



COMPREHENSIVE ASSESSMENT OF THE
CIVIL REGISTRATION
AND
VITAL STATISTICS

SYSTEM
IN NAMIBIA



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IN NAMIBIA**

REPORT

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Ministry of Home Affairs and Immigration and Namibia Statistics Agency



PREFACE

The Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS), is an initiative of the African Union, the African Development Bank and the UN Economic Commission for Africa. The programme has received high level political support from all corners of Africa and primacy is given to country-led processes. A group of UN agencies consisting of UNHCR, UNICEF, UNFPA and WHO form a Core Group of support that has been providing assistance to this continental initiative.

African Ministers are meeting on a bi-annual basis to discuss and share experiences in terms of strengthening Civil Registration and Vital Systems. At the second meeting for Ministers responsible for civil registration in Durban in September 2012, Namibia was selected to share its experience of setting up birth and death registration facilities at health facilities.

One of the key outcomes from the Durban meeting included the decision to undertake country-led comprehensive assessments of CRVS systems and a commitment to integrate strategic planning recommendations resulting from the assessments into government mainstream national plans.

As a result, the Government of the Republic of Namibia undertook a comprehensive assessment of the CRVS systems in Namibia in four months during 2014. The assessment was conducted under the joint leadership of the Ministry of Home Affairs and the Namibia Statistics Agency. Key participating institutions in support of the initiative were the Ministry of Health and Social Services, the Ministry of Safety and Security, the Office of the Prime Minister, the Ministry of Gender Equality and Child Welfare and International Organisations: United Nations Children's Fund (UNICEF), United Nations Population Fund (UNFPA), International Organisation for Migration (IOM), and the World Health Organisation (WHO).

While Namibia has achieved comparatively high levels of birth and death registration, the challenges remain to reach the remotest and the most vulnerable groups. It is imperative to analyse the processes of registration of civil events to detect how these can be improved.

The comprehensive assessment reviewed the legal frameworks that guide registration, the operation and management of the systems responsible for these functions, the adequacy of human resources, the institutional infrastructure, budgets, the interface of the civil registration systems with the generation of vital statistics, the interrelationship with health, education and other agencies of the government.

Findings from the comprehensive assessment will be useful in the development of a Five-Year National Strategic Plan for strengthening the CRVS systems and will be presented to the 3rd African Ministers' meeting scheduled for 2015.

The comprehensive assessment of the Civil Registration and Vital Statistics system in Namibia was made possible by a number of institutions and development partners. We wish to acknowledge the Ministry of Health and Social Services, Ministry of Gender Equality and Child Welfare, Ministry of Education, Office of the Prime Minister, Ministry of Safety and Security (NamPol), United Nations Children's Fund (UNICEF), United Nations Population Fund (UNFPA), World Health Organisation (WHO), and International Organisation for Migration (IOM) for availing staff members who facilitated the collection of data for this report. The financial and technical support from United Nations Children's Fund, World Health Organisation, United Nations Population Fund, United Nations Economic Commission for Africa, African Development Bank is appreciated and the support from other institutions who are the key stakeholders involved in CRVS systems.



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AMB. PATRICK NANDAGO
PERMANENT SECRETARY
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EXECUTIVE SUMMARY

The Comprehensive Assessment of the Namibia Civil Registration and Vital Statistics system has been conducted within the framework, principles and guidelines of the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS). APAI-CRVS is a Pan-African initiative, created under the directives of African Ministers responsible for civil registration, to provide management and programmatic guidance to African countries in the improvement of CRVS systems. The programme was implemented through a regional medium-term plan that runs for an initial phase of five years i.e. 2010 - 2015, with 2010 being a preparatory year.

Taking note of the appalling state, yet critical function of CRVS systems to the continent's development, African Ministers responsible for civil registration, during their second conference¹ held in Durban, South Africa, on 3-5 September 2013 called upon all African countries to urgently undertake a comprehensive assessment of the systems and to develop national plans of action based on the findings of the assessment to strengthen the system. The ministers further called on the regional CRVS Secretariat² and Core Group³ to support African countries in this endeavour.

In order to document the status, capacity, effectiveness, bottlenecks and possible areas for improvement of the civil registration system in Namibia, a comprehensive assessment was carried out in four regions which accounted for regions with the lowest birth registration, lowest death registration, regions with strong cultural/traditional norms, and regions with the highest birth and death registration from which lessons could be learned.

The aim of the comprehensive assessment was to generate information on the status of civil registration systems, in terms of its effectiveness, timely registration and delivery of data to ensure that vital statistics can be generated. The specific objectives were (1) to identify the strengths and weaknesses in current systems and draw important lessons learned; (2) to review the bottlenecks in the registration process of the vital events; (3) to identify ways through which the current National Population Registration System (NPRS) can be improved in line with the international standards; (4) to explore opportunities which can be used to strengthen the CRVS; (5) to examine gaps in the use of CRVS for development planning and evidence-based research and policy formation; (6) to develop a costed National Strategic Plan including objectives, indicators and activities for all ministries involved in registering vital events.

The assessment was carried out by thematic teams drawn from various ministries and organisations. The task teams were formed according to the following 5 themes: (i) Policy and legal framework for Civil Registration and Vital Statistics; (ii) Operations and Practices in Birth and Death Registration; (iii) Operations and Practices in Marriage and Divorce Registration; (iv) Recording and Processing of Causes of Deaths; (v) Operation and Practices in Vital Statistics.

The overall assessment exercise was based on the assessment tool prepared by UNECA, which was revised according to Namibian needs and was then tested.

The final adopted tool was used to collect data in four Namibian regions viz., Kavango, Kunene, Karas, Otjozondjupa. Four field teams were constituted, drawing members from each of the four themes (Births and Deaths; Causes of Deaths; Marriages and Divorces; Vital Statistics) to account for the major diversities in which registration of vital events take place. The field mission was from 20 to 27 July 2014.

1 The Conference of Ministers is now being institutionalized as a standing regional platform under the African Union Commission to meet every two years.

2 The Regional CRVS Secretariat is based at the United Nations Economic Commission for Africa (UNECA).

3 The Core Group is composed of UNECA, African Union Commission, African Development Bank (AfDB), UNICEF, WHO, UNFPA, UNHCR, Statistics South Africa (StatSA) as the Secretariat of the ASSD, IN-DEPTH Network and Plan International.

The findings of the comprehensive assessment are summarized as follows: Namibia has achieved comparatively high levels of birth and death registration. Estimates from the 2011 Population Census shows birth registration of 89.3% and death registration of 88.5%. Pronounced regional variations exist. Civil registration is under the mandate of the Ministry of Home Affairs and Immigration, namely the Department of Civil Registration. However, other ministries are involved in the process of registration. The Ministry of Health and Social Services records births and deaths, whereas the Namibian police ascertain the cause of death for unnatural deaths. The Ministry of Justice is involved in the solemnization of marriages. All divorces are conducted by the Ministry of Justice.

Many of the challenges experienced today still have strings to the Apartheid Governments systems. Up until independence in 1990 it was not compulsory for the black population groups to register births and deaths. Typically, it was only blacks in urban areas who were registered. During the 1990s, mass registrations were done, to ensure that the births of all adults and children were registered. Unfortunately, many children are today still registered late. However, a dramatical increase has been seen in the past 5 years after the introduction of registration at health facilities.

Up until recently, civil registration in Namibia consisted of independent and disjointed manual systems, collectively called the National Population Register.

The initial version of the electronical NPRS, designed by the Office of the Prime Minister, was released in 2000. The system only catered for registration of IDs. In 2011, a web-based and integrated NPRS was introduced with a births, marriages and deaths component. All vital events are now registered under one demographic profile.

Legal instruments are in place which governs registration of births, deaths, marriages and divorces. Most of these frameworks are updated, and they are currently under review.

The legislation for civil registration in Namibia is encapsulated in various laws including the 1989 National Constitution; the Births, Marriages and Deaths Registration Act 81 of 1963; the Identification Act of 1996; and the Marriage Act of 1961 (amended in 1987). The Aliens Act of 1936 covers only the change of surname. In addition, the children charter has adopted children rights, in which it is stipulated that all children born in Namibia should be registered. The new proposed bill, the national population registration bill, has merged all acts dealing with vital events into one act.

Although great improvements in terms of timely birth and death registration have been observed over the past 5 years, there is still need for further improvements in areas of operations. Skilled and motivated human resources are critical elements. With the exception of the MHAI, in some operational issues other key stakeholders had no budgetary provisions for activities towards birth and death registrations. Currently the registration of births and deaths in Namibia is hindered by cultural practices prevailing in some communities especially child-naming practices, burial norms, ignorance, lack of understanding of the importance of registering events. Relevant record documentation, except those of MHAI, are stored in available spaces. Transmission of records from one form to pose another challenge due to lack of standardized forms across ministries and agencies involved in the civil registration. Currently there are too many forms. Furthermore, there is need to put in place an advocacy plan to expand the understanding of the importance of birth and death registration.

While a number of recommendations emanated to improve the civil registration and vital statistics system in the country, two major underlying recommendations are fundamental:

Revision of the current legislation with clear provisions governing registration of vital events and an improved coordination structure between various agencies involved in the civil registration with clear roles and responsibilities, budgeting and policies guiding these processes.



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List of Acronyms

ACS	African Centre for Statistics
AMEC	African Methodist Episcopal Church
APAI-CRVS	Africa Programme for Accelerated Improvement of Civil Registration and Vital Statistics
ASSD	African Symposium for Statistical Development
CRVS	Civil Registration and Vital Statistics
HIS	Health Information System
ICT	Information Communication and Technology
ID	Identification
IOM	International Organization for Migration
LAC	Legal Assistance Centre
LRDC	Law Reform Development Centre
MCCD	Medical Certificate for Cause of Death
MGECW	Ministry of Gender Equality and Child Welfare
MHAI	Ministry of Home Affairs and Immigration
MoE	Ministry of Education
MoHSS	Ministry of Health and Social Services
MoJ	Ministry of Justice
MoSS	Ministry of Safety and Security
MoU	Memorandum of Understanding
NAMPOL	Namibia Police
NPC	National Planning Commission
NPRS	National Population Registration System
NSA	Namibia Statistics Agency
SADC	Southern Africa Development Community
UNECA	United Nations Economic Commission for Africa
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
WHO	World Health Organisation



PART I: OVERVIEW

**OVERVIEW, PREPARATION AND PLANNING
OF THE COMPREHENSIVE ASSESSMENT ON
CIVIL REGISTRATION AND VITAL STATISTICS SYSTEMS
IN NAMIBIA**

1. Introduction

Civil registration (CR) is defined as *“the continuous, permanent, compulsory and universal recording of the occurrence and characteristics of vital events... provided through decree or regulation in accordance with the legal requirements of each country”* (UN, 2001). A civil registration system provides for the legal identity, i.e. recognition of person’s existence under the law, issuing a legal document that serves as proof of belonging (nationality) and other social characteristics of an individual. The CR system is a platform which documents key life events such as births, deaths, marriages and divorces⁴.

Civil registration captures significant life events of people within the national borders. The information gathered by recording can be used by governments to generate vital statistics on the demographic dynamics and the health of the population. It produces reliable information on births, fertility and deaths that enable the calculation and production of timely and accurate population estimates, which contributes to policy-making and planning of important national development programmes.

A well-functioning civil registration should provide timely and accurate data and reports to enhance the policy-makers’ capacities to identify where services are needed. Since civil registration and vital statistics systems include various stakeholders from a wide variety of backgrounds, coordination and communication of multiple agencies is a key to the system’s performance.

Civil registration has key functions:

- Establishing and safeguarding citizens’ identities
- An invaluable important source for demographic and health statistics
- Issuance of national documents

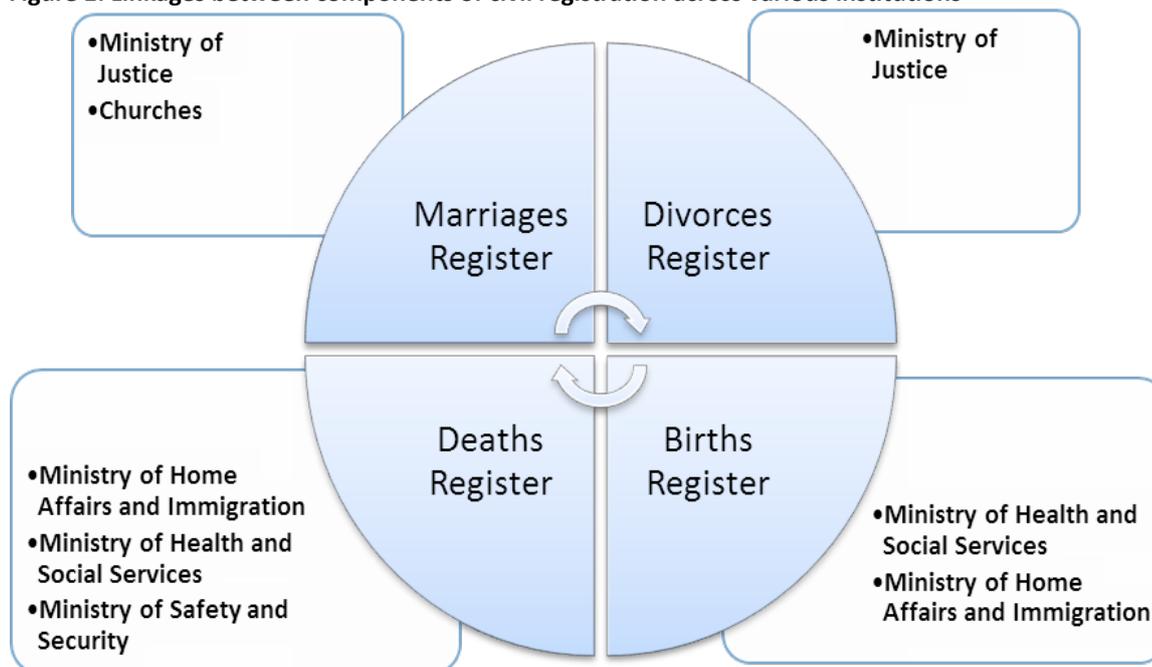
CRVS in Namibia is a multi-sectoral system, with different players, who are responsible for different components of civil registration and the vital statistics system. Hence the assessment involved stakeholders from government ministries and agencies as well international agencies.

⁴ The UN prescribes ten vital events; however, births, deaths, , marriages and divorces are central and often reported in many countries including Namibia.

