Responses to Information Requests -Immigration and Refugee Board of Canada

Nigeria: Birth and death certificates, including appearance and security features; requirements and procedures to obtain them from within the country or from abroad; prevalence of fraudulent documents (2018–October 2020)

1. Registration Authority

The *Births, Deaths, etc., (Compulsory Registration) Act* (Act No. 69 of 1992) provides the following:

1. Compulsory registration of births, deaths, etc.

Notwithstanding the provisions of any enactment relating to the registration of births and deaths, the registration of births and deaths shall as from the commencement of this Act, be compulsory in all cases and shall be effected as provided under the provisions of this Act.

2. Appointment of Registrar-General

(1) There shall be appointed by the National Population Commission (in this Act referred to as "the Commission") a person to be known as the Registrar-General who shall exercise the powers and perform the duties conferred or imposed under or pursuant to this Act. (Nigeria 1992, bold text in original)

Sources indicate that "only" birth [and death (EU 24 Jan. 2019, 7)] certificates issued by Nigeria's National Population Commission (NPC) [also abbreviated as NPopC] are considered "official" documents (EU 24 Jan. 2019, 7; *The Nation* 10 Aug. 2020).

The US Department of State's reciprocity schedule indicates that prior to the passing of Act No. 69 of 1992, the *Compulsory Registration of Birth and Death Decree of 1979* was a "pilot program" operating in the states of Anambra, Oyo, Plateau and Kaduna, and NPC birth and death certificates were "only" issued in the specified states (US n.d.). The same source further states that for individuals born before 1979 or "in some cases" before 1988, birth certificates were issued by a local government authority or a hospital; the NPC also issued an attestation of birth certificate to individuals born before 1979 when the NPC first started issuing birth certificates during the pilot program (US n.d.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources indicate that civil registration at the local level is completed manually (EU 24 Jan. 2019, 6) or is "paper-based" (Centre of Excellence for CRVS Systems [2019], 8). A report on civil registration in Nigeria by the Centre of Excellence for Civil Registration and Vital Statistics (CRVS) Systems, a "global knowledge and resource hub that actively supports national efforts to develop, strengthen and scale CRVS systems," based on information provided by the NPC and Nigeria's Federal Ministry of Health in December 2018, indicates that registration information is "entered into the national database, but this process is very slow, thus creating [a] large backlog of unprocessed registers" (Centre of Excellence for CRVS Systems [2019], ii, 8). In

response to an inquiry from the EU's European Asylum Support Office (EASO) on the "identification documents system in Nigeria," Landinfo, the Norwegian Country of Origin Information Centre responsible for "collecting, analysing and presenting" information to the Norwegian Immigration Authorities (Norway n.d.), indicated that copies of the "manual registry books" are sent to the NPC headquarters in Abuja "regularly" (EU 24 Jan. 2019, 6). The same source further stated that

[d]igitalisation of the central population register has started, and by June 2016, some 30 million people's data had been entered into the central database. However, this is less than 1/6 of the current population.

Local civil registrar's offices [1] have no equipment to look up data entered in the database, so access to the database is limited to NPC HQ. In order to verify information entered manually, one must contact the particular civil registrar's office by phone and know the exact date the life event registered took place, as well as the time of registration (births etc. are entered chronologically according to when they were registered, a result of [the fact that] people often don't register life events ahead of formal registration deadlines). (EU 24 Jan. 2019, 6-7)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Birth Registration

According to the *2018 Nigeria Demographic and Health Survey* conducted by the NPC and ICF, the organization responsible for the international Demographic and Health Surveys (DHS) program of the US Agency for International Development (USAID), 43 percent of children aged 5 and under were registered with civil authorities, compared to 30 percent in 2013; of children whose births were registered, one in five had birth certificates (NPC of Nigeria and ICF Oct. 2019, 1, 18). *Vanguard*, a Nigeria-based newspaper, quotes the NPC Director of Anambra state as reporting that Anambra state lacks human resources for birth registration and had "only 148 registration centers in the 181 communities for over 4000 health facilities in the state"; the source further stated that

