

GENERAL ASSEMBLY



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DRAFT RESOLUTION

FOLLOW-UP TO THE INTER-AMERICAN PROGRAM FOR UNIVERSAL
CIVIL REGISTRY AND THE “RIGHT TO IDENTITY”

(Agreed upon by the Permanent Council at its meeting of May 25, 2012)

THE GENERAL ASSEMBLY,

EXPRESSING ITS SATISFACTION with the adoption on June 3, 2008, through resolution AG/RES. 2362 (XXXVIII-O/08), of the Inter-American Program for Universal Civil Registry and “the Right to Identity”; and recalling resolution AG/RES. 2602 (XL-O/10), “Follow-up to the Inter-American Program for Universal Civil Registry and “the Right to Identity”;

RECOGNIZING the obligations of the states parties to the Convention on the Rights of the Child to undertake to respect the right of the child to preserve his or her identity (“right to identity”);

TAKING INTO ACCOUNT the progress achieved through joint actions to implement the “Memorandum of Understanding among the United Nations Children’s Fund and the General Secretariat of the Organization of American States and the Inter-American Development Bank for Cooperation in the Area of Citizen Registration,” signed on August 8, 2006;

RECALLING the Opinion adopted by the Inter-American Juridical Committee (CJI) on the +scope of the right to identity (CJI/doc.276/07 rev. 1);

CONSIDERING that recognition of the identity of persons is one of the means through which observance of the rights to legal personhood, a name, a nationality, civil registration, and family relationships is facilitated, among other rights recognized in international instruments such as the American Declaration of the Rights and Duties of Man and the American Convention on Human Rights. The exercise of these rights is essential for participation in a democratic society;

RECOGNIZING the diversity of indigenous peoples as well as the right of all peoples to a name and identity, and therefore the need to seek mechanisms for facilitating the registration of persons belonging to indigenous communities and peoples, taking into consideration their social and cultural identity, as a tool for guaranteeing full enjoyment of their rights and guarantees;

RECOGNIZING the promotional and dissemination work carried out by the Inter-American Institute of Human Rights (IHR) in efforts to strengthen citizen participation and consolidate

democracy in the region, and the contributions it has also made to states and the General Secretariat through its technical advice and assistance;

CONSIDERING that non-recognition of identity can mean that a person has no legal proof of his or her existence, which makes it difficult to exercise fully his or her civil, political, economic, social, and cultural rights;

CONSIDERING ALSO that the universal registration of births helps reduce cases of statelessness;

EMPHASIZING the importance of civil registries as state institutions that can guarantee recognition of the identity of persons and, therefore, the advisability of strengthening them to ensure that their scope is universal, taking into account the rich and varied diversity of cultures;

RECALLING that the Inter-American Democratic Charter establishes that it is the right and responsibility of all citizens to participate in decisions relating to their own development;

COMMITTED to building just, equitable societies based on the principles of social justice and social inclusion and of respect for cultural diversity;

UNDERSCORING the holding of the Second Regional Conference for Latin America and the Caribbean on the Right to Identity and Birth Registration, held in Panama on September 21 and 22, 2011, which, with the notable participation of indigenous leaders and leaders of African descent, upheld the regional commitments arising out of the First Regional Conference aimed at achieving universal birth registration by 2015;

RECOGNIZING the regional cooperation and exchange of successful experiences by countries in the Hemisphere that have implemented plans, programs, and actions to guarantee universal civil registry and the right to identity, through the issuance of public identity documents;

RECOGNIZING the need for cooperation among states and civil society organizations for promotion of the civil registry; and

RECALLING the special meeting of the Committee on Juridical and Political Affairs on the Inter-American Program for Universal Civil Registry and the "Right to Identity," held on April 22, 2010, pursuant to resolution AG/RES. 2362 (XXXVIII-O/08), and the progress report on its implementation (CP/INF.5825/09), presented by the General Secretariat to the Permanent Council on May 13, 2009,

RESOLVES:

1. To recognize the progress made in implementing the Inter-American Program for Universal Civil Registry and the "Right to Identity," particularly in relation to:

- a. The technical assistance projects aimed at strengthening civil registry institutions in 16 member states;

- b. Dissemination of the importance of civil identity for the full exercise of civil, political, economic, social, and cultural rights; the strengthening of democratic governance; and the development of states; and
- c. Promotion and exchange of successful experiences with civil registry and identity.

