

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)



Concluding Observations on the Seventh Periodic Report of Nepal February, 2025

Committee on the Elimination of Discrimination against Women

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**Committee on the Elimination of Discrimination
against Women****Concluding observations on the seventh periodic report of
Nepal***

1. The Committee considered the seventh periodic report of Nepal (CEDAW/C/NPL/7) at its 2122nd and 2123rd meetings (see CEDAW/C/SR.2122 and CEDAW/C/SR.2123) held on 5 February 2025. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/NPL/Q/7, and the responses of Nepal are contained in CEDAW/C/NPL/RQ/7.

A. Introduction

2. The Committee appreciates the submission by the State party of its seventh periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/NPL/CO/6) and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by His Excellency Mr. Nawal Kishor Sah Suri, Minister of Women, Children and Senior Citizens, and included representatives of the Ministry of Women, Children and Senior Citizens, the Ministry of Law, Justice and Parliamentary Affairs, the Office of the Prime Minister and Council of Ministers, as well as His Excellency Mr. Ram Prasad Subedi, Ambassador and Permanent Representative, and other representatives of the Permanent Mission of the Republic of Nepal to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2018 of the State party's previous report (CEDAW/C/NPL/6) in undertaking legislative reforms, in particular the adoption of the following:

- (a) The Protection and Empowerment of Girls Act 2081 of the Government of Madhesh Province, in 2024;
- (b) The Amendment 2079 to the Nepal Citizenship Act enabling children of Nepali women and an unidentified father to acquire citizenship by descent, in 2023;
- (c) The Order on Security and Protection of Human Rights Activists, in 2021;
- (d) The Compulsory and Free Education Act, in 2018.

* Adopted by the Committee at its ninetieth session (3 - 21 February 2025).

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

- (a) The National Plan for implementing the National Gender Equality Policy, in 2023;
- (b) The National Action Plan on Formalization for 2023 – 2025 aiming at the formalization of domestic workers, in 2023;
- (c) The National Gender Equality Policy, in 2021;
- (d) The National Strategy to Prevent Gender-biased Sex Selection for 2021-2030, in 2021;
- (e) The Safe Motherhood and Newborn Health Roadmap until 2030, in 2021;
- (f) The Geriatric Health Sector Strategy, in 2021;
- (g) The Integrated Legal Aid Policy, in 2019;
- (h) The Gender Equality, Disability and Social Inclusion Strategic Action Plan for Disaster Risk Reduction and Management, in 2018;
- (i) The National Policy for Disaster Risk Reduction, in 2018.

C. Sustainable Development Goals

6. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

D. Parliament

7. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see A/65/38, part two, annex VI). It invites the Federal Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

8. The Committee notes with appreciation that the Convention has been referenced in 121 decisions, orders and directives of the Supreme Court. However, it is concerned that women, in particular rural women, Indigenous women, Dalit women and women with disabilities, are not aware of their rights under the Convention and the remedies available to them to claim violations of those rights. It is also concerned at the lack of a comprehensive mechanism for the implementation of recommendations made by the Committee and other human rights mechanisms.

9. The Committee recommends that the State party:

- (a) Raise awareness among women of their rights under the Convention and the legal remedies available to them to claim violations of those rights and ensure that

information on the Convention, the Optional Protocol and the Committee's general recommendations is available to all women in accessible formats;

(b) Widely disseminate the Convention, the Optional Protocol and the Committee's general recommendations through information campaigns, collaboration with civil society, the use of ICT, and in cooperation with the media;

(c) Establish a national mechanism for reporting, implementation and follow-up, taking into account the four key capacities of engagement, coordination, consultation and information management of such a mechanism, and ensure that civil society organisations that promote women's rights and gender equality are consulted in its work.

Constitutional and legislative framework

10. The Committee remains concerned at the absence of comprehensive anti-discrimination legislation to protect disadvantaged and marginalized groups of women facing intersecting forms of discrimination in the State party, in particular rural women, older women, Indigenous women, Dalit women, women with disabilities, lesbian, bisexual, transgender and intersex women, single women, women belonging to religious minorities, Madhesi women and refugee and migrant women. It is also concerned about the long delays in the adoption of the Special Opportunity Bill.

11. The Committee reiterates its previous recommendation (CEDAW/C/NPL/CO/1, para.9) and recommends that the State party:

(a) Accelerate the adoption of the Special Opportunity Bill and ensure that it covers direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in accordance with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls;

(b) Establish a comprehensive system to collect data on discrimination against women, disaggregated by age, nationality, ethnicity, disability and socioeconomic status.

Access to justice

12. The Committee notes the State party's efforts to implement the Integrated Legal Aid Policy and the Enhancing Access to Justice through the Institutional Reform Project, as well as the establishment of 175 Dalit Desks to enhance their access to justice. However, it notes with concern:

(a) Persistent barriers to women's access to justice, including stigma, fear of retribution, deep-rooted discriminatory gender stereotypes, limited legal literacy, and legal costs, particularly for women and girls belonging to disadvantaged and marginalized groups, such as women sex workers, Dalit women, Indigenous women, women with disabilities and migrant women;

(b) The lack of a gender-responsive legal aid system and insufficient capacity-building on the Convention and relevant national legislation for the judiciary and law enforcement officers.

13. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:

(a) Ensure that women have access to affordable or, if necessary, free legal aid services, particularly rural women and women belonging to disadvantaged and marginalized groups;

(b) Enhance awareness among women and girls, in particular women belonging to disadvantaged groups, of their rights under the Convention and the remedies available to them to claim those rights, in cooperation with civil society

organizations and address the obstacles that prevent or limit women's access to justice, and in particular by Indigenous women and women with disabilities, by facilitating interpretation services in indigenous languages and accessibility measures, including the provisions of reasonable accommodation, procedural adjustments and supported decision-making;

(c) Provide training for the judiciary and law enforcement officials on women's human rights and gender-sensitive interrogation and investigation methods and address judicial gender bias, and assess the impact of such training on promoting women's access to justice, to continually improve it.

Women peace and security and transitional justice mechanisms

14. The Committee notes with appreciation the adoption of the Second national action plan (2022-2025) for the implementation of Security Council resolution 1325 (2000) and 1820 (2008), with a specific focus on victims-survivors of conflict-related sexual violence. It also notes the adoption of the Bill to Amend the Disappeared Person's Enquiry, Truth and Reconciliation Commission Act (2071), in 2024. However, it notes with concern:

(a) The possibility under article 2(j)(2) of the amended Truth and Reconciliation Commission Act (2071) to reduce by 75 per cent sentences for perpetrators of "serious violations", defined as "rape or serious sexual violence", and the statute of limitations for filing complaints of rape and other forms of sexual violence;

(b) That no chairperson and members have been appointed to the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) since their establishment in 2014, preventing the two transitional justice from discharging their mandate;

(c) The lack of reparations for women and girls victims of the armed conflict, including widows, family members of disappeared persons and victims of rape and other forms of sexual violence;

(d) Women's underrepresentation in processes related to the women peace and security agenda;

(e) The limited implementation of the Second National Action Plan due to the lack of human, technical and financial resources.

15. Recalling its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, and its previous recommendation (CEDAW/C/NPL/CO/6, para.23), the Committee recommends that the State party ensure the effective implementation of the Second national action plan for the implementation of Security Council resolution 1325 (2000) on women peace and security, in collaboration with representatives of women's civil society organizations, taking into consideration the full spectrum of the Security Council agenda on women peace and security, as reflected in Security Council resolution 1325 (2000) and subsequent resolutions, and that it incorporates a model of substantive equality that addresses gender-based violence and discrimination against women in all spheres of women's lives, including intersecting forms of discrimination against women, and in particular:

(a) Amend section 2(j)(2) of the Truth and Reconciliation Commission Act on the definition of serious human rights violations by removing qualifier "serious" before "sexual violence", and amend the Criminal Code to repeal the statute of limitation for filing complaints of rape and other forms of sexual violence, including with respect to crimes committed during the armed conflict;

(b) Ensure a transparent and credible process to appoint independent, impartial, and competent members to the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP), and the equal representation of women, including women belonging to disadvantaged and marginalized groups to reflect the diversity of affected communities;

(c) **Ensure access for women and girls who are victims of the armed conflict to full and effective reparations, in line with the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation (Van Boven/Bassiouni Principles);**

(d) **Ensure the meaningful and inclusive participation of women in all processes related to women peace and security, in particular with regard to the adoption, implementation and assessment of the relevant national action plans.**

National machinery for the advancement of women

16. The Committee notes the adoption of the National Plan for implementing the National Gender Equality Policy, in 2023 and the appointment of Commissioners to the National Women Commission in 2021. However, it notes with concern:

(a) The lack of information on measures taken to effectively implement the National Gender Equality Policy, the use of gender-responsive budgeting and on gender mainstreaming with intersectional approach across all government departments;

(b) That the National Women Commission lacks the necessary resources to effectively discharge its mandate, including the consideration of complaints, in particular in remote and rural areas.

17. **The Committee recommends that the State party:**

(a) **Allocate adequate human, technical and financial resources for the implementation of the National Gender Equality Policy and its National Action Plan, and regularly monitor and evaluate their impact;**

(b) **Further strengthen the mandate of the National Women Commission, including by establishing offices in provinces, provide it with adequate human, technical and financial resources to coordinate all public policies and strategies for the advancement of women and gender equality, including through gender responsive budgeting, strengthen the framework for gender equality through increased cooperation between the National Women Commission and local authorities, as well as with civil society, in particular women's rights organizations;**

(c) **Adopt an intersectional approach to gender and diversity based on women's differing conditions for identity, such as disability, Indigenous or Dalit status, sexual orientation, gender identity and migrant status, inter alia, in the definition, implementation, monitoring and evaluation of public equality and non-discrimination policies aimed at disadvantaged groups.**

National human rights institution

18. The Committee notes with appreciation that the National Human Rights Commission of Nepal (NHRCN) has been re-accredited with "A" status by the Global Alliance of National Human Rights Institutions in 2023. However, the Committee notes with concern the limited implementation of the recommendations of the NHRCN by the State party.

