



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

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**Committee on the Elimination of Discrimination  
against Women**

**Seventh periodic report submitted by Nepal under article 18  
of the Convention, due in 2022\*\*\***

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\* The present document is being issued without formal editing.

\*\* The annexes to the present document may be accessed from the web page of the Committee.



**Acronyms**

ANMs	Auxiliary Nurse Midwives
ASRH	Adolescent and Sexual Reproductive Health
BC	Birthing Centre
BPfA	Beijing Platform for Action
CAFS	Climate Change Adaptation for Food Security
CBS	Central Bureau of Statistics
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEONC	Comprehensive Emergency Obstetric and Newborn Care
CFUG	Community Forest User Groups
CRC	Committee on the Rights of the Child
CTEVT	Council for Technical Education and Vocational Training
DoNIDCR	Department of National Identity and Civil Registration
DRR	Disaster Risk Reduction
FCHV	Female Community Health Volunteer(s)
FY	Fiscal Year
GBV	Gender-Based Violence
GDI	Gender Development Index
GESI	Gender Equality and Social Inclusion
GoN	Government of Nepal
GRB	Gender-Responsive Budgeting
GSP	Girls' Scholarship Programme
HDI	Human Development Index
IMNCI	Integrated Management of Neonatal and Childhood Illness
IPGBVPR	Integrated Platform for Gender-Based Violence Prevention and Response
JC	Judicial Committee
LNOB	Leaving No One Behind
MEDPA	Micro-Enterprise Development for Poverty Alleviation
MICS	Multiple Indicator Cluster Survey
MoHP	Ministry of Health and Population
MoU	Memorandum of Understanding
MoWCSC	Ministry of Women, Children and Senior Citizens
MRC	Migrant Resource Centre
MSNP	Multi-Sector Nutritional Plan

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MTEF	Mid-Term Expenditure Framework
NDHS	Nepal Demographic and Health Survey
NGOs	Non-Governmental Organizations
NHRC	National Human Rights Commission
NPA	National Plan of Action
NPC	National Planning Commission
NPHC	National Population and Housing Census
NSDS	National Strategy for the Development of Statistics
NSO	National Statistics Office
NWC	National Women Commission
OAG	Office of the Attorney General
OCMC	One-Stop Crisis Management Centre
PLGSP	Provincial and Local Governance Support Program
RH	Reproductive Health
Rs.	Rupees
SAARC	South Asian Association for Regional Cooperation
SC	Supreme Court
SDGs	Sustainable Development Goals
UNDP	United Nations Development Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNICEF	United Nations Children's Fund
VAWG	Violence Against Women and Girls

## Introduction

1. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has been the prime source of inspiration for achieving gender equality at the national and sub-national levels. Nepal has adopted gender-transformative approaches in a targeted and integrated manner to make substantial, meaningful changes toward achieving gender equality.
2. The Constitution of Nepal, (2015) represents the country's efforts towards becoming a more inclusive society, which includes the transition from a unitary to a federalist system of governance. This has resulted in notable changes in the legal frameworks and institutional mechanisms for achieving gender equality and the empowerment of women and girls in line with the CEDAW Convention, the Beijing Declaration and Platform for Action (BPfA) and the Sustainable Development Goals (SDGs).
3. Inspired by its new federal Constitution of Nepal, Nepal is heading towards realizing gender equality, women's rights and non-discrimination based on effective enforcement of relevant policies, legal frameworks and institutional arrangements. Nepal has made strong commitments to advancing gender equality and eliminating all forms of discrimination, including those based on caste, ethnicity, disability, region, sexual orientation and gender identity.
4. This is the Seventh Periodic Report of Nepal, which describes the status of implementing CEDAW since the submission of its Sixth Periodic Report, i.e. from 2017–2022. The Ministry of Women, Children, and Senior Citizen (MoWCSC) has led the report development process in a participatory and consultative manner, engaging key relevant agencies of the government and civil society.
5. This report features Nepal's responses to the CEDAW Committee's comments and concluding observations, new developments in the implementation of the Convention during the period of reporting and the way forward, outlining the government's firm commitments ahead.

## Part I

### Development towards implementing concluding observations and recommendations

#### Responses to principal areas of concluding observations and recommendations

6. The report has been prepared in close coordination and collaboration with the relevant agencies of the government, concerned stakeholders and civil society organizations (CSOs).

#### Sustainable Development Goals (*para 6*)

7. The Government of Nepal (GoN) has formulated and put into implementation the 'Roadmap to Goal 5 of Sustainable Development Goals (SDGs) 2030.' The monitoring framework of the Roadmap has been aligned and the National SDG indicators have been updated with the national, province and local level plan towards capturing the spirit of "leaving no one behind" (LNOB). As the lead agency, the National Planning Commission (NPC) has set up a National SDG platform to track the progress of the government's SDG implementation.

### **Parliament (*para 7*)**

8. According to Article 53 of The Constitution of Nepal, (2015) the GoN has to submit an annual report regarding the steps taken and achievements made in the implementation of the directive principles, policies and obligations which is presented before the federal parliament. Such report also includes the implementation progress issues related to women's and children's rights. The Women and Social affairs committee of the House of Representatives monitor and evaluates the task performed by the GoN including the implementation of the CEDAW. The committee conducts regular meetings with the MoWCSC regarding the task being carried out related to women's and children's rights.

## **Principal areas of concern and recommendations**

### **Constitutional and legislative framework and discriminatory laws (*para 8 and 9*)**

9. In accordance with the constitutional lineage of non-discrimination and protection of women's rights, the GoN has made considerable efforts to amend discriminatory laws in line with the spirit of the Convention.

10. Article 18 on the Right to Equality, Article 38 on the Rights of Women, Articles 40 (7) on the Rights of Dalit Women, 42 on the Rights to Social Justice, 43 on the Right to Social Security and 51 (j) (1) & (2) on Policies of the State of The Constitution of Nepal, specifically address the intersecting and multiple forms of discrimination against women and girls based on caste, class and ethnicity.

11. Sections 17, 18 and 19 in Chapter 3 of the National Civil Code (Act), 2017 (hereafter referred to as "Civil Code") ensure the equality of all citizens, the right against discrimination and positive discrimination/affirmative action respectively. Section 19 outlines special legal measures to protect, empower and develop Nepali citizens, including socially or culturally backward women, Dalits, indigenous people, indigenous nationalities, Madhesi, Tharu, Muslims, oppressed economic classes, backward classes, minorities, marginalized people, peasants, workers, youth, children, senior citizens, gender and sexual minorities, persons with disabilities, pregnant women, people from backward regions and economically indigent Khas Arya.

12. The Enforcement of the National Penal Code, 2017 (herein after referred to as "Penal Code") criminalizes all forms of discrimination and reinforces positive discrimination/affirmative action on grounds of achieving substantive equality. Section 160 reads "Except as otherwise provided by laws, no authority who exercises power under law shall in the exercise of such power or general laws make a discriminatory treatment against any citizen on the grounds of origin, religion, colour, race, sex, caste, tribe, physical condition, disability, condition of health, marital status, pregnancy, economic condition, language or region, ideology or on similar other grounds." whoever commits such an offense shall be liable to either an imprisonment term not exceeding three years, a fine of Rs.30,000 or both.

13. Section 6 (2) of the Local Level Election Act, 2017 reserves seats for Dalit women and two other seats for women from each political party to be elected at the Rural Municipality and Municipality Ward Committees. The Caste-Based Discrimination and Untouchability (Offence and Punishment) Act, 2011; The Tharu Commission Act, 2017; and The Indigenous Nationalities Commission Act, 2017 all work towards addressing intersecting forms of discrimination against women. Sections 10A (b), (d), (e) and (f) of the Scholarship Related Regulations, 2003 provide

a special scholarship quota for women, indigenous people, Dalits and people residing in backward geographic areas.

14. The GoN has formulated the National Gender Equality Policy, 2021 and put it into force to guide the institutionalization of gender-responsive governance through legislative and developmental systems to achieve gender equality in all spheres. This policy has envisioned the constitutional state's policy in the 15th Periodic Plan of Nepal.

15. The Supreme Court of Nepal has referenced CEDAW provisions in some landmark decisions to ensure gender justice and establish the rights of women, constitutionally and legally.

#### **Access to justice (*para 10 and 11*)**

16. Article 20 (10) of The Constitution of Nepal ensures citizens the right to free legal aid in accordance with the law. The Legal Aid Act, 1997, is the main law that provides free legal aid to indigent persons, and it has been amended to comply with constitutional provisions and for effective enforcement. In addition to this, the Human Trafficking and Transportation (Control) Act, 2007 and the Domestic Violence (Offence and Punishment) Act, 2009 ensures free legal aid to victims. To further enhance the free legal aid system, the Ministry of Law, Justice and Parliamentary Affairs has implemented a comprehensive free legal aid policy to reform the delivery system of free legal aid.

17. Article 21 of The Constitution of Nepal outlines the rights of crime victims. An Act to Amend Some Nepal Acts for Maintaining Gender Equality and Elimination of Gender Based Violence, 2015 improved access to justice for women. Furthermore, Section 10 of the Sexual Harassment at Workplace (Prevention) Act, 2014 protects a woman's right to lodge a complaint at the District Administration Office against anyone who harasses at the workplace.

18. Article 217 of The Constitution of Nepal sets up a Judicial Committee (JC) in all 753 local levels; these committees are considered an integral part of the local governance system. To execute this provision, Sections 47 and 48 of the Local Government Operation Act, 2017 outline jurisdiction and procedures for the JCs at the local level.

19. To improve access to justice for victims of gender-based violence (GBV) in Nepal, there are several laws and policies in place, including The Legal Aid Act, 1997; The Domestic Violence (Offense and Punishment) Act, 2009; The Human Trafficking and Transportation (Control) Act, 2007; The Libel and Slander Act, 1959; the Social Practices (Reform) Act, 1976; The National Women Commission Act, 2017; The Citizenship Act 2006; The Penal Code; and An Act to Amend Some Nepal Acts for Maintaining Gender Equality and Elimination of Gender Based Violence, 2015 and many others. Other relevant laws have established institutional arrangements to further improve access to justice.

20. The District Court Rules, 2018 provide a legal basis for continuous hearing cases related to GBV. The Supreme Court has also been implementing several programmes to increase the capacity of relevant court officials to receive continuous hearings.

21. The Ministry of Law, Justice and Parliamentary Affairs has implemented the Enhancing Access to Justice through Institutional Reform Project (A2J) to reform Nepal's existing legal aid system, with a focus on enhancing access to justice at the local level. The project has given integrated legal aid services to 50,000 people and 120 Judicial Committees of the local governments in 12 districts of three provinces.

22. The National Women Commission (NWC) has been given the specific responsibility of handling cases related to GBV. Within the new federal governance system, the Local Government Operations Act, 2017 is being enforced to make the local level more powerful and accountable for protecting and promoting the rights of women and girls.

23. The Office of the Attorney General has established victim-friendly rooms in 58 of its district offices (out of 77), which each include focal persons. The Nepal Police have been continuously making efforts to increase victim's access to policing services through the Women, Children and Senior Citizen Directorate as well as 232 Women and Children Service Centres at the national, provincial and local levels.

24. Several outreach mechanisms currently exist under the judiciary. An integrated legal aid policy, pro-bono guidelines and the provision of a court-paid lawyer and various commissions, including the NWC, Dalit Commission and other NGOs, are also jointly working on strengthening access to justice.

25. The National Judicial Academy conducts regular training programmes on gender justice and access to justice among judges and law enforcement officials. Similarly, Nepal Administrative Staff College conducts regular training programmes on gender and development among government and public sector officials. Structurally, Nepal Army also has developed its capacity on gender issues, prevention of Gender Based Violence (GBV) and Women, Peace and Security (WPS). Primarily, The Directorate of Human Rights and Birendra Peace Operations Training Centre train Nepali Army Personnel on the above mentioned subjects.

#### **National machinery for the advancement of women (*para 12 and 13*)**

26. The NWC has been working independently and competently with enhanced roles and responsibilities, including strengthening its structural, financial and human resource capacity. The Chairperson and four Members of the NWC have been appointed and all of them are women.