1.1 Civil Registration System in Namibia

In Namibia, civil registration is under the mandate of the Ministry of Home Affairs and Immigration, namely the Department of Civil Registration. The department is responsible for the creation of birth, marriage and death records and issuance of certificates. However, many other institutions are involved in the process of civil registration (Figure 1). The Ministry of Health is a key player in birth and death registrations, including determining the causes of death. Where unnatural death is involved, the Namibian police ascertain the cause of death. The Ministry of Justice is involved in the solemnization of marriages. Similarly, church ministers, appointed by the MHA to solemnize marriages. All divorces are conducted by the Ministry of Justice.

Figure 1: Linkages between components of civil registration across various institutions



There are legal instruments that govern civil registration of four events (births, deaths, marriages and divorces). The Civil Registration System dates back to the early 1900s. However, until independence in 1990 civil registration was not compulsory for all, in fact only to the white population group. Some of the black population, particularly in urban areas, did register. During the period 1979-1990 most people above the age of 16 years old were registered with IDs. After independence, the Ministry of Home Affairs and Immigration started with a large mobile registration to register all. This has created a situation, where many people had IDs before birth certificates. In contrast to birth and death registers, the marriage and divorce registers are complete, if the marriage was done through the civil register. Customary marriages are not recognized, and no central register exists.

Namibia has achieved comparatively high levels of birth and death registration. Estimates from the 2011 Population Census show birth registration of 89.3% and death registration of 88.5%. Pronounced regional variations exist. Table 1 shows the regional distribution of population with birth certificates and those aged less than 1 year with birth certificate. The lowest birth registration is recorded in Kavango (76.9%), while the highest was in the //Karas and Hardap regions, both at 95.9%. Table 1 shows regional variations in death registration. The lowest in death registration is Zambezi (72.6%), and highest is Hardap region (98.4%).

Table 1: Population with birth and death certificates according to statistics from the 2011 Namibia Population and Housing Census

Area	Population with BC	% aged < 1 with BC	% Death Registered
Total	89.3	68.9	88.5
Zambezi	82.4	57.6	72.6
Erongo	93.8	87.2	94.2
Hardap	95.9	88.0	98.4
//Karas	95.9	92.9	97.2
Kavango (East & West)	76.9	48.7	79.7
Khomas	91.2	85.1	94.4
Kunene	88.6	64.0	88.0
Ohangwena	88.5	58.4	86.8
Omaheke	92.5	68.2	93.8
Omusati	90.5	69.4	89.3
Oshana	94.1	77.3	92.0
Oshikoto	89.7	56.6	89.5
Otjozondjupa	87.9	69.0	87.4

The registration of births and deaths, including causes of death, is being done at regional and sub-regional level. Scheduled mobile registrations are conducted to reach out for remote populations (hard-to-reach, or in the inland far from the service centres). The Ministry of Home Affairs and Immigration, through a memorandum of understanding with the Ministry of Health and Social Services, is also registering new births and births less than 1 year at 21 district hospitals. Marriages are registered, after solemnization, in the Ministry of Justice or through church ministers appointed as marriage officers by the Ministry of Home Affairs and Immigration. It should be pointed out that divorces are under the jurisdiction of the High Court only, which intermittently sends the final divorce order to the Ministry of Home Affairs and Immigration for recording.

1.2 Purpose and Objectives of the Assessment

The main objective of the comprehensive assessment was to generate information on the status of the civil registration system, in terms of its effectiveness – timely registration and delivery of data to ensure vital statistics can be generated.

Specific objectives included:

1. To identify the strengths and weaknesses in current systems, and draw important lessons learned
2. To review the bottlenecks in the registration process of the vital events
3. To identify ways through which the current NPRS can be improved in line with the international standards.
4. To explore opportunities which can be used to strengthen the CRVS?
5. To examine gaps in the use of CRVS for development planning and evidence-based research and policy formation
6. To develop a costed National Strategic Plan including objectives, indicators and activities for all ministries involved in registering vital events

2. Assessment Methodology

2.1 Planning and Preparation

The process for the Comprehensive Assessment of the CRVS system was initiated by the Namibian team at the 9th Africa Symposium (ASSD) meeting held in Gaborone, Botswana in February 2014. This was followed by the pre-mission visit to Windhoek by representatives of the United Nations Economic Commission for Africa (UNECA), Addis Ababa and the African Development Bank (AfDB), Tunis in the week of 12 to 15 May, 2014.

The main aim of the visit was to gather support from key stakeholders, including UN agencies for the progress, as well as to provide technical support to lead agencies. During the five-day stay meetings were set up with the key stakeholders, with key NSA and MHA staff who are spearheading the activities, the CRVS technical team who were given an insight of the tool to be used during the assessment.

At the meetings with the senior officials of the ministries (Deputy Ministers of the Ministry of Health and Social Services and the Ministry of Home Affairs and Immigration) and UN agencies (country representatives for UNFPA, UNICEF and WHO), and the Namibia Statistics Agency (Director of Demographic Social Statistics), the plan for undertaking the Comprehensive Assessment following the decisions at the Second Conference of African Ministers responsible for civil registration was agreed to by the government of Namibia. Staff was committed and resources were mobilized for this purpose. The governance structure of the assessment in Namibia is comprised of:

- the Steering Committee which is constituted of Permanent Secretaries of the relevant line ministries: Ministry of Home Affairs and Immigration (Chair), Namibia Statistics Agency (Co-chair), Ministry of Health and Social Services, Office of the Prime Minister, Ministry of Gender Equality and Child Welfare, Ministry of Justice, Ministry of Safety and Security, Ministry of Education, Ministry of Labour and Social Welfare, and the Government Institutions Pension Fund;
- Technical Working Group (TWG); and the
- Task Teams.

The task teams for the CRVS comprehensive assessment formed according to the following 5 themes:

- I. Policy and Legal Framework for Civil Registration and Vital Statistics
- II. Operations and Practices in Birth and Death Registration
- III. Operations and Practices in Marriage and Divorce Registration
- IV. Recording and Processing of Causes of Deaths
- V. Operation and Practices in Vital Statistics

The TWG held a meeting on 20 June 2014 where the team was introduced to the comprehensive assessment process; and the assessment tool prepared by UNECA was distributed and the committee was briefed on the forthcoming orientation; training programme and subsequently the implementation of the assessment.

The aim of the meeting was to finalize the composition of the task teams for the comprehensive assessment as per the themes and review the assessment tool and to provide background information to the task team members on the comprehensive assessment as orientation to the tool.

The TWG members represent ministries and agencies such as: Ministry of Home Affairs and Immigration (MHA), Ministry of Justice (MoJ), Ministry of Health and Social Services (MoHSS), Namibia Statistics Agency (NSA), Ministry of Safety and Security, Office of the Prime Minister, Ministry of Education, Ministry of Gender Equality and Child Welfare, World Health Organisation (WHO), United Nations Children's Fund (UNICEF), United Nations Population Fund (UNFPA).

In order to provide a thorough understanding of the tool, the TWG members formed the five thematic teams in which members had competence and these formed the core sections of the assessment: legal framework; births and deaths; causes of death; marriages and divorces; and vital statistics.

On 2 July 2014, a senior advisor, drawn from the pool of regional CRVS experts arrived for his mission to carry out the comprehensive assessment. He was introduced to the national consultants and together with the lead institutions, MHAI and NSA, reviewed the background against which the assessment is organized and relevant preparatory plans, documents, etc. Several visits were made by the Senior Advisor and the national consultants to various offices including WHO, UNFPA, IOM. A meeting was held on 4 July for the TWG to review and agree on the overall time lines of the comprehensive assessment.

2.2 Orientation and Training Workshop (Segregation of the Tool)

The orientation workshop on the assessment of the Civil Registration and Vital Statistics system in Namibia commenced on 6 July 2014 under the auspices of the MHAI and the NSA, with support from UNICEF, UNFPA and the WHO. The assessment was led and supported by a team of resource persons, namely a senior advisor, drawn from a pool of regional CRVS experts trained in May 2013 in Gaborone, Botswana, two lecturers from the University of Namibia (as national consultants) and a representative of the regional CRVS Secretariat, based at the United Nations Economic Commission for Africa (UNECA).

The orientation workshop was attended by 24 government officials representing stakeholder ministries/agencies of CRVS in Namibia. These were drawn from the MHAI, the NSA, the MoHSS, the Ministry of Education, the Ministry of Gender Equality and Child Welfare, the Ministry of Safety and Security (the police), and the Ministry of Justice. In addition to the above there were officials from United Nations agencies namely: UNICEF, UNFPA, WHO and the International Organisation of Migration (IOM). In order to attain a thorough understanding of each theme, to divide roles and responsibilities among various partners in the assessment and to facilitate the process, the members were divided into thematic areas. Members from the participating institutions were divided into five thematic task teams of the assessment, complemented by a group of three (3) young African statisticians. Upon completion of the 1 week (7 – 11 July 2014) orientation to the assessment tool, a field testing was undertaken on 14 July 2014 and thereafter a desk review process was undertaken.

2.3 Constitution of Assessment Task Teams

Based on the vital vital events as decided by the African Ministers responsible for civil registration, the assessment tool allowed for the composition of the thematic teams. The representation of the thematic areas was as follows:

- Law and Policy Framework (National Consultant)
- Birth and Death (NSA, MoE, UNICEF, MHAI, MoSS)
- Causes of Death (WHO, MoHSS, UNFPA, Young Statistician)
- Marriage and Divorce (MHAI, Young Statistician)
- Vital Statistics (UNFPA, NSA, MoJ, MHAI, IOM, Young Statistician)

2.4 Field Testing of Assessment Tool

The four thematic groups apart from the Law and Policy Framework, revised the assessment tool. This modified tool was adapted by the thematic teams, was field-tested in institutions in Windhoek and in Dordabis, a rural area outside Windhoek, on 14 July 2014. The aim of the field testing was to give the task teams a feel of the tool and to test the questions in the tool and identify areas of improvements, if any, before going to the field. In Windhoek the teams visited the MHAI regional offices, Katutura Hospital and the Police Mortuary. In Dordabis the team visited the Clinic, Police, the community, and the Councillor's office. Several findings relating to logistics and content of the tool were identified.

2.5 Desk Review

Desk reviews to locate documentation on law, policy and other relevant issues and to conduct interviews with key senior officials involved with aspects of operations and management in the four thematic areas were also conducted from the 15th to the 18th of July 2014. During this process the comprehensive assessment tool underwent further refinement, which was used for the final data collection exercise. A further comprehensive desk review was undertaken by the national consultant to generate information that would help contextualize the findings from the field. The extensive list is attached.

2.6 Field Assessment Missions

Four field teams consisting of members from each of the four themes (Births and Deaths; Causes of Deaths; Marriages and Divorces; Vital Statistics) visited four regions (Kavango, Kunene, Karas, Otjozondjupa) of Namibia that account for the major diversities in which registration of vital events took place from 20 to 27 July 2014. The selection of these regions was based on a number of issues. Among others, to identify factors to explain differences in the registration performance across the regions in Namibia. Low and high performing regions, i.e. regions with low and high registrations, were identified and prioritized for assessment. Secondly, record challenges of registering remote/hard-to-reach populations for universal registration of the four vital events (births, deaths, marriages and divorces). Thirdly, to understand cultural diversity of the population across regions. This was crucial in achieving universal registration. Some regions have nomadic populations which makes it difficult to register births and deaths on time. Therefore, capturing challenges that may improve civil registration for such sections of the population is critical in this assessment.

The teams visited facilities including civil registration offices, hospitals, police stations, mortuaries and churches, magistrate's offices, and the communities to study how registration processes of vital events take place and how causes of death are captured. The regions and places visited are as follows:

Kavango Region	Rundu, Nyangana, Andara [MHAI Regional Offices (officials and client interviews), Rundu State Hospital, Roman Catholic and Lutheran Church, Police Station, MoHSS Mortuary; Nyangana Mission Hospital, Katere Clinic, Gciriku Traditional Leader; Andara Mission Hospital]
Karas Region	Keetmanshoop, Aussenkehr and Karasburg [MHAI Regional Office, Keetmanshoop District Hospital, Keetmanshoop Magistrate's Court, Mortuary (hospital and police), Roman Catholic and Africa Methodist Episcopal Church (AMEC) and Logos Family Church; Karasburg – Karasburg District Hospital, Karasburg Magistrate's Court, Police Station, United Reformed Church of Southern Africa, community meeting, MHAI, Roman Catholic Church; Aussenkehr – clinic, community meeting]
Kunene Region	Opuwo and Okanguati (Opuwo District Hospital, MHAI Regional Office, Police Mortuary, Roman Catholic Church, Lutheran Church, traditional leaders: Vita Royal House, Otjikaoko Royal House, Ovambanderu Royal House, Kapika Traditional Authority, Opuwo Magistrate's Court; Okanguati Health Centre, Okanguati Police, Okanguati MHAI, Project Kaokoland (Orphanage), community leaders.
Otjozondjupa	Grootfontein, Tsumkwe and Gam [Grootfontein District Hospital, Police Station, MHAI, Constituency Office, community leaders, Grootfontein Magistrate's Court, Catholic and Lutheran Church; Tsumkwe: Tsumkwe Clinic, Police, MHAI, Constituency Office; Gam: clinic, Police, and community leaders].

2.7 Data Collection

The teams used different methodologies with purposively selected individuals to obtain information relating to services provided. **Observations** were made for example, in the MHAI regional offices, teams **observed the processes** of birth and death registration, conducted in-depth **interviews** with officials, especially those in charge; went through the records to see how causes of death information was recorded and transferred from one form to another. **Focus Group Discussions** format was used to primarily solicit information from recognized traditional authorities. In addition to the information from the field the national consultant also

conducted a series of **interviews with key stakeholders** and/or users of the information generated by the civil registration system. Questions relating to the importance of the data captured, and the relevance and link to obtain such information, the potential areas for improvement and confidentiality aspects were main issues which formed the discussions with the users.

2.8 Data Analysis

The data from the field was collated into the thematic areas, i.e. members from various themes visited different regions and re-grouped to put together the findings. Although this process was envisaged to ease the analysis process and subsequently to provide a detailed account of the experience of issues emanating from the field, thematic members could not complete the task of compiling a single document and this was left to the national consultant.