19. **The Committee recommends that the State party implement the recommendations of the Global Alliance of National Human Rights Institutions to provide the National Human Rights Commission of Nepal (NHRCN) with adequate human, technical and financial resources to discharge its mandate effectively, independently and in compliance with the Paris Principles. It also recommends that the State party follow up on the recommendations of the NHRCN and seek technical assistance from the Office of the United Nations High Commissioner for Human Rights in that regard.**

Temporary special measures

20. The Committee remains concerned that despite the Constitutional provisions on "special opportunities" for women in education, health, employment and the social security system, no specific legislation on temporary special measures has been adopted, and that the use of such "special opportunities" is limited to "socially or culturally backward women". It is particularly concerned:

(a) At the lack of temporary special measures and adequate mechanisms to apply an intersectional approach and ensure the meaningful participation of disadvantaged groups of women, including Indigenous women, women with disabilities, Dalit women, women belonging to religious minorities, migrant women and lesbian, bisexual, transgender and intersex women, in the development and the implementation of these measures in all areas, in particular in political and public life at decision-making levels;

(b) About the lack of disaggregated data on the impact of temporary special measures for achieving substantive equality of women and men, particularly in employment and political life.

21. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee reiterates its previous recommendation (CEDAW/C/NPL/CO/6, para.17) and recommends that the State party:

(a) **Expedite the adoption of the Draft Special Opportunity Act and amend the Election Code of Conduct to introduce temporary special measures for women in political and public life, such as parity quotas for women's representation in elected and appointed bodies, outreach and support programmes, and preferential recruitment and promotion of women candidates;**

(b) **Recognize the specific needs of all women and girls facing intersecting forms of discrimination when devising temporary special measures, in particular as regards Indigenous women, women with disabilities, Dalit women, women belonging to religious minorities, migrant women and lesbian, bisexual, transgender and intersex women, and establish mechanisms to regularly assess the effectiveness of these measures;**

(c) **Systematically collect data on the impact of temporary special measures and include such data in its next periodic report.**

Gender stereotypes

22. The Committee notes with concern:

(a) The persistence of patriarchal attitudes and gender stereotypes concerning the roles and responsibilities of women and men in the family and in society, including in the media, considering women primarily as mothers and caregivers;

(b) The prevalence of son preference in families and within society and the attribution of a subordinate status to women vis-à-vis men, as reflected and perpetuated by a relatively high number of sex-selective abortions and strong societal pressure on women, despite the adoption of the National Strategy against Discriminatory Sex Selection (2021);

(c) The absence of a comprehensive strategy to address discriminatory gender stereotypes, and the absence of capacity-building for media professionals and public officials on the use of gender-sensitive language.

23. The Committee recommends that the State party:

(a) **Implement the National Strategy against Discriminatory Sex Selection (2021) to eradicate the practice of sex-selective abortions, establish services, including helplines, for women who are pressured into undergoing a sex-selective abortion; and take targeted measures, including awareness raising and paternity or shared parental leave, to promote equal sharing of domestic and childcare responsibilities, as well as responsible fatherhood;**

(b) **Develop and implement a comprehensive strategy, including for the online domain, targeting community and religious leaders, teachers, girls and boys, and women and men to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society, and develop and introduce a set of targets and indicators to systematically measure the impact of the strategic interventions made;**

(c) **Provide relevant public officials and the media, as well as private sector representatives, with capacity-building to enable them to address discriminatory gender stereotypes, including through gender-responsive language, and promote positive portrayals of women as active drivers of development in the media.**

Harmful practices

24. The Committee notes with concern that despite the explicit criminalization of harmful practices, such as *Chhapaudi* (menstrual segregation of women and girls), dowry, witchcraft allegations, caste-based discrimination and child marriage, those violations of women's human rights continue to be practiced in many communities.

25. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No.18 of the Committee on the Rights of the Child (2019) on harmful practices, and the Committee's previous recommendation (CEDAW/C/NPL/CO/6, para.19), the Committee recommends that the State party effectively enforce the national legislation prohibiting harmful practices, including *chhaupadi*, child and/or forced marriage, caste-based discrimination, dowry, polygamy, witchcraft allegations, and reinforce public awareness-raising and education programmes on the negative impact that those practices have on the enjoyment by women and girls of their human rights, targeting customary and religious leaders and regions where harmful practices are prevalent.**

Gender-based violence against women

26. The Committee notes with concern the high incidence of domestic violence in the State party, and that 72 per cent of women having experienced violence have never sought help due to discriminatory social norms legitimizing such violence and lack of awareness about their rights and available remedies and specialized services. It is further concerned:

(a) At the absence of comprehensive legislation specifically criminalizing all forms of gender-based violence against women, including psychological violence, technology-facilitated and climate-induced violence, and at the inadequate protection from gender-based violence for women and girls facing intersecting forms of discrimination, including rural women, older women, women and girls with disabilities, Indigenous women and girls, women and girls belonging to religious and ethnic minorities, and migrant and refugee women and girls, lesbian, bisexual, transgender and intersex women and sex workers;

(b) At the high level of technology-facilitated violence experienced by women and girls, such as fake profiles in social media, fake information, inappropriate manipulation of photos and videos, and at the absence of a mechanism to register cases of cyber bullying and online violence;

(c) The very short period in the existing statute of limitation for reporting rape or currently two years or three years from attaining majority for minors, respectively.

