



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**  
Forty-ninth session

**Summary record of the 989th meeting**

Held at Headquarters, New York, on Wednesday, 20 July 2011, at 10 a.m.

*Chair:* Ms. Ameline (Vice-Chair)

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Convention (*continued*)

*Combined fourth and fifth periodic reports of Nepal*

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*In the absence of the Chair, Ms. Ameline (Vice-Chair) took the chair.*

*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Combined fourth and fifth periodic reports of Nepal (CEDAW/NPL/4-5; CEDAW/NPL/Q/4-5 and CEDAW/NPL/Q/4-5/Add.1)*

1. *At the invitation of the Chair, the members of the delegation of Nepal took places at the Committee table.*

2. **Mr. Acharya** (Nepal), introducing the periodic report (CEDAW/NPL/4-5), said that the 2003 National Action Plan on the Convention, prepared in consultation with all stakeholders, had formed the basis of Nepal's reform initiatives. Its implementation was coordinated by the Ministry of Women, Children and Social Welfare.

3. Following the popular movement of April 2006, Nepal had undergone far-reaching political changes. Women's participation had been deemed indispensable to that unprecedented transformation, and accordingly, the House of Representatives had adopted a resolution in May 2006 calling for at least 33 per cent representation of women in all parts of the State structure. The Constituent Assembly had been among the first to abide by that minimum, and there was at least 33 per cent women's participation in local peace committees and community-based organizations.

4. The Interim Constitution of Nepal 2007 represented another major step forward, explicitly providing for an end to gender discrimination, for women's participation in all parts of the State machinery and for the first-ever explicit statement of women's fundamental rights.

5. The principles of the Convention had also found expression in Nepal's development policy, with the Government pursuing a policy of mainstreaming gender considerations in all sectors of development as well as encouraging women's presence at all levels of authority. Women's presence was visibly increasing, for example, in the civil service, the police and other institutions where it had been limited only a few years ago. The current Three-Year Plan (2010/11-2012/13) aimed to eliminate discrimination and violence of all types against women, envisaged their representation in the State apparatus passing the 33 per cent mark, and

emphasized the strengthening of gender mainstreaming in all aspects of development and governance. Continued advocacy of gender issues had led government ministries to craft sector-specific policies in response, the 2009 Gender Equality and Social Inclusion Policy of the Ministry of Local Development, for example.

6. At the decentralized level, the process was led by a broad-based mainstreaming committee chaired by the President of the District Development Committee and facilitated by the Women Development Officer.

7. It had been realized that the overall goal of achieving gender equality called for a comprehensive approach and widely shared ownership: the Ministry of Finance coordinated gender-responsive budgeting, the Ministry of General Administration took the lead in affirmative reforms, the Ministry of Law and Justice had initiated legal reform processes and the Ministries of Education and Health laid particular emphasis on women's empowerment in their areas of work.

8. Translating policies into practical programmes had been a Government priority. The Women Development Programme was aimed at an estimated 3.9 million rural women who had missed schooling or other opportunities for development in their early life. The Programme had proved to be effective in creating forums for participation and in fostering women-led microenterprises.

9. Part of the Government's strategy, initiated in 2007-2008, was to increase funding for focused programmes by way of gender-responsive budgeting. Of the total budgeted expenditure for fiscal year 2011-2012, 19 per cent would go directly to women-centred programmes and 45 per cent to more indirect gender-related programmes.

10. The Government had made it a priority to confront violence against women, declaring 2010 the Year against Gender-related Violence. A National Action Plan had been prepared; a Gender-based Violence Complaint Management and Monitoring Unit had been set up in the Office of the Prime Minister; women and children units had been created in district police offices and networks of safe houses had been established in 15 districts.

11. At the same time, anti-trafficking actions had been stepped up, including some to address domestic violence, which often increased vulnerability to

trafficking. Programmes to help vulnerable adolescent girls had been extended to remote rural areas, and rehabilitation centres for trafficking survivors had been established in eight districts of the country.