PART 2: CONTEXT

**CONTEXT AND STATUS
OF THE
CIVIL REGISTRATION AND VITAL STATISTICS SYSTEM
IN NAMIBIA**

3. Status of the Civil Registration System in Namibia

3.1 The National Population Register System

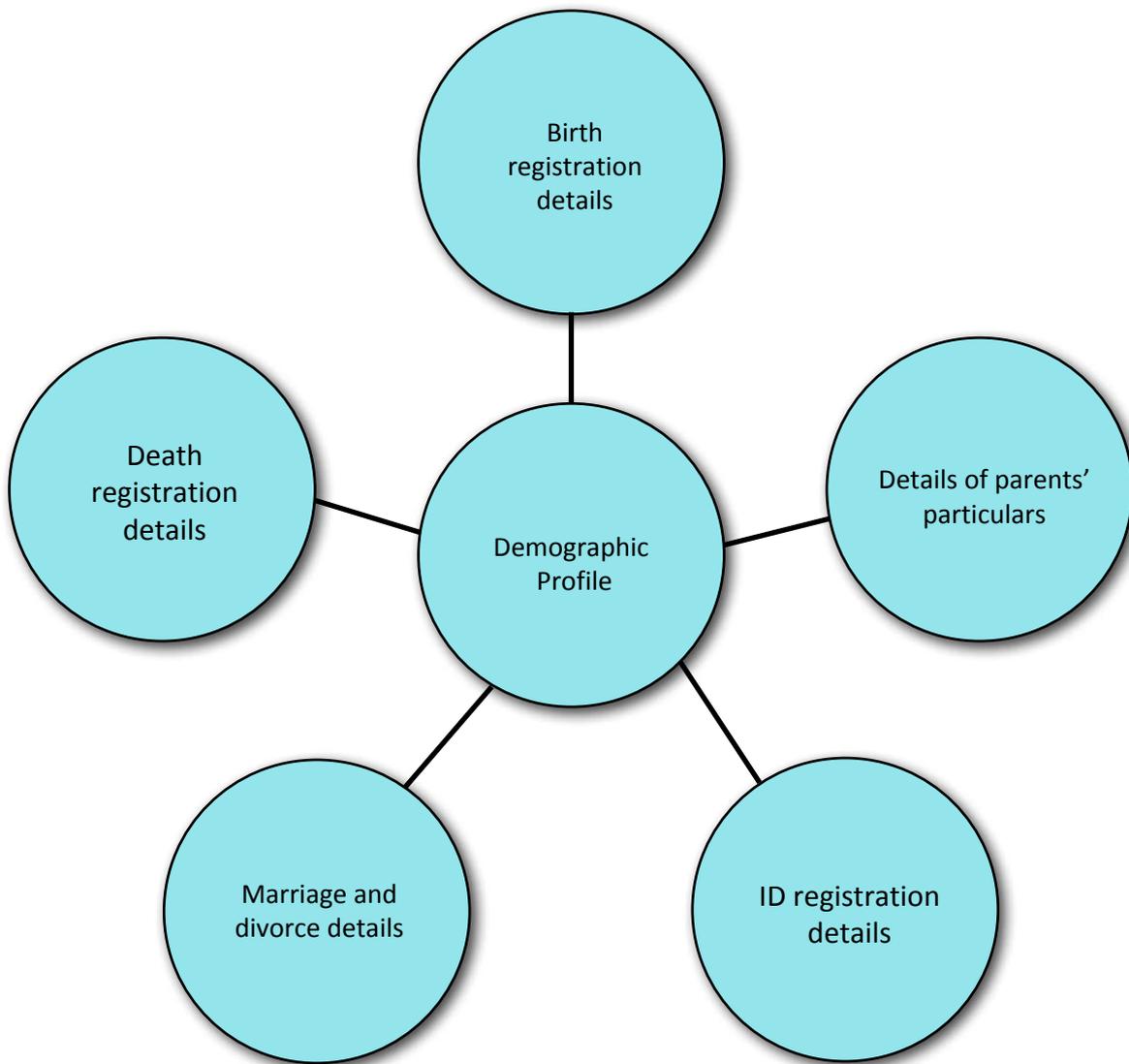
Until recently, civil registration in Namibia consisted of independent and disjointed manual systems collectively called the National Population Register.

The initial version of the electronic National Population Registration System (NPRS), designed by the Office of the Prime Minister, was released in 2000. The system only catered for ID registration. In 2011, a web-based and integrated NPRS was introduced with a birth, marriage and death component. All vital events are now registered under one demographic profile.

The ultimate aim of the new integrated NPRS is to consolidate all civil registration events under one demographic profile, to generate new verification options and reporting solutions for vital statistics purposes (Figure 2). The NPRS version 2 also guarantees protection of all civil entries through setting up strict access level measures and tracking of all actions conducted by users. In 2013, the system was redeveloped since a new platform was required. Revision 3 introduced new functions and features that created an integrated and web-based CR system which enables digitalization of all civil processes and records. In summary, the digitalization of the National Population Register comprises of six project components/objectives:

- 1) Customised software: development, testing and implementation of a new web-based NPRS which combines all civic events of an individual under one demographic profile, and meets international standards for collection of vital data for statistical purposes;
- 2) Establishment of well-functioning ICT infrastructures. Securing sufficient numbers of computers as well as network connectivity to all offices;
- 3) Digitalization of all historical records;
- 4) Revision of legal framework to manage access to, usage and storing of civic records;
- 5) Training of staff members;
- 6) Gazetting and roll out of new electronic certificates to all offices.

Figure 2: The structure and functionality of the Namibian NPRS



3.1.1 Functions, structure, security measures and registration processes

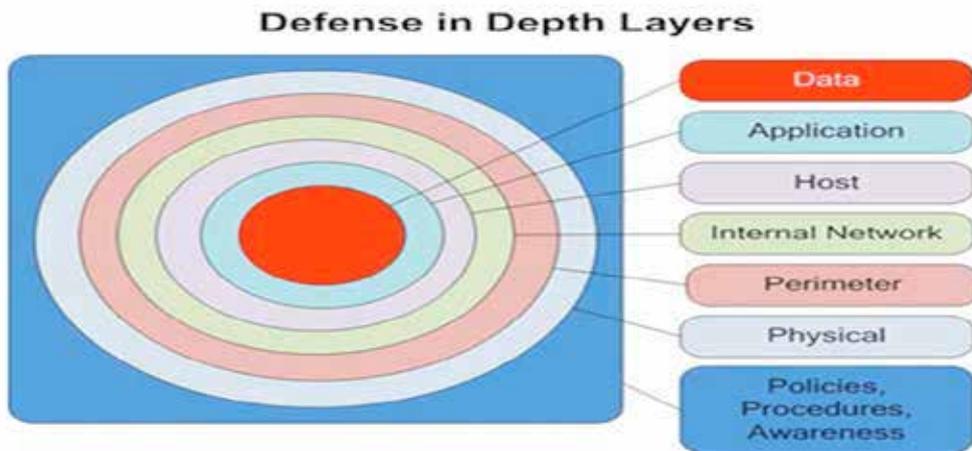
3.1.1.1 Registering an event in the National Population Registration System

The relevant birth registration details and parents' particulars, are captured immediately after birth to create a demographic profile (illustrated in figure 2). When the child (citizen and permanent residents only) turns 16 years and applies for an ID, the ID registration details are added to the demographic profile. As an adult the marriage and divorce details are captured, if applicable. The record is closed with the capturing of the death details. As soon as the death registration has been finalized no other documents can be issued on that particular profile. All the application forms are scanned and uploaded to the demographic profile for verification purposes. A person can only have one demographic profile. Prior to the entering of a profile in the NPRS, the system verifies if the applicant already exists in the system. This secures that people do not have multiple records with different particulars. The system also has a function to verify parent-child relations. By entering the parents' names, it is possible to see all children registered under his/her name. It is also possible to write an explanatory note, and a risk status.

3.1.1.2 Security: Structure

The NPRS environment is based upon a multi-layered model that provides optimal levels of security for the data managed by the system (Figure 3). The security design functionalities and features of the NPRS are based upon the application security characteristics as listed below:

- **Authentication:** Communicating entities (for example, client and server) prove to one another that they are acting on behalf of specific identities that are authorized for access. This ensures that users are who they say they are.
- **Authorization or Access Control:** Interactions with resources are limited to collections of users or programs for the purpose of enforcing integrity, confidentiality, or availability constraints. This ensures that users have permission to perform operations or access data.
- **Data Integrity:** Proving that information has not been modified by a third party (some entity other than the source of the information). For example, a recipient of data sent over an open network must be able to detect and discard messages that were modified after they were sent. This ensures that only authorized users can modify data.
- **Confidentiality or Data Privacy:** Ensuring that information is made available only to users who are authorized to access it. This ensures that only authorized users can view sensitive data.
- **Non-repudiation:** Proving that a user performed some action such that the user cannot reasonably deny having done so. This ensures that transactions can be proven to have happened.
- **Quality of Service:** Providing better service to selected network traffic over various technologies.
- **Auditing:** Capturing a tamper-resistant record of security-related events for the purpose of being able to evaluate the effectiveness of security policies and mechanisms. To enable this, the system maintains a record of transactions and security information.

Figure 3: Security layers of the National Population Registration System

3.1.2 Electronic printed certificates

The Ministry of Home Affairs and Immigration still has to introduce new electronic printed certificates. The challenges of ensuring a functioning ITC environment and re-engineering the work flows have delayed this part of the project continuously. However, the MHA is planning to start rolling out the electronic printed certificate as part of its turnaround strategy which is supported by a large team of consultants, that will travel from region to region to ensure that all processes are re-engineered and an excellent ICT environment is set up. The timely registration will ensure timely and accurate vital statistics.

The idea to develop an integrated civil registration is based on the existing ID registration system and has proven to be successful. Having a full picture of each resident's vital events has eased the administrative processes. It has also been possible to link historical death and marriage records to the demographic profiles initially created for the ID records.

3.1.3 The automation of historical civil records

Simultaneously with the development and implementation of the NPRS, the Department of Civil Registration has scanned, indexed and quality-controlled approximately 2.7 million historical birth records (10 million sheets of paper) since the beginning of 2010. The records are now viewable in all offices with a network connection. Unfortunately, it was necessary to store the records in a separate database due to duplicate birth records, or mismatches between birth and ID record.

In November 2012, the Department of Civil Registration started the scanning of all historical death records. The death records will be indexed in the new NPRS generating the possibility of running statistical reports on death segregated by age, region and gender. So far about 70% of the approximately 500 000 death records have been captured. The administrative and statistical benefits of this exercise are tremendous. The step is to capture all marriage records since 1930, which have already been scanned. The completion of the set targets for the project is mid-2016. The project is partly led by a company with specialised expertise in record management.

3.2 Legal Framework of Civil Registration and Vital Statistics in Namibia

The civil registration of the four vital events (births, deaths, causes of death, marriages and divorces) in Namibia is governed by legal instruments and policies. The legislation for civil registration in Namibia is encapsulated in various laws including the 1989 National Constitution; Births, Marriages and Deaths Registration Act 81 of 1963; Identification Act of 1996; and Marriage Act of 1961 (amended in 1987). The Aliens Act of 1936 covers only the change of surname. In addition, the children charter has adopted children rights, in which it is stipulated that all children born in Namibia should be registered. The new proposed bill, the National Population Registration Bill, has merged all Acts dealing with civil events into one Act.

The Namibian Constitution makes provision for the right to a family and children's rights. Article 14 states that

Sub-article 1: *"Men and women of full age ... shall have the right to marry and to found a family."*

Sub-article 3: *"The family is the natural and fundamental group unit of society and is entitled to protection by society and the State."*

In Article 15, sub-section 1 states that

"Children shall have the right from birth to a name, the right to acquire a nationality ..."

These provisions implicitly imply that these events shall be registered for protection. The constitutional guarantees ensure that all children in Namibia have accurate records, which should permit them to acquire nationality.

The Identification Act 21 of 1996 established the national population register, which records data on Namibian citizens and permanent residents of Namibia. Section 14 of the Identification Act covers the secrecy of information in the population register:

"No person shall disclose to any other person any information recorded in the population register or any identity document or proof of registration..."

Section 14(2) of the Identification Act is very broad with respect to information sharing with government agencies: it places no limits on information-sharing with statutory bodies:

"The Minister may provide any information in relation to a person whose name is included in the population register to any ministry, regional council, local authority, statutory institution or body established by or under law for any purpose of ... that body"

Furthermore, the Act states that the identity number of a deceased person will be retained on the system for a year.

The Aliens Act 1 of 1937 has a substantive provision in section 9, which sets forth the procedure for name changes and makes it a criminal offence to use assumed surnames. This section also addresses the surnames which may be used by married and divorced women.

Specific acts govern the registration of births, deaths, marriages and divorces. The Births, Marriages and Deaths Registration Act 81 of 1963 sets out the framework for civil registration of births, deaths and civil marriages that is currently used in Namibia. It is silent on the registration of civil divorces, and on the registration of customary marriage and divorce.

Section 5(2) of that Act prescribes that

"... every birth or death which occurs within his [registrar or assistant registrar] area and comes to his notice, is recorded on the form prescribed therefor and that such form is duly completed".

The Act further gives details on the duty to notify the birth of a child

Section 19:

"... it shall be the duty of the father of the child ... or ... person having charge of the child, within fourteen days after birth, to give the prescribed notice or information thereof ..."

In case of death, sections 23 and 24 state that

[Section 23 - home death by natural causes]:

"... death of any person who has not been attended during his last illness by a medical practitioner, ... if he is satisfied that the death was a result of natural causes, REGISTER the death and issue an order whereby the burial of such person is authorized."

[Section 24 - death attended by medical practitioner and of natural causes]:

"... the death of any person who was attended by a medical practitioner during his last illness, such practitioner shall, if satisfied that such death was due to natural causes, forthwith sign and give ... a certificate stating to the best of his knowledge and belief the cause of death, and ... deliver such certificate ... to the registrar or assistant registrar."

"Whenever a medical practitioner is unable to give such a certificate of death, he shall forthwith report his inability to the magistrate."

Further in section 7, the Act makes provision for the time-frame of the registration of birth or death:

"No birth or death shall be registered after the expiry of one year from the date of such birth or death except upon the written authority of the Director-General and the payment of the prescribed fee (if any)."

Registration of marriages is provided in Chapter VII, Section 39

"If any officer is ... required to transmit any register of a marriage to any other officer he shall transmit with such register every prescribed document relating to such marriage."

The Births, Marriages and Deaths Registration Amendment Act 5 of 1987 compels a marriage officer who solemnizes a marriage to complete a certificate on the prescribed form.

The registration of each event is compulsory, although coverage, to some extent excludes other segments of the population e.g. nomadic/pastoralist, refugees, adopted children, homeless people. Policy dictates that mobile vans be used for registration of nomadic or hard-to-reach populations.