27. **Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:**

(a) **Adopt comprehensive legislation to ensure that all forms of gender-based violence against women and girls are specifically criminalized, including psychological violence, technology-facilitated and climate-induced violence, taking into account the special protection needs of disadvantaged and marginalized groups of women, including rural women, older women, women and girls with disabilities, Indigenous women and girls, women and girls belonging to religious and ethnic minorities, migrant and refugee women and girls, sex workers, and lesbian, bisexual, transgender and intersex women;**

(b) **Strengthen the implementation of national regulatory procedures and due diligence mechanisms to prevent cyber-attacks, cyber-bullying and cybertrafficking, including synthetic media, deep fake, doxing, and other new technologies that facilitate gender-based violence, and ensure that there are mechanisms in place in the State party to hold social media platforms accountable for user-generated content and bring**

perpetrators on online violence and harassment to justice, and ratify the United Nations Convention against Cybercrime (2024);

(c) **Ensure the availability of specialized services for women and girls who are victims of gender-based violence, guaranteeing that such services are inclusive, accessible, and available in rural areas;**

(d) **Repeal the statutory limitation for reporting cases of sexual violence.**

Trafficking in women and exploitation of prostitution

28. The Committee welcomes the State party's ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol) in 2020. It also notes the information provided by the State party on the ongoing review of national legislation, including the Human Trafficking and Transportation (Control) Act to harmonize its provisions with the Protocol. However, the Committee notes with concern:

(a) That the legal definition of trafficking conflates trafficking with sex work, which significantly impedes the rights of sex workers;

(b) That despite the Supreme Court's fast-track directive (2013) for trafficking cases, district courts fail to handle cases within 90 days and that victims of trafficking can be fined if they fail to appear in court;

(c) That the draft National Policy on Trafficking, as well as the National Action Plan on Trafficking have not yet been adopted;

(d) Discrimination against women sex workers and the lack of measures taken by the State party to ensure safe working conditions and provide exit programmes, including alternative income opportunities, for women and girls who wish to leave prostitution.

29. **Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:**

(a) **Amend the Human Trafficking and Transportation (Control) Act, and other relevant national legislation, to criminalize all forms of human trafficking in line with the Palermo Protocol, bring the definition of human trafficking into line with international law covering all aspects of human trafficking, in line with the commitments made State party during the fourth cycle of the universal periodic review (A/HRC/47/10, para.159.98);**

(b) **Adopt standard operating procedures to ensure the early identification of victims of trafficking and their referral to appropriate services, remove the provision that allows courts to fine victims of trafficking if they fail to appear in court;**

(c) **Accelerate the adoption of the draft National Policy on Trafficking, as well as the National Action Plan on Trafficking;**

(d) **Expedite to formulate a comprehensive policy, legislative and regulatory framework that ensures the monitoring, and legal protection from exploitation of women who engage in prostitution and ensures that they are not prosecuted for engaging in such activities; including the investigation, prosecution, and punishment law enforcement officers for the harassment and extortion of women in prostitution;**

(e) **Strengthen educational and awareness-raising campaigns targeted at men and boys to address the objectification of women and reduce the demand for prostitution, and take necessary measures to protect the rights of sex workers, provide them with safe working conditions, adequate access to education and social protection, as well as exit programmes, including alternative income-generating opportunities, in case they wish to leave prostitution.**

Equal and inclusive participation in decision-making systems in political and public life

30. The Committee notes the increase in the number of women mayors and of women chairing rural municipalities in 2022. However, it notes with concern:

(a) That women represent only 33.45 per cent of Members of the Federal Parliament, 23.29 per cent of members of the diplomatic services and that only 5 Ambassadors out of 33 are women;

(b) Women's underrepresentation in the public service and on boards of directors of companies and in management positions;

(c) The lack of measures to protect women politicians and candidates from sexism and discrimination as well as women voters, which hampers their equal participation in political and public life.

31. **Recalling its general recommendation No. 23 (1997) on women in political and public life and general recommendation No. 40 (2024) on equal and inclusive representation of women in decision-making systems, the Committee recommends that the State party increase its target for the representation of women in decision-making from 30 to 50 per cent and that it:**

(a) **Implement a comprehensive strategy on parity, as a priority, in order to sustainably overcome barriers to and reach equal and inclusive representation of women in decision-making positions in political and public life, and adopt temporary special measures, in line with article 4, paragraph 1, of the Convention and general recommendation No. 25 (2004) on temporary special measures, such as a zipper system, to ensure equal ranks for women and men candidates on the electoral lists of political parties, targeted campaign financing for women candidates, increased quotas to reach parity of women and men at all levels of government, as well as in the judiciary, the public service, the foreign service, academia and international organizations, in particular at decision-making levels;**

(b) **Provide campaign financing and capacity-building on political campaigning, leadership and negotiation skills to women politicians and candidates and raise awareness, in collaboration with the media, among politicians, religious and community leaders and the general public on the importance of the full, independent and democratic participation of women on an equal basis with men in political and public life as a requirement for achieving political stability and sustainable development in the State party;**

(c) **Increase political literacy and provide training for women in management positions in the private sector, raise awareness among employers and managers on the importance of women's equal representation in leadership positions and provide incentives for public and private listed companies to increase the number of women on boards and in leadership positions;**

(d) **Introduce preferential recruitment of women to the judiciary, the public service and the foreign service, including in diplomatic missions, and support women candidates applying to international organizations.**

Women human rights defenders

32. The Committee notes with appreciation the issuance by the Ministry of Home Affairs of the Order on Security and Protection of Human Rights Activists in 2021. However, it is concerned at reports that women human rights defenders, working at both community and at national levels, in both the private and public sectors, including digital media, face restrictions on their rights to freedom of opinion, expression, association and assembly, as well as increased digital surveillance.