27. The GoN has adopted and is implementing the *National Gender Equality Policy, 2021*. The MoWCSC, as a national steering and coordinating agency, has been delivering capacity development initiatives for the Gender Focal Units of different ministries, in an effort to implement the policy. Also, interaction program have been organized at province and local levels to ensure their effective implementation.

28. The Ministry of Finance has institutionalized the *Gender-Responsive Budget Committee*, which is entrusted to execute the *Gender-Responsive Budget Formulation Guidelines*. The Ministry also issued a *Model Guideline for a Gender-Responsive Budget* for the province and local levels.

#### **Civil society organizations and national human rights institutions (*para 14 and 15*)**

29. Nepal's civil society organizations (CSOs) have played a significant role in the country's social transformation over the past three decades. These CSOs, along with various NGOs and INGOs, work in collaboration with government institutions and the media to establish stronger links between policy and implementation. As of September 2022, a total of 230 INGOs and 54,035 NGOs affiliated with the Social Welfare Council were working in Nepal.

30. Nepal's CSOs have made a significant contribution in maintaining social welfare, community development, environmental sustainability, skills and livelihood development, micro-credit, health and sanitation, human rights and inclusion among gender and minority groups, citizen empowerment and public awareness raising, to name a few. In addition to this, Nepal's CSOs primarily work in service delivery roles

that benefit communities and individuals who are often isolated and excluded; they also provide technical skills and expertise to these groups and have promoted a range of social accountability approaches.

31. The GoN publishes the draft policies on government websites, seeking consultation and input from CSOs and the National Human Rights Commission (NHRC). The GoN also organizes dialogues and focus group discussions with these concerned groups while drafting policies.

32. The NHRC, being an independent and autonomous body of the government, plays a leading role in ensuring the protection and promotion of Human Rights and advising the government on the formulation and execution of human rights.

### **Temporary special measures (para 16 and 17)**

33. The Constitution of Nepal ensures inclusive representation in national structures, including elected bodies at the federal, province and local levels.

34. Several laws ensure women's mandatory representation in all levels of elected bodies (at a minimum of 33 per cent). To make Nepal's civil service more inclusive, *Civil Service Act, 1993*, has a provision of reservations for women in the civil service. Likewise, *The Police Act, 2012*; *Armed Police Force Act, 2001*; *Army Service Rules, 2013*; and the personnel management laws of the public sector agencies have been harmonized to enforce mandatory measures of reservations for women.

35. *Section 6 (2) of the Local Level Election Act, 2016*, provides seats reserved for Dalit women along with two other seats for women from each political party to be elected at the Rural Municipality and Municipality Ward Committees. The *Election Commission Act, 2017*; *The Political Parties Act, 2017*; and *The Electoral Rolls Act, 2017*, ensure positive discrimination in the form of gender quotas as temporary measures to accelerate the achievement of substantive equality. The *State Assembly Members Election Act, 2017*, in Sections 4 and 5, assures 50 per cent proportional representation of women.

36. The GoN started the programme Heli-Lifting of Pregnant Women in FY 2018/019 to address high-risk pregnancy in remote areas through a temporary special measure on safe motherhood and women's reproductive rights. Under this programme, 469 women were given services till December 2022.

37. The MoHP has a fund named "*Bipanna Nagarik Kosh*" to provide some financial relief to people suffering from difficult and expensive diseases, where each patient will be provided Rs.1,00,000/- as health care expenses including medicines required for disease management

### **Stereotypes and harmful practices (para 18 and 19)**

38. Section 15 of the Civil Code states that "No custom or tradition contrary to law shall be recognized in the dispensation of Justice." Section 168 (3) of the Penal Code criminalizes the practice of *Chhaupadi* during menstruation or the postnatal period.

39. Section 173(1) of the Penal Code prohibits child marriage and marriage before the age of 20. Section 173(2) stipulates that child marriage shall be *ipso facto* void. According to Section 173(3), whoever effectuates such marriage shall be punished with imprisonment of up to three years and up to a fine of Rs.30,000. All such marriages have now been declared null and void. Conducting abortion or causing it to be conducted by identifying the sex pursuant is prohibited under *The Right to Safe Motherhood and Reproductive Health Act, 2018*.

40. The NWC has developed and institutionalized the *Integrated Platform for GBV Prevention and Response in Nepal* to strengthen the commission's capacity to handle



complaints and conduct advocacy and sensitization on women's rights in a collaborative manner. The NWC also started helpline services for female GBV victims to lodge their complaints through an online system

### **Gender Based Violence against women (para 20 and 21)**

41. Section 219 (4) of the Penal Code substantially increased punishment for marital rape, from three months to six months to a period of five years of imprisonment. According to Section 219 (5), the court may order the husband to provide shelter, food and physical protection for victims in cases in which rape allegations have been filed against the husband. The perpetrator must display non-violent behaviour, provide medical expenses and alimony and take the necessary steps to ensure his wife's benefits and security.

42. The GoN has established 21 safe houses, 10 rehabilitation centres for victims of human trafficking and 2 long-term rehabilitation centres. One-Stop Crisis Management Centres (OCMCs) have also been established in all district-level government hospitals to support GBV victims.

43. The GBV Elimination Fund exists at the national level. The Ministry of Women, Children, and Senior Citizens has contributed Rs.1,00,000 each to the Fund set up at the local level. Through this mechanism, the GoN provides legal aid, health services, psychosocial counselling, emergency support and income-generating support to victims of GBV.

44. The MoWCSC has been conducting various GBV reduction and awareness programmes in coordination with the province and local levels. Also, various NGOs and INGOs have been working on this issue with close coordination with the Ministry. The Ministry has also formed a Male leader Network to ensure the participation of men to reduce Gender Based Violence.

45. The Nepal Police has established a GBV data management system to collect and analyse nationwide data on cases of violence against women and girls (VAWG). The Nepal Police has also established 232 Women, Children, and Senior Citizen Service Centres and more than 6,000 GBV Control Networks across the country.

### **Women peace and security (para 22 and 23)**

46. Section 2 (j) of The *Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act, 2014* listed rape and other forms of sexual violence as gross violations of human rights. Section 13 provides the Truth and Reconciliation Commission with the power to investigate the complaints of alleged victims.

47. A total of 2,613 police personnel have been trained on "capacity enhancement" to investigate and provide effective service delivery for GBV cases. Moreover, Nepal Army Conducts regular training on gender issues and UNSCR 1325 and 1820 in which approximately 3500 Nepali Army Personnel have already been trained on the mentioned subjects.

48. The GoN has approved and is implementing its *Second National Action Plan (NAP) on UN Security Council Resolutions (UNSCR) 1325 and 1820* on Women, Peace, and Security, which focuses on localizing strategies at the province and local levels, in line with the federalization of Nepal's administrative structure.

### **Trafficking and exploitation of prostitution (para 24, 25 and 26)**

49. The GoN has accessed UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (PALERMO) on 16 June 2020. The GoN also has reviewed the implementation of the National Plan of Action (NPA) against trafficking in women

and girls and carried out reforms outlined in the NPA for effective implementation of prevention, protection, prosecution, capacity development, and coordination. As NPA has expired in 2022 and the state has also been transformed into a federal structure, it is preparing to formulate the new NPA accordingly. A new NPA is drafted and is in the process of finalization.

50. Under rescue and protection/rehabilitation services, the GoN is currently running 10 rehabilitation centres for deprived and violence-affected women and adolescent girls at risk of human trafficking and prostitution, including those rescued from child homes. The number of Women and girl child who have been the victim are listed in Annex I (Table 1 and Table 2) respectively.

51. The GoN also has signed an Indo-Nepal Treaty to prevent and control cross-border human trafficking. To date, the GoN has also signed a Bilateral Labour Agreement with Qatar and Jordan as well as a Memorandum of Understanding (MOU) with Korea, Japan, The United Arab Emirates, Bahrain and Israel. Measures are being taken to sign an MOU with Oman and other potential destination countries.

### **Participation in political and public life (*para 28 and 29*)**

52. The Constitution of Nepal guarantees the representation of women and *Dalit* women through the principle of proportional representation in all bodies, with special provisions to ensure their mandatory participation in public services and other sectors of employment.

53. *The Election Commission Act, 2017, The Political Parties Act, 2017, and The Electoral Rolls Act, 2017*, have ensured positive discrimination in the form of reservations for women to achieve substantive equality.

54. Section 6 (2) of *The Local Level Election Act, 2017*, reserves two seats for women, including one for *Dalit* women, on each Rural Municipality and Municipality Ward Committee. As a result, 6,567 *Dalit* women have been elected to local government.

55. There are a maximum of nine members on each District Coordination Committee. The members of the concerned District Assembly elect a Chief, Deputy Chief, at least three women and at least one *Dalit* or minority to the committee.

56. The GoN has a mandatory provision requiring at least one female teacher at basic school levels (grades 1 through 8). The participation of female teachers at the basic level is 45 per cent and 22 per cent at the secondary level (grades 9 through 12). In Nepal's Early Child Development Programme, 99 per cent of the educators and facilitators are women.<sup>1</sup>

57. *The Provincial Assembly Members Election Act, 2017*, has a provision of 50 per cent proportional representation of women. Likewise, the *Federal Parliamentary Election Act, 2017*, ensures 33 per cent of women's representation in federal bodies.

### **Nationality (*para 30 and 31*)**

58. Article 10(1) of The Constitution of Nepal states that "No citizen of Nepal shall be deprived of the right to obtain citizenship" and 10(2) assures one single federal citizenship, with provincial identities.

59. Each District Administration Office is entrusted with the legal authority to issue citizenship certificates. The Area District Offices facilitate the process of acquiring citizenship in an easy, streamlined manner. In geographically isolated locations, at least two mobile teams operate to provide citizenship services to women, senior

<sup>1</sup> MOEST.

citizens and people with disabilities; there is a provision to assemble more mobile teams if needed.

60. The Department of National ID and Civil Registration has implemented a ‘Strengthening System of Social Protection and Civil Registration’ project to increase the coverage of Civil Registration, which can create a basis for universal birth registration. It also has already started online registration for vital events.

### **Education (para 32 and 33)**

61. The net enrolment rate in basic-level education reached 96.6 per cent in 2017. The numeracy rate for the population aged 15 and above reached 62.2 per cent and the literacy rate of the population aged 15 to 24 reached 88.6 per cent. Likewise, 81 per cent of children have attended Early Childhood Education Programmes. Gender parity has been achieved at the basic level and has almost been achieved at the secondary level, which is 0.99 per cent.

62. The Compulsory and Free Education Act, 2018 has made basic-level education free and compulsory, to declare “Literal Nepal” (*Sakchyar Nepal*) in coordination and collaboration with the province and local levels. The GoN has also introduced a school campaign programme called *Bidyalayalya-aun, tika-aun, sika-aun* (All children must be brought to school, taught and retain in school) since FY 2018/19.

63. Major girl’s scholarship programmes (GSP) have been established, including a *Dalit* scholarship, poor and talented student scholarship, a scholarship for disabled children, a scholarship for students of marginalized and endangered communities and a Karnali Province scholarship. The Ministry of Women Children Youth and Sports in Madhesh Province introduced the *Beti Bachau Beti Padhau* (Save Daughter and Educate Daughter) campaign to encourage parents to educate girl children. Under this campaign, the GoN has initiated the *Sikshya Beema* (Education Insurance) and *Chhatra Cycle* programme (for girls studying in classes 8 through 10). The distribution of laptops to girl students from marginalized communities has also been initiated in the province. Also, women willing to enter government jobs are provided with assistance to take entrance classes.

64. Since 2019, Karnali Province has run the campaign ‘*Bank Khata Chhori ko Surakchya Jiwan Variko*’ (Bank Account for the Girl Child, Security for the Lifetime). Under this programme, a bank account is opened for girl children born after July 2019. During the first month, the GoN deposits Rs.1,000, followed by Rs.500 per month continuously until the girl child reach the age of 20. The money will not be given to the girl child if she married before age 20 and/or does not complete her secondary level education. To promote technical education among women, Karnali Province started *Prabidhik Chhori Buhari Chhatrabritti* (Initial Scholarship for Daughter and Daughter-in-Law) programme during FY 2021/22.