"[p]eople are not aware of the importance of birth registration in Nigeria. In this country, many women give birth and do not care about the registration of that baby until the person has the need to go to bank or seek admission into institutions of learning after 18 years." (*Vanguard* 21 Sept. 2020)

An article by UNICEF states that parts of Nigeria were forced into lockdown due to COVID-19 and cites a birth registrar in Abuja, which was in lockdown as of May 2020, as indicating that birth registrars are considered non-essential workers and face difficulties travelling to the hospital (UN 11 May 2020). The *Nation*, a Nigeria-based national newspaper (*The Nation* n.d.), quotes the Niger state director of the NPC as similarly reporting that birth registrarion was "low" in that state during the COVID-19 lockdown as registrars are hampered by restriction of movement and the "majority" of women are giving birth at home (*The Nation* 25 July 2020).

A May 2019 article on birth registration by the International Center for Investigative Reporting (ICIR), a non-profit news agency aiming to "promote transparency and accountability through robust and objective investigative reporting" (ICIR n.d.), indicates that Nigerian schools, particularly tertiary institutions, "usually" require a birth certificate for the registration process and some employers also require a birth registration from "newly employed staff" (ICIR 28 May 2019). On a website profiling Nigeria's civil registration system by UNICEF, based on information compiled between December 2016 to November 2017 by consulting "CRVS experts, officials within the relevant national institutions, and UNICEF country offices," UNICEF notes that a birth certificate is required for "[i]dentification, [t]ravel [and] [e]ducation" (UN [2017]a).

A report on the Nigerian birth certificate by the Danish National ID Centre (Nationalt ID-center, NIDC) [2] cites information provided by Nigerian authorities to the NIDC in a meeting in Abuja in December 2018 as indicating that Nigeria issues two types of birth registration documents: a certificate of birth is issued to Nigerians aged 18 and under and an attestation of birth is issued to Nigerians over 18 (Denmark 26 Mar. 2019, 1).

2.1 Requirements and Procedure to Obtain a Birth Certificate

The US reciprocity schedule provides the following procedure to obtain a birth certificate:

[v]isit any [NPC] office in any of the Local Government Secretariats or designated Primary Health Care Centers, and the birth registration and certificate issuance could be completed within 10 minutes by the Officials. Parents, heads of household or any person who has attained 18 years and present at the birth of a child may visit these centers with or without the child whose birth is to be registered and supply the necessary information to register and obtain a birth certificate on their behalf. (US n.d.)

The website of the NPC indicates that a birth certificate can be obtained by providing "evidence of the child's birth (Baptismal card, Hospital birth notification, Immunization card etc.) to any of our Government Hospitals, Health Centers or our States and Local Government Offices" (Nigeria n.d.a). Nigerian authorities provided the following information on birth registration procedure to the NIDC:

When a child is born outside of a health institution[,] the parents are required to register the birth at the local registration center. They must fill out a Live Birth Registration Form containing information about the birth, the child, the parents and the informant. It is a requirement to bring an informant to the registration center, whereas it is not mandatory to bring the child for the registration[,] though the child's presence is preferred.

However, if the child is born at a health institution the doctor automatically issues a paper slip confirming the birth[,] which the parents must provide to the registration center when officially registering the birth. (Denmark 26 Mar. 2019, 2)