33. **The Committee recommends that the State party:**

(a) **Ensure that women human rights defenders can freely carry out their advocacy for women's human rights and exercise their rights to freedom of expression,**

peaceful assembly and association free from harassment, surveillance or undue restrictions, including arbitrary arrest and arbitrary prosecution, including when they have engaged or sought to engage with the Committee;

(b) Investigate and prosecute all acts of harassment, intimidation, reprisals, gender-based violence and discrimination against women human rights defenders, including online, and ensure their right to liberty and security of person, provide remedies and reparations to victims.

Nationality

34. The Committee notes the information provided by the State party's delegation on the citizenship bill submitted in January 2025 to the Government. However, it remains concerned:

(a) That articles 11 (2), 11 (5) and 11(7) of the Constitution identifies three types of Nepali mothers, stipulates a requirement of self-declaration of unknown fathers with penalties in case of false self-declaration, which limits their ability to transfer citizenship to their children who become stateless from birth and to foreign spouses, while Nepali fathers can confer their citizenship on children and foreign spouses without any specific requirements;

(b) That despite the adoption of the National ID and Civil Registration Act (2020) and the National ID and Civil Registration Regulation (2021), allowing for birth registration by the mother or father, in practice birth certificates are often not issued if the father is missing or unidentified, which increases children's risk of statelessness;

(c) That according to the 2021 census, 26 per cent of children under five do not have birth certificates, and that women belonging to specific groups, such as sex workers, Tibetan long-stay migrant women, Bhutanese refugee women and Nepali women married to refugees, have limited access to identification documents, which perpetuates their social exclusion and poverty.

35. Recalling its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, and its previous recommendation (CEDAW/C/NPL/CO/6, para. 31), the Committee recommends that the State party:

(a) Accelerate the adoption of the Citizenship Bill and ensure that it addresses all types of discrimination against Nepali women and their children;

(b) Repeal articles 11(5) and 11(7) of the Constitution that prevent Nepali women from transferring citizenship on an equal basis with men to their children, recognizing the independent right of each parent to transfer citizenship by descent;

(c) Amend article 11(3) of the Constitution to allow for birth registration by the "Father or Mother" rather than "Father and Mother", with a view to preventing statelessness;

(d) Amend article 11(6) of the Constitution to ensure that Nepali women have the right to transfer citizenship to their spouse on the same terms as Nepali men and remove the requirement of self-declaration and penalties for Nepali mothers to transfer citizenship to their children with unidentified fathers;

(e) Ensure universal birth registration for all children regardless of the legal status of their parents, including for children of stateless women, refugees or migrant women or women sex workers, in line with the Constitution and the State party's international human rights obligations;

(f) Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

Education

36. The Committee notes with appreciation the adoption of the Ten-Year School Education Plan for 2022/2023 – 2031/2032 prioritizing gender equality in school curricula. However, it notes with concern:

- (a) The lack of institutional capacity of local governments in the implementation of the Compulsory and Free Education Act (2018) and the School Education Sectoral Plan;
- (b) Cases of dropout among girls in education, particularly in the Madhesh province, due to early pregnancy and child marriage, and discrimination against girls with disabilities in education;
- (c) Discrimination against women and girls with disabilities in education;
- (d) That despite the existing Dignified Menstruation Guidelines in schools, there is a lack of knowledge among pupils about family planning, responsible sexual behaviour and the prevention of sexually transmitted diseases.

37. **Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party raise awareness of the importance of girls' education as a basis for their empowerment, and:**

- (a) **Strengthen the institutional capacity of local governments and ensure the effective implementation of the Compulsory and Free Education Act (2018) and the School Education Sectoral Plan for 2022 – 2032, with special attention to girls facing intersecting forms of discrimination;**
- (b) **Address the causes of school dropout among girls, including child marriages and early pregnancy, as well as discrimination on the basis of gender and/or disability, and ensure that young mothers can return to school following childbirth, with a view to completing their education, obtaining diplomas and gaining access to higher education or employment, and provide information in the next periodic report on the impact of alternative delivery modes and the alternative learning systems in place in the State party;**
- (c) **Ensure that all women and girls with disabilities have access to quality inclusive education, seeking not only their access to, but also their retention in schools, and adopt a national anti-bullying policy to provide safe and inclusive educational environments to women and girls, including women and girls with disabilities, that are free from discrimination, harassment and violence;**
- (d) **Strengthen the effective implementation of the Dignified Menstruation Guidelines at all levels of education and include into school curricula: (i) inclusive and accessible content on gender equality, including on women's human rights and the harmful effects of gender-based violence against women and girls; (ii) age-appropriate sexuality education, paying particular attention to responsible sexual behaviour and the prevention of early pregnancies and sexually transmitted diseases; and (iii) human rights and peace education;**
- (e) **Ratify the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (UNESCO) (1960).**

Employment

38. The Committee notes with concern:

- (a) The persistent horizontal and vertical segregation in the labour market and women's concentration in lower-paid jobs in the informal economy, where they are exposed to exploitation, occupational health and safety hazards, and excluded from social protection;
- (b) Women's disproportionate burden of unpaid care work, which constitutes a barrier to their economic participation, and the limited use of paternity leave by fathers;
- (c) The limited enforcement of the principle of equal pay for work of equal value and the significant gender pay gap in the State party, despite its ratification of the Equal Remuneration Convention, 1951 (No. 100), of the International Labour Organization (ILO);

(d) That the Sexual Harassment (Control) at Work-Place Act (2015) only applies to the formal sector and excludes the informal sector where women are concentrated, and that no cases of sexual harassment have been registered by Chief District Officers, who are competent to consider complaints;

(e) The lack of measures taken to address the specific needs of women with disabilities and other disadvantaged groups of women in the digital economy.