65. Gender issues and the rights of women and girls are being incorporated into the national school curriculum. Affirmative action has led to more female teachers being hired and it has also created a positive environment. Women now constitute 38 to 50 per cent of all schoolteachers. The construction of separate toilets for girls at schools, other gender-friendly facilities, more scholarships under various schemes (including cash and non-cash incentives to students and their parents), the distribution of sanitary pads and day meals, etc. are creating a better school environment for girls from disadvantaged and marginalized areas and communities to attend school and continue to higher levels of education.<sup>2</sup>

<sup>2</sup> Ministry of Women, Children and Senior Citizens (2021). *A Progressive Journey to Gender Equality and Women’s Empowerment: Achievement of Nepal*.

66. During FY 2021/22, out of 36,559 people enrolled in vocational and technical education through the Council for Technical Education and Vocational Training (CTEVT), 48.36 per cent are women while 51.5 per cent are men while 3.14 are others<sup>3</sup>.

67. The GoN has also implemented a programme to provide educational loans at a 5 per cent interest rate to students from marginalized groups.

#### **Employment (*para 34 and 35*)**

68. The GoN has taken legislative measures that ensures, access to social protection and benefits including the right to basic health care. The *Labour Act, 2017*, applies to every entity that includes informal sectors and domestic workers.

69. The *Labour Act, 2017* has a provision on “equal pay for work of equal value,” stipulating that people should receive equal pay irrespective of gender. It also supports equal opportunities for both men and women at work, ensures an equal and minimum wage for workers and promotes non-discrimination between employees on the grounds of religion, race, sex, caste, tribe, origin, language and ideology or other similar grounds. The GoN has set the monthly minimum wage for workers, both male and female, at Rs.15,000, which has been effective since July 2021. Similarly, the daily minimum and hourly minimum wage is set at Rs.577 and Rs. 77 respectively.

70. The Department of Labour and 11 Labour Offices are responsible for ensuring the implementation of labour law provisions. Labour Inspectors and Occupational Safety and Health Inspectors are deployed for regular inspection and monitoring, which includes ensuring the safety and security of female workers.

71. The MoWCSC has endorsed and implemented the Anti-sexual Harassment Code of Conduct at Workplace. It is also encouraging other government mechanisms and ministries to develop codes of conduct to control workplace sexual harassment. The Federation of National Chamber of Commerce and Industry has prepared workplace codes of conduct, which have been implemented since 2022. Similarly, the *Right to Safe Motherhood and Reproductive Health Act, 2018*, ensures obstetric leave with pay to working women of minimum of ninety-eight days before or after the delivery of child and paternity leave of fifteen days for a working father.

72. The *Social Security Act, 2017*, is applies to employees in informal sectors and to those who are self-employed. The Act has provisioned for the Social Security Fund, which includes (a) a medical and health protection scheme, (b) a maternity protection scheme, (c) an accident protection scheme, (d) an old-age protection scheme, (e) a dependent family protection scheme and (f) an unemployment protection scheme. Furthermore, both the *Foreign Sector/Migrant Workers Social Security Plan Operation Procedure, 2022* and the *Informal and Self-Employed Sector Social Security Plan Operation Procedure, 2022*, have been approved. These procedures cover the social security of migrant workers and informal sector workers. There are a significant number of women involved in the informal sector as self-employed workers, hence fulfilling the guidelines of the procedure.

73. The GoN is committed to eradicating all forms of forced labour, including child labour. Any person forcing another into labour may be punished by the Labour Court, with imprisonment up to two years or a fine up to Rs.500,000 or both; the person may also be required to pay a fine amount, including damages equivalent to two times of the stated amount. If any person is engaged in forced labour outside the territory of Nepal, the perpetrators of these acts shall be ordered to pay the expenses incurred for bringing the affected person back to Nepal.

<sup>3</sup> <http://ctevt.org.np/public/uploads/kcfinder/files/CTEVT%20Annual%20Report%20-2079.pdf>.

74. Nepal is in the process of implementing its *Second National Master Plan for the Elimination of All Forms of Child Labour (2018–2028)*. Likewise, inspectors and prosecutors focused on child labour have been trained through ‘Training of Trainers’ and several advocacy and awareness programmes.

### **Health (para 38 and 39)**

75. The right to safe motherhood and reproductive health services is enshrined in The Constitution of Nepal. *The Right to Safe Motherhood and Reproductive Health Act, 2018*, and its Regulation, 2020, also considers maternal, reproductive and newborn health services as fundamental rights of all people. Moreover, the *Public Health Service Act, 2018*, and its 2020 regulation consider safe motherhood, newborn health services and safe abortion services as basic health services.

76. Nepal developed the *Safe Motherhood and Newborn Health Roadmap, 2030*, which aims to ensure a healthy life and well-being for all mothers and newborns. The GoN has expanded Comprehensive Emergency Obstetric and Newborn Care (CEONC) sites to all 77 districts of Nepal.

77. There is a government provision stipulating that hospitals with more than 50 beds must develop and expand their services and a ward must be established for senior citizens. Within two years, at least one health centre must be established in each ward through coordination and participation at the local levels. There are plans to give 400 crore rupees to 1,200 wards across the country to invest in the first stage of establishing these health centres.

78. Nepal has revised its *Safe Abortion Service Programme Management Guideline, 2021*; *Aama Surakshya Guideline (Maternal Safety Guideline), 2022*; and *Maternal and Perinatal Death Surveillance and Response Guideline, 2021* to ensure service accessibility and availability in all tiers of government. Moreover, *The Skilled Health Personnel and Skilled Birth Attendants Strategy 2020–2025*, *Robson Classification Guideline, 2021* and *Maternity Waiting Home Guideline, 2021* have been developed to ensure quality health services.

79. The local levels give emergency contraceptive pill services free of cost in public health facilities, along with other contraceptive methods. Nepal is sensitized towards providing inclusive service delivery. Thus, Nepal has endorsed the disability-friendly *Sexual and Reproductive Health and Rights (SRHR) Service Guideline, 2022*, to ensure inclusive SRHR services to people with disabilities through health facility settings and beyond. Nepal has also committed to family planning for 2030 and has been developing implementation strategies and plans accordingly.

80. The Ministry of Health and Population (MoHP) trained more than 11,014 skilled birth attendants and expanded safe delivery services.

81. The MoHP continues to strengthen community-based interventions through the National Female Community Health Volunteers FCHV programme and also started community-based interventions, such as Misoprostol (*Matri Surakchya Chakki*) for the prevention of post-partum bleeding, Chlorhexidine (*Navi Molam*) to prevent newborn infections and community-based integrated management of newborn and childhood illnesses, with a resultant increase in service access at the community level, especially for women and children from marginalized groups. These services have contributed to reducing maternal mortality from 239 to 151 per 100,000 live births over the past 5 years from 2016 to 2021.

82. The government has issued the Sanitary Pad (Distribution and Management) Procedure-2019 to provide sanitary pads for adolescent girls studying in community schools free of cost.

83. The Ministry of Women, Children, Youth and Sports in Madhesh Province started a programme called *Mukhyamantri ghar dailo swasthya sewa karyakram* (Chief Minister's Door to Door Health Service program). Under this, basic health check-ups are provided to every family member in all wards of the province every two months. A Rapid Response Team and Emergency Medical Team have also been formed to serve women in medical emergencies.

84. In Nepal, a total of 9,292 women; 10,144 men; 277 transgender people and 1,170 children were treated for HIV during FY 2020/21. An estimated 31,144 people are living with HIV (PLHIV) in Nepal, out of which 4 per cent were estimated to be children (1,322) under age 14 in 2021. Meanwhile, there are an estimated 15,451 men and 15,693 women aged 15 and older living with HIV. The prevalence of HIV among the 15–49 years of age group was 0.12 per cent in 2021. A total of 20,883 PLHIV are on antiretroviral therapy (ART) treatment and the total PLHIV will be 33,827 by the end of FY 2020/21<sup>4</sup>.

85. To improve protection and access to services for women and girls victims of GBV, OCMCs are established in 94 hospitals in 77 districts, which include referral linkages, treatment and support services.

86. MOHP has been providing full and partial concession on Health service charges to the 13 targeted groups including the poor disadvantaged, disabled along with the victim of gender-based violence, through the establishment of Social Service Units in 88 Hospitals of 77 districts.

87. To ensure service continuation during the COVID-19 pandemic, Nepal developed interim guidelines for “reproductive, maternal, new-born, child, and adolescent health policy” (RMNCAH) services in COVID-19 that used different innovative approaches, such as telemedicine, hotlines services and home-based services for reproductive healthcare, including safe abortion services.

#### **Rural women and disadvantaged groups of women (para 40 and 41)**

88. According to various constitutional and legal provisions, women have mandatory representation in local government positions.

89. *The President Woman Empowerment Program* provides skills and entrepreneurship development to poor and marginalized women, which enables them to gain access to work and employment opportunities, thus promoting self-employment and independence. Also, every year seven women entrepreneurs, one from each province, are awarded as best women entrepreneurs of the year. It has been regarded as a game-changer programme in the GoN's 15<sup>th</sup> Periodic Plan.

90. The Ministry of Finance has provided nearly one million rupees in credit to cooperatives and community production systems in *Dalit* communities at a five per cent interest rate per annum.

91. The Entrepreneurship Development Fund has been set up to give production loans to promising women entrepreneurs, without any collateral. This fund has been mobilized in 46 districts. If the business is women-owned, it receives a 35 per cent discount for registration. A 20 per cent discount is given for the registration of the property-related businesses owned by women.

92. The government's Poverty Alleviation Fund has been implemented in 60 districts of Nepal (out of 77). The fund has reached 900,000 individuals so far, out of which 78 per cent are women. The fund has also created 32,000 groups to reach needy populations. There is a provision stipulating that the key positions, such as the chair,

<sup>4</sup> Annual report DOHS 2020/21.

vice chair and treasurer of each group, should be held by women, indigenous groups and *Dalit* communities. In total, women lead 60 per cent of the key positions.

### **Marriage and family relations (*para 42 and 43*)**

93. The Penal Code states that “No married man shall, during the continuation of the marital relationship, conclude another marriage and no woman shall conclude marriage with a man knowingly that he is already married.” Marriages carried out in contravention of this provision will be automatically void. Individuals who commit such crimes are liable to imprisonment for a term of one year to five years and a fine of ten thousand rupees.

### **Data collection and analysis (*para 44 and 45*)**

94. The National Statistics Office (NSO) has formulated and put into force a National Strategy for the Development of Statistics (NSDS), 2019 that addresses ‘social statistics’ with opportune space for integrating gender statistics in the national statistical system. The NSO has taken positive steps to coordinate with data users and integrate gender into its National Population and Housing Census (NPHC) 2021. The MoWCSC has developed a web-based platform of Social Information Management System (SIMS) to collect data from 753 local governments on 11 thematic areas (including information on women and minorities, human trafficking and transportation and gender-based violence) quarterly.

### **Amendment to Article 20 (1) of the Convention (*para 46*)**

95. Nepal has expressed its firm commitment to amending Article 20 (1) of the Convention at the earliest convenience.

### **Follow-up to the concluding observations (*para 51*)**

96. The MoWCSC has made institutional arrangements for a dedicated team of staff to track and follow up the progress of the implementation of the concluding observations, collaborating with different ministries, government agencies, constitutional bodies and non-government agencies. The NWC has been implementing a specific project titled ‘*National Machinery on monitoring the implementation of CEDAW concluding observations and recommendations.*’ The NHRC is responsible for monitoring the treaty implementation and has institutionalized the monitoring and evaluation system.

## **Part II**

### **New developments and progress achieved in CEDAW implementation**

#### **Articles 1 and 2**

##### *Review and amendment of discriminatory laws*

97. The GoN has already reviewed and amended all discriminatory laws from a gender perspective. Every sector of the GoN has prioritized achieving gender equality by mainstreaming gender, eliminating all forms of discrimination against women and developing the capacity to implement gender equality and social inclusion (GESI) strategies.

98. Article 54 of The Constitution of Nepal sets up a committee through the Federal Parliament to monitor and evaluate whether the State is making progress on advancing the constitutional right to equality and women’s rights.