12. Between the 1991 and the 2001 censuses, Nepalese women's life expectancy had overtaken that of men, at 64.5 years. Maternal mortality had been reduced from 539 per 100,000 live births in 1996 to 281 in 2006. Gender parity had been achieved in primary education and gaps were closing, albeit slowly, in other areas, too. For example, in 2001, the overall literacy rate had been 53.7 per cent with a gap of 22.6 percentage points between male and female rates. In 2010, the overall rate had gone up to 63.7 per cent and the male-female gap had narrowed to 22.3 percentage points.

13. However, gender disparities in some development indicators were still a matter of concern. Even with temporary special measures, and despite some progress, women's representation in the Civil Service was only 13.29 per cent, indicating that much remained to be done to meet the 33 per cent target.

14. A lack of human and financial resources had impeded speedy progress in many efforts to end discrimination against women and to empower them. Nepal hoped that the constructive dialogue would contribute to a review of its own national progress and challenges and also encourage scaled-up support from the international community.

#### *Articles 1 to 6*

15. **Ms. Patten** asked what priority had been assigned to the repeal of article 9 of the Constitution, which precluded a woman from passing Nepalese nationality to a child or a foreign spouse. She also inquired as to a time frame for adoption of the new Constitution, currently under review, and for repeal of the large number of discriminatory provisions remaining in Nepalese law.

16. Turning to the issue of Dalit women, she asked what measures were envisaged by the Government to make their rights a reality, to allow them equal access to education, health and employment and to outlaw caste-based discrimination.

17. Referring to reports received of attacks, including sexual violence, perpetrated by army and police personnel against Tibetan women crossing the border into Nepal, she asked what measures had been taken

against the perpetrators. Recalling the principle of non-refoulement, she urged the Government to refrain from deporting Tibetan women to China.

18. **Ms. Šimonović**, referring to the ranking of international treaties in the Nepalese legal system, asked if they had the same legal status as the Constitution, were equal to laws, or had a standing higher than laws. She also asked if they would be directly applicable.

19. It was unclear whether the principle of gender equality, as required under article 2, was embodied in, for example, the Act to Amend Some Nepalese Acts to Maintain Gender Equality 2006, or, if not, whether Nepal was considering a provision to that effect in the new Constitution. She requested clarification whether current Nepalese law outlawed both direct and indirect discrimination, as well as discrimination in all fields of life by all State and non-State actors. She also asked about the scope of the corresponding provision in the new Constitution.

20. **Ms. Schulz**, echoing the concerns expressed on the issue of Tibetan refugees, asked whether the Nepalese Government might consider ratifying the Convention relating to the Status of Refugees.

21. If the legal system did not afford mechanisms for redress against discrimination, including compensation, she would like to know when and how the State party planned to include such mechanisms.

22. She asked what measures the State party had adopted to address the issue of multiple discrimination, in other words additional discrimination on such grounds as ethnic origin, position in the caste system, religion, sexual orientation or other such personal factors, over and above gender discrimination. It would be helpful to hear the Government's plans to address discrimination relating to the right to food, given that more women than men suffered hunger owing to their secondary status in society.

23. **Ms. Arocha Dominguez** asked what was the main instrument of the Ministry of Women, Children and Social Welfare for its work towards the advancement of women, and what aspects could in some sense be regarded as collateral or complementary.

24. Secondly, she asked for clarification of the very complex structure of the Ministry, including which entity within it dealt specifically with women's issues,

its composition in terms of human resources and the funding available to it.

25. She asked how coordination was arranged between the sectoral ministries. She understood that in every ministry there was a gender focal person, but would like to hear more about their coordination and accountability for the implementation and results of sectoral policies.

26. Noting that paragraph 18 of the report stated that training on gender, reproductive health and social inclusion had been given to most female staff in the various ministries, she asked why such training had been received only by women and not the men who decided the policies.

27. She sought clarification of the reasons for the statement in paragraph 6 of the responses to the list of issues and questions (CEDAW/C/NPL/Q/4-5/Add.1) that the Government considered it premature to express a commitment concerning the constitutional status of the National Women Commission.

28. **Mr. Acharya** (Nepal), referring to the discriminatory treatment of women in the area of nationality, said that the matter of nationality was dealt with in the Constitution itself. As its redrafting was still under way, the matter was under the active consideration of the various committees involved in the process, the aim being to achieve a resolution by the time the new Constitution was completed.

