AG/RES. 2286 (XXXVII O/07)

INTER-AMERICAN PROGRAM FOR A UNIVERSAL CIVIL REGISTRY AND "THE RIGHT TO IDENTITY"

(Adopted at the fourth plenary session, held on June 5, 2007)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 2196 (XXXVI-O/06), "Cooperation between the General Secretariat of the Organization of American States and the Secretariat of the United Nations System, the General Secretariat of the Central American Integration System, the General Secretariat of the Caribbean Community, and the Secretariat of the Association of Caribbean States," in which the General Assembly resolved to request the Secretary General to continue and to strengthen activities involving cooperation between the OAS General Secretariat and each of the aforementioned organizations;

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

TAKING INTO ACCOUNT the Memorandum of Understanding between the United Nations Children's Fund (UNICEF), the General Secretariat of the Organization of American States (GS/OAS), and the Inter-American Development Bank (IDB) for Cooperation on Civil Registry, signed on August 8, 2006, which notes, inter alia, that the General Secretariat is committed to "strengthening governance through state modernization and by recognizing and strengthening the right to identity through programs and projects that broaden access to civil registry and build the capacity of institutions responsible for registry in the Latin American and Caribbean region as a cornerstone of its development activities";

CONSIDERING that, in response to requests from Peru and Mexico, on December 13, 2006, the Permanent Council received an extensive report from the General Secretariat on the aims and areas of cooperation that would be addressed under this Memorandum of Understanding;

TAKING NOTE of the document prepared by the Executive Secretariat for Integral Development (CP/CAJP-2482/07corr. 1) on April 17, 2007, entitled "Preliminary Thoughts on Universal Civil Registry and the Right of Identity";

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

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

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

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

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

TAKING NOTE of the special meeting of the Permanent Council held on March 9, 2007, on "childhood, the right of identity, and citizenship in the Americas," and the report thereon (CP/doc.4202/07); and recalling that, at this stage, it was agreed to request of the Inter-American Juridical Committee (CJI) an opinion on the scope of the right of identity,

RESOLVES:

1. To urge the member states to adopt measures such as the elimination of underregistration in order to ensure full recognition of the right to identity, which is essential to the exercise of civil, political, economic, social, and cultural rights.

2. To congratulate the General Secretariat on the signing of the Memorandum of Understanding between the United Nations Children's Fund (UNICEF), the General Secretariat of the Organization of American States (GS/OAS), and the Inter-American Development Bank (IDB) for Cooperation on Civil Registry, and to encourage it to implement all objectives of said memorandum in a comprehensive and balanced manner.

3. To instruct the Permanent Council, in the context of the Committee on Juridical and Political Affairs, to form a working group to prepare an Inter-American Program for a Universal Civil Registry and the Right to Identity.

4. To request the General Secretariat to draft a proposed Inter-American Program for a Universal Civil Registry and the Right to Identity, taking into account the following guidelines:

a. Ensure that the birth registry, which is used to ensure the right of civil identity, with emphasis on persons in poverty and at risk, is universal, accessible, and, if possible, cost-free;

b. Promote a multidimensional approach to this topic, which takes into account the rich and varied diversity of cultures in the Americas, considering its relationship with the enjoyment of rights and freedoms, with the modernization and transparency of state institutions, and with citizen participation in the democratic societies of the Hemisphere;

c. Support governments in the modernization of their identity registries, and in national plans to restore identity, as the case may be, and in the updating of vital statistics;

d. Promote citizen participation through universalization of the civil registry to protect and demand the effective exercise of and respect for the right to identity;

e. Foster regional cooperation, with a view to drawing upon the successful experiences of countries in the Hemisphere that have implemented social programs to guarantee the right of identity to their citizens by issuing the appropriate government identification documents;

f. To the extent possible, consider factors aimed at harmonizing laws in force in the various member states in the area of identity of persons; and

g. Foster uniformity in registration systems, so as to obtain instruments that will enable their use in the various member states.

5. To request the General Secretariat to present, in the second half of 2007, a report on progress made in implementing the above-mentioned memorandum of understanding in order to contribute to the work of the working group to prepare an Inter-American Program for a Universal Civil Registry and Promotion of the Right to Identity.

6. To request the Permanent Council to continue supporting efforts under the Memorandum of Understanding between the United Nations Children's Fund (UNICEF), the General Secretariat of the Organization of American States (GS/OAS), and the Inter-American Development Bank (IDB) for Cooperation on Civil Registry.

7. To request the Inter-American Children's Institute (IIN) to continue working on the topic “to ensure children’s right to identity and citizenship,” as set out in its 2005-2008 Strategic Plan, and to keep the OAS Permanent Council informed of progress and obstacles in the region.

8. To encourage the Inter-American Development Bank (IDB) to conclude its study and report on the issue of underregistration and promotion of the right to identity in the region, which report is of vital importance for implementation of the Program and for the holding of the First Inter-American Conference on the Universal Birth Registry, to take place in Asunción, Paraguay, from August 27 to 31, 2007.

9. To invite the competent organs, specialized agencies, and entities of the inter-American system, as well as the member states, to forward their contributions relevant to the work of the working group to prepare an Inter-American Program for a Universal Civil Registry and the Right to Identity.

10. To request the Permanent Council to report to the General Assembly at its thirty-eighth regular session on the implementation of this resolution, which will be carried out within the resources allocated in the program-budget of the Organization and other resources.