### Articles 3 and 4

#### *Measure to accelerate equality between women and men*

99. The 15<sup>th</sup> Periodic Plan seeks to transform Nepal into a “gender equality-based nation” by achieving specific goals, objectives and strategies. For accelerating equality between women and men, the Plan envisions gender-responsive governance that can ensure better conditions for women’s decent living. Likewise, it has made a commitment to end all forms of discrimination, violence and exploitation against women strategically. *The President Women Empowerment Program* has been established to set up gender-responsive governance. The programme is expected to develop women’s entrepreneurship skills, carry out safe delivery services for pregnant women at-risk and institutionalize a gender-responsive budgeting system at multiple levels of the government.

100. The *National Gender Equality Policy, 2021*, entrusts the State with the responsibility of achieving gender equality through strategic preparedness, legal and institutional arrangements as well as programme and budgetary systems.

101. The Ministry of Federal Affairs and General Administration has introduced the *Gender Equality and Social Inclusion (GESI) Strategy*<sup>5</sup> to mainstream and institutionalize gender equality and women’s empowerment at the provincial and local levels of governance. As a national flagship programme of the GoN, the Province and Local Governance Support Program (PLGSP) was implemented to strengthen province and local governance systems to mainstream and institutionalize gender equality and women’s empowerment through the multi-level government system. For effective implementation, the strategy has also enforced ‘guidelines for mainstreaming GESI in sub-national governance.’

102. The NHRC has approved its *Sixth Strategic Plan, 2021–26* with seven priority areas. In terms of gender, the plan addresses the rights of women and children, ending caste-based discrimination, protecting the rights of female migrant workers, ending human trafficking and transportation and the rights of sexual and gender minorities.<sup>6</sup>

103. The National Women Commission Act, 2017, and its Rules 2021 have been put into force to strengthen the working system of the NWC as a constitutional body for protecting women’s rights and empowering women. NWC has approved its *Third Strategic Plan (2021/22 – 2025/26)* with the following areas of priority intervention:

- (a) Institutional strengthening and capacity enhancement;
- (b) Coordination, facilitation and advocacy for effective implementation of policies and laws on women’s rights and required reforms;
- (c) Monitoring the implementation of international conventions on gender equality and women’s rights;
- (d) Monitoring and investigating cases of women’s rights violations and gender-based violence and ensuring rescue, protection, rehabilitation and access to justice for the survivors;
- (e) Addressing women’s concerns and needs through policies and programmes in different sectors;
- (f) Facilitating the economic and social transformation of women through efforts that address women’s access to productive resources and ownership;

<sup>5</sup> The Ministry of Federal Affairs and General Administration (2021). *Gender and Social Inclusion (GESI) Strategy – 2021–23*.

<sup>6</sup> Adapted from the Sixth Strategic Plan 2021–26 of the NHRC.



(g) Advising on policy matters by conducting research and studies on women's empowerment and gender justice;

(h) Providing support in setting up and developing gender-responsive governance.

104. The major sectorial ministries (Agriculture, Education, Forest, Health, Federal Affairs and General Administration, Urban Development and Water Supply) of the government are implementing GESI policies, strategies and guidelines to give effect to gender equality from women's perspectives.

105. The GoN has made the system of Gender-Responsive Budgeting (GRB) a prioritized intervention. To roll out the GRB system at multiple levels of government (apart from the GRB Guidelines for the federal level, the GoN), the Ministry of Finance has issued the Model Gender-Responsive Budget Directives, 2020 for Nepal's province and local levels under its federal structure of governance. Also, all the province and local levels are in the process of customizing the model guidelines in their respective budgeting systems. The comparative data at GRB allocation clearly shows an increase in direct-responsive budgeting, which is presented in Annex II.

106. The Program and Budget of the FY 2022/23 have made a clear provision to effectively implement gender-based budgeting. Gender mainstreaming programmes have also been implemented to improve Nepal's ranking on the Gender Inequality Index.

107. In FY 2020/21, the Nepal Administrative Staff College, in collaboration with UN Women Nepal, carried out an exercise for the Citizen's Budget Charter in various sectors, including health, agriculture, nutrition, education and labour to integrate gender issues into the national budgetary system and achieve gender equality. This effort included the participation of parliamentarians, ministry representatives and NGOs.

108. The National Statistics Office integrated issues related to the gender pay gap in the National Census, which was conducted in 2021. The Office followed the Gender Equality and Social Inclusion Reference Book – 2021, to guide its process in designing the Census in a way that ensured gender inclusion.

109. Nepal's progress on SDG targets related to equality between women and men is presented in Annex III.

#### **Article 4**

##### *Temporary special provisions*

110. Article 18(3) of the Constitution of Nepal states, "nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or development of the citizens, including the socially or culturally backward women, *Dalits*, indigenous people, indigenous nationalities (*Aadibasi/Janajati*), *Madhesi*, *Tharu*, Muslims, oppressed classes, *Pichhada* classes, minorities, the marginalized, farmers, labourers, youths, children, senior citizens, gender and sexual minorities, people with disabilities, pregnant people, incapacitated or helpless people, people from backward regions and indigent *Khas Arya*."

111. As a principal strategy of The *National Gender Equality Policy, 2021*, temporary special measures have been prioritized in line with the constitutional provision of affirmative actions to narrow gender disparities and promote gender equality and women's empowerment. The policy calls for special incentives in public-private partnership programmes run by women.

## Article 5

### *Measures to end traditional cultural practices and Stereotyping*

112. The *National Gender Equality Policy, 2021*, recognizes women's contribution to the national economy by changing the gendered division of labour and increasing women's participation in the labour market. The policy has made measures on bridging the gender pay gap in women's unpaid or underpaid work.

113. The GoN, through its *Policy and Program of FY 2022/23*, has prioritized gender-responsive governance strengthening to end all forms of GBV and set up district-level coordination to address the needs of women, children, senior citizens, people with disabilities and sexual and gender minorities. To prevent and control GBV and discrimination, several laws have been enacted, including the Civil Code and the Penal Code.

114. The Nepal Police recorded 13,418 cases of domestic violence against women in the fiscal year (FY) 2018/19, 15,277 cases in 2019/20, 11,216 cases in 2020/21 and 15,974 cases in 2021/22. According to NWC data, the total number of complaints registered (on violence against women) by the Commission was 3,208, which includes 1,464 complaints in FY 2021/22. The total number of under-trial criminal cases related to violence against women (rape, attempted rape, human trafficking, forced abortion, polygamy, child marriage, domestic violence and witchcraft) prosecuted by the Office of the Attorney General in 2020/21 was 4,752. In FY 2021/22, Nepal's One-Stop Crisis Management Centres (OCMC), an in-hospital service, registered 11,046 GBV victims.

115. Likewise, the budget of FY 2022/23 has made a provision for toll-free numbers and grievance handling mechanisms to reduce domestic and workplace violence. Under these efforts, Women's Cells in the Nepal Police as well as 24-hour helplines in crowded public places, such as airports and bus terminals have been set up.

116. Nepal's legal system considers the practice of *chhaupadi* a serious violation of women's rights. To end the practice, the GoN has taken legal action and put on a participatory behaviour-change campaign for the public. During the campaign, more than 8,550 *chhau goths*<sup>7</sup> were dismantled in a period of two months.<sup>8</sup>

117. In 2021, the GoN formulated and put into force the *National Strategy against Discriminatory Sex Selection*, with the goals of eradicating sex selection in society and ending all discriminatory attitudes and stereotypes that lead to it.

118. The *Gender-Based Violence Prevention Fund* has been established at all provincial and local levels, with the required budgetary support from the government made with priority.<sup>9</sup> Each year, the MoWCSC and other government agencies lead the UN's 16 Days of Activism against GBV campaign, along with participation from political leadership and the public. The campaign has created an enabling environment to end all forms of discriminatory practices and gender stereotyping in the country.

119. The NWC, through its Integrated Platform for Gender-Based Violence Prevention and Response (IPGBVPR) project, is operating a national-level 24-hour

<sup>7</sup> *Chhau goth* is a shed where girls/women stay during their menstrual cycles, which is usually far from their home.

<sup>8</sup> Ministry of Women, Children and Senior Citizens (2021). *A Progressive Journey to Gender Equality and Women's Empowerment: Achievements of Nepal*.

<sup>9</sup> Ministry of Finance, *Economic Survey 2020/21*.

toll-free helpline (no.1145) for GBV survivors to receive support for shelter, psychosocial counselling, child support and legal aid, among other services.<sup>10</sup>

120. *The Crime Victims Protection Act, 2018*, has been enforced to ensure the right to justice for crime victims throughout investigations, adjudication and social rehabilitation.

121. The GoN is encouraging a philosophy of “dignified menstruation” through its menstruation campaign, titled “Menstrual Talk, Dignity First,” in which individuals and families are encouraged to perceive menstruation with dignity.<sup>11</sup>

122. The proportion of women who experienced physical and/or sexual violence in their lifetime was 28.4 per cent in 2015. During FY 2018/19, this percentage went down to 24.4 per cent. Nepal’s legal system prohibits child marriage, polygamy, *deuki* and *badi* customs, and the GoN has been running massive campaigns to raise awareness and effectively enforce these laws.

123. The Office of the Attorney General (OAG) has initiated a programme called “Government Advocate in the Community” to enhance access to justice among the excluded populations of the communities.

124. Nepal’s progress on SDG targets related to ending harmful practices against women and girls is presented in Annex IV.

## Article 6

### *Measures against human trafficking and exploitation of the prostitution of women*

125. The Constitution of Nepal includes the ‘right against exploitation’ as a fundamental right to ensure the safety of all citizens. Nepal ratified the Palermo Protocol which has been a milestone in combating trafficking in the country. The GoN is working to amend national laws and introduce policies and programmes to implement the protocol.

126. The law against rape was amended to increase the statute of limitations for victims to report a case: two years for adults and for minors three years after their attainment of 18 years of age.

127. *The Act Relating to Children, 2018*, was amended with a provision to set up the *National Child Rights Council* as the specialized authority for the protection of child rights in Nepal. Likewise, the *Child Search Coordination Centre* was set up to provide services for search and rescue, psychosocial counselling, family reintegration and rehabilitation services and a 24-hour Children Helpline service delivery mechanism, which has now been extended to 17 districts.

128. The *Anti-Human Trafficking Investigation Bureau* has been institutionalized and made effective under Nepal Police to expedite first-information reports (FIRs), investigations and prosecutions of human trafficking cases through an amendment in the existing *Police Rules*. In 2021/22, there were 145 cases of human trafficking lodged in the Bureau, in which 94.7 per cent involved women and girl victims and 5.2 per cent involved men and boy victims.<sup>12</sup>

<sup>10</sup> National Women Commission, 2022.

<sup>11</sup> Ministry of Women, Children and Senior Citizens (2021). *A Progressive Journey to Gender Equality and Women’s Empowerment: Achievements of Nepal*.

<sup>12</sup> Source: Nepal Police.

## Articles 7 and 8

### *Measures to ensure participation in political and public life and international participation*

129. There is a constitutional provision for the mandatory appointment of a woman as the Chairperson of the NWC a constitutional body for the protection of women's rights. Currently, Chairpersons and all four members of the commission are female.

130. Nepal's efforts toward increasing women's political participation took a major step forward after the enforcement of the Constitution of Nepal. In pursuit of guaranteeing the mandatory representation of women in political structures, the following provisions exist:

- (a) A quota for women to occupy at least one-third of the total capacity (275) of the House of Representatives;
- (b) Either the Speaker and/or the Deputy Speaker of the House of Representatives should be a woman;
- (c) At least 7 per cent of National Assembly seats (out of 56 members in total) should be reserved for women;
- (d) Either the Chairperson and/or Vice Chairperson of the National Assembly should be a woman;
- (e) Women should occupy at least one-third of seats in Provincial Assemblies;
- (f) Four women should be represented on the Local Rural Municipality Executive. Five women should be represented on the Local Municipality Executive;
- (g) At least two women from each ward of the rural municipality and municipality should be members of the Rural Municipality Assembly and the Municipality Assembly respectively;
- (h) There should be at least three women in each District Assembly.

131. The Election Commission has implemented a *GESI Strategy* to enhance the participation of women in elections and monitor the gender responsiveness of the local election system on matters of women's participation.