29. With reference to discriminatory provisions in the law, he explained that a high-level committee had been established in order to ensure that such provisions were eliminated not only at the constitutional level but also removed from all legal instruments at lower levels. Following the examination by the high-level committee, the Act to Amend Some Nepal Acts to Maintain Gender Equality had been promulgated in September 2006, amending or repealing a total of 65 provisions in various laws that had been found discriminatory.

30. He was surprised at the questions relating to women refugees, as he had never seen any reports of sexual harassment. Nepal had been providing humanitarian shelter to refugees, and had not sent anyone back to their country of origin. Refugees were not forced into camps, and if they were accommodated in camps they were free to come and go as they wished.

31. **Mr. Kedar Poudyal** (Nepal) explained that Nepal was not only in the process of framing a new democratic constitution which would be consistent with the principle of equality, but was also engaged in modernizing and codifying its legal system, in line with international standards; all components of the system were under consideration.

32. In addition to the amendments to discriminatory laws already described and those still to be completed, the Government also increased the penalties for certain offences against women, such as marital rape. A law against sexual harassment in the workplace had been created in 2010, as well as one to make the public service inclusive and open to all men and women. Caste-based discrimination had been outlawed in 2010.

33. **Ms. Sharma** (Nepal) addressed the issue of discrimination in access to health, in particular with reference to Dalit women. The Ministry of Health had incorporated the Gender Equality and Social Inclusion Strategy into its five-year plan which had commenced in 2010. The budget for the coming year, approved a week earlier, included special provisions for remote communities and marginalized groups.

34. With reference to the right to food, she said that pregnant women and children were provided with micronutrient supplementation. As a result of the iron distribution programme, anaemia prevalence had been significantly reduced, as measured by a demographic survey covering the years 1996-2006. An ongoing special programme to provide food to pregnant women and children in food-deprived zones had been started in 2010. A deworming programme was also a part of routine antenatal care to reduce nutritional deprivation.

35. A major study had been carried out to identify specific areas that needed further effective action. As a result, the relevant sectoral ministries were each developing specific programmes, as well as strengthening national collaborative efforts.

36. **Mr. Pokhrel** (Nepal), responding to the question about the structure of the Ministry, described it as having three tiers. The top level was the Ministry itself. Under that came the Women and Children Department and at the district level there were 75 Women Development Offices. It should be noted that the Ministry of Women, Children and Social Welfare was very small, with a staff of about 1,000.

37. Training was basically provided by a training centre, which, however, came under the Ministry of Local Development, rather than the Ministry of Women, Children and Social Welfare. It covered such areas as skills development and training in the use of microcredit and saving schemes. Gender mainstreaming and social inclusion were handled under an advocacy-based programme, implemented by the district Women Development Offices. The Department was responsible for overseeing those programmes, with the role of the Ministry being formulation of policy and central budgeting. The National Planning Commission had the role of coordinating the activity of the various line ministries, while the Finance Ministry was responsible for the allocation of resources.

38. **Mr. Acharya** (Nepal) clarified that while the figure of 2 billion rupees was the direct budget for the Ministry of Women, Children and Social Welfare there were many more gender-related programmes operated by different ministries, totalling about 68 billion rupees, or \$1 billion. A budget of 73 billion rupees had been presented for 2011.

39. With regard to the status of international treaties, Nepal's Treaty Act stipulated that a ratified treaty had the same standing as a national law.

40. With regard to the questions raised about multiple discrimination, he explained that the Government tried to see the whole picture and take account of the various forms of discrimination — sexual, religious, ethnic, and so on — that women might be facing. Thus, there were multiple interventions to deal with multiple discrimination.

41. With regard to the questions about coordination between different ministries, he confirmed that while there were many different programmes being operated by the sectoral ministries, the gender focal persons in the various ministries communicated with one another for a first level of coordination, and with the Ministry of Women, Children and Social Welfare to achieve overall coordination. Training on gender issues was given to both men and women. It would be restricted to women only in cases where the issue at hand was truly of concern only to them.