Sources indicate that birth registration (Denmark 26 Mar. 2019, 2) or the issuance of a birth certificate (Centre of Excellence for CRVS Systems [2019], 6) is free of charge within 60 days of the birth (Denmark 26 Mar. 2019, 2; Centre of Excellence for CRVS Systems [2019], 6). The NIDC report cites Nigerian authorities as stating that if the child is between 6 months and 18 years old, the fee for registration is 200 Nigerian naira (NGN) [C\$0.69] (Denmark 26 Mar. 2019, 2). Sources report that the penalty for late registration is "not enforced" (Centre of Excellence for CRVS Systems [2019], 4; UN [2017]a). The website of the NPC notes that a birth certificate for children up to eighteen years of age is "absolutely free of charge" (Nigeria n.d.b). Media sources report that although birth certificates are supposed to be free of charge, applicants are being charged for birth certificates (The Guardian 11 Sept. 2019; ICIR 28 May 2019; *The Punch* 3 Nov. 2019). The *Guardian*, a Nigeria-based newspaper (*The Guardian* n.d.), indicates that the fees charged "vary" depending on the child's age and the "urgency" of the certificate; the cost is between NGN 500 [C\$1.73] and NGN 1,000 for newborns, NGN 1,000 for children who are "months old," NGN 1,500 for children under 10, and NGN 2,000 and above for children over 10 (The Guardian 11 Sept. 2019). The same source quotes a child protection specialist with UNICEF as stating that due to lack of funding for birth registration, "ad-hoc registrars," "non-permanent employees who are trained to perform registration duties," have not been paid (*The Guardian* 11 Sept. 2019). The same source cites "the Head of Department, Vital Registration, Department National Population Commission, NPoPC Lagos State," as stating that registrars collect money for birth registration and birth certificates to pay for work-related expenses (The Guardian 11 Sept. 2019). A joint press release from the Progressive Impact Organization for Community Development (PRIMORG), a Nigeria-based NGO aiming to "promote good governance, accountability and transparency" (PRIMORG n.d.), and the ICIR indicates that the "extortion of money by birth registration officials" has "denied a large number" of birth registrations, which has resulted in "more and more Nigerians [missing] opportunities such as scholarships, oversea[s] trips, and admissions[,] among others, which require the submission of the birth certificate" (PRIMORG and ICIR 9 Dec. 2019). The May 2019 ICIR article quotes a director of research and capacity building at the University of Nigeria Nsukka, as stating that "extortion" accounts for 20 percent of the problems of birth registration and that the "major problem is ignorance and the misunderstanding of the vital use of birth registration. ... Most people that get birth certificates do it when it becomes an absolute necessity'" (ICIR 28 May 2019).

A blank sample of a live birth registration form, provided on the UNICEF website profiling Nigeria's civil registration system, is attached to this Response (Attachment 1).

2.2 Requirements and Procedures to Obtain an Attestation of Birth

The NIDC cites Nigerian authorities as indicating that an applicant "must obtain a declaration of age from the court" prior to applying for an attestation of birth at an NPC registration centre (Denmark 26 Mar. 2019, 2). The same source cites information provided by a "legal source" in November 2018 as stating that "[u]pon issuance of the declaration of age[,] the applicant must get a sworn affidavit from the Nigerian High Courts which is signed by a witness. The sworn affidavit is as important as the declaration of age" (Denmark 26 Mar. 2019, 2). According to information provided by a European Return Liaison Officer (EURLO) with the Embassy of Finland in Abuja to the Swedish Migration Agency on 17 January 2019, in response to an EASO query,

when an adult has lost his or her birth certificate, a new one can be issued (called 'Attestation letter'). In order to get this, 'the person has been interviewed and a legalised Age Declaration Affidavit provided by the high court of Nigeria. A person can be issued one Birth Certificate. Duplicates of each birth certificate are kept in each state's liaison office.' (EU 24 Jan. 2019, 7)

The website of the NPC provides the following requirements to obtain an

attestation:

- 1. Age [d]eclaration from a State High Court
- 2. Three (3) [p]assport [p]hotographs
- 3. Two [t]housand [f]ive [h]undred Naira (N 2,500) [C\$8.63] processing fee. (Nigeria n.d.c)

2.3 Requirements and Procedures to Obtain a Birth Certificate from Abroad or by Proxy

In correspondence with the Research Directorate, a partner at a Lagos-based law firm that offers family law services, without providing further details, indicated that a birth certificate can be obtained from abroad by providing details of where the birth occurred and an affidavit stating why the documents were not requested at the time of the event (Partner 30 Sept. 2020). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

An article on the procedure to obtain a birth certificate and an attestation of birth in Nigeria by Resolution Law Firm, a Lagos-based law firm whose practice areas include family and immigration law (Resolution Law Firm n.d.a), indicates that an individual applying for a birth certificate or an attestation of the birth on behalf of another person must submit the following documents to the NPC:

- a proxy form;
- an affidavit sworn to the high court of the state by the applicant;
- a copy of valid identification of the proxy, such as a national passport or a national identity number; and
- a passport photo of the applicant and the proxy (Resolution Law Firm n.d.b).