132. After the federal election in 2017, 16 Parliamentary Panels were formed to act as a watchdog, controlling and monitoring the government's work. Among 16 of the Parliament's thematic committees, 10 are from the House of Representatives, 4 are from the National Assembly and 2 are from a Joint committee. Among the Chairpersons on the panel, 8 are female. This is the first time in Nepal's Parliamentary history that 60 per cent of the House of Representatives Committee is led by women.

133. There was sluggish progress in electing more women candidates during the last election, held in 2022. During the First Parliamentary election held in 2017, 5.5 per cent of the Parliament seats were elected to women candidates, while that number increased to 9.33 per cent in the 2022 election.

134. The percentage of women in different service categories increased to 27.24 per cent (23,582 people) in 2021 compared to 23.50 per cent in 2018.<sup>13</sup> The GoN has predicted that there will be a 50:50 ratio of women to men in Nepal's civil service by 2037 since the given scenario remains unchanged.<sup>14</sup> According to the Public Service

<sup>13</sup> Civil Service Personnel Records, 2021.

<sup>14</sup> Ministry of Women, Children and Senior Citizens (2021). *A Progressive Journey to Gender Equality and Women's Empowerment: Achievements of Nepal*.

Commission, the total number of women in Nepal's civil service (through reservations) was 7,379 out of 21,669 (34.05 per cent) in FY 2020/21.

135. In the Constitutional bodies, women hold 7.76 per cent of the 348 positions.<sup>15</sup> The Constitutional Council has set criteria to appoint at least one female member in each of the Constitutional bodies, including the commissions.

136. As of 16 December 2022, Nepali Army has deployed total of 1982 Female Peace Keepers in various UN Missions and 433 Female Peace Keepers had been serving in different missions during the reported period.<sup>16</sup>

137. Women's leadership and engagement in Nepal's Community Forest User Groups (CFUG) is growing. There are 22 CFUGs with 244,000 committee members, out of whom 37 per cent are women. Nepal's Forest Policy reserves 50 per cent representation for women and proportional representation for *Dalits*, indigenous and marginalized communities in the executive committee of the CFUGs and also requires that either the president or secretary is a woman.<sup>17</sup> The growth in cooperatives has remained phenomenal over the years, and now the number of primary cooperatives stands at 34,737. In 2019, women constituted around 51 per cent of cooperative membership and their representation in executive committees is 39.34 per cent. Among the employees, the share of women's participation is around 48 per cent.<sup>18</sup> In 2021, the number of women cooperative members was 40, 92,395 (56 per cent) compared to 32, 15,068 (44 per cent) of men.<sup>19</sup>

138. Nepal Rastra Bank, the Central Bank of Nepal, has issued a directive requiring that at least one female director must serve on the Executive Board of banks and financial institutions. Likewise, the Company Act, 2006, enforced the representation of female executives on the boards of registered companies.

139. According to the *National Economic Census*, the number of women in enterprises was 37.7 per cent compared to 62.3 per cent of men in FY 2017/18. Likewise, in FY 2018/19, Nepali women-owned 247,880 enterprises, which is 29.8 per cent or one-third of the total 923,356 enterprises in the country?<sup>20</sup>

140. According to Nepal's policies and planned priorities on achieving gender equality, the GoN has prioritized women's participation in international programmes.

141. The *Nepali Women's Global Network* has been made active; the group promotes networking, support and self-reliance among Nepali women through education, advocacy and collaboration with similar groups around the globe.

142. Nepal's progress on SDG targets related to women's effective participation and equal opportunities are presented in Annex V, the participation of women in legislative bodies at the federal, provincial and local levels are listed in Annex VI and the representation of women in security agencies has been significant, as shown in Annex VII.

<sup>15</sup> Ministry of Federal Affairs and General Administration, 2021.

<sup>16</sup> Nepal Army Headquarters.

<sup>17</sup> Ministry of Women, Children and Senior Citizens (2021). *A Progressive Journey to Gender Equality and Women's Empowerment: Achievements of Nepal*.

<sup>18</sup> Ibid.

<sup>19</sup> Department of Cooperatives.

<sup>20</sup> CBS: *National Economic Census – 2018 and 2019*.

**Article 9***Nationality*

143. The Constitution of Nepal states that acquiring citizenship is a right in the country and that no Nepali is to be deprived of this right. The Constitution of Nepal provides citizenship by descent to all children living in Nepal as well as the children of Nepali citizens. This provision ensures that the person does not have to be born in Nepal to be eligible for Nepali citizenship if either parent was a Nepali citizen at the time of their birth.

144. The GoN has submitted the Citizenship Amendment Bill to the Parliament for approval. The GoN is keen on improving the process for delivering citizenship, promoting a positive interpretation of citizenship laws and ensuring a mother's right to transfer citizenship to her child. The Ministry of Home Affairs has issued circulars to district authorities to ensure efficiency and equity in the expedited delivery of citizenship certificates.

**Article 10***Right to education*

145. The GoN has been implementing the *Free and Compulsory Education Act, 2018*, which is expected to bridge the gender gap in the education of girls by providing free basic and secondary education, easing the admission process and expanding scholarships and day meals for students from marginalized communities and regions. It is expected that enforcing this law will significantly reduce the rates of girls dropping out of school and motivate families to continue their daughters' educations.

146. The Ministry of Education, Science and Technology has approved the *Ten-Year School Sector Plan 2022/23 to 2031/32*, which prioritizes female education and gender equality in school curriculums as key intervention areas.

147. The GoN's plan and programme for 2022/023 has a provision to extend the day meal up to class 8. The budget for FY 2022/23, with a goal to extend it up to class 8, has allocated a budget for day meals up to class 6.

148. The GoN, in collaboration with UNICEF, is implementing the *Country Program Action Plan 2018–22*, for effective implementation of the Convention on the Rights of the Child CRC, with a focus on the protection, survival, development and participation of children in Nepal through interventions in health, nutrition, education and WASH programmes.

149. As a flagship programme, the GoN is implementing the *School Sector Development Program (SSDP-2016/2023)*, which focuses on equity, quality, efficiency and resilience to achieve gender equality in education.

150. The CTEVT has adopted the *Gender Equality and Social Inclusion Policy* for its technical education and vocational training system. It has been implementing the *Gender Equality and Social Inclusion Action Plan* to incorporate GESI into the technical education and vocational training system. Women's participation in technical education has been in satisfactory progression. The data for the education year 2020/21 is shown in Annex VIII.

151. The GoN has improved school infrastructure and support systems and introduced special provisions for girls from *Dalit*, indigenous and disadvantaged groups. Gender-responsive tools are being utilized, such as school outreach

programmes, flexible schooling and non-formal sessions, along with disability and gender-friendly infrastructures.<sup>21</sup>

152. According to the MOEST, the participation of girls in educational enrolment has been in a progressive stage as the outcome of gender-responsive policy, programme and budget management. In 2021/22, girls continue to make up 48 per cent of enrolments in basic grades 1–5 and 6–8. Similarly, girls make up 49.3 per cent of secondary grades 9–10, 51.7 per cent in secondary grades 11–12 and 50.3 per cent in secondary grades 9–12. Last year, this percentage was 49.7 per cent in basic grades 1–5, 49.9 per cent in basic grades 6–8, 49.7 per cent in basic grades 1–8, 50.0 per cent in secondary grades 9–10, 53.4 per cent in secondary grades 11–12 and 51.3 per cent in secondary grades 9–12. The gender parity index in Nepal's net enrolment ratio is presented in Annex IX.

153. According to the MOEST, the enrolment in school level education by gender in 2021 was 3,473,089 girls (48.97 per cent) and 3,619,870 boys (51.03 per cent).

154. The *Population and Housing Census* conducted by NSO<sup>22</sup> in November 2021 made it clear that the percentage of literate women was 69.4 as compared to 83.6 of men, while 23.8 per cent of households had property (land and houses) in the name of women in 2021. That figure rose by 21.3 per cent, whereas the figure was 19.7 per cent in 2011.

155. The participation of female teachers in schools is one of the principal indicators of creating a 'gender-responsive system' in the schools and creating an enabling and supportive environment for girls. The participation of female teachers in the year 2021 is shown in Annex X.

156. In 2022, across all types of schools, female teachers make up 17.0 per cent of teachers in secondary grades 9–10, 12.4 per cent in secondary grades 11–12 and 15.9 per cent in secondary grades 9–12. Last year, this percentage was 18.9 in secondary grades 9–10 and 19.3 in secondary grades 11–12.<sup>23</sup> Likewise, the GoN has approved a plan to allocate one nursing teacher for each school who can look after health issues, especially for female students.

157. The MOEST conducted a *gender audit* of curriculums, course books and teacher directives in 2021, to assess whether, and to what extent, the teaching system is gender-responsive.

158. Nepal's progress on SDG targets related to gender-inclusive education is presented in Annex XI.

## Article 11

### *Right to employment*

159. The *Labour Act, 2017*, ensures equal rights for women workers in terms of wages and social security provided by enterprises, in compliance with the ILO Convention. Likewise, the GoN enforced the *Right to Employment Act, 2018*, which guarantees productive employment opportunities for the economically active population.

160. *Section 38 of the Foreign Employment Act, 2007*, prohibits gender discrimination in foreign employment. Moreover, *Section 6 of the Labour Act, 2017*, requires employers to follow the non-discrimination principle.

<sup>21</sup> MOEST.

<sup>22</sup> NSO (2022), *National Population and Housing Census 2021 (National Report)*. March 2023.

<sup>23</sup> Center for Education and Human Resource Development, Ministry of Education, Science and Technology, *Flash Report 2078*.

161. According to the *Nepal Labour Force Survey, 2017–18*,<sup>24</sup> among the economically active population, the labour force participation rate of men is 53.8 per cent compared to 26.3 per cent of women; and the unemployment rate of men is 10.3 per cent compared to 13.1 per cent of women. The survey data reveals 48.3 per cent of men of working age were in employment compared to 22.9 per cent of women. There is a critical gap in the Employment to Population Ratio (EPR) between men and women across all age groups, with the highest disparity observed at ages 35–44, wherein the men’s EPR is 38 percentage points higher than that of women. The survey also collected data on employment by occupation and sex, which is shown in Annex XII.

162. As a national flagship programme, the *Prime Minister Employment Program* has been implemented at the local level since FY 2018/19 with the aim of creating 5 million new jobs in five years. In 2021, a total of 1, 56,731 people were employed for 75 days under this programme. Among them, the female beneficiaries were 45 per cent in 2019/20 and 48 per cent in 2020/21.<sup>25</sup> To provide evidence-based support to the programme, the Employment Management Information System was institutionalized in 2020.

163. The Ministry of Labour, Employment and Social Security has initiated the *Safer Migration (SaMi) Program*, which is a bilateral initiative between the GoN and the Government of Switzerland. This programme has been implemented at 156 local levels. The *Migrant Resource Centre (Operation and Management) Procedures, 2021*, *Migrant Reintegration Program (Operation and Management) Directive, 2022*, and *Safe Migration Program Implementation Guidelines, 2022* have been developed and put into implementation to ensure systematic operation and institutionalization of the (SaMi) Program. Likewise, the *Migrant Resource Centres (MRC)* were in operation during the second phase (2013–2018) of the Safer Migration Program.

164. The Ministry of Labour, Employment and Social Security developed and enforced the *Directives to Provide Legal Defence to the Nepali Migrant Workers in Foreign Employment, 2018* to strengthen legal protection for safe migration. Likewise, the Ministry put into force the *Directive for the Occupational Safety and Health of the Workers in Brick Factory, 2017* to provide social protection to workers in the informal sector.

165. The Foreign Employment Board is operationalizing the *Foreign Employment Welfare Information Management System (FEWIMS)*, by the decision of the Ministry of Labour, Employment and Social Security. The Ministry extended phase III of the *SaMi Program* in 2018 to protect migrants and their families and ensure decent labour migration for Nepali migrant workers abroad. In the context of the federalization process, the programme has the objective of supporting local governments by developing competencies in managing the safer migration process and delivering services to migrant workers at the local level.<sup>26</sup>

166. The GoN initiated the project *Reintegration of Returnee Migrant Workers (Remi)* in 2022 as a collaborative effort to support the social and economic reintegration of repatriated migrant workers by strengthening their entrepreneurial capacity, skills, capital, knowledge, technical know-how and occupational

<sup>24</sup> CBS. 2019.