42. **Ms. Schulz** asked whether affirmative action programmes were systematically monitored and evaluated, and modified as necessary in the light of the results of the evaluations. She sought comment on information received by the Committee to the effect

that many of the measures described in the report as being operational were not, in fact, being implemented.

43. She asked whether Nepal planned to adopt permanently certain of the temporary special measures that it had introduced that had proved successful. For instance, she wondered whether Nepal planned to keep the quota rule for women in parliament as a permanent feature, and if so, what the quota would be.

44. Referring to the profound inequality in land and home ownership, she asked whether Nepal planned to go beyond the only concrete measure she had found thus far, namely the 25 per cent discount on land registration fees for women. Considering the imbalance in the ownership of land and the high risk of women facing hunger, a plan for distribution of land to women might be an efficient way of addressing both the right to food and the right to equal treatment.

45. She had listened to the explanations given, but still did not clearly understand how Nepal was addressing the multiple discrimination confronting specific groups of women.

46. **Ms. Awori** asked what awareness-raising campaigns were undertaken or planned, since many women, particularly rural women, were unaware of their rights and thus unaware that the discrimination, customary practices and prejudices to which they were subjected were illegal.

47. She sought clarification of the assertion in section 8 of the responses to the list of issues and questions that bills tabled to amend various legal codes “contain adequate measures for the protection of victims and abolishment of harmful traditional practices, such as dowry system, child marriage, discrimination against widows, polygamy and witchcraft”. In particular, she asked for information on the content of those bills and how they would protect women from such practices. She also inquired as to the progress of the bills in the legislative process and the time frame for completion.

48. **Ms. Patten** asked what measures had been taken by the Government to act against rape and other forms of gender-based violence, counter impunity and strengthen accountability. She would particularly like to hear what measures had been taken immediately after the signing of the 2006 peace agreement to enable women to lodge complaints about violence suffered during the recent conflict, and to seek remedies

through competent tribunals. She asked what efforts had been undertaken to strengthen national capacity and institutions, including the capacity of the judicial system to collect evidence for prosecution of perpetrators, or the capacity of the relevant departments to provide basic health services, maternal care and psychological or social counselling.

49. She also wished to know what specific measures had been taken by the Government to ensure that internally displaced persons and refugees under its jurisdiction were protected from all forms of sexual violence.

50. **Ms. Gabr** asked whether the Government would be taking any measures to eliminate the patriarchal value system which remained deeply entrenched in the social and cultural structure of Nepalese society, and the stereotypes about women which were perpetuated in the media and in school textbooks.

51. Turning to trafficking, she asked whether Nepal might consider becoming a signatory to the Palermo Protocol, and if national machinery might be set up to deal with the issue of trafficking and to coordinate related national activities. It might also be useful to develop a programme to teach migrant women workers to be aware of their rights, to warn them about the dangers of trafficking and to prepare them to avoid those dangers. That was an important issue in Nepal because every month some 30,000 Nepalese emigrated in search of work. Officially not many were women; unofficial estimates put the proportion of women as high as 30 per cent. She asked whether Nepal might become a signatory to the new convention of the International Labour Organization on domestic workers.

52. **Ms. Awori** asked whether Nepal had taken any specific steps to develop a reliable data-collection system with respect to trafficking and prostitution, something that the responses to the list of issues and questions had acknowledged as lacking. While Nepal had provided comprehensive information on the provisions of the Human Trafficking and Transportation (Control) Act of 2007, ensuring effective implementation of the Act and others like it was of paramount importance.

53. Noting that under section 18 of the responses to the list of issues and questions, the State party had denied any possible involvement of Government officials in trafficking, or of their part ownership of

bars and similar establishments that facilitated trafficking for the purposes of sexual exploitation, she asked whether the State party intended to take any measures to investigate such allegations and take appropriate action.