Table 2: Legal provisions for the civil registration system in Namibia

Legal Provisions	Status	Strengths	Weaknesses
1. Availability of the legislation	Law available, see section 3.2	There is a law that governs the registration of vital events and alterations of records.	Available laws are outdated and silent on contemporary matters/challenges that are faced today. E.g. No guidelines on registration of foreigners, vulnerable and abandoned children etc.
	Terms and concepts are clearly defined including vital events i.e. births, deaths etc.	All key concepts used for vital registration are covered.	Terms and concepts needs to be revised and aligned to other legal frameworks and international standards. The law does not consider the customary marriages.
	The aim is to register the vital events (births, deaths and marriages).		The preamble excludes registration of divorces and causes of death.
	The law defines the duty of who to notify of the birth and death and the time frame, as well as notification of the citizens who are born or died outside the country.		Processes of notification of vital events are not clearly defined. Customary practices may delay immediate registration of births, whereas deaths may not be registered.
	The law has provisions for appointment of registrars in charge of registration for all births and deaths and marriages.	There is a recognized structure that deals with civil registration, namely the department of civil registration in MHA1.	
	The law does not have a provision for collection and transformation of vital records for statistical purposes.		There are no guidelines that bind the transformation of vital records for statistical purposes.
	The law is not clear on the registration of vital events for the special population groups e.g. nomadic, homeless, refugees etc.		There are no guidelines or policies to ensure registration of special population groups.

Legal Provisions	Status	Strengths	Weaknesses
<p>2. Management, coordination and linkages</p>	<p>The laws (statistical laws or civil registration laws) do not provide linkages, or coordination mechanisms with other stakeholders.</p>	<p>The revised laws will provide coordination and linkages with stakeholders.</p>	
	<p>The law allows the appointment of registrars and assistant registrars of births and deaths by the PS (MHA).</p> <p>The law does not specify the form of sub-national level organization of CR system.</p>	<p>The law provides flexibility regarding the persons who can be assigned functions under the CR organization.</p>	
	<p>The Identification Act has provisions for protecting information in the national population register.</p> <p>The law does not specify the format and content of the forms, certificates and registers.</p>	<p>The provision of data from the NPRS is highly anonymized.</p>	<p>Lack of compliance to international standards as well standardized formats to follow.</p>

Legal Provisions	Status	Strengths	Weaknesses
<p>3. Registration procedures and processes</p>	<p>The law provides for procedures to be followed in birth, death and marriage registrations.</p> <p>The law provides for time period for timely, late and delayed registration.</p> <p>The law does not clearly state where the vital events should be registered (incl. place of occurrence or place of usual residence).</p>	<p>Revised law indicates that births should be reported within 30 days. However, policy in place allows up to 1 year, after which the birth is said to be late registration.</p>	<p>The current practice of dealing with timely, late and delayed registration does not conform with the law.</p>
<p>4. Fees and penalties for registration</p>	<p>The law has provisions that every birth registered should have a name and a child can be registered on the mother's surname, and it is allowed to change a name at any time without a fee.</p> <p>The law stipulates that vital events be registered with required documents.</p> <p>The law does not require any fee for registration of vital events, late or otherwise.</p> <p>The law is clear on the penalties for contravening any provision of the Act in terms of failure to give notice or information, false statement, and negligence.</p>	<p>Free registration</p>	<p>The law does not require each individual to be assigned a personal identification number (PIN) at birth.</p>

Legal Provisions	Status	Strengths	Weaknesses
5. Compilation of vital statistics	MHAI does its own statistical reports for internal monitoring and evaluation. NSA does generate vital statistics from surveys and censuses, but not from the population register.		There are no regulations to indicate the structure of the report, even a minimum list of tables. There are no stipulated time limits for preparation of vital statistics and their release for use.
6. Corrections and cancellations	The law is silent on handling of corrections and cancellations. The Aliens Act has provisions on how a change of surname should be handled.	There are user manuals that describe how corrections and cancellations should be handled.	The policies guiding corrections and cancellations are not covered by law.
7. Confidentiality	The Identification Act has provisions for protecting information in the national population register.	The provision of data from the NPRS is highly anonymized.	
8. Use of information technology	There are no provisions on use of ICT in the current law.		The use of ICT would need legal backing. Use of computerized records needs laws.
9. Archiving	The law does not mention the need for archiving of CR and regulations do not specify the method and place of archiving. The Ministry uses the existing general laws on archiving government records.	The Ministry has taken advantage of ICT in archiving the CR records.	

The legal provisions for civil registration and vital statistics in Namibia are pertinent to various international obligations that Namibia has ratified including, among others, the Convention on the Rights of the Child; African Charter on the Rights and Welfare of the Child; International Convention on Civil and Political Rights; Convention on the Elimination of All Forms of Discrimination against Women; Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa and SADC Protocol on Gender and Development.

Convention on the Rights of the Child

1. **Article 7** 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.
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.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

African Charter on the Rights and Welfare of the Child

Article 6

12. Every child shall have the right from his birth to a name.
13. Every child shall be registered immediately after birth.
14. Every child has the right to acquire a nationality.
15. States Parties to the present Charter shall undertake to ensure that their Constitutional legislation recognize the principles according to which a child shall acquire the nationality of the State in the territory of which he has been born if, at the time of the child's birth, he is not granted nationality by any other State in accordance with its laws.

International Convention on Civil and Political Rights

Article 24 (2) and (3)

2. Every child shall be registered immediately after birth and shall have a name.
3. Every child has the right to acquire a nationality.

Convention on the Elimination of All Forms of Discrimination Against Women

Article 16(2)

The betrothal and marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make registration of marriages in an official registry compulsory.

Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa

Article 6 (d)

States Parties shall ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They shall enact appropriate national legislative measures to guarantee that:

[d] "every marriage shall be recorded in writing and registered in accordance with national laws, in order to be legally recognized."

SADC Protocol on Gender and Development

Article 8 (c)

Every marriage, including civil, religious, traditional, religious or customary, is registered in accordance with national laws.

In 2000, the Ministry of Gender Equality and Child Welfare was established, with a focus on consolidating child welfare and women's rights. The Ministry's report on the Implementation of the UN Convention on the Rights of the Child showed commitment to strengthen immediate and universal registration of births, intensify public awareness campaigns on the importance of birth registration among others. The law gives provision for the immediate birth registration of children on the mother's surname which also allows later changes to the father's surname.

The Namibian National Agenda for Children 2012-16 made a commitment that *"all children shall have an adequate standard of living and a legal identity"*, and among others, it subsumed that *"all children are registered at birth, and have access to deceased parents' death certificates if required"* (Paragraph 4.3 in the Summary of the Agenda). A key indicator in the Agenda is *"the percentage of children whose births have been registered within the first year of life"*. Further, the Fourth National Development Plan (NDP4: 2012-2007) set as one of its priorities a speedy process of registration: *"There is need to speed up the process of civil registration ... legal obstacles remain, and this calls for a thorough review of the legislation regulating birth, marriage and death certificates"*. A similar call on civil registration is recorded in the Namibia Vision 2030. It stipulated a universal and complete vital registration of births, deaths and marriages to facilitate social and economic development in Namibia.

Key Observations on the Legal Framework Governing Civil Registration

1. There is a general recognition of the civil and political rights of children and women, as depicted by the Namibian constitution and various acts.
2. International conventions compel Namibia to register births, marriages and deaths.
3. The Law governing birth, marriage and death registration is outdated. Nevertheless, revisions have been captured in the proposed National Population Registration Bill, and Marriage Bill.
4. The current registration law gives limited choices for assignment of surnames, and the rules on surname changes.
5. The law on CR does not provide adequate procedures for the registration of births where children are born outside marriage.
6. The law on CR does not give guidance on the use of information technology e.g. electronic printing of certificates, use of mobile devices for registration, etc.
7. The Management and Operations, Compilation of Vital Statistics, and Monitoring and Evaluation and various aspects on inter-sectoral coordination are not fully specified. Current provisions are based on Memoranda of Understanding between Ministries and are weak.

3.3 Births and Deaths Registration

The Births, Marriages and Deaths Registration Act 81 of 1963 (as amended by the appropriate amendment acts: Act 17 of 1967, Act 18 of 1968, Act 58 of 1970 and Act 51 of 1974) provides for compulsory registration of all births, deaths and marriages occurring in the country, irrespective of nationality of the parents of the newly born or the nationality of the deceased. However in terms of actual operation, non-Namibian birth certificates are issued for births whose parents are non-Namibians. The act also makes provision for registration of births and deaths for Namibians living outside the country. The act also provides for the "Notice of Birth" which serves as preliminary information to the Ministry of Home Affairs and Immigration on the birth of the child where particulars of the parents also appear providing for much needed information surrounding a birth. It also provides procedures to be followed when a change or an amendment of a record is desired.

The law prohibits the registration of births of children without names and is a potential impediment to timely registration of births especially in some cultures, where cultural practices delay the naming of children. For example, in the case where the naming of the child has to be done at the village other than the hospital.

Refer to s 8A inserted by s 3 of Act 18 of 1968 and substituted by s 11 of Act 58 of 1970 and by s 13 of Act 5 of 1987: Prohibition of nameless birth registrations

“(1) No person’s birth shall be registered unless a name has been assigned to him.”

The above has serious implications regarding late registration of births.

In the case of deaths the causes of death have to be indicated, certified by a medical officer. Further to this, the act also makes it mandatory that no burial is conducted without a burial order. However it is not a requirement that a burial officer keep a burial register.

3.3.1 Birth registration

The 2011 census indicates that about 90% of the population had birth certificates, and about 70% of the births were registered before the age of 1 year (timely registration). Kavango had the lowest timely registration of 49%, whereas Karas had the highest timely registration of 93%.

The business processes for birth registrations in hospitals and outside hospitals are summarized in Figures 4 and 5.

Figure 4: Birth registration for births occurring in hospital

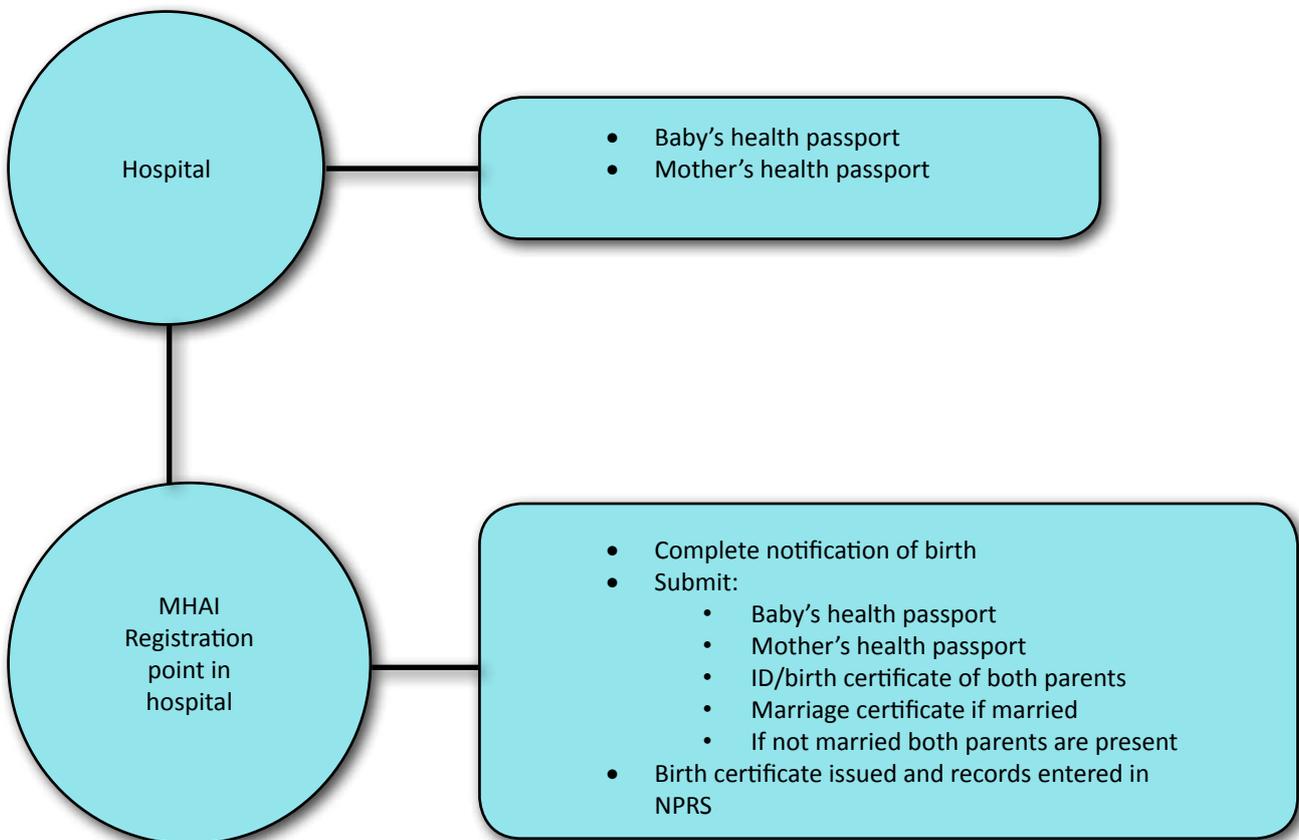
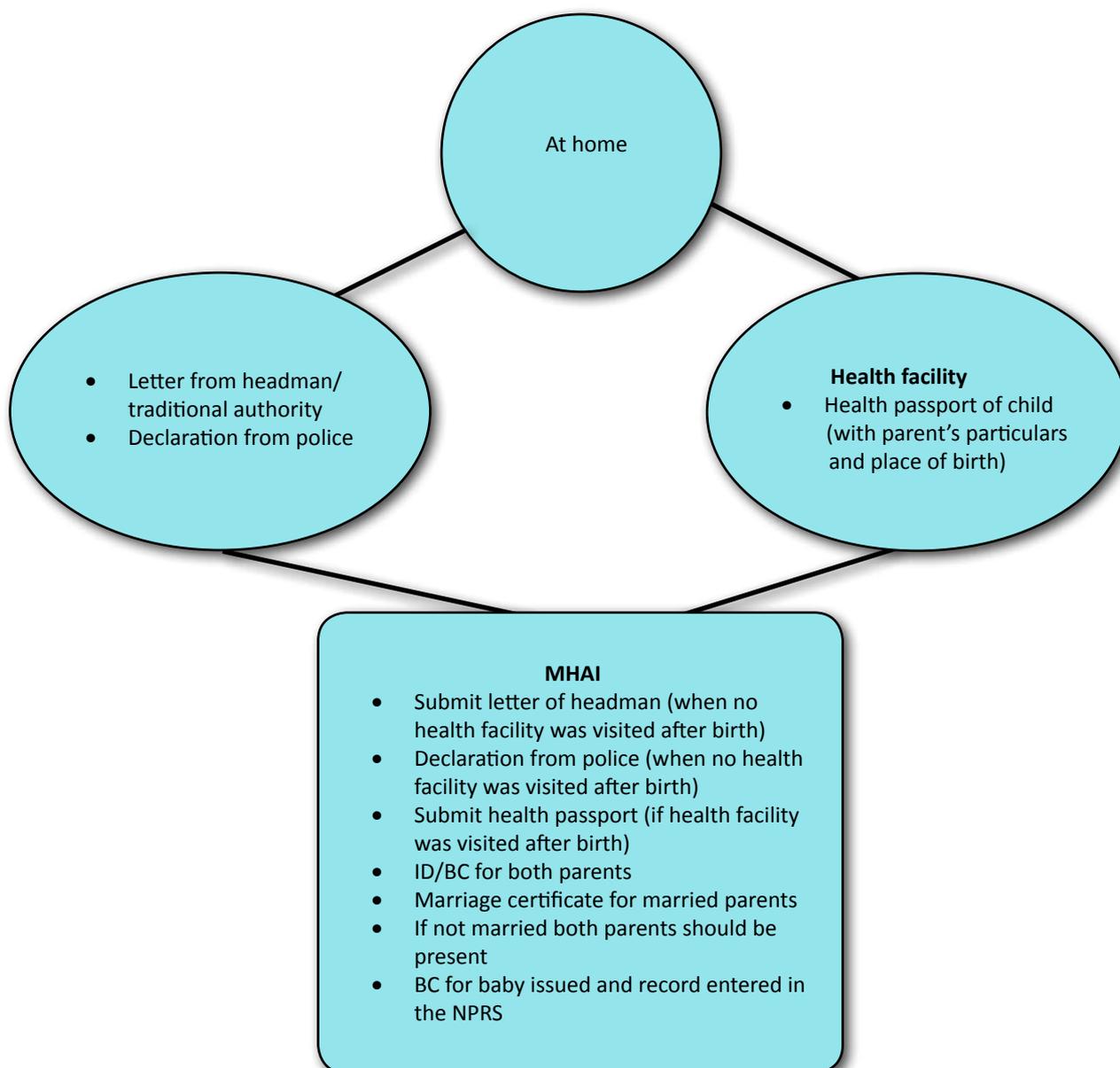


Figure 5: Birth registration for births occurring outside hospital



The registration illustrated in Figure 5 above is done at regional or sub-regional offices, provided that the requirements are met, whereas that in Figure 4 is done at the hospital where the MHAI also has offices.

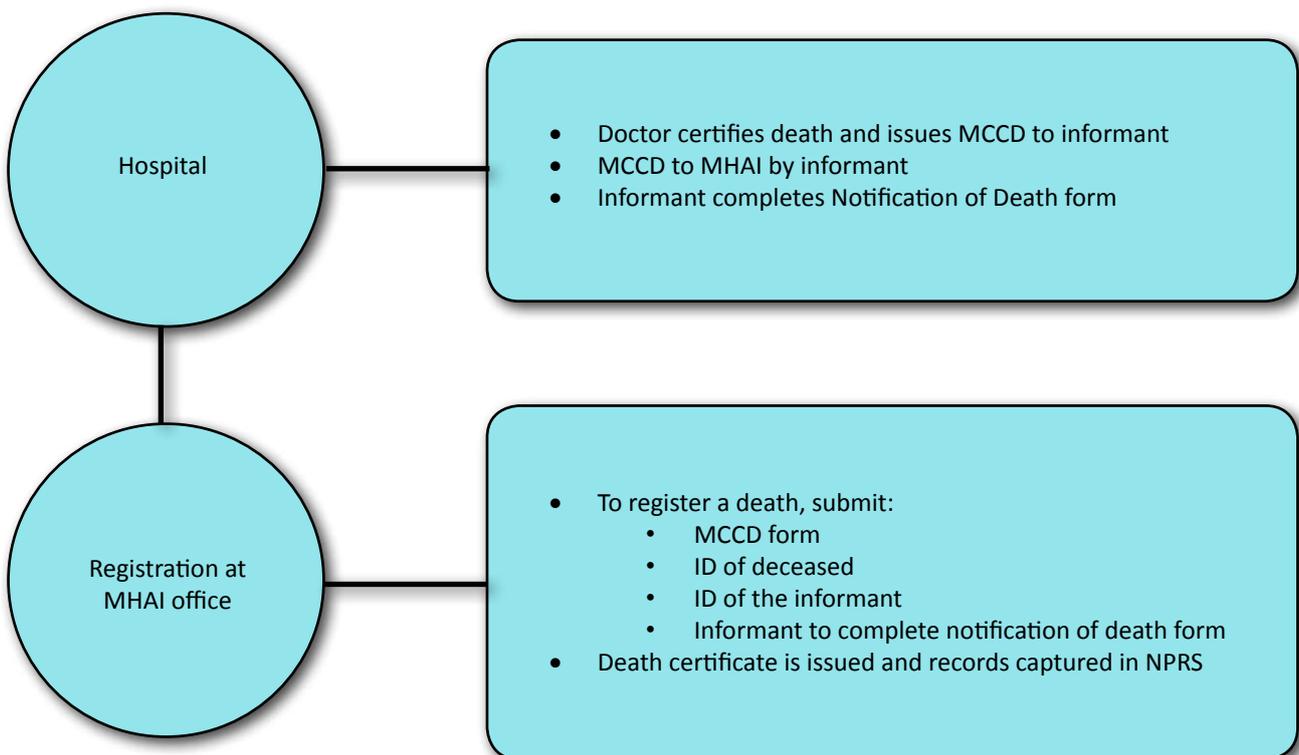
Late Registration: In the case where a birth occurs in the health facility, the health caregiver is allowed a maximum period to produce the notification of birth, which is either immediately or up to 7 days. In the event a birth occurs outside the health facility, the person who was present or the traditional leader is allowed 14 days for notification. Late registration of births is a challenge in Namibia and although the law provides for additional requirements (a written request) and penalty for late registration. However the ministry issues birth certificates without approval and without complying with the penalty because the law is not specific on the requirements for late registration.

3.3.2 Death registration

There are two processes regarding registration of death:

- i) **Death in hospital:** a notification of death form; informant’s identification card or birth certificate; deceased’s identification card or birth certificate; medical certificate of the causes of death (MCCD);
- ii) **Death outside hospital:** Letter from the headman/traditional authority; declaration from the police; identification card or birth certificate of both parents; if married a marriage certificate and if not, both parents should be present or the absent parent should provide a declaration from the police acknowledging parenthood.

Figure 6: The business process for death registration



In the case of a death that occurred in hospital due to natural causes (e.g. illness), a medical practitioner must provide a Medical Certificate of the Cause of Death (MCCD).

For a death at the clinic, the registered nurse completes the same process. In the case of a death in a community, the body is taken to the hospital for the medical doctor to examine and confirm death. In this case where the health passport of the deceased is available, the medical practitioner only uses a health passport to check the medical history of the deceased and then certifies the death and issues an MCCD and signs and stamps it. For natural deaths outside the hospital, the doctor certifies the death and completes the dead-on-arrival form at the hospital. The medical doctor examines the health passport to determine the cause of death.

If the medical doctor is not satisfied that the death was due to natural causes, then the police is notified. Guided by the **Inquest Act 6 of 1993**, the police undertake an investigation of the circumstances of the death or alleged death and report the death or alleged death to the magistrate concerned. The magistrate in turn instructs a medical doctor for a post-mortem to investigate the cause of death and thereafter provides a death certificate, which the informant will present at MHA for the issuance of a death certificate and burial order (removal of the body). Post-mortem is not done for all as families may insist for it not to be done.

Generally, when comparing birth and death registration, the coverage is much higher for deaths than births.

Death registration business process (how it is currently done):

In hospital

- Doctor certifies death and issues MCCD to informant
- MCCD to MHAI by informant
- Informant completes Notification of Death form

Requirements to register a death

- MCCD
- ID for deceased
- ID for informant
- National passport
- Birth certificate
- Certificate of citizenship
- Baptismal certificate
- Application form (Notification of Death form)
- Death certificate issued and captured in NPRS

At home/outside hospital

- Death is reported by family or first person to be on the scene to the police/headman
- Headman/family reports death to the police
- Police report to the ambulance services

For natural death

Police go to the scene to investigate, and if the cause of death is confirmed to be natural at scene:

- Police or ambulance service certifies death
- Police issues a POL 700
- Doctor of private patients issues MCCD
- Funeral undertakers takes body to mortuary, body accompanied by form POL 700 or MCCD
- Family/informant takes POL 700 or MCCD to MHAI for registration

Requirements to register a death

- MCCD
- ID for deceased
- ID for informant
- National passport
- Birth certificate
- Certificate of citizenship
- Baptismal certificate
- Application form (Notification of Death form)
- Death certificate issued and captured in NPRS

For unnatural death

- Police goes to the scene to investigate and transports body to the mortuary
- Police fills in the following forms:
 - POL 28 : Police report accompanying body sent for post-mortem exam
 - POL 29: Certificate of post-mortem examination
 - POL 51: Identification of corpse
 - POL 58: Authority for the institution on a post-mortem examination
 - POL 79: Statement of next-of-kin
 - Authority to hand over post-mortem examination report
 - **If autopsy was conducted, doctor issues POL 29, accompanied by Yellow Forms**
- Autopsy done by doctor
- Cause of death identified by the doctor
- MHA1 yellow form to be filled after post mortem to state cause of death as “Being Investigated” and attached to POL 29.
- Magistrate signs on yellow forms for authorization to register the death

Requirements to register a death

- POL 29: Certificate of post-mortem examination
- Yellow forms
- Signature of magistrate on yellow forms
- ID for deceased
- ID for informant
- Application form (Notification of Death form)
- Death certificate issued and captured in NPRS
- ***When investigation is completed and cause of death is identified, the police updates the cause of death of deceased and sends the information to MHA1 to update their records***

Table 4: Status, strengths and weaknesses of birth and death registration

General status for birth and death registration

- Birth and death registration is regulated by an act of parliament.
- Staff members of the MHAI find application forms user-friendly and available.
- The application forms for births and deaths are in English, standardized and used by all registration offices in the country.
- On average, it takes about 20-30 minutes to register a birth and about 5 – 10 minutes to register a death if informants have the required documentation.
- All regions have regional, sub-regional (constituency level) and hospital-based offices as registration points.
- Many of the sub-regional offices have only one staff member.
- Most of the staff members have not undergone induction and customer service training. They only receive on the job training and are provided with manuals on registration.
- Currently not all positions in the existing structure are filled.

Status for birth registration

- The national mobile registration campaigns take place on a five-year basis and are conducted in all the regions by MHAI. In addition, there are joint campaigns with MoHSS, MGECW and MoE in order to reach vulnerable population groups.
- As a general principle hospital-based MHAI offices register births under 1 year. However, hospitals in rural areas register children up to 5 years.
- For a birth to be registered, valid identification of parent(s) is required as well as the first issued hospital card.
- Not all registration points have access to the NPRS. Hence, not all births are captured on time.
- The law makes provision for alterations and changing of personal particulars on the birth record.

Status for death registration

- MHAI hospital-based offices also register deaths.
- In some areas, bodies are buried the same day as death occurred, due to various reasons such as long distances to mortuary, customary practices or harsh conditions.
- Not all registration points have access to the NPRS. Hence, not all death records are captured on time.
- There is available office space and computer equipment, photocopier and network in some regional and sub-regional offices.
- Forms are filed per month, year and stored in the storeroom. All staff members have access to the files in the storeroom.
- Provision for alterations and changing of details is made.

General strengths for birth and death registration

- Regional statistics of birth and death registration are compiled at the regional office and sent to Head Office.
- No fees are required to register births and deaths.
- Registration manuals are available to staff members responsible for registration.
- Ad-hoc trainings are conducted for staff members responsible for registration.
- Agreements are in place between key stakeholders to reach remote population groups through mobile registrations.
- The key stakeholders are in the process of automating the registration procedures.

Strengths for birth registration

- Mothers attending ante-natal care are informed about the importance of birth registration and registration requirements
- Hospital staff in maternity wards share information on birth registration with mothers.
- A birth can be registered even if one or both parents have not claimed parenthood.
- Information about registration requirements are given to the public by the staff members in the morning.
- Some MHA regional office staff members go out to communities to share information on how to register births, requirements to register and also the importance of registration.
- In case of a non-Namibian, immigration rules and regulations are followed. However the child is admitted temporary while waiting for the study permit to be presented by the end of the term as well.
- There is a policy that compels the children to have birth certificates in order to enrol for school or to receive social and financial benefits.

Weaknesses for birth registration

- The current law regulating birth and death registration is outdated.
- Child naming cultural norms which prescribe that the child must first go home for a name to be given and only after a week or two to return. This delays the registration process.
- Lack of documents for the parents affects registration of their births.
- For mothers without documents of fathers of their children, they do not register timely because they wait for the fathers to bring/send the documents for registration.
- People do not know the importance of having national documents. they only register if they are going to benefit something from having documents e.g. social grants.
- Some teenage mothers do not have birth certificates or IDs to register their children.
- Registration forms are in English hence officials end up completing the forms for the clients that are not literate in English.
- Parents at times do not have identification documents to register their vital events (especially for areas bordering on other countries).
- Registration points are not enough and the existing ones are far from one another and from the clients.
- Registration of events is a challenge for areas in the inland or areas that are hard to access, therefore low registration in those areas.
- Clients travel very long distances to go to the service centres for registration.
- Nomadic populations are hard to reach by mobile teams.
- Mobile teams are targeting only schools on a regular basis but not the remote areas.
- Time spent by mobile teams on a certain area is not enough to complete registration
- Lack of transport to carry out mobile registration services.
- Sometimes children are registered with wrong fathers.
- In case of a birth where one parent is Namibian and the other is non-Namibian, some parents are scared to take the child to be registered because of fear of the other person being investigated.
- Alterations and changing of details are only done at Head Office which prolongs the process.
- In some areas schools are enrolling children without birth certificates but other documents such as a baptism card or health passport or a declaration by a community leader is required to support that the child is Namibian.

Weaknesses for death registration

- Due to long distances that people have to travel to the centres, some bodies are buried without being registered.
- Some offices have staff members who cannot speak the local language in the area, which causes frustration between officials and clients.
- Sometimes names are misspelled by doctors on M CCD form and do not match the ID of the deceased, therefore clients are sent back for correction to the doctor before the registration can be done at MHAI.
- Some deceased do not have identity documents and have to rely on declarations from headmen (NAMPOL requirement).

Key Observations on Birth Registration

1. Birth registration is the official record of a child's birth by the administration of the State.
2. Birth registration provides legal proof of identity of the child.
3. Birth registration subsumes the right to name and nationality, the right to education and health care, the right to protection in the justice system and against all forms of exploitation.
4. Any birth can be registered immediately if it occurs in a hospital that has an MHAI registration point.
5. Any birth can be registered without a fee but there is misinterpretation where at some places people are required to pay hospital fees before registration.
6. Any child can be registered using maternal or paternal surname.
7. Births occurring outside health facilities lead to non-registration.

Key Observations on Death Registration

1. The law has guidance on death registration for deaths that occurred in the presence of a medical officer and those without medical officer.
2. The law makes provision for death registration of natural and unnatural deaths.
3. The law makes provision for burial registers to be kept which shall have particulars regarding every burial in such a burial place.
4. Current law in Namibia does not permit burial without death certificate. However, some communities still bury without registering the death.
5. The MHAI prepares and issues the death certificate after all standard procedures that involve other institutions are completed.
6. Deaths occurring far from registration facilities and not in hospital facilities are not recorded.

3.4 Causes of Death Registration

By law, a cause of death must be recorded for any death. The recording of causes of death takes on several routes:

- i) For a natural death in hospital: the doctor uses the health passport and completes an MCCD or the registered nurse at the maternity ward completes the MCCD.
- ii) For a death in the community brought to the hospital: the doctor first examines if there are signs of life and uses the health passport and confirms the death. If it is a natural death, an MCCD is completed. If the doctor is not satisfied that the cause(s) of death was/were due to natural causes, this is reported to the police to take up the matter further. If the police upon investigation discovers that there was no foul play but that the person died a natural death, the cause of death is recorded by the police either as "short illness" or "long illness".
- iii) For an unnatural death: - The police are called in and a full investigation is launched. A report is presented to the magistrate for the instruction of a medical doctor to undertake a post-mortem. In the police report no cause of death is stated but only alleged circumstances surrounding the death are noted. The magistrate authorizes the medical doctor for a post-mortem to determine the cause of death. Upon receiving the post-mortem results, the magistrate investigates the reports and records the causes of death.

Figure 7: Process of recording cause of death for deaths occurring in hospital

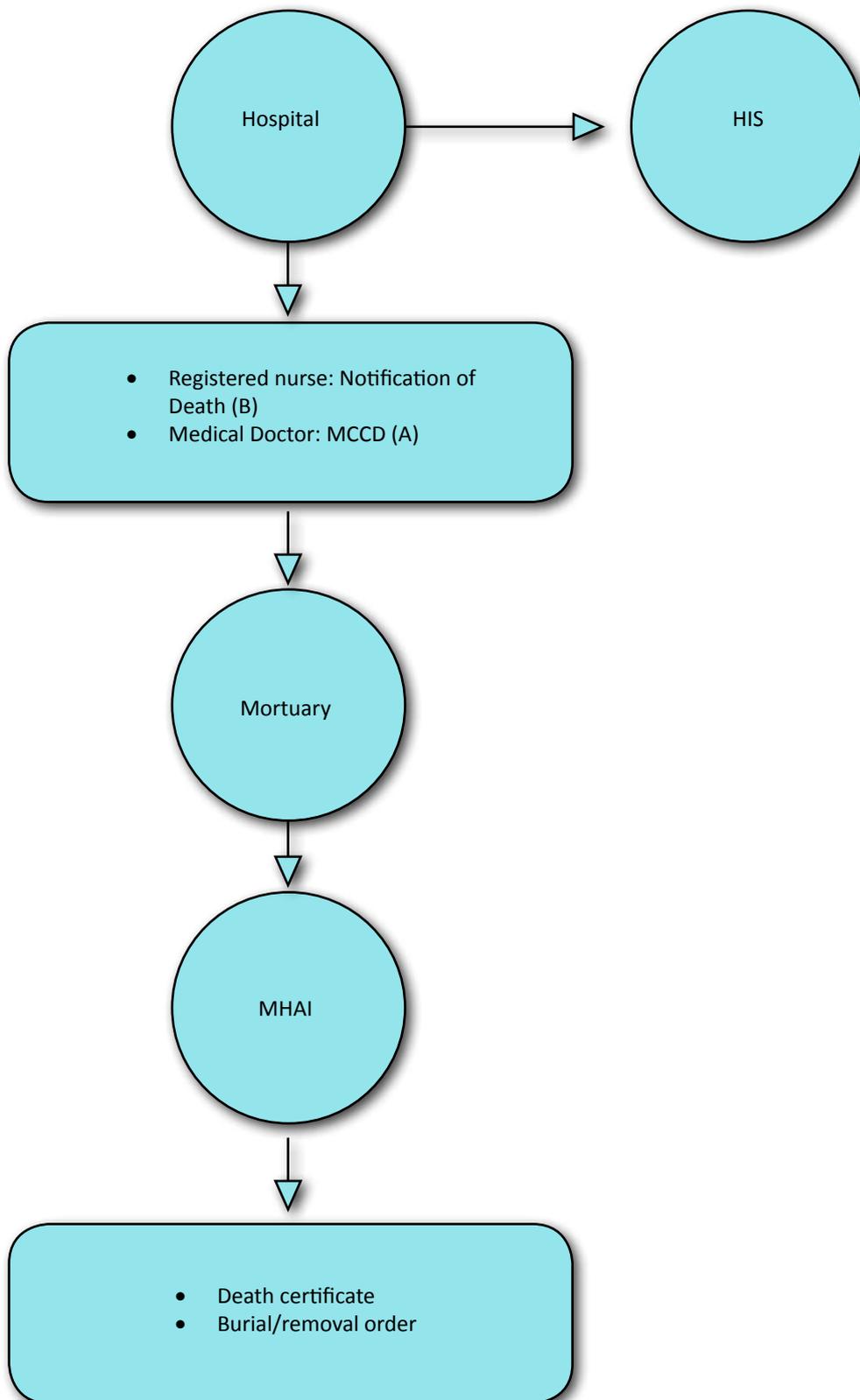


Figure 8: Process of recording cause of death for deaths occurring in the community

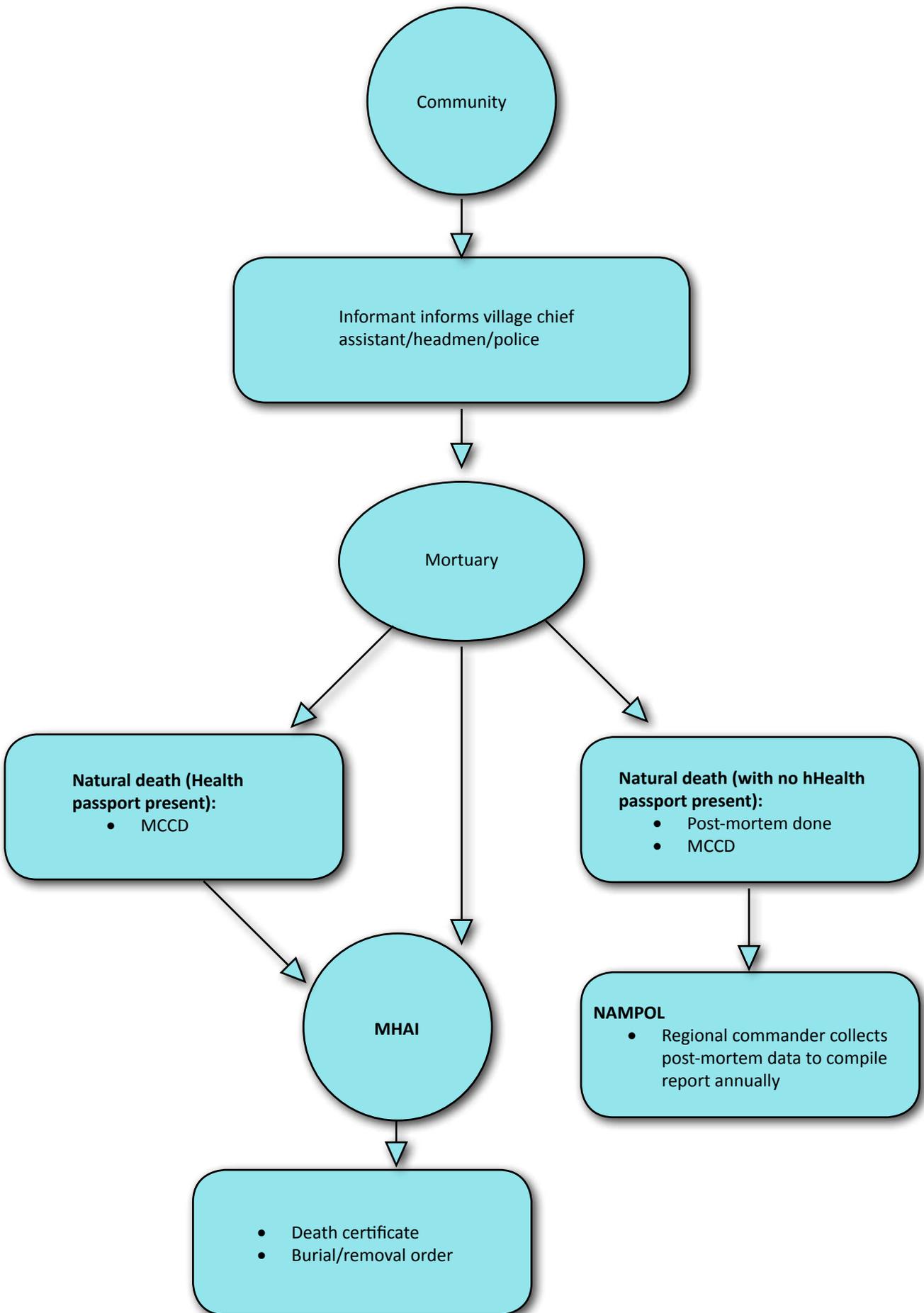


Table 5: Status, strengths and weaknesses of causes of death registration

Key Observations on Cause of Death

1. The law guides the registration of the cause of death and who is authorized to certify the cause of death.
2. The current law does not make it mandatory for a magistrate to record the cause of death as obtained from post-mortem examination.
3. There is no link between the private sector and public sector with regard to getting information into the Health Information System.

4. Marriages and Divorces

4.1 Marriage Registration

There are two basic types of marriages in Namibia: civil marriage and customary marriage. According to the 2011 Namibia Population and Housing Census, 20.1% of the population are married in civil marriages, with a 7.6% married under customary law. A prevailing development is the rise of consensual union, which was about 7.5% according to the census.

The civil marriages are solemnized by state-recognized marriage officers, which are magistrates, church ministers or priests. The practice of solemnization of marriage is done according to the Marriage Act 25 of 1961, but the married couples are treated as equals, guided by Married Persons Equality Act 1 of 1996. The registration of marriages is in accordance with the Births, Marriages and Deaths Registration Act 81 of 1963. With regards to customary marriages, the union is in terms of the prevailing customs and traditions of the community. Although, there are legal statutes that recognize customary marriages, e.g. the Recognition of Certain Marriages Act 18 of 1991, SWAPO Family Act 1977, and the Namibian Constitution; there are no provisions in Namibian law which guide the registration of such marriages.

Table 6: The business process for marriage registration: status, strengths and weaknesses

Status for marriage registration

Church marriages

- Marriages are solemnized by pastors who are licensed by the MHAJ.
- Screening is done using the following procedures;
 - Couple present original ID cards
 - Death/Divorce certificate where relevant
 - Foreigners screened by Police; letter from embassy needs to be provided
 - Minors (aged 16 - 18 years) require consent from parent/guardian/social worker
- Fixing date of marriage
 - Marriage announced in church
 - Marriage counselling (lesson regarding in community of property, out of community of property)
- Solemnization
 - Using Marriage Act 81 of 1963
 - Church rites
- Since not all pastors are licensed to solemnize marriage, those licensed cover huge areas of jurisdiction, however, marriages are not frequent.
- Marriage registers are available and being used by the pastors.
- In some communities (white communities) there supportive staff (secretaries and administrators) is available that, together with the pastors, is paid by the respective congregations.
- Some pastors in communities spend church/own funds to send the marriage registers and completed marriage certificate books back to MHAJ Head Office in Windhoek via postal mail.

Marriages at court (Ministry of Justice)

- Marriages are solemnized by magistrates all over the country. However, in Windhoek chief legal clerks are being appointed under the Marriage and Divorce Act as marriage officers for a certain period.
- Screening
 - Original IDs
 - Notice should be given at magistrate’s court, however, the duration differs depending on the place (e.g. 3 days - Karas; 1 month - Kavango/Otjozondjupa; 3 months – Kunene)
 - Foreigners (valid passport/visa/letter from embassy)
 - Death/Divorce certificate where relevant
- Fixing the date of marriage
 - Varies by region
 - Solemnization
 - Magistrate [all over country]
- Chief Legal Clerk (appointed by judge to act as a marriage officer-Windhoek for a specific period);
- All marriages are conducted under the Marriage Act (81 of 1963).

Customary marriages

- Currently the Marriage and Divorce Act does not recognize customary marriages.
- Issuing of letters to customary married couples by the traditional authorities.
- In the Gam community, all the marriages are being conducted in a traditional way which is still the preferred manner of marrying. A set up customary marriage process is being followed.
- The San community in previous years followed a set up customary marriage process. However, nowadays couples co-habiting for years and later have children are regarded by the communities as husband and wife.
- Traditional authorities recognize co-habiting couples especially older ones as being married and are

issued with a letter of recognition. They also consider issuing this letters to the younger couples in the same condition in the near future.

- In previous years, in both the San and Gam communities, a young girl (starting from 14 – 15 years) could be married off, but in recent years, to align with the country laws, a girl should be 18 years and above to enter marriage.
- In both communities marriages are conducted by grandparents and elders from both sides. Traditional leaders may be present as guests.
- In the Gam community, cows and money are given to the bride's family as appreciation (lobola) by the groom's family.
- In some Otjiherero communities, especially among the educated and those living in urban communities, members marry according to the civil way after going through customary marriage procedures.

Strengths for marriage registration

Church marriages

- Marriage registers and marriage certificate books are available, being used and kept in the church offices.
- Register contains information such as names of the couple, ID's, addresses, etc.
- Certificate is being issued to the couple immediately after marriage is solemnized.
- All pastors interviewed claim to send copies of marriage register to MHAI within three days of marriage.
- Some pastors are aware that completed registers are to be sent back to MHAI while others were not.
- Requirements and processes to marry are explained to the couple before they marry.
- At churches, couples are asked the following requirements i.e. ID documents as well as divorce and death certificates and other relevant documents for screening and marriage preparation.
- Appointment is made with the pastor and the date is fixed and shared with the couple.

Marriages at court (Ministry of Justice)

- Marriage registers and marriage certificate books are available, used and are kept in storage rooms.
- Copies of marriage register are sent to MHAI within three days of marriage.
- Completed registers (books) are sent back to MHAI.
- Processes to marry are being explained to the couples before getting married.
- Appointment is made and the fixed date is given to the couple when they can marry.

Weaknesses for marriage registration

All civil marriages

- Manual tracking system only by date of marriage/place of marriage (to verify multiple marriages).
- All marriage officers could not exactly point out under which law they are solemnizing marriages.
- No official courses are being offered by the MHAI to the officers at the Ministry of Justice on processes and the correct way of completing required marriage documents.
- The MHAI does not offer refresher courses to the pastors who are solemnizing marriages. Of the pastors interviewed, one obtained his solemnizing certificate in 1988 and the other one in 2002. As the years go by, marriage registers and marriage certificate books have changed but no training was offered on the changes.
- There are also no guidelines available to guide both pastors and other marriage officers on the new laws and processes. The last circular to the churches was communicated in 1994 (found with the pastor of the white communities).
- No training programme at the Ministry of Justice, MHAI or the churches.
- In general there is a shortage of staff in magistrate's courts in the regions
- Some pastors are not aware that completed registers are to be sent back to MHAI;
- The general communities are aware of processes of civil marriages but they do not know the processes and the requirements for divorce.

Key Observations on Marriage Registration

- Marriages solemnized under Marriage Act of 81 of 1963; Married Persons Equality Act (1 of 1996).
- Screening using ID documents.
- Supporting documents (Death/Divorce certificate; letters from Embassy).
- The marriage system is manual: Tracing of any marriage record is only by date of marriage.
- No verification of previous marriage.
- Marriage Register and Marriage Certificate books and all other relevant forms are available and being used.
- Certificate is being issued to the couple after marriage.
- All pastors interviewed claim to send copies of marriage register to Ministry of Home Affairs within three days after marriage.
- Some Pastors are aware that completed Registers are to be send back to Ministry of Home Affairs were by some not.
- Availability of counselling programmes for marriage by churches and magistrates.
- Appointment is made and a fixed date is given to the couple when they can marry.

4.2 Divorce Registration

*Marriages are to last forever, but divorces are a social reality.*⁵ Results for the 2011 Namibia Census reported that out of the population aged 15 years and above, 1.3% was divorced while 0.7% was separated. The incidence of divorce is still low, at 0.52 per 1000 married persons, compared to Western countries, but slightly higher compared to other African countries⁶.

All divorces in Namibia are dealt with by the High Court⁷. An aggrieved party can be issued a divorce order by the High Court, which is empowered to deal with divorces.

The common law on divorces was first introduced in 1919 in line with the Roman Dutch common law, and still forms the backbone of Namibian law on civil divorce to-date. In 1935, the Divorce Laws Amendment Ordinance 18 of 1935 supplemented the Roman Dutch common law by providing grounds of divorce. Jurisdiction over proceedings was addressed by the South-African Matrimonial Causes Act of 1939, and South African Matrimonial Causes Jurisdiction Act 35 of 1945, both still in force in modern Namibia. These were supplemented by the Matrimonial Affairs Ordinance 25 of 1955. The Divorce Act 70 of 1979 consolidated all earlier ordinances. This means that the last major statutory law reform in the area of divorce took place a half a century ago, although there have been several amendments since then. In the current law, divorces of civil marriages can only be granted by the High Court in Windhoek or Oshakati, and not by Magistrate's Courts as it is with marriages.

In practice, the real reason for most divorces is the irreconcilable breakdown of marriage⁸. Four outcomes can be issued by the court: (i) Judicial separation; (ii) Private separation; (iii) Interim Relief; or (iv) Divorce.

5 Legal Assistance Centre: Proposals for Reform of Divorce Laws in Namibia.

6 It should be emphasized, however, that lack of data in many African countries may underestimate the incidence of divorces on the African continent.

7 Research done by the Legal Assistance Centre shows divorces are also dealt by traditional authorities. In other words, divorces do occur outside the High Court jurisdiction, but these fall outside the fringes of the law, and therefore are not recognized.

8 Under constructive desertion grounds, divorces are granted for: (1) adultery; (2) malicious desertion; (3) the imprisonment for at least five years of a spouse who has been declared a habitual criminal; or 4) the incurable insanity of a spouse which has lasted for at least seven years. Namibian law does not allow a divorce to be granted simply because the couple's marriage has irretrievably broken down.

Below are the standard questions to the plaintiff in the court of law:

- Were you married to [the defendant] in/out of community of property on [date] and are you still married?
- Is this a copy of your marriage certificate?
- Do you regard Namibia as your permanent place of residence?
- What went wrong with your marriage?
- Have you spoken to your husband/wife about this?
- Does your husband/wife show any interest in the continuation of the marriage?
- Do you still share a common home?
- [If the defendant has left the common home:] On what date did he/she leave and did he/she take all his/her personal possessions?
- Are there any minor children born of the marriage? [names and ages confirmed]
- Do you work? [if so] Who takes care of the children while you are at work?

At present, there is no law compelling the High Court to register divorces with MHA. All data exist as records in the High Court.

Key Observations on Divorce Registration

1. The Divorce Act is a South African law of which some of its provisions (not all) are applicable in Namibia.
2. The law is very old, and not in tandem with current social dimensions in Namibia. The LRDC is busy preparing Namibian legislation.
3. The legislation does not compel the High Court to report divorce cases to MHA.
4. Data available in the case files contain aspects on (a) characteristics of the event; (b) characteristics of divorce as stated above. The court forms may have to be revised to capture data in line with the type of vital statistics to be compiled.

5. Status of Vital Statistics

The production of vital statistics is currently based on the data from the population censuses and survey samples routinely conducted by the Namibia Statistics Agency, or other institutions, the statistics of which, if such surveys follow standard and recommended methodology, can be declared as official statistics by the Statistician-General of NSA. Prior to the 2011 enactment of the Statistics Act, compilation of vital statistics was done by the Central Bureau of Statistics under the National Planning Commission.

A fully operational civil registration system should be able to provide important profiles on the demographic and socio-economic characteristics of the population and can be used to guide comprehensive programming by policy makers and decision makers. The lack of which in Namibia is on the basis of the two things: (i) lack of legal framework that can compel use of civil registration data for production of vital statistics; (ii) non-conformity of civil registration data to required quality standards of official statistics. For instance, place of residence is not recorded in the national population register, nor are all demographic variables captured, which makes it difficult to provide distribution of indicators by geographical level or by key demographic variables.

5.1 Policy and Legislative Environment

The production of statistics from the national population register is largely lacking, because of no augmenting legislation governing their production, nor assigning responsibilities for collection, compilation, processing, analysis and dissemination of the statistics.

A major legislation on statistics is the Statistics Act No. 9 of 2011. The Act has provisions for the collection, compilation and analysis of statistics and also the dissemination of official statistics. However, the Statistics Act does not specifically stipulate for the compilation of vital statistics by extracting from the civil register. Nevertheless, empowered by the Act, the Statistician-General may declare certain statistics as “official statistics” if they adhere to international standards. Particularly, guided by the Namibia Statistics Policy that prescribes data collection, processing and dissemination and practice in line with international standards as well as the Code of Practice that details professional and ethical standards applicable to statistics procedures, and in tandem with section 14(2) of the Identification Act, there is an opportunity to align data from civil registration to acceptable standards for production of vital statistics.

5.2 Business Process in Vital Statistics

The business process of generating vital statistics depends entirely on the civil registration system. Figure 8 proposes data flow that may be used. The production of vital statistics will be from the National Population Registration System (NPRS). Data from the database system for the health-related data at the Ministry of Health and Social Services, that of marriages and divorces from the Ministry of Justice, and cause of death data (including crime data and other such data) from the Namibian Police should be linked to the NPRS. The NSA will then derive its statistics from the NPRS.

In the assessment of the production of vital statistics the following were the current status, its strength and weakness (Table 7).

Table 7: Current production of vital statistics: status, strengths and weaknesses**Status for production of vital statistics**

- None of the key stakeholders (MHAI, NAMPOL & MoHSS) have recruited qualified statisticians to collect and compile vital statistics; e.g. professional nurses are responsible for data capturing as there is no organizational structure that caters for data experts at clinic and district level.
-
- There is an electronic system in some hospitals (HIS) where information is captured and exported at the national level.
- In some hospitals and clinics, data is captured manually.
- In some cases a linkage through hospital registrations of births and deaths does exist between the MHAI and the MoHSS..
- Registration points are inadequate which means that residents from surrounding areas must travel long distances to register a vital event. In remote areas where MHAI offices are not available, individuals travel as far as 140km to the nearest MHAI office to register a vital event.
- Human resources are also limited at all levels, e.g. some MHAI offices are managed by one person.
- Staff compile statistics as required by institutions but these statistics are not in line with international standards
- There is understaffing and lack of capacity building at both the MHAI and the MoHSS.
- Promotional positions are predominantly advertised in government circulars, consequently unable to attract a wide pool of skilled individuals.

Strengths for production of vital statistics

- There is a strong partnership between the MHAI and the MoHSS in terms of birth and death registration – births and deaths are registered in health facilities up to district health facility level.
- All ministries/institutions have forms to record birth or death events and they are all checked by supervisors once completed.
- Manual records exist at district hospital and clinics.
- Data on births, deaths and causes of death data are captured in the Health information systems.

Weaknesses for production of vital statistics

- Staff members are overwhelmed by the allocated workload.
- Vital statistics captured are generalized, for instance natural death, unnatural death and still birth are the only death categories MHAI deals with.
- Some hospitals do not have birth and death registration points.
- Travelling long distances discourages many people from registering a vital event, resulting in incomplete statistics.
- Traditional naming practices of new born babies causes a delay in registering a birth – data is not accurate and timely.
- Delay in the capturing of births and deaths by MHAI officials into the system, and when the system is down affects the production of timely statistics
- Organizational structures for the MoHSS and the MHAI are not suitable for compiling statistics.
- Due to incompleteness of the registration of vital events, the quality is compromised and cannot be used to produce vital statistics.
- High staff turnover is mainly due to lack of promotion within the MHAI hierarchy.

5.3 Information for Vital Statistics in Current Forms

The contents of the various registers are briefly described below.

5.3.1 Register of births

Information in this register covers:

- Particulars of the child/applicant
 - full names
 - date of birth
 - district and country of birth
 - sex
 - identity number (if applicable)
- Particulars of parents
 - full names
 - identity number
 - place of birth
 - the mother's maiden name (if different from the current name); and
 - when the parents are married: date of marriage
 - place of marriage
 - name of the Assistant Registrar (if any)

5.3.2 Register of deaths

The register of deaths contains the following information about the deceased:

- identity number
- full names
- sex
- place of birth
- age and date of birth
- marital status
- date of death; and
- cause(s) of death

5.3.3 Register of marriages

Information on the marriage register is divided into five (5) sections.

a) PARTICULARS OF HUSBAND: Information required in this section is

- names
- date of birth
- country of birth; and
- marital status

b. PARTICULARS OF WIFE: The same information as in section above, but relating to the wife.

c. PARTICULARS OF MARRIAGE

- date of marriage
- place where the marriage was solemnized; and
- in the case of minors, the names of person(s) who gave consent to the marriage

d. (i) DECLARATION BY MARRIED COUPLE

- signatures of both husband and wife
- signatures of two witnesses who were present at the ceremony

(ii) DECLARATION BY MARRIAGE OFFICER

- date of marriage
- full names of marriage officer
- signature of marriage officer
- address of marriage officer

e. CERTIFICATE BY MARRIAGE OFFICER

This section consists of the declaration by the marriage officer that he/she was empowered, in terms of the Marriage Act of 1961, or prior law, to solemnize the marriage.

5.3.4 Register of divorces

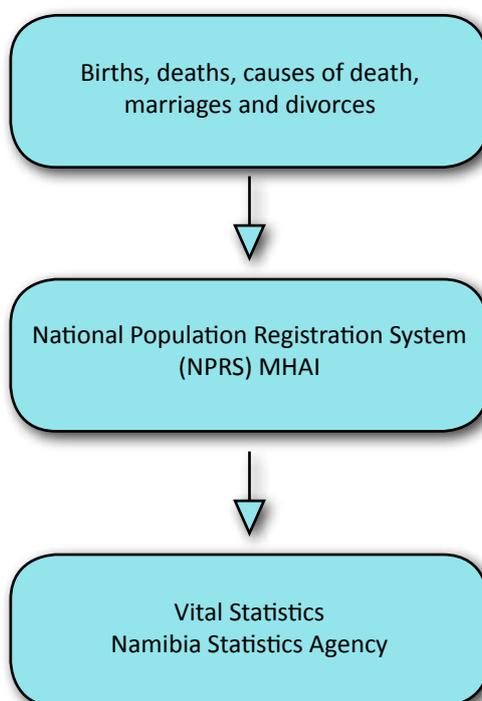
The case files, in the High court, contain the following information which can be used to compile relevant statistical summaries:

1. sex and age of plaintiff and defendant
2. duration of marriage
3. place of marriage [region, rural or urban]
4. apparent home language of plaintiff and defendant
5. residential address of plaintiff and defendant
6. employment status of plaintiff and defendant
7. marital property regimes [in/out of community of property and ante-nuptial contracts]
8. grounds for divorce
9. order for restitution of conjugal rights
10. division of property
11. child custody, guardianship and access
12. child maintenance [amount and duration of maintenance]

5.4 Proposed Business Process and Information for Production of Vital Statistics

The assessment team proposed the following structure (Figure 9), which may assist in generating complete, accurate and timely vital statistics.

Figure 9: Proposed business process for production of vital statistics



Furthermore, the thematic team on vital statistics recommended that items on the forms and registers be revised, and new variables as guided by the UN be used. Table 8 reproduces the key variables for possible inclusion on the forms and registers used for birth, death, marriage and divorce registration.

Table 8: Characteristics of events and variables for possible inclusion in revised registration forms and registers

Birth	Death	Marriage	Divorce
<p><i>a) Characteristics of the event</i></p> <ol style="list-style-type: none"> 1. Attendance at birth 2. Date of occurrence 3. Date of registration 4. Place of occurrence 5. Hospitalization status 6. Type of birth(single or multiple) 	<p><i>a) Characteristics of the event</i></p> <ol style="list-style-type: none"> 1. Attendant at birth for death under one year of age 2. Cause of death 3. Certifier 4. Date of occurrence 5. Date of registration 6. Hospitalization 7. Place of occurrence 	<p><i>a) Characteristics of the event</i></p> <ol style="list-style-type: none"> 1. Date of occurrence 2. Date of registration 3. Place of occurrence 4. Type of marriage (civil, religious, etc.) 	<p><i>a) Characteristics of the event</i></p> <ol style="list-style-type: none"> 1. Date of occurrence 2. Date of registration 3. Place of occurrence 4. Type of marriage (civil, religious, etc.)
<p><i>b) Characteristics of the child</i></p> <ol style="list-style-type: none"> 1. Gestational age 2. Legitimacy status 3. Sex 4. Weight at birth 	<p><i>b) Characteristics of the deceased</i></p> <ol style="list-style-type: none"> 1. Age (or date of birth) 2. Age of surviving spouse (if married) 3. Citizenship 4. Educational attainment 5. Legitimacy status (for deceased under one year of age) 6. Marital status 7. Number of children born alive (for females of child-bearing age or older) 8. Number of children still living (for females of child bearing age or older) 9. Occupation 10. Place of birth 11. Place of residence at specific past date 12. Place of usual residence 13. Sex 14. Type of activity 15. Was the birth registered? (for deceased under one year of age) 	<p><i>b) Characteristics of bride and groom</i></p> <ol style="list-style-type: none"> 1. Age (or date of birth) 2. Citizenship (or nationality) 3. Duration of residence in usual (present) place 4. Educational attainment 5. Ethnic (and/or national) group 6. Literacy status 7. Marital status 8. Number of previous marriages 9. Occupation 10. Place of birth 11. Place of residence at a specific past date 12. Place of usual residence 13. Type of activity 14. Place of previous residences 	<p><i>b) Characteristics of divorcees</i></p> <ol style="list-style-type: none"> 1. Age (or date of birth) 2. Citizenship(or nationality) 3. Date (or duration) of marriage 4. Educational attainment 5. Literacy status 6. Mode of dissolution of marriage 7. Number of children born alive to this marriage 8. Number of dependent children of divorcee 9. Number of previous marriages 10. Occupation 11. Place of birth 12. Place of previous residences 13. Place of residence at a specific past time 14. Place of usual residences 15. Type of activity 16. Type of marriage being dissolved 17. Duration of residence in usual (present) place of residence 18. Place of occurrence of marriage being dissolved
<p><i>c) Characteristics of the parents</i></p> <ol style="list-style-type: none"> 1. Age/date of birth of father 2. Age/date of birth of mother 3. Citizenship(or nationality) of father, mother 4. Date of marriage (for legitimate births) 5. Duration of residence at usual place of residence for mother, father 6. Literacy/educational attainment of mother, father 7. Interval since last previous live birth of this mother 8. Number of children born alive to this mother 9. Occupation of mother, father 10. Place of birth of mother, father 11. Place of residence at specified past date for mother, father 12. Place of usual residence of mother 13. Place of usual residence, father 14. Type of activity, father 			

Key Observations on Vital Statistics

1. Current laws do not prescribe compilation of vital statistics (VS) from the civil registration (CR) system.
2. The current law empowers the Namibia Statistics Agency power to compile official statistics.
3. There are currently no provisions coordinating CR and VS organizations in Namibia.
4. Statistical abstracts are being generated from the CR, however these mainly serve the purpose of monitoring and evaluating levels of registration and its regional variation.
5. The data from CR is perceived to be inaccurate and not representative to be used for production of VS.
6. All ministries visited are compiling their own statistics and these statistics are designated as official statistics by the Statistician-General as required by the stats law.

6. Conclusions: Lesson Learnt and Way Forward

The Comprehensive Assessment intends to improve the CRVS system by examining a broad spectrum of legal operations, and Information and Communication Technology involved in the business processes of registering any of the four events (births and deaths, causes of death, marriages and divorces, and vital events) that Namibia has targeted. Considering the wide scope of the business of registering all the four events, the objectives and questions covered by the Assessment included other ministries involved in the registration of the four events. The aim was to examine how coordination between the Ministry of Home Affairs and Immigration and the Ministry of Justice, the Ministry of Health and Social Services, or the Ministry of Safety and Security can be enhanced for a better working system. The ultimate goal is that the NPRS should serve other purposes. Central to this is the production of continuous, timely, and accurate vital statistics.

6.1 Lessons Learnt

1. Apart from what the Statistics Act states regarding the production of vital statistics, there is no other legislation governing the transfer of records of registered vital events into vital statistics.
2. Laws governing the registration of vital events are outdated and there is a need for law reforms to be in line with current societal needs.
3. Laws on birth, marriage and death registration are derived from the colonial era, and have been subjected to a multiplicity of amendments, and these have made it ambiguous and difficult to interpret at times.
4. Current law is gender-biased.
5. Current law does not provide adequate procedures for registration of children born outside of marriage.
6. Outdated legal framework limits attempts by the Ministry of Home Affairs to implement pragmatic changes to the civil registration services.
7. There is political commitment from the Namibian government to have all children registered at birth, according to the Namibia National Agenda for Children 2012-2016. Similar commitments are spelled out in the NDP4 and Vision 2030.
8. There is an interministerial collaboration [Memorandum of Understanding] between the Ministry of Gender Equality and Child Welfare, the Ministry of Health and Social Services, the Ministry of Home Affairs and Immigration and the Ministry of Justice. However, the Memorandum of Understanding does not stipulate the *modus operandi* for the various ministries.
9. Children can be registered on mother's surname and can be changed later at no fee.
10. Married women are allowed to use their maiden surnames or their husband's surname according to the Aliens Act 1 of 1937.
11. Low and persistent registration has been observed in some regions such as Kavango and Kunene.
12. Some sections of the population live in hard-to-reach and remote places, far from registration points. Some of these may not afford the cost of travelling to registration points.
13. Cultural norms and practices in naming and when to name the child delay birth registration.
14. Some parents are not aware or do not understand the importance of registration.
15. Absence of fathers at birth could delay the registration process.
16. Targeted registration of children at birth point [hospitals], at immunization campaigns, at schools [for those who are 16 to acquire their national identification documents] is in place.
17. Reaching hard-to-reach populations using mobile registrations are in place. This is making registration accessible and effective to reach all sectors of society.
18. All registrations are being done online to the NPRS at MHAI offices.
19. New bills have been drafted: National Population Registration; Marriage; Divorce Reform.
20. Infrastructure is being improved: new regional offices are being built for MHAI.
21. Human Resources: regional job establishments being filled (NSA); and regional job establishment approved (MHAI).
22. Nevertheless, some offices in the country are still understaffed; increased recruitment in those offices is necessary.
23. Manuals guiding registration are outdated.
24. Forms and registers do not contain all relevant items for compilation of vital statistics.

25. There is increased demand for ID verification by insurance companies and banks.
26. There is increased demand for data for development planning.
27. User and producer workshops are in place where data requirements/indicators are agreed.
28. Death registration is over 80% in all regions in Namibia.

6.2 Way Forward

Here we list the key recommendations in line with the guidelines for assessing the status of the CRVS.

6.2.1 Legal and policy framework

1. Ensure that pertinent regional and international provisions of civil registration are accommodated in the Namibian law.
2. Align current legal framework with regional and international standards.
3. Pass legislation or policy that should compel submission of divorce orders by High Court, marriage registers by magistrates and pastors on time. Include pastors' allowances for services rendered to communities on behalf of the government, to encourage quality and timely submission of records.
4. Review and develop provisions that allow collection, transmission and publication of vital statistics.
5. Laws to be reviewed to take into account the CRVS, definitions of all events to be included. The definitions of vital events should be according to the 2001 Principles and Recommendations for a Vital Statistics System. For example the definition of marriage should include consensual unions.
6. Lobby for legal provisions to record all customary marriages.
7. Review laws that may compel local authorities to report any vital event occurring in their area of jurisdiction.
8. Fast-track the enactment of a national population bill, a marriages bill and all pertinent legislation. Revisions in the current law should have provisions for civil registration of asylum seekers, refugees, internally displaced persons, orphans and adoption.
9. Ensure that there is clear policy on coordination between various agencies involved in the civil registration. For example, linkages with police [MoSS] to be strengthened. Clear messages on the role of police when handling death should be conveyed to the communities.
10. Ensure there are policies or legal instruments to compel the private health facilities to collect and submit health-related data to the HIS.
11. Review laws to ensure timely vital events registration of good quality so that it will not have an effect on the timely and quality production of vital statistics (include registration, submission of records and processing of national documents and vital statistics)

6.2.2 Management and operations

1. Registration manuals should be available at all levels
2. Police officers should be trained in the handling of deaths. Different police stations are handling deaths occurring in the community or unnatural deaths differently.
3. Ensure that information on marriages and divorces will be included in the National Population Register along with information on births and deaths. Draft bill proposal on registration of divorces should be maintained.
4. Ensure that all vital events as generated by various institutions have the same definition to ensure ease of merging.
5. Develop linkages between the judiciary and civil registration agencies for the purpose of registering all divorces.
6. Ease the registration burden by linking systems in various ministries e.g. Health Information System, E-Justice, E-Police etc. to NPRS and e-vital Statistics.
7. Coordination of systems: The NPC should assume the role of calling all players to advocacy in line with their strategic plans. For example, NPC should assist in harmonizing strategic plan in key line ministries.
8. Maintain inter-ministerial collaborations for coordinating civil registration and data compilations.
9. Use local offices at constituency level for effective information campaigns and create awareness of

- the registration of births, deaths, and marriages.
10. Effective use of existing traditional structures to reach remote and hard-to-reach areas. Yearly mobile registration campaigns to more hard-to-reach areas; and the duration of the registration campaigns in these areas should be extended to a month or so.
 11. Standard guidelines with clear deadlines should be set and enforced during the registration of vital events; and officials registering these events should be instructed about the importance of quality and timely vital event records.
 12. Develop strategies to discourage late registration from the set times.

6.2.3 Advocacy and communication

1. Put in place a strategy for advocacy and communication for creating a demand for civil registration.
2. Promote CRVS among communities and interact with the public through public means such as church and community leaders to create a demand for CRVS services.
3. Conduct regular information, education and communication campaigns to create awareness for civil registration, e.g. (i) communities should be sensitized of the need to register their births, deaths and marriages on time; (ii) there is a need for clear, unambiguous messages to be relayed to mothers and fathers who deliver at hospitals so that they immediately register their birth [e.g. emphatically convey the message that birth registration is free] and can be registered without father's name and re-registration is free if need be).
4. Explore incentives to be put in place to compel compulsory registration and compliance, e.g. universal child grants.

6.2.4 Resources

1. Ensure as soon as feasible the recruitment of staff so that offices have adequate relevant staffing levels.
2. As soon as feasible, the approved structure should be implemented.
3. Develop manuals and guidelines to assist in the registration process. For example, (i) have guidelines to guide pastors and other marriage officials as well as the community on the marriage laws and processes; (ii) have manuals and guidelines for the Police when they are recording causes of death; (iii) have manuals and guidelines for the coders [i.e. persons assigning codes] of causes of death and their implementations should be enforced.
4. Offer induction courses/ regular refresher courses to (i) all marriage officers at the MoJ and churches on the processes and the correct way of completing required marriage documents; (ii) all MHAJ officials involved in the civil registration processes.
5. Consider reimbursement of postage fees and other costs for pastors who are marriage officers.
6. Where feasible, regional and constituency officers should be involved in the budgeting processes.
7. Ensure effective use of resources, e.g. strong rooms, office space and furniture.

6.2.5 Information and communication technology

1. Assess the infrastructure requirements at all levels, e.g. internet bandwidth for effective and timely transmission of data.
2. Explore the use of cutting edge technology, e.g. mobile technology, for registering hard-to-reach communities.
3. Establish trouble-shooting services at all levels.
4. Ensure that the NPRS is rolled-out to the lowest level of registration.
5. Establish a system for transmission of anonymized vital event records for the analysis of vital statistics from the NPRS.
6. Understand stakeholders' data needs and requirements so that the NPRS is revised to provide answers and queries as quickly as possible.
7. Explore ways of linking the judicial system with NPRS, so as to allow magistrates to immediately enter

- particulars of married and divorced couples.
8. There is a need to reconcile marriages and divorces.
 9. Explore ways in which different systems can be linked. For example, a woman attending ante-natal care could be given a specific bar code which can be activated at the point of birth registration. (have bar code at the birth of the baby and be activated, be linked to the MHAI system, including variables that the NSA may need from MHSS side for data analysis)

6.2.6 Monitoring and evaluation

1. Periodic audits of civil registration data should be carried out by the MHAI to monitor and evaluate its own registration targets. (Overall monitoring should be by the MHAI, and institutions should incorporate this component into their system and this should be enforced by law/policy).
2. Assess the understanding of police in the recording of cause of death information.
3. Ensure that medical practitioners understand the importance of death certificates and medical certificates of cause of death and their importance to the production of vital statistics. Law/Policy should be in place to compel them to do so).
4. A continuous monitoring and evaluation framework should be established and implemented to ensure that all staff are conducting procedures correctly.
5. There should be a standardized universal system to complement the data capturing, compilation, analysis, publication and dissemination by both institutions. The structure should cater for a statistician who will be responsible for CRVS at all levels.
6. Ensure that data captured for compilation of vital statistics conform to national needs and international standards (United Nations CRVS guidelines).
7. Ensure continuous assessment of staffing needs, so that vacant posts are filled to relief workload on the current staffs.
8. Institutions should incorporate components for monitoring and evaluating the CRVS. (should be enforced by law/policy).
9. Ensure that for all deaths the underlying and immediate causes of death are appropriately recorded.

6.2.7 Vital statistics

1. The anonymized civil registration data should be available and shared in full.
2. Explore local structures, e.g. traditional leaders to collect or link occurrence of vital events to the MHAI systems e.g. using their mobile phones.
3. Civil registration data should be released timely and on a regular basis for it to be used in strategic planning. Such data, for example, can be used to assist regions identify development priorities. (Develop a business calendar for data release from the supplier to data analysts)
4. Ensure that private health facilities periodically transmit data to the HIS.

APPENDIX

Documents and References

The following documents were reviewed in the compilation of this report:

Reports, Policies, Publications, Books

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Acts of Namibian Parliament

1. Divorce Act 70 of 1979.
2. Aliens Act 1 of 1937
3. Identification Act 21 of 1996.
4. Married Persons Equality Act 1 of 1993.
5. Statistics Act 9 of 2011.
6. Births, Marriages, Death Registration Act 81 of 1963.
7. Marriages Act 1 of 1961.
8. Birth, Marriages, and Deaths Amendment Act of 1987.
9. National Population Registration Bill. Draft 7 December 2013.
10. Marriage Bill 2014. Revised to Match the National Population Registration Bill.

Registers, Forms and Certificates

1. Marriage certificate
2. Birth certificate
3. Death certificate
4. Medical Certificate of Cause of Death (MCCD)
5. Marriage Register books
6. Birth Registers
7. Death Registers
8. Birth Notification forms
9. Death Notification forms.
10. ICD9 – Causes of Death Codes
11. Death on Arrival Form
12. POL28; POL29; POL79; POL51; POL58

Websites

1. Legal Assistance Centre (LAC). www.lac.org.na
2. Namibia Statistics Agency (NSA). www.nsa.org.na
3. UNECA, African Statistics Centre. www.uneca.org/acs
4. WHO. www.who.int/healthinfo/en/
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