39. The Committee recalls its general recommendation No. 13 (1989) on equal remuneration for work of equal value and target 8.5 of the Sustainable Development Goals, on achieving by 2030 full and productive employment and decent work for all women and men and equal pay for work of equal value, and recommends that the State party:

(a) Take targeted measures to break the glass ceiling and promote women's access to decision-making positions and higher-paid jobs, including in traditionally male-dominated professions, for example by providing incentives for preferential recruitment of women in those sectors;

(b) Recognize, reduce and redistribute the burden of unpaid care work on women by providing affordable childcare facilities and care services for older persons, and ensure that women employed in family businesses are adequately remunerated and have access to social protection schemes;

(c) Enforce the principle of equal pay for work of equal value and regularly review wages in sectors where women are concentrated and adopt measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys;

(d) Amend the Sexual Harassment (Control) at Work-Place Act (2015) to extend its coverage to the informal sector and ensure that women victims of sexual harassment have access to effective judicial remedies, both of civil and penal law, in particular in rural and remote areas, that their complaints are effectively investigated, perpetrators prosecuted and adequately punished and victims protected from retaliation, conduct regular labour inspections, and ratify the ILO Violence and Harassment Convention, 2019 (No. 190);

(e) Ensure equal opportunities for women and girls, including women and girls with disabilities, in particular in emerging sectors such as digital economy.

Women migrant workers

40. The Committee notes that the State party is a country of origin, transit and destination for migrant women and girls who constitute 43.8 per cent of migrants from Nepal internationally. It notes with concern:

(a) Reports of numerous cases of discrimination against women migrant workers, in particular women domestic migrant workers, in particular with regard to working conditions, allegations of physical, psychological and verbal abuse, including sexual abuse, and the impunity enjoyed by abusive employers;

(b) The age restrictions imposed on women to access employment abroad, in particular domestic work;

(c) That women migrant workers often have to pay high recruitment fees forcing them to take loans which aggravates their risk of debt bondage, forced labour, exploitation and trafficking;

(d) That notwithstanding the establishment of a call centre for aggrieved migrant workers in 2019, pre-departure training programmes are limited, which exposes women to discriminatory practices and risks of trafficking and exploitation;

(e) The lack of programmes for returnee women facing stigmatization, which undermines their reintegration and future employment prospects.

41. The Committee, recalling the need to respect the fundamental right to work and to free choice of profession, and target 8.8 of the Sustainable Development Goals, on protection of labour rights and promotion of safe and secure working environments for all workers, including migrant workers, recommends that the State party:

(a) Ensure that all bilateral agreements concluded with destination countries engaging Nepali women migrant workers, including women domestic workers, contain protocols to investigate and prosecute all violations of their human rights, and provide redress to victims;

(b) Amend the Directive for Sending Domestic Workers for Foreign Employment (2015) to remove the age restriction for women seeking domestic work abroad, and set the minimum age for workers in line with international standards;

(c) Foster coordination among government agencies, civil society, and trade unions to monitor recruitment practices, reduce costs, and ensure safe conditions for women migrant workers, disseminate information about the remedies available to them, and address gender and intersectional barriers to access such remedies;

(d) Conduct awareness-raising campaigns on the risks of being trafficked and provide access to free legal assistance, hotlines and pre-departure information to migrant women and girls;

(e) Provide gender-responsive support to facilitate the reintegration of returning women migrant workers.

Health

42. The Committee notes with concern:

(a) The high rates of maternal mortality (151 deaths per 100,000 live births in 2023) and women's limited access to antenatal and postnatal health-care services in the State party, particularly in rural and remote areas;

(b) The lack of age-appropriate education on sexual and reproductive health, limited access to affordable menstrual hygiene products, contraceptives, family planning services, gynaecological services, mental health services, including prevention of suicide, and non-emergency medical care, particularly for rural women, Indigenous women, women with disabilities, sex workers, and lesbian, bisexual, transgender and intersex women;

(c) That despite the legalization of abortion in the State party, safe abortion services are not fully accessible due to limited availability and quality of abortion services across the State party, a shortage of trained personnel, inadequate infrastructure, women's lack of awareness about available services, and stigma, resulting in high numbers of unsafe abortion;

(d) Reports of discrimination, ill-treatment, abuse and obstetric violence, especially against young women, Indigenous women, women with disabilities, women sex workers, and lesbian, bisexual, transgender and intersex women;

(e) Limited access to antiretroviral treatment for and stigmatization and social exclusion of women and girls living with HIV/AIDS;

(f) Reported cases of medically unnecessary and irreversible surgery and treatment performed on intersex children, including girls, and on girls with disabilities.