54. **Mr. Acharya** (Nepal) said temporary special measures were already in place in a number of sectors, including education, law and politics, to accelerate de facto equality between men and women; awareness-raising campaigns would ensure continued progress towards such equality. Ownership of land by women had reportedly increased three-fold over the previous six years. The Government had also developed specific programmes to address multiple discrimination in the most remote regions and for the least represented ethnic communities. Some programmes had not been fully implemented in rural areas owing to shortage of resources. Changes had already been observed, nevertheless, especially with regard to harmful traditional practices such as polygamy, and the State had begun prosecuting abuses. The existence of a free and inclusive media had contributed to raising awareness among women about their rights, including in rural areas.

55. Turning to the issue of sexual violence, he said that Nepal had declared 2010 as the year to end gender-based violence: accordingly, many initiatives had been carried out, including the provision of counselling for victims of sexual violence, in which the National Commission on Women had been particularly involved. The Government continued to examine draft legislation to guarantee the empowerment of women and to prevent discrimination.

56. **Mr. Ghimere** (Nepal) said that Nepal had a zero tolerance policy with regard to violence against women. To address the issues at the core of gender-based violence, the Government had adopted an action plan establishing various committees that comprised representatives of ministries, parliament and civil society. A joint coordination committee had been set up to monitor implementation of the action plan. A newly established central unit for the management of gender-based violence had already received a number of complaints. The unit aimed to facilitate resolution of issues relating to gender-based violence and was in no way designed to substitute for the relevant legal authorities in prosecuting related offences. There were 110 cells designated for women and children in police stations throughout the country; in addition, eight rehabilitation centres had been built for trafficking

victims, 250 of which had already availed themselves of the centres' services. The Government planned to build similar centres in all 75 administrative districts.

57. Pursuant to the 2008 Human Trafficking (Control and Punishment) Act and the 2009 Domestic Violence (Offence and Punishment) Act, the Government had established centres in 15 districts to provide care to victims of violence. Thus far, some 990 women had benefited from such services. In 2010, a fund for the prevention of gender-based violence had been established to provide rehabilitation services, including counselling, to victims. With regard to gender-based discrimination, the Government had recently passed a law that provided for compensation of victims of gender-based discrimination.

58. **Mr. Pokhrel** (Nepal) said that the draft legislation on the abolition of harmful traditional practices and on the protection of victims of such practices was being finalized by the Government and was expected to be adopted shortly. Nepal had taken a number of steps to promote gender equality, including quota systems, institutional measures and awareness-raising campaigns. Women were ensured 33 per cent representation in all Government sectors. Furthermore, legislation provided for women's involvement in budgeting and planning processes. In addition to the National Commission on Women, which had been established to enhance protection of women's rights, there was a women's parliament caucus group, which considered all draft legislation with regard to women's issues.

59. **Mr. Acharya** (Nepal) said that rape had never been used as a weapon during the conflict in Nepal. As for internally displaced persons and refugees, while there might be individual cases, no systemic sexual violence had been identified. The Government stood ready to respond to specific complaints.

60. Trafficking continued to be a major challenge for Nepal. The Government had made a number of institutional and policy changes and worked with NGOs regularly to implement effective measures. Trafficking was all the more difficult to deal with as it was bound up with other important issues, such as poverty and lack of education.

61. **Mr. Hari Poudyal** (Nepal) said that the Government had taken a number of steps to address the issue of human trafficking, including establishing a district-level committee responsible for overseeing all

anti-trafficking measures and adopting the 2008 Human Trafficking (Control and Punishment) Act. The Supreme Court had also issued directives the goal of which was to combat the sexual exploitation of women and children. In 2010 alone, six regional training seminars on counter-trafficking had been held in various districts. An initiative to improve the national action plan on trafficking had led to the holding of five regional seminars in 2011. Lastly, eight rehabilitation centres for trafficking victims had been set up with the help of NGOs.

62. **Mr. Acharya** (Nepal) said that Nepal was cooperating with other countries on a regional level, as well as with international agencies, NGOs and community-based organizations, to deal with trafficking and its cross-border implications. Turning to the question on the involvement of business persons and police officers in the operation of dance bars to facilitate trafficking, he said the Government had dealt with one or two cases involving junior-level police officers, but there was no evidence of a systemic problem. In fact, a chief district officer headed a committee comprised of officers and NGO representatives who were responsible for surveillance of venues such as dance bars, in accordance with the directives of the Supreme Court. Perpetrators of trafficking offences faced up to 20 years' imprisonment. A compensation mechanism also existed for trafficking victims.

