Factsheet – 4th cycle

UNIVERSAL PERIODIC REVIEW OF SOUTH AFRICA
CHILDREN’S RIGHTS: BIRTH REGISTRATION

**SDG 10.3**
Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies

**INTERNATIONAL LAW**
Children have the right to a name and shall be registered immediately after birth
Convention on the Rights of the Child; Covenant on Civil and Political Rights

**SUMMARY OF KEY RECOMMENDATIONS FROM PREVIOUS CYCLES**
Review and amend all legislation and regulations relevant to birth legislation to ensure their full compliance with the Convention on the Rights of the Child
Ensure birth registration of all children born on South African territory, regardless of immigration status or nationality of parents

**LEGAL FRAMEWORK**
Births and Deaths Registration Act: all children’s births must be registered
Regulations set out further requirements: biological parents’ identity document, valid passport or visa or permit, or death certificate

**IMPACT OF LACK OF BIRTH REGISTRATION**
Inhibits access to education and healthcare
Excludes from social security
Risk of statelessness

**ISSUE: REGULATIONS EXCLUDE—**
Children whose parents are South African citizens but who do not hold identification
Children whose parents are asylum seekers and/or refugees with expired documentation
Children with fathers who are either South African citizens or refugees or asylum seekers with valid documentation, but whose mothers fall within one of the above categories
Adults who were abandoned or orphaned as children and whose births were not registered

**RECOMMENDATIONS**
Legislature: amend Births and Deaths Registration Act and Regulations to recognise right to birth registration of all children
Department of Home Affairs: train officials and publish directives with information

https://lrc.org.za/ | twitter: @LRCSouthAfrica