Based on information provided by Nigerian authorities in December 2018, the NIDC similarly describes the following procedure to apply for an attestation of birth by a proxy:

When an application for an attestation of birth is handed in by a proxy applicant, the proxy must fill out a [p]roxy [f]orm and submit two passport pictures of the owner of the document, along with a single passport photo of the proxy applicant. One of the passport photos of the holder is attached to the attestation of birth, while the other one is kept at the NPC registration center in a physical archive[,] along with a duplicate of the document that is issued. The NPC staff places a stamp on the set of documents (the original certificate and the picture of the holder) so [that] half of the stamp covers the attestation of birth and the other half cover[s] the picture of the holder. (Denmark 26 Mar. 2019, 3)

2.4 Appearance and Security Features

The US country reciprocity schedule indicates that "multiple versions" of the birth certificates are issued; they are "typically printed on white paper with green background lettering. Seals are inked, most often in blue, black or purple. Bio-data may be typed or handwritten" (US n.d.). In a meeting in December 2018 with the NIDC, Nigerian authorities indicated that "all birth certificates should look alike as they are printed in the same location"; however, the NIDC team noted that they "observed different qualities of background print" during the team's mission to

Nigeria (Denmark 26 Mar. 2019, 3). The NIDC further states that NPC staff "automatically" fill out a duplicate when filling out a birth certificate; the original birth certificate is green and has the word "'original' written in the top right corner" and the duplicate is yellow and has the word "'duplicate' written in the top right corner" (Denmark 26 Mar. 2019, 3). Samples of birth certificates, provided on UNICEF's website (Attachment 2) and by the Partner (Attachment 3), are attached to this Response.

3. Death Registration

Based on a questionnaire completed by the NPC, the Centre of Excellence for CRVS Systems report indicates that the "completeness of death registration" was 10 percent (Centre of Excellence for CRVS Systems [2019], 3).

The US reciprocity schedule indicates that when a death occurs, "information of such a death is given to the Registrar for the area where the death occurred" (US n.d.). UNICEF's website on Nigeria's civil registration system indicates that a relative of the deceased or the hospital can act as a "legal informant" to register the death, which can be completed at the civil registrar's office or at the location of death (UN [2017]b). The *Births, Deaths, etc., (Compulsory Registration) Act* (Act No. 69 of 1992) provides the following:

18. Information concerning death

When a death occurs-

- 1. in a house not being a place referred to in paragraphs (c) to (e) of this section
 - 1. the head of the house or each household; or
 - 2. any other relative of the deceased residing or being in the area where the death occurred; or
 - 3. any person aged 18 years and above present at the time of the death; or
 - 4. any inmate of the house who knew of the happening of the death within; or
- 2. in a hospital, health centre, maternity or nursing home or other like institution, the medical officer in charge of or any person authorised by him in that behalf; or
- 3. in a hostel, boarding house, lodging house, hotel, tavern, barracks or place of public resort, the person in charge thereof; or
- 4. the keeper or owner of a place set apart for the disposal of dead bodies or any other person required by the Local Government to be present at such place; or
- 5. in respect of a dead body found deserted in a public place, the ward head, village head or the police officer in charge of the area, shall within forty-eight hours of such death give information concerning such death to the registrar for the area where the death occurred.