63. On the question of migrant workers, he said that all women leaving Nepal to work abroad were given prior training. The Government strove to gather as much information as possible regarding women migrant workers, but such data collection remained a major challenge. Where discriminatory practices were identified, rehabilitation measures were in place and specific instructions had been given to rehabilitation centres on dealing with migrant workers.

64. **Ms. Šimonović** said that the status of international treaties in Nepal's new Constitution should be clarified. In addition, the delegation should indicate whether specific reference to the principle of equality between men and women and to prohibition of discrimination would be made in the Constitution. She asked whether cases of rape during the war would be subject to the 90-day statute of limitation that existed for the reporting and prosecution of rape in general.

65. **Ms. Murillo de la Vega**, while commending Nepal on its establishment of various committees to raise awareness on gender-based violence, said she regretted the lack of information in the periodic report regarding the number of convictions for offences related to such violence. Turning to the issue of trafficking, she said the Committee had received information that some 33,000 women had disappeared without leaving any trace of their whereabouts; details on that situation would be appreciated. The delegation should also specify the measures in place for prosecuting persons and networks suspected of trafficking, as well as the number of trafficking-related convictions.

66. **Ms. Rasekh** said that Nepal's creation of committees and adoption of action plans to combat violence against women was praiseworthy; however, no real progress would be achieved unless the Government demanded accountability from those committees and provided them with adequate resources and leadership. It was especially important to do so before the new Constitution was finalized, in order to ensure implementation of the Convention and women's rights.

67. **Ms. Patten** said that it was difficult to understand why the delegation could not provide a definitive answer as to the inclusion of discriminatory article 9 in the new Constitution, the drafting of which was well under way. Referring to the delegation's comment that there was no information on systemic sexual violence with regard to internally displaced persons and refugees, she enquired about any pending investigations into individual cases of such violence. It would also be useful to learn whether women in those situations were encouraged to report sexual violence.

68. **Ms. Schulz** enquired as to any distinction between protection from discrimination by the State and discrimination by non-State actors. It would also be useful to learn whether the Government had plans to modify legislation referring to natural and non-natural acts or, at the very least, to regulate the potential interpretations of such legislation.

69. **Ms. Gabr** said that she would appreciate an answer to her question on Nepal's plans to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the new Convention concerning Decent Work for Domestic Workers of the International Labour Organization; the latter Convention was

especially important given the number of Nepalese migrant workers.

70. **Mr. Acharya** (Nepal) said that the law in Nepal already provided for the implementation of international treaties as if they were domestic law. There was therefore no need to refer to the status of international treaties in the new Constitution. As for the principle of equality between men and women, the interim Constitution had a section devoted to the equality of women with men and while he could not say for certain whether the new Constitution would feature a similar section, it seemed very likely. Likewise, article 9 of the Constitution was still under consideration by the relevant parliamentary committees. On the question of gender-based violence, while he agreed that the ultimate impact on the ground should be the absolute priority, he said that the implementation process, including the establishment of relevant committees, was also of paramount importance.

71. The law provided for protection against discrimination from both State and non-State actors. The lesbian, gay, bisexual and transgender community also benefited from anti-discrimination legislation, even if it was not named specifically. Lastly, he said that the Government had begun discussing the Convention concerning Decent Work for Domestic Workers and would seek a multi-stakeholder approach to consider its specific provisions.

72. **Mr. Pokhrel** (Nepal) said that Nepal was making efforts to establish a sound data-collection system. Because data from police units was unreliable, the Government hoped instead to use data collected during the 2011 census. Many ministries were already involved in developing indicators and data collection systems specifically for trafficking in women.

73. **Mr. Hari Poudyal** said that the number of cases of human trafficking filed in the district courts in fiscal years 2006/07, 2007/08, 2008/09 and 2009/10, respectively, was 119, 120, 110 and 152. The conviction rate over the same period had fluctuated between 70.27 per cent and 59.42 per cent. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children was in the process of being ratified.