<sup>25</sup> Source: Prime Minister Employment Program, Office of the Prime Minister and Council of Ministers.

<sup>26</sup> Ministry of Labour, Employment and Social Security (2018). *Safer Migration (SaMi) Program*.



experiences, which can help them in setting up their post-migration business enterprises.<sup>27</sup>

167. Data on the participation of women in international labour migration is presented in Annex XIII. Similarly, the number of women in foreign employment<sup>28</sup> is shown in Annex XIV.

168. Over the past 17 years, the GoN has signed labour agreements with 10 countries<sup>29</sup> that are considered ‘prime labour markets’ for Nepali women. Nepal is also preparing new labour agreements on safe migration with Saudi Arabia, Seychelles, the United Arab Emirates, Malaysia and Qatar respectively. To make foreign employment safe, dignified, systematic and attractive,<sup>30</sup> the GoN is also working on signing Government-to-Government pacts with the United Kingdom and other countries.

## Article 12

### Health

169. Nepal’s 15<sup>th</sup> Periodic Plan has prioritized equitable access and basic health services for all citizens. Likewise, the plan has provisioned for the delivery of health services through appropriate programming and the adequate allocation of a budget for all classes, constituents and communities left behind and those at risk due to gender disparities.<sup>31</sup>

170. To achieve gender equality and protect women’s rights to health, there are several policies, laws, guidelines and directives that have been put into action:

(a) A revised version of the Gender Equality and Social Inclusion Strategy of the Health Sector is currently being executed; it includes a new concept of health service to fulfil the state obligation of ending all forms of gender-based discrimination in health and ensuring a gender-inclusive health system;

(b) The National Health Policy, 2019 respects the right to health as enshrined in the Constitution of Nepal. The policy commits to the pursuit of Universal Health Coverage and provides a strong foundation for GESI;

(c) The National Health Sector Strategy (2015–2021) had the strategic focus of “equitable access to health services.” As such, it focused on increasing access for all, ensuring quality health services, reforming the health system and encouraging multi-lateral collaboration, with the goal of achieving universal health coverage in Nepal by 2021;

(d) The Every New born Action Plan (2016–2035) is being implemented to further strengthen the commitment of the government and its partners to improving the effectiveness of maternal and newborn health. It is hoped that this plan will reduce maternal and newborn mortality;

(e) The Nepal Safe Motherhood and Newborn Health Road Map, 2030, has been in implementation since 2019. The GoN endorsed the Skilled Health Personnel and Skilled Birth Attendants Strategy 2020–2025; revised the Safe Abortion Service Management Guideline 2021 and Maternal and Perinatal Death Surveillance and

<sup>27</sup> Ministry of Labour, Employment and Social Security (2022). *Reintegration of Returnee Migrant Workers (Remi) Project*.

<sup>28</sup> Foreign employment, except in India.

<sup>29</sup> State of Qatar, the United Arab Emirates, the Republic of Korea, the Kingdom of Bahrain, Japan, the Hashemite Kingdom of Jordan, Malaysia, Mauritius, Israel and the UK.

<sup>30</sup> Ministry of Labour, Employment and Social Security.

<sup>31</sup> Adapted from the National Planning Commission (2019). *The 15<sup>th</sup> Periodic Plan (2019/20 – 2023/24)*.

Response Guideline 2021; and developed the Robson Classification Guideline 2021. Likewise, the GoN approved the Maternity Waiting Home Guideline 2021;<sup>32</sup>

(f) The Right to Safe Motherhood and Reproductive Health Act, 2018, and the Regulation, 2020, have been put into enforcement, guaranteeing quality health service delivery to women and protecting their reproductive rights. The Act has been put into enforcement, with the objective of making maternal and reproductive health more systematic, qualitative, easily available and accessible, to advance the health rights provisioned in the Constitution of Nepal. It also includes provisions for free abortion care in public health facilities;<sup>33</sup>

(g) The Public Health Act, 2018, focuses on an integrated service provision for reproductive, child and maternal health, with an emphasis on quality of care and strengthening referral mechanisms.

171. Impressed by the successful implementation of the *Multi-Sector Nutritional Plan (MSNP) 2013–2017*, the GoN continued the intervention with its second version MSNP II (2018–2022), targeting children, girls, pregnant women and breast-feeding mothers from low-income groups and backward areas to provide them with nutrient supplements and healthy alternatives.

172. The *National Nutrition Strategy* was officially unveiled in 2020, to address all forms of malnutrition by implementing nutrition-specific and sensitive interventions in the health sector.

173. The NDHS, 2016 suggests a significant reduction in infant and child mortality over the past 20 years. The National Immunization Program has contributed significantly to the reduction of child mortality by preventing vaccine-preventable diseases.<sup>34</sup> For *Integrated Management of Neonatal and Childhood Illnesses (IMNCI)*, the GoN has recently initiated a *Comprehensive NewBorn Care Training*, The *Kangaroo Mother Care Program* in 2021 to meet the targets of SDGs 3.2.<sup>35</sup>

174. The *Gender-Responsive Budget Directives of the Health Sector, 2019*, created a framework to prioritize gender equality in the budgetary system; harmonize the processes of budget execution; and conduct monitoring and evaluation from a gender equality perspective at the federal, provincial and local levels.

175. The GoN has implemented the *Deprived Citizens Health Care Fund Directives, 2016*, which provides grants to fund medical treatments for deprived citizens, thus realizing the implementation of inclusive health services.

176. The MoHP has formulated and implemented the *Geriatric Health Service Strategy* to protect the health rights of senior citizens by reinforcing health protection, carrying out effective health service delivery and improving the social health insurance system. Likewise, the *Disability-Responsive Health Service Directives, 2021*, have included the health rights of women persons with disability.

177. The *National Mental Health Strategy and Plan of Action, 2020*, prioritizes mental health in the health sector. Its objectives include ensuring equal, easy and well-facilitated access to mental health services for all citizens; integrating mental health into the primary health service system; promoting collaboration and partnerships; and developing the capacity of service providers to deliver specialized mental health services under a rights-based approach.

<sup>32</sup> Department of Health Services, *Annual Report 2020/21*.

<sup>33</sup> Source: Nepal Law Commission, 2018.

<sup>34</sup> NDHS 2016. For 2019, *Multiple Indicator Cluster Survey* data is used.

<sup>35</sup> Department of Health Services, *Annual Report 2020/21*.

178. The government's *Mid-Term Expenditure Framework*<sup>36</sup> (2020–23) has planned for adequate resource mobilization to improve the health of targeted groups and ensure GESI in the health sector.

179. Progress in improving nutrition has been possible in Nepal because successive governments welcomed ground-breaking research to test interventions (e.g. vitamin A supplementation), introduced mandatory legislation to protect child nutrition (e.g. salt iodization), took swift policy and programme action to introduce new evidence-based interventions and invested in primary health care platforms to reach children and women. In particular, Nepal's workforce of community-based FCHVs, coupled with operational research and monitoring, enabled the country to achieve scale in reaching children with vitamin A supplements and pregnant women with IFA supplements. Investments in other sectorial programmes during the MDG era – including education and sanitation, which were associated with the improvements in child linear growth – are also likely to have contributed to nutrition improvements.<sup>37</sup>

180. An integrated nutrition programme has been implemented in 42 districts out of 77, covering 45 per cent of the population for 1,000 days. Improvements in nutrition have been observed due to the increased coverage of health and nutrition services and improvements in household wealth, parental education and sanitation.<sup>38</sup>

181. The government, through its budget statement, ensured pay for *Female Community Health Volunteers* (FCHV), who deliver health services to communities across the country. This decision was regarded as a remarkable move in promoting an equitable employment system for female health workers in remote rural areas.

182. *Madhesh* Province enacted its *GESI Strategy in the Health Sector* in 2021 to institutionalize a gender-responsive health system in the province, with a focus on gender mainstreaming, ending all forms of GBV, strengthening maternal health, protecting reproductive health rights and improving the delivery of health services to rural women.

183. Women and men's access to reproductive healthcare, information and educational services in Nepal are recorded as 82 per cent for maternity care, 67 per cent for contraception and family planning and 25 per cent for HIV and HPV.<sup>39</sup>

184. In response to the need for HIV care services for women living with HIV, ARV medicines were given to 18,892 women in 2020/21 and 19,565 in 2021/22.<sup>40</sup>

185. The Demographic and Health Survey, Key Indicators Report 2022 commissioned by the MoHP has drawn the following inferences:<sup>41</sup>

(a) The use of any family planning method among currently married women raised from 29 per cent in 1996 to 57 per cent in 2022. Over the same period, the use of modern methods of contraception increased from 26 per cent in 1996 to 44 per cent in 2006. It held steady at 43 per cent from 2011 to 2022;

(b) Between the 1996 NDHS and the 2022 NDHS surveys, the under-five mortality rate declined from 118 to 33 deaths per 1,000 live births; the infant mortality rate declined from 78 to 28 deaths per 1,000 live births; and the neonatal mortality rate declined from 50 to 21 deaths per 1,000 live births. Notably, however, the neonatal mortality rate did not change between the 2016 and 2022 NDHS. The percentage of women who received antenatal care from skilled providers for their most recent live

<sup>36</sup> NPC, *Mid-term Expenditure Framework (2020–23)*.

<sup>37</sup> A UNICEF commissioned Study, 2021.

<sup>38</sup> Ministry of Health and Population.

<sup>39</sup> UNFPA's global databases, 2020.

<sup>40</sup> Ministry of Health and Population.

<sup>41</sup> Ministry of Health and Population.

birth in the two years preceding the survey increased from 25 per cent in 1996 to 94 per cent in 2022. Similarly, those who made four or more ANC visits increased from 9 per cent in 1996 to 81 per cent in 2022. The gender-responsive health indicators of Nepal are presented in Annex XV.

186. Nepal's progress on SDG targets related to women in the health sector is presented in Annex XVI, the nutrition programme was scaled up to address malnutrition among women and children; this information is presented in Annex XVII and the proportion of pregnant women receiving antenatal care is listed in Annex XVIII.

### Article 13

#### *Economic and social benefits*

187. Nepal has introduced social security benefits for workers in both formal and informal sectors through the enactment of the *Social Security Act, 2017*.

188. The *Program and Budget of the Fiscal Year 2022/23*, prioritized the implementation of the *Women First Program*, under which the following programmes are planned to be implemented for the development of women's leadership, economic self-reliance and capacity building at the federal, provincial and local levels:

- (a) Gender-friendly public toilets will be built in urban areas;
- (b) Childcare centres will be expanded to the administrative centres of federal and provincial capitals;
- (c) Arrangements will be made to distribute electric stoves to families (one per family) through grants at the local level;
- (d) Training on economic self-reliance, capacity building and women's rights will be conducted for women at the ward level;
- (e) Employment and self-employment programmes will be provided to people with disabilities to promote their rights to live with dignity;
- (f) Resident houses will be built for people with disabilities and for the rescue of children and women who have suffered from violence;
- (g) Access to insurance will be extended to the local level by conducting necessary programmes to realize the concept of 'One Family, One Insurance';
- (h) Micro insurance companies covering the poor, deprived and agricultural sectors will be established.

189. The GoN has initiated the establishment and operation of the *Women Entrepreneurship Facilitation Centre* in a partnership between the federal, provincial and local levels, with a provision of budgetary grants to carry out the mechanism at the local level.<sup>42</sup>

190. The *South Asian Women's Football Championship and International Badminton Championship* were successfully hosted in Nepal in 2018, which encouraged women's participation in sports.<sup>43</sup>

191. Nepal's progress on SDG targets related to women's rights to economic resources is presented in Annex XIX.

<sup>42</sup> Ministry of Finance, *Economic Survey 2020/21*.

<sup>43</sup> Ministry of Youth and Sports.