43. The Committee recalls its general recommendation No. 24 (1999) on women and health and target 3.7 of the Sustainable Development Goals and recommends that the State party:

(a) Improve women's access to adequate antenatal, perinatal and postnatal health services to reduce the high rates of maternal mortality, including by training midwives and other relevant health professionals, especially in rural areas;

(b) Ensure that women and girls, including rural women and girls, unmarried women and women and girls with disabilities, have adequate access to sexual and

reproductive health services and information, including family planning, modern forms of contraception, and safe abortion and post-abortion services;

(c) Ensure that all women and girls, including women belonging to ethnic minorities and rural women and girls, women with disabilities, sex workers and LGBTI women have adequate access to mental health services, including suicide prevention programmes, sexual and reproductive health services and information, including modern and emergency contraceptives and menstrual hygiene products, in particular in rural and remote areas;

(d) Adopt legal and policy measures to protect pregnant women during childbirth, punish obstetric violence and discrimination against women and girls, strengthen capacity-building programmes for medical practitioners and ensure regular monitoring of the treatment of female patients in health-care centres and hospitals;

(e) Provide free antiretroviral treatment to all women and girls living with HIV/AIDS, including pregnant women to prevent mother-to-child transmission, and address the stigmatization and social exclusion of women and girls living with HIV/AIDS;

(f) Prohibit non-essential medical or surgical interventions on intersex children, including girls, and on girls with disabilities, before they are of sufficient age or maturity to take autonomous decisions and give their free, prior and informed consent; adopt and implement human rights-based health-care protocols for intersex children, including girls, that uphold their autonomy and physical integrity, and ensure that intersex children and their families have access to free legal assistance, medical and psychosocial services.

Economic empowerment of women

44. The Committee notes with appreciation the adoption of the Women First Programme (2022) and the Integrated National Social Protection Framework (2024) to increase access to social security programmes for disadvantaged groups of women. It is, however, concerned, at the feminization of poverty. In particular, it notes with concern:

(a) That despite legislative provisions on access to credit, land and property, law enforcement remains weak and that women, in particular Indigenous women, Dalit women, Madhesi women, women and girls with disabilities, women survivors of gender-based violence, women living in poverty, women in unpaid work and widows often face challenges in accessing economic and social benefits and economic opportunities;

(b) That women have limited access to land ownership, loans and other forms of financial credit, bank accounts and financial services in the State party, due to lack of citizenship certificates or other required identification documents, the requirement of collateral, and the control of access to land titles by male family members.

45. The Committee recommends that the State party:

(a) Address the feminization of poverty by mainstreaming gender into the national strategy for social protection and ensure that women, especially those belonging to disadvantaged groups, equally participate in the implementation, monitoring, evaluation and renewal of the National Gender Equality Policy and have access to adequate social and economic benefits, economic empowerment and social protection schemes;

(b) Address gender stereotypes and barriers to women's economic empowerment and ensure that women have equal access as men to land ownership, low-interest loans without collateral and other forms of financial credit, expand their access to business networks and resources entrepreneurship opportunities and information and communication technologies, so that they can engage in e-commerce and cross-border trade with regard to their goods and products.

Rural, Indigenous and Dalit women

46. The Committee notes that 74 per cent of women in the State party are employed in agriculture, that Indigenous women make up 36 per cent of the State party's female population, and that 15 per cent of Nepali women are Dalit. However, it is concerned that policy-making, decision-making, budget allocations and land ownership remain predominantly controlled by men. It is particularly concerned at:

- (a) The lack of recognition of the rights of indigenous women in the Constitution, including their collective right to self-determination;
- (b) The limited access of rural and Indigenous women to education, employment and health care, financial credit and modern farming technologies, and their underrepresentation in decision-making and leadership positions;
- (c) The lack of consultations with rural and Indigenous women on large-scale projects, such as tourism, agro-industrial and construction projects by foreign investors and private enterprises on Indigenous lands and using their natural resources, as well as the adverse impact of climate change on rural and Indigenous women, including natural disasters, loss of crops and food and water insecurity;
- (d) That despite the existing national legislation to prohibit untouchability and discrimination based on caste and gender, Dalit women and girls continue to face pervasive discrimination, sexual harassment and gender-based violence, limited access to education, employment, healthcare, economic and social benefits, and are excluded from decision-making.

47. **Recalling its general recommendations No. 34 (2016) on the rights of rural women, No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change and No. 39 (2022) on the rights of Indigenous women and girls, the Committee recommends that the State party:**

- (a) **Amend the Constitution to explicitly recognize the rights of indigenous women, including their right to self-determination, in line with the United Nations Declaration on the Rights of Indigenous Peoples;**
- (b) **Intensify efforts to ensure service delivery in rural areas to promote rural and Indigenous women's access to health care, including sexual and reproductive health services; decision-making; leadership positions; education; formal employment; social protection; housing, adequate water and sanitation; and modern farming technologies, including knowledge on food harvesting techniques, preservation, storage, processing, packaging, marketing and entrepreneurship;**
- (c) **Ensure that economic activities, including logging, tourism, mining, as well as climate change mitigation and adaptation programmes and conservation projects, may be implemented in Indigenous territories and protected areas only with the effective participation of Indigenous women, including full respect for their right to free, prior and informed consent and equitable benefit-sharing;**
- (d) **Increase Dalit women's representation at all levels of government, especially on policy-making bodies, constitutional bodies, foreign service and in the public service, monitor and investigate reports of caste-based discrimination and untouchability and apply a zero tolerance policy to discrimination against Dalit women in all areas of life.**

Women and girls with disabilities

48. The Committee notes the adoption of the Disability-Responsive Health Service Directives (2021). It is, however, concerned that women and girls with disabilities face intersecting forms of discrimination, stigmatization and gender-based violence in the State party, as well as significant barriers to access justice, education, employment, health services, and that they are excluded from political and public life. It is also concerned that women and girls with disabilities must undergo physical examinations, medical treatments and medication procedure, including forced sterilization, without their free and informed consent.

