universal Responsibility*, Great Britain, Plan International, Accessed: www.writemedown.org/pdfs/ubrfullreport.pdf 2009-12-04
- Plan, Van Waas, L. (2006) *Is permanent illegality inevitable? The challenges to ensuring birth registration and the right to a nationality for children of irregular migrants* (Thailand and the Dominican Republic) Woking, Plan International
- UN Committee on the Rights of the Child (2008) *Concluding observations of the Committee on the Convention on the Rights of the Child: the Dominican Republic*.
Accessed: www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-DOM-CO-2.pdf 2009-12-17

UNICEF, Childinfo (2009) *Statistics by area/ Child protection/ Birth registration*
Accessed: www.childinfo.org/birth_registration_progress.html 2009-12-04

UNICEF (2009) *Birth Registration*, information on website.
Accessed: www.unicef.org/protection/index_birthregistration.html 2009-12-17

UNICEF (2006) Article: *UNICEF, Organization of American States and Inter-American Development Bank launch initiative to grant official identity to millions of unregistered children* Accessed: www.unicef.org/infobycountry/media_35255.html 2009-12-27

UNICEF (2005) *The rights start to life - A statistical analysis of birth registration* New York, UNICEF, Accessed: www.unicef.org/publications/files/BirthReg10a_rev.pdf 2009-12-04

UNCRC, United Nations Convention on the Rights of the Child (1989)
Accessed: www2.ohchr.org/english/law/crc.htm 2009-12-04

United States Department of State (2008) *Country Reports on Human Rights Practices - Dominican Republic* Released: Feb, 2009
Accessed: www.unhcr.org/refworld/docid/49a8f192b4.html 2009-12-29

Visión Mundial (2006) Magazine: *Horizontes*
Accessed: <http://visionmundial.org.do/descargas/horizontes03.pdf> 2009-12-04

Visión Mundial (2004) *Estudio de línea base sobre el sub-registro de nacimientos de niños y niñas en las comunidades acompañados por los Proyectos de Desarrollo de Áreas de Visión Mundial*, Santo Domingo, Dominican Republic

Wooding, B. (2008) *Contesting Dominican discrimination and statelessness*, Article in Peace Review: A Journal of Social Justice, Jul-Sep2008, Vol. 20 Issue 3, p366-375, ISSN 1040-2659

Photos

All photos taken by the author with the exception of;
Footprint, p.12, UNICEF
Accessed: www.unicef.org/protection/index_birthregistration.html 2009-12-28

9. Annex

Annex 1. List of informants

Parents or caregivers

Nr	Province	Gender	Age	Number of children	Other
1	San Juan	F	61 yrs	11 children and grandchildren	n/a
2	San Juan	F	23 yrs	3 unregistered	Illiterate
3	Barahona	F	23 yrs	2 unregistered	No education
4	Barahona	M	24 yrs	1 child	n/a
5	Barahona	F	37 yrs	5 children (1 unregistered)	School until 4th grade
6	Barahona	F, M	n/a	n/a	Group of parents
7	Barahona	F	39 yrs	10 children	No education, no work
8	Barahona	F	n/a	Caregiver to 5 children	n/a
9	Barahona	F	37 yrs	6 unregistered	n/a
10	Pedernales	F	n/a	2 children (1 unregistered)	Works as a cleaner

Civil Officials

Nr	Province	Gender	Other
1	Elías Piña	M	
2	San Juan	M	
3	San Juan	F	Former civil official
4	Barahona	M	
5	Haiti, Belladere	M	

Other informants

Nr	Province	Gender	Occupation
1	Azua	F	Facilitator Plan Rep. Dominicana
2	Azua	M	Facilitator Plan Rep. Dominicana
3	Azua	M	Field assistant/Community leader Plan Rep. Dominicana
4	Pedernales	F	CONANI
5	Azua	F	Despacho de la Primera Dama
6	Azua	F	Despacho de la Primera Dama
7	San Juan	M	Principal at primary school
8	Pedernales	M	Principal at primary school