192. The amount of concessional *Women Entrepreneur Loans* used by women entrepreneurs is listed in Annex XX.

193. Female recipients of social security benefits are shown in Annex XXI.

#### Article 14

##### *Women excluded from services – rural women*

194. Nepal has adopted national macroeconomic policies and sectorial development policies towards addressing the feminization of poverty, with a focus on mainstreaming gender, affirmative action and special measures for economic empowerment to end all forms of discrimination.

195. The *Program and Budget of the Fiscal Year 2022/23* include provisions for:

- (a) Reforming and revising The President Women Empowerment Program;
- (b) Improving Nepal's Human Development Index by 0.650 through better quality of life and education;
- (c) Providing housing to landless Dalit communities within the next three years;
- (d) Setting up microfinance funds of Rs.500 billion to provide agricultural credit to farmers;
- (e) Providing concessional loans to farmers, youth, Dalits and women for agriculture businesses and other enterprises at the local level;
- (f) Implementing special programmes to improve livelihoods and increase the adaptive capacity of people in Mugu, Jumla and Kalikot districts who are vulnerable to climate and food crises, under the Climate Change Adaptation Program;
- (g) Rehabilitating the Kamaiyas, Haliyas, Kamlaharis and Haruwa Charuwa<sup>44</sup> communities, who have yet to receive facilities under the rehabilitation programme, and giving those services under livelihood, job creation and capacity-building programmes;
- (h) Providing concessional loans (including seed capital) without collateral as an incentive for workers in Dalit communities who live below the absolute poverty line;
- (i) Disbursing loans at a maximum 5 per cent concessional interest rate for rural enterprises focused on agriculture, animal husbandry and vegetable farming through cooperatives established by landless Dalits, squatters, Raute, Banakariya, Musahar and Dom communities;
- (j) Identifying low-income workers and poor families and distributing food security identity cards to them;
- (k) Providing social security programmes, including social security allowance, medical treatment and financial assistance, to senior citizens, single women, citizens with disabilities, Dalit senior citizens, Dalit children, endangered indigenous tribes and children up to five years of age from 25 districts with low Human Development.

<sup>44</sup> A type of bonded farm labour.

196. Nepal has been successful in narrowing the gender gap in many indicators to a certain extent. The status of women below the poverty line in 2019/20 decreased to 25.4 per cent.<sup>45</sup>

197. The GoN has initiated the *Gender Action Learning System*, which aims to economically empower women from disadvantaged communities.<sup>46</sup>

198. The GoN implemented *Climate Change Adaptation for Food Security in Karnali Region (CAFS)* in which 10,850 households and 65,800 local people have benefited. The implementation of the *Climate Change Adaptation Program* is in progress for vulnerable small farmers in the mountainous districts of *Dailekh, Kalikot, Salyan, East Rukum, West Rukum, Jajarkot and Rolpa*; so far, the beneficiaries include 100,000 households. Likewise, the government is implementing its *Climate Resilience Project* in which 51278 local people have benefited.<sup>47</sup>

199. The GoN, in collaboration with UNDP, has been implementing the *Micro Enterprise Development Program for Poverty Alleviation (MEDPA)* since 2018. As of January 2020, through the Micro Enterprise Development Program (MEDEP) and MEDPA programmes, a total of 172,514 micro-entrepreneurs have been supported; 76 percent are women. The MEDEP has made a provision that 70 per cent of its target beneficiaries must be women and/or people from socially marginalized communities. The programme has conducted GESI/MIS training at local levels in which 1,375 people participated, including 648 women.<sup>48</sup>

200. Nepal is disproportionately affected by climate change but only contributes 0.027 per cent to global greenhouse gas emissions. With a sex ratio of 0.94 and around 77 per cent of women engaged in agriculture and forestry-related occupations, the impact of climate change falls heavily on women in Nepal. Efforts in climate actions, including adaptation and mitigation, therefore require gender-mainstreaming approaches.

201. The GoN has put into force the *Food and Food Sovereignty Act, 2018*, to ensure the right to food among marginalized people.

202. The pro-poor targeted scholarship distribution programme has been implemented for students whose parents were martyrs and/or conflict victims and students who are conflict victims, *Dalits* or come from highly marginalized and/or disappearing tribes. The number of beneficiaries of the distributed scholarship in FY 2019/20, was 3,288,924 and in FY 2020/21, the number was 2,604,262.

203. More than 41 per cent of women lost their jobs during the COVID-19 pandemic in Nepal; in response, UN Women Nepal and the Government of Finland implemented a programme to ensure these women gained access to food and nutrition through *women-managed community kitchens* across Nepal.<sup>49</sup>

204. Nepal's progress on SDG targets related to economic empowerment and social security benefits for excluded women and rural women are presented in Annex XXII.

<sup>45</sup> NPC (2020), *National Review of Sustainable Development Goals. June 2020*.

<sup>46</sup> Ibid.

<sup>47</sup> Source: Ministry of Forest and Environment.

<sup>48</sup> UNDP (2020). *Final Evaluation Report of MEDPA*.

<sup>49</sup> Source: UN Women Asia and the Pacific, 2021.

## Article 15

### *Equality before the law – the legal rights of women*

205. The GoN, in line with fulfilling its constitutional obligations to guarantee equal rights to women, has expedited the process of creating the appropriate legal amendments and programmatic interventions.

206. The *Act Relating to Rights of Persons with Disabilities, 2017*, has been in enforcement, which grants equal rights to women with disabilities.

207. The Supreme Court (SC) of Nepal has made several decisions and issued orders and directives to the GoN to implement CEDAW. Among its 121 published decisions, 33 are on GBV, 21 on property rights, 15 on rights to reproductive health, 22 on rights to identity, 10 on family and marital relations, 9 on equal rights in employment and nine on special protections. There were also two cases related to COVID-19. The *National Judicial Academy* has published a total of 121 *decidendi* on these cases.<sup>50</sup> Selective cases with SC decisions, orders and directives from 2016 to 2020 are presented in Annex XXIII.

## Article 16

### *Marriage and family life*

208. The MoWCSC has been implementing the *National Strategy on Ending Child Marriage* since 2016. From 2016 to 2019, a total of 29,604 adolescent girls attended *Rupantaran* (transformation) social and financial skills sessions through targeted intervention.<sup>51</sup>

209. The *National Labour Force Survey 2017–18*<sup>52</sup> has observed the gender dimensions of unpaid or underpaid work that do not result in any visible income generation. According to the survey, 90.7 per cent of women participated in providing services for their final use, while only 47.2 per cent of men participated in such work. The data on this for those aged 15 and above is shown in Annex XXIV.

210. To strengthen Nepal's vital registration system, especially concerning its impact on women and children, National Identity Card and Registration Act, 2019 is in implementation. The GoN has set up a separate *Department of National ID and Registration* to legitimize National IDs with *digital identities* and provide a systematic, evidence-based mechanism to deliver *social security benefits* to citizens.

## Part III

### **Progress on the implementation of the Beijing Platform for Action (BPfA)**

211. The 1995 Beijing Declaration and Platform for Action (BPfA) has served as an important source for the GoN, civil society and the general public to realize gender equality, women's rights and women's empowerment. The key progress at the national level in implementing the BPfA over the past five years is summarized below:

<sup>50</sup> National Judicial Academy (2020). *Compendium of Landmark Judgments of the Supreme Court of Nepal on Gender Justice and Equality*.

<sup>51</sup> UNFPA-UNICEF Global Program to End Child Marriage. *Nepal Country Profile*.

<sup>52</sup> CBS.

## Initiatives and progress achieved in twelve critical areas

### Women and poverty

212. Nepal's 15<sup>th</sup> Periodic Plan has set a vision of creating "a society free of poverty of all kinds," with the overarching goal of reducing all forms of poverty. The objective has been set to carry out poor-targeted programmes, create employment for the poor and increase equitable access of the poor to productive resources of the state. The *Plan* has strategized to develop a national system for identifying poor households and individuals in all 77 districts and distributing identity cards to them.

213. The GoN has made *gender-responsive budgeting* mandatory for all levels of government to ensure distributive equity from a gender perspective and realize more funding commitments to women-focused and women-targeted programmes. Over a three-year period, around 40 per cent of the total budget has been allocated towards making programmes more gender responsive. The NPC has set three indicators to assess unpaid care work and domestic chores in terms of women's labour participation in comparison to men; average hours spent by women on unpaid domestic care work; and the proportion of time spent on unpaid care and domestic work by sex, age and location. The National Statistics Office conducted a '*time use survey*' that provided a basis to assess unpaid care work among women. The National Census, which was conducted in 2021, also generated data needed to assess women's unpaid care work.

214. Due to the impact of reforms in policies and laws, along with a programming system to ensure women's equal rights and access to property ownership and productive resources, there has been a substantial increase in women's ownership of land and property from 20 per cent in 2011 to 28 per cent in 2019.

215. The implementation of the *Social Security Act, 2017* has produced visible impacts on maternity protection and social security benefits for single women, marginalized and excluded women and senior female citizens.

216. A review of Nepal's *SDGs Roadmap* suggested that there has been progress in reducing poverty and increasing social security coverage and social protection expenditures in the country, with positive impacts on reducing the feminization of poverty. Likewise, there is an increase in the number of households having property/tangible assets in women's names; there was a 26 per cent increase in 2019 compared to a 19.7 per cent increase in 2015. The national target is 40 per cent by 2030.

### Education and training of women

217. The GoN has made the education and training of women a top priority to foster gender-responsive human development, along with policies, strategies, legal frameworks and institutional mechanisms that recognize the constitutional provision on women's equal rights to obtain special opportunities in education.

218. The *School Sector Reform Plan*, the *School Sector Development Program* of 2016–2024, the SDGs and the *Nepal National Framework* have all contributed to increasing school enrolment among girls. Today, gender parity is 1.09 in primary schools and 1.0 in secondary schools, which is a sign of notable progress in female education. A review of Nepal's *SDGs Roadmap 2016–2030*, which was conducted in 2020, also reflected progress in girls' enrolment rates in different levels of education as well as a favourable gender parity index, suggesting that the gender gap in school enrolment has narrowed over the years.

219. Nepal has achieved an overall literacy rate of females due to various literacy campaigns. Priority is given to women and girls in vocational education and technical



training, which has made a positive impact on women's entrepreneurship and contributed to employment opportunities for women.

220. The mandatory allocation of female teachers in each school has helped in the increase of the overall percentage of female teachers. The GoN has also made a provision for nursing teachers in schools to ensure health surveillance and prevent sexual violence against children in schools.

### **Women and health**

221. In response to state obligations enshrined in the Constitution of Nepal, the GoN has placed a high priority on women's health. The following acts have been enforced: the *Safe Motherhood and Reproductive Health Rights Act, 2018*; the *Public Health Act, 2018*; the *Procedural Guideline on Safe Abortion Services Program*; the *National Health Policy, 2019*; the *Gender Equality and Social Inclusion Strategy in the Health Sector*; the *National Health Sector Strategy (2015–2021)*; the *Federal Social Accountability Guidelines for the Health Sector, 2020*; the *Geriatric Health Sector Strategy, 2021*; the *Disability-Responsive Health Service Directives, 2021*; and the *Deprived Citizens Health Care Fund Directives, 2016*.

222. The delivery of maternal and reproductive health services has improved due to the implementation of the National Safe Motherhood Program through preventive and promotional activities. The *Birth Preparedness Package* and *Maternal Neonatal Health Activities at the Community Level*, the *Rural Ultrasound Program*, *Aama* and the *Newborn Program*, along with several other initiatives, have been implemented with improved delivery capacity and arrangements. These initiatives have been guided by the *Nepal Safe Motherhood and Newborn Health Road Map 2030*. Likewise, the GoN has endorsed the *Skilled Health Personnel and Skilled Birth Attendants Strategy 2020–2025*, revised the *Safe Abortion Service Management Guideline 2021* and the *Maternal and Perinatal Death Surveillance and Response Guideline 2021* and also developed the *Robson Classification Guideline 2021*. Likewise, the GoN has approved the *Maternity Waiting Home Guideline 2021*.<sup>53</sup>

223. For the gender-inclusive health financing system, the GoN introduced the *Mid-Term Expenditure Framework*<sup>54</sup> (2020–23), which has planned for adequate resource mobilization to improve the health condition of target groups, thus ensuring gender equality and social inclusion in the health sector. Likewise, the *Gender Responsive Budgeting Guidelines in the Health Sector, 2019* and the *Leaving No One behind (LNOB) Budget Marker* have reinforced adequate public financing to achieve gender equality in Nepal's health sector. The *policies, programs* and *budgets* of each fiscal year since 2018/19 have prioritized the health sector to better achieve inclusive health in line with national and global commitments.