49. In line with the Committee's general recommendation No.18 (1991) on disabled women, and the recommendation of the Committee on the Rights of Persons with Disabilities of 2018 (CRPD/C/NPL/CO/1), the Committee recommends that the State party ensure that women and girls with disabilities are able to access justice, inclusive education, employment and health services, including sexual and reproductive health services, and that any examination or treatment can only be performed on them with their free and informed consent.

Climate change and disaster risk reduction

50. The Committee notes that the State party is severely impacted by climate change. It notes the State party's establishment of the National Disaster Risk Reduction and Management Authority (NDRRMA) in 2018, as well as the adoption of the Gender Equality, Disability and Social Inclusion Strategic Action Plan, and the National Adaptation Plan to integrate climate change adaptation into existing policies, strategies and plans. However, it is concerned that women, in particular rural women, indigenous women, migrant women, women with disabilities and women living in poverty, are disproportionately affected by climate change, landslides, floods and loss of biodiversity, as they often live in exposed areas and lack the necessary coping mechanisms to increase their climate change resilience.

51. The Committee recommends that, in line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the State party review its climate change and disaster response strategies, taking into account the negative effects of climate change on the livelihoods of women, especially rural women, and ensure that women are equally represented in the development, adoption and implementation of legislation, policies and programmes on climate change, disaster response and disaster risk reduction, by:

- (a) Collecting disaggregated data on the impact of climate change and natural disasters on women and girls;
- (b) Strengthening the implementation of the Gender Equality, Disability and Social Inclusion Strategic Action Plan and incorporating a gender perspective in climate change and disaster risk reduction legislation, policies, financing and programmes to build women's and girls' resilience and effective adaptation to climate change;
- (c) Increasing climate change and disaster risk management literacy and awareness among communities, women and girls, including rural women and women with disabilities, to empower them to demand their rights and effectively participate in climate change-related decision-making and the development of adaptation strategies and actions that build women's and girls' resilience to impacts of climate change;
- (d) Supporting women to ensure their active participation in the creation and operation of new funding arrangements for responding to environmental loss and damage, as decided during the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in 2022.

Marriage and family relations

52. The Committee notes with concern:

- (a) That despite article 79 of the Civil Code setting the minimum age of marriage at 20 years for both women and men, 33 per cent of girls in the State party marry before the age of 18, and that minors might face criminalization due to marriage;
- (b) State forced marriage expressed in article 74(1) of the Civil Code stating that if a woman bears a child she is automatically considered to be married, as well as its contradiction to the Amendment Act (2018) preventing automatic marriage if a man is already married;
- (c) That despite the prohibition of the practice of unilateral divorce (talaq) and dowry, these harmful practices persist, and that children are removed from maternal custody if the mother remarries;

(d) That despite the legal provisions ensuring equal inheritance rights for daughters and wives, customary practices and societal pressure prevent women, in particularly widows, single mothers and women and girls with disabilities, from claiming their heritance;

(e) The failure to amend article 67 of the Civil Code to recognize same-sex marriages or unions involving individuals identified as “others”, despite a precedent in one of the State party’s municipalities following an interim Supreme Court order;

(f) That women lose their family name and address upon marriage.

53. **Recalling its general recommendation No. 21 (1994) on equality in marriage and family relations and its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, and the joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No.18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:**

(a) **Harmonize the National Strategy on Ending Child Marriage (2015) with the National Action Plan for achieving the goal of ending child marriage by 2030, set the minimum age of marriage at 18 years for both girls and boys, as defined by the Convention on the Rights of the Child, accede to the 1962 Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages, and abolish criminalizing minors for under-age marriage;**

(b) **Repeal the provisions on automatic marriage to prevent forced marriage by the State and polygamy and adopt legislation to ensure men’s responsibility as fathers regardless of marital status;**

(c) **Ensure women’s equal rights in marriage and in divorce, including equal grounds and procedures for obtaining a divorce and equality in family property division; and effectively enforce the prohibition of forced divorce and of dowry, and provide awareness raising and education to general public against these practices, including by supporting relevant grass-roots CSOs;**

(d) **Ensure that custody decisions are taken based on the child’s best interest and that children are not removed from maternal custody only because the mother remarries;**

(e) **Enforce the legal provisions on inheritance and remove all practical obstacles for women to inherit, in particular widows, single mothers and women and girls with disabilities, including through awareness-raising measures and protection from intimidation, and training for the judiciary, including traditional justice actors, and judges of customary courts;**

(f) **Amend article 67 of the Civil Code to recognize same-sex marriages or unions involving individuals identified as “others”, and equalise their rights and duties to those of single-sex married couples;**

(g) **Ensure that married women may retain their family name and address.**

Amendment to article 20 (1) of the Convention

54. **The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

55. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

Dissemination

56. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language(s) of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the Parliament and the judiciary, to enable their full implementation.

Ratification of other treaties

57. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearances, to which it is not yet a party.

Follow-up to the concluding observations

58. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 35 (b) and 35 (c) on nationality, and 53 (c) and 53 (e) on marriage and family relations above.

Preparation of the next report

59. The Committee will establish and communicate the due date of the combined eighth and ninth periodic reports of the State party in line with a future clear and regularized schedule for reporting by States parties (see A/RES/79/165, para. 6) and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The next periodic reports should cover the entire period up to the time of its submission.

60. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.