2. To instruct the General Secretariat to continue providing member states that so request with the necessary assistance in implementing the Inter-American Program for Universal Civil Registry and the “Right to Identity,” promoting the improvement and enhancement of their civil registry systems and the adoption of universal civil registration.

3. To recognize the progress that member states have made in implementing national plans, policies, and programs to ensure the right to identity by issuing the relevant documents, as well as the progress that member states have made in implementing the Inter-American Program for Universal Civil Registry and the “Right to Identity,” and, in particular, the efforts of the member states and the international community to lower the rate of under-registration of children under five years of age in Latin America and the Caribbean, as a result of which that rate fell from 18 percent in 2000 to 10 percent today.

4. To encourage the member states to continue adopting measures to ensure full recognition of the right to identity, emphasizing that non-recognition of identity can mean that a person has no legal proof of his or her existence, which makes it difficult to exercise fully his or her civil, political, economic, social, and cultural rights.

5. To urge all states to implement mechanisms for facilitating access by all people to civil birth registries, including simplified procedures, without any form of discrimination and with respect for cultural diversity and special attention to the protection of personal data.

6. To invite all states to foster periodic awareness campaigns that may involve various levels and areas of government, providing information on the importance of birth registration and the negative implications of their absence for the enjoyment of other rights.

7. To invite the states to promote institutional modernization by establishing and enhancing structural conditions for promoting civil registry, including integrated systems and interconnected policies, such as sanitation, health, education, social protection, and migration.

8. To request the Permanent Council to continue supporting efforts under the “Memorandum of Understanding among the United Nations Children’s Fund, the General Secretariat of the Organization of American States, and the Inter-American Development Bank for Cooperation in the Area of Citizen Registration.”

9. To request the General Secretariat to continue increasing its cooperation with other specialized organizations and agencies of the inter-American and international systems on matters of citizen registration.

10. To urge the Secretary General to include the Inter-American Program for Universal Civil Registry and the “Right to Identity” in the list of priorities presented with a view to raising

funds from external donors and to invite the member states and permanent observers to make voluntary contributions to support the development, implementation, and scope of the Program.

11. To urge the states that participated in the Second Regional Conference for Latin America and the Caribbean on the Right to Identity and Birth Registration to continue implementing the recommendations that emerged from it that seek to develop and strengthen the capacity of the registered institutions by adopting the principle of gender equality and identifying the achievements and the ongoing challenges involved in attaining the regional goal of universal birth registration by 2015.

12. To instruct the Permanent Council to hold, in the first half of 2012, a special meeting of the Committee on Juridical and Political Affairs to review the status of implementation of the aforementioned Inter-American Program on the basis of information provided by the states and of a progress report prepared by the General Secretariat, with a view to making such changes in the Program as are deemed appropriate in order to achieve universal civil registration by 2015. That meeting may include contributions from experts in the field, civil society organizations, and organs, agencies, and entities of the inter-American and international systems.

13. To instruct the General Secretariat to continue developing, strengthening, and promoting the use of information and communication technologies for the discussion, sharing, and fostering of experiences and lessons learned and dissemination of knowledge on matters of identity and civil registry in the region.

14. To instruct the Inter-American Children's Institute (IIN) to join forces with the General Secretariat to achieve the objectives of the Inter-American Program for Universal Civil Registry and the "Right to Identity," and to keep the OAS Permanent Council informed of progress and obstacles in the region.

15. To request the Permanent Council to report to the General Assembly at its forty-fourth regular session on the implementation of this resolution. Execution of its activities shall be subject to the financial resources available in the program-budget of the Organization and other resources.