### **Violence against women**

224. Gender-based violence and all forms of violence against women are considered serious violations of women's rights. National campaigns at the government, non-government and civil society levels have been extensively launched with broader participation from all corners of society. To end VAW, Nepal has passed, amended and put into implementation several legal frameworks on anti-trafficking, ending child marriage, controlling domestic violence and addressing workplace sexual harassment.

225. The NPC, in pursuit of meeting the SDGs, has set result indicators on reducing the proportion of the population subjected to physical, psychological or sexual

<sup>53</sup> Department of Health Services, *Annual Report 2020/21*.

<sup>54</sup> NPC, *Mid-term Expenditure Framework (2020–23)*.

violence in the past 12 months; the number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation; reducing child trafficking and ending sexual violence against women and girls. A review of Nepal's *SDGs Roadmap* clearly shows a significant reduction in sexual violence and child trafficking cases. The rates of sexual violence against married women aged 15–19 have reduced from 24.5 per cent in 2015 to 19.3 per cent in 2019, with a target set at 4.1 per cent by 2030.

### **Women and armed conflict**

226. Reflecting on the successful implementation of the First NAP on UNSCR 1325 and 1820, the GoN approved and put into implementation the Second NAP, with a focus on enhancing protection for women survivors of conflict-related violence against and promoting the meaningful participation of women in Nepal's peace-building processes. Moreover, Nepal Army Conducts regular training on gender issues and UNSCR 1325 and 1820 in which approximately 3500 Nepali Army Personnel have already been trained on the mentioned subjects.

### **Women and economy**

227. Nepal recognizes the fact that sustainable development and inclusive growth can be achieved by improving policies and systems related to women's economic participation.

228. Nepal has set an objective to graduate from the least developed country (LDC) status by 2026 and get promoted to an inclusive, equitable and prosperous middle-income country by 2030 by achieving the goals and targets of SDGs. The NPC formulated the *SDGs Roadmap 2016–2030*, which includes goals, targets and result indicators of progress.

229. The GoN has recently made several policy decisions to prioritize these issues. The Right to Employment Act, 2018 has been implemented to guarantee 100 days of employment. During the FY 2018–2019, the Prime Minister's employment programme opened up opportunities for both wage and self-employment.

230. Equally important, the decision to set the growth rate at 9.6 per cent in the 15<sup>th</sup> Periodic Plan was guided by the aim of generating productive employment at a higher rate. Recently, *The President Women Empowerment Program* has been implemented to generate more income and employment opportunities for women.

231. The *Agriculture Development Strategy 2015* includes gender issues among women farmers and has carried out programmatic interventions in building the productive capacity of women farmers through agricultural entrepreneurship, technology development, agriculture marketing and employment generation in agriculture.

232. Nepal has also displayed increased support in including women in labour force participation. During 2018–19, Nepal removed restrictions on women's ability to work at night.

233. For increasing women's access to credit, Nepal Rastra Bank has introduced the *Women Entrepreneurship Credit and Educated Youth Self Employment Credit*, which has encouraged women (individuals or groups) to run businesses using bank loans and also facilitated their access to credit. The MoWCSC developed the *Entrepreneurship Facilitation Centre Operation Procedures 2021*, which will be implemented at the local level.

### Women in Power and Decision-Making

234. After the promulgation of the Constitution of Nepal, women's political empowerment has emerged as an area of remarkable progress in Nepal. In terms of women's share of legislative seats, Nepal ranks 48th in the world and 1st among South Asian countries, largely due to the minimum 33 per cent quota for women in national, provincial and local legislatures. Local-level Judicial Committees are also now more accountable for promoting gender equality and preventing or responding to GBV at the local level.

235. Nepal ranks highest among other South Asian countries in the political empowerment dimension due to a concerted effort to promote women's participation in governance processes. Nepal's transition to a federal government gave women a remarkable opportunity to actively engage in diverse sectors. Women were elected to 41 per cent of the local government posts in the 2017 elections, nearly the same percentage in the 2022 local elections and 33 per cent in the parliamentary elections.

236. The GoN has introduced a provision for the banks and financial institutions as well as business companies to introduce a mandatory representation of at least one woman as Director of the Executive Board.

237. In the *Gender Gap Index 2022*, Nepal scored 0.692 for gender parity. The country performed best in the political empowerment dimension with a score of 58 out of 146. In terms of economic participation and opportunities, Nepal ranks 98 and 125 in educational attainment. In terms of health and survival, Nepal ranked 109 among 146 countries.<sup>55</sup>

### Institutional mechanism for the advancement of women

238. Nepal's federalization process has granted all three tiers of government – the federal, provincial and local levels – responsibility to address gender issues and women's rights. At the federal level, the MoWCSC has been the apex government agency. Nepal's constitutional commissions, like the NHRC and NWC, deliberate strategies to advance women's rights through legal frameworks and strategic plans. The NHRC has advanced its institutional strengthening process to protect women's rights with the implementation of the *Sixth Strategic Plan 2021–26*. The NWC is also advancing its efforts to protect and promote women's rights and empowerment with its *Third Strategic Plan 2021/22–2025/26* and through dedicated legal frameworks and action plans for programmatic interventions and institutional strengthening.

239. As entrusted by the Constitution of Nepal, the province and local levels have institutionalized dedicated machinery for women's rights, development and gender equality in the form of separate ministries, divisions or sections.

240. Since 2012, the Gender-Responsive Budget Committee of the Ministry of Finance has led the institutionalization of Nepal's gender-responsive budget through directives of action.

241. Special committees in the federal and provincial parliaments guide, oversee and review women's rights and gender equality issues. Nepal's local governments are also taking on the practice of having committees that oversee social development issues, including gender-inclusive governance, at the local level.

242. The MoWCSC has continued conducting capacity development programmes for the Gender Focal Points of different ministries and agencies within the government, and it has also continued its effort of organizing network meetings to effectively mainstream gender issues into policies and programmes. The ministry also leads a

<sup>55</sup> World Economic Forum, *Gender Gap Index 2022*.

steering and coordinating mechanism on gender equality and women's empowerment, anti-trafficking initiatives, ending GBV and protecting women's rights, along with conducting a joint review as well as monitoring and evaluation to pave the way for reforms to better realize CEDAW and BPfA. Likewise, the provincial and local governments are moving ahead with customizing similar mechanisms at their respective levels.

### **Human Rights of Women**

243. The Constitution of Nepal has recognized women's rights, with special provisioning for social, cultural and economic rights, which are enforceable through laws enacted by the Parliament. About civil and political rights, Nepal has also made considerable efforts in reforming legal and institutional frameworks. This has ensured equal lineage rights to every woman without gender-based discrimination and the right to obtain special opportunities in education, health, employment and social security based on affirmative action and positive discrimination.

244. Inspired by the BPfA movement and responding to the need for inclusive development, Nepal has reviewed and amended all of the discriminatory laws that violate women's rights and equal opportunities.

245. The Civil Code and Penal Code set the basis for the exercise and enjoyment of women's legal rights in property ownership and equitable access to criminal justice.

246. In many cases involving women's human rights violations, the judiciary has set landmark decisions based on protecting and promoting gender equality based on human rights principles.

### **Women and the media**

247. The GoN's *Mass Media Policy, 2017* has been in place; it has the objective of increasing the participation of women in the mass media and building their occupational capacity. The policy also seeks to eliminate all forms of discrimination and exploitation through inclusive and participatory principles based on the effective use of information and communication technologies.

248. The mass media are playing a constructive role in advocating for women's rights and promoting the elimination of gender stereotypes and harmful practices, such as *chhaupadi*, child marriage, dowry, witchcraft allegations, GBV and sex-based discrimination.

249. Training and capacity development programmes for media professionals have been organized to improve gender sensitivity in reporting and news writing among media professionals.

### **Women and environment**

250. Nepal has been implementing the *Sendai Framework for Disaster Risk Reduction (2015–2030)* due to the high disaster-proneness of the country. Nepal formulated and put into force the *National Policy on DRR* in 2018, under the concept of inclusive disaster risk management (i.e. access, representation and meaningful participation of women and marginalized communities). The *Disaster Management Act, 2017* is also in enforcement; this policy prioritizes a gender equality perspective in disaster risk management at all three tiers of government.

251. Since Nepal is disproportionately affected by climate change and nearly 77 per cent of all Nepali women are engaged in agriculture and forestry-related occupations, it is clear that the impact of climate change is and will continue to fall heavily on women. As such, the GoN is committed to adopting 'gender-inclusive management'

and better mitigation strategies to address climate change risks, particularly those associated with women and excluded communities.

252. Nepal is a party to the *UN Framework Convention on Climate Change (UNFCCC)* and the *Paris Climate Change Agreement, 2015*. In line with the better realization of the convention and agreement, Nepal has formulated and put into force the *Climate Change Policy, 2019* to strengthen climate mitigation and adaptation measures by integrating relevant actions into all cross-cutting sectors and building a climate-resilient society capable of responding to all emerging environmental challenges. The Policy is supported by the *Gender-Responsive Local Adaptation Plan of Action and National Adaptation Plan* along with the *Gender and Climate Change Strategy and Action Plan* to ensure the role of women, among others, as active participants and beneficiaries in the risk management process.

### **The girl child**

253. An enabling environment has been enhanced for collaboration between the GoN and its partners from different sectors on protecting girl children from discrimination and exploitation as well as for their overall educational, psychological and professional development. Several policies, programmes and legal arrangements have addressed the equality and empowerment issues of the girl child. The GoN's *President Women Empowerment Program*, which has been implemented since 2019, has had positive impacts on reducing GBV and discrimination, reinforcing empowerment and decreasing the risks of maternal and child mortality. To protect at-risk pregnant women, the *heli-lifting service* has been carried out to ensure safe delivery for women in remote areas.

254. The *National Strategy on Ending Child Marriage*, which was adopted in 2016 to end all forms of child marriage by the year 2030, has had positive impacts in improving equitable access to education and empowerment of girl children. The *Act Relating to Children, 2018* has made several platforms, including legal protection, institution building and programmatic interventions, in pursuit of safeguarding, promoting and fulfilling the rights of the child in terms of survival, protection, development and participation, in line with the articles of the *UN Convention on the Rights of Child*.

## **Part IV**

### **Challenges and ways forward – national commitments**

#### **Key challenges to the effective implementation of CEDAW**

255. The lessons learned from CEDAW implementation in Nepal reflect a mix of achievements, opportunities, challenges, constraints and future prospects. There are opportunities to end all barriers by recognizing the 'right-choice voice' of women.

256. The Constitution of Nepal guarantees women's rights as a fundamental right and reaffirms their rights through the principle of proportional inclusion. While legal frameworks provide solid ground for advancing the rights of women and marginalized groups, there are still challenges in translating legal equality into substantive equality for women and girls in Nepal.

257. The effective implementation of CEDAW is determined by various factors, including a 'high-performing capacity with gender-transformative approach', an enabling environment for implementation in terms of policies, laws and a competent execution mechanism; investment priorities and funding capacities; effective monitoring and evaluation; accountability mechanisms; and meaningful collaboration

and partnerships. Critical challenges have been assessed on all of these fronts. The present capacity of the country, the level of willingness and the socio-cultural environment meet the requirements needed.

258. Although the federal system has provided space for realizing women's rights, efforts to roll out the national goals across all three tiers of government have been constrained by differing capacities at the federal, provincial and local levels.

259. To ensure an evidence-based system of CEDAW implementation, there is a need for gender assessments and analysis across all three tiers of government, which must include sex-disaggregated data and intersectional information system that can lead to gender-inclusive policymaking, planning, programming and actions. Nepal cannot currently carry this out, thus constraining systematic efforts to make instrumental reforms.

260. The 'push' and 'pull' factors of trafficking in women and girls as well as 'unsafe international migration' among women are critical challenges. With judicial oversight, anti