19. Medical certificate of death

Every qualified medical practitioner who has attended a person during his last illness shall without charge deliver to the person required to register the death a certificate in the prescribed form and such person shall deliver such certificate to the registrar and the cause of death as stated in the certificate shall be entered in the death registration form and such registers as may be prescribed. (Nigeria 1992, bold text in original)

3.1 Requirements and Procedures to Obtain a Death Certificate

UNICEF states that a medical death certificate, date of death and age at death is required for death registration; a death certificate is issued "immediately" after a registration of death (UN [2017]b). The Centre of Excellence for CRVS Systems report cites an NPC manual on birth and death registration as indicating that

a qualified medical practitioner who has attended to a person during his last illness in the medical centre or at home shall provide an informant a medical certificate or notification for registering the event at the Registrar's office. The cause of death as stated in the certificate shall be entered on the death registration form and in the Registers along with the indicated codes.

Accidents and Injuries	01
Child birth and pregnancy	02
Complications, Fevers	03
Digestive Disorders	04
Disorders of the Respiratory System	05
Disorders of the Central Nervous Systems	06
Disorders of the Blood Circulatory System	07
Other Ailments	08
Senility	09
Disorders of the Urinary Tracts	10
HIV/AIDS	11

Cause of death categories and codes

(Centre of Excellence for CRVS Systems [2019], 7)

The same source further states that a death registration form "D1," which is completed by a local registrar, collects information on death certification and cause of death (Centre of Excellence for CRVS Systems [2019], 7). A blank sample of a death registration form (Form D1), provided on UNICEF's website, is attached to this Response (Attachment 4).

Article 20(1) of Act No. 69 of 1992 provides the following:

Where an inquest is held on and a certificate rendered in respect of any dead body under the provisions of the Coroners Law no person shall, with respect to such dead body or the death, be liable to attend upon a summons of the registrar or be subject to any penalty for failing to give information in pursuance of any provision of this Act, and a qualified medical practitioner shall not be required to give a medical certificate under section 19 of this Act. (Nigeria 1992)

A journal article on death registration in Nigeria published in *Global Health Action*, a peer-reviewed journal on global health and public health and policy issues (Taylor

& Francis Group n.d.), indicates that

[i]n such instances when the doctor is not in a legal position to issue a death certificate, the coroner is expected to examine the body, determine the cause of death and issue a death certificate. Until this is done, the burial certificate is not meant to be issued. The dictates of the law are however easily bypassed, as family members who qualify to act as informants in the death registration process can independently go to the [NPC] office to register the fact of death, and obtain a burial certificate without a medical certification, or a coroner's examination. ... [T]hey can [also] boycott the process entirely and not register the death at all. (Makinde, et al. 7 Sept. 2020, 6)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The website of the NPC provides the following procedures to obtain a death certificate:

A death certificate can be obtained by the next-of-kin of the deceased from any of our State Offices across the country and the FCT [Federal Capital Territory] office on presentation of the following:

- 1. Presentation of a notification of the cause of death from the hospital
- 2. A court [a]ffidavit
- 3. A means of identification of the declarant ([i]nternational [p]assport, [d]river's [l]icense, National Identity Card, Voter's Card)
- 4. Two (2) [p]assport [p]hotographs. (Nigeria n.d.d)

The same source notes that there is no fee for issuing death certificates (Nigeria n.d.e).

3.2 Requirements and Procedures to Obtain a Death Certificate from Abroad or by Proxy

Without providing further details, the Partner indicated that a death certificate can be obtained from abroad by providing details of where the death occurred and an affidavit stating why the documents were not requested at the time of the event (Partner 30 Sept. 2020). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

In correspondence with the Research Directorate, a managing partner of a Lagosbased law firm, whose practice areas include family and immigration law, stated that an applicant can hire a lawyer to obtain the death certificate on their behalf without the presence of the applicant (Managing Partner 14 Oct. 2020). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3.3 Appearance and Security Features

The US reciprocity schedule indicates that the size and format of death certificates are "comparable to birth certificates. Multiple versions of this form are issued. They are typically printed on white paper with green background lettering. Seals are inked, most often in blue, black, or purple. Bio-data may be typed or handwritten" (US n.d.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A blank sample of a death certificate, provided on UNICEF's website, is attached to this Response (Attachment 5).