74. **Mr. Kedar Poudyal** said that Nepal was fully aware of its obligations to implement the international treaties to which it was a party and to develop its legal system in accordance with international standards. Accordingly, current legal reforms took as their basis

the principles of equality and non-discrimination. Nepal was committed to promoting the rights of minorities, including gender minorities, and to implementing non-discrimination laws. Any person, regardless of gender, was entitled to obtain citizenship. Nepal had adopted a national action plan to facilitate implementation of the universal periodic review recommendations. One of the initiatives under the plan was to develop policies and legislation relating to the lesbian, gay, bisexual and transgender community and to ensure enforcement of the Supreme Court judgement on citizenship rights of gender minorities. Lastly, the Ministry of Law and Justice had recommended that the Government should ratify the new Convention concerning Decent Work for Domestic Workers; it was hoped the Government would do so shortly.

75. **Mr. Acharya** (Nepal) said that the alleged disappearance of 33,000 women referred to by a Committee expert was probably linked to a poorly conducted census in 2001, in which heads of household sometimes claimed family members were absent if they preferred not to give their whereabouts. There could be many reasons, however, for women and girls not to be at home, and their absence did not necessarily mean they were being trafficked. The latest census was an improvement on the previous one, having been formulated in such a way as to collect comprehensive information from every household. The Government thus would have more specific, disaggregated data in the future. Generally, it was making institutional reforms and working with NGOs and law enforcement officials to rectify the lack of statistics on trafficking and prostitution.

#### *Articles 7 to 9*

76. **Ms. Šimonović** said that women's participation in politics was of special importance in post-conflict situations. Noting that a quota system had led to a significant increase in the number of women parliamentarians in 2011, she asked why there had been a decline in the number of women in Government positions overall since 2008. Additional information on the measures taken by Nepal to secure higher representation for women in the judiciary and the Supreme Court would be appreciated. She would also like more information on the situation of indigenous women in politics and whether the State was considering a quota system for them. Lastly, it would be useful to learn what steps the Government was

considering to achieve the participation of women in all the areas covered in Security Council resolution 1325 (2000).

77. **Ms. Bareiro-Bobadilla** requested further information on the quota system for political parties, as well as any other measures developed to foster women's leadership. Noting not only that the current Minister of Women, Children and Social Welfare was a man, but that the overwhelming majority of the members of the delegation were also men, she asked how many women ministers and women ambassadors Nepal had.

78. **Ms. Belmihoub-Zerdani**, praising the Nepalese Government for its quota system for parliamentarians and for having ratified the Convention without reservations, said that she would like more information on the Dalit and Badi women, including whether they were represented in the 30 per cent quota for women parliamentarians. Additional data on the number of women, if any, working in the national human rights institution, having been appointed as judges or having responsibilities in local government would also be appreciated.

79. **Ms. Hayashi** commended Nepal on the progress made since its last constructive dialogue with the Committee and on its ratification of the Optional Protocol to the Convention. She nevertheless expressed concern at a draft provision of the new Constitution, which stated that citizenship would be granted only if both parents had Nepalese citizenship. As the vast majority of children born in Nepal of mixed marriages would not be granted Nepalese citizenship automatically, they were at risk of becoming stateless, since naturalization remained a matter of State discretion. In that connection, the delegation should indicate how many children had been granted naturalization under the new Citizenship Act.

80. Noting that in 2007 the Ministry of Foreign Affairs had distributed citizen certificates to qualified persons, she said that thousands of people nevertheless remained without key documents. According to alternative sources, moreover, a married woman had to obtain the consent of her husband or of his family before applying for a citizenship certificate. The delegation should explain how it planned to ensure the effective access of foreign women to citizenship.

81. **Mr. Acharya** (Nepal) expressed surprise at the alleged decline in the number of women in Government

positions since 2008. Nepal had, on the contrary, been doing all it could to increase the percentage of women in all sectors, including in traditionally male-dominated ones like law enforcement or the military. Regarding reservations, he said that the reservation adopted for women provided for women to compete with each other for posts; within that reservation, there was also a quota for indigenous women. Women could compete with men for non-reserved posts as well.

*The meeting rose at 1 p.m.*