4. Prevalence of Fraudulent Documents

In a November 2017 interview with *Vanguard*, the Consulate General of the Federal Republic of Germany to Nigeria stated that the "rate of document fraud in Nigeria is very high" (*Vanguard* 19 Nov. 2017). Australia's Department of Foreign Affairs and Trade (DFAT) similarly indicates that Nigeria "experiences high rates of document fraud" and that "most documents," including birth certificates, can be "falsified and procured" (Australia 9 Mar. 2018, para. 5.37). The same source reports that "[m]any businesses provide false documents in Nigeria" and that "it is neither difficult nor expensive to obtain a fraudulent driver's licence or other documents that can be used to obtain a genuine passport," including birth certificates or age declarations (Australia 9 Mar. 2018, para. 5.38).

A November 2019 article on birth registration in the *Punch*, a Nigerian newspaper, indicates that a *Punch* correspondent was able obtain an "original" birth certificate for an "imaginary child" issued by an NPC official in the Ojodu Primary Health Centre in Lagos state without "presenting the child or any hospital record as the procedures require" and that the only requirement was paying NGN 1,000 [C\$3.45] (*The Punch* 3 Nov. 2019). The same correspondent applied for a birth certificate for a child born in Kwara state from the NPC office in the Ikeja Local Government in Lagos state, even though children cannot be "officially" registered in an area outside of their place of birth, and received a birth certificate for that child indicating that she was born in Lagos for NGN 3,000 (*The Punch* 3 Nov. 2019). Similarly, the May 2019 ICIR article reports that an ICIR journalist was able to obtain a birth certificate for NGN 1,000 from an NPC registrar in Orlu in Imo state without providing "proof of relation or immunisation card since the child was not present" (ICIR 28 May 2019).

Media sources cite Nigeria's National Pension Commission as reporting that "fake documents" providing "'evidenc[e]'" of someone's death have been used to collect the pension benefits of said person (*The Punch* 2 Nov. 2018; Nairametrics 28 Oct. 2019). An October 2018 circular issued by the National Pension Commission on "revised" procedures for processing death benefits indicates that "additional measures" have been implemented in response to a "series of complaints" of death benefits being "wrongfully" paid out to the beneficiaries of still living retirees, which includes requiring pension fund administrators to "confirm the [d]eath [c]ertificate of the deceased issued by the hospital and [p]olice [r]eport (where death is by accident)" (Nigeria 3 Oct. 2018).

For additional information on the prevalence of fraudulent identity documents, see Response to Information Request NGA106159 of August 2018.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] A report of civil registration in Nigeria by the Centre of Excellence for Civil Registration and Vital Statistics (CRVS) Systems indicates that a registrar is the "officer who registers vital events and issue certificates at local registration centers" (Center of Excellence for CRVS Systems [2019], 5).

[2] The Danish National ID Centre (Nationalt ID-center, NIDC) is an "independent administrative body" of Denmark's Ministry of Immigration and Integration; it is responsible for advising and assisting Danish authorities with "questions of identity determination and ID control of foreign nationals" (Denmark n.d.).

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Attachments

- 1. Nigeria. N.d. National Population Commission (NPC). *Live Birth Registration* (*Form B.1*). [Accessed 21 Sept. 2020]
- 2. Nigeria. N.d. National Population Commission (NPC). <u>*Certificate of Birth*</u> <u>(Form B.2)</u>. [Accessed 22 Sept. 2020]
- 3. Nigeria. N.d. National Population Commission (NPC). *Certificate of Birth (Form B.2)*. Sent to the Research Directorate by a partner at a Lagos-based law firm, 7 October 2020.
- 4. Nigeria. N.d. National Population Commission (NPC). <u>Death Registration</u> (Form D.1). [Accessed 22 Sept. 2020]
- 5. Nigeria. N.d. National Population Commission (NPC). <u>*Certificate of Death*</u> <u>(Form D.2)</u>. [Accessed 22 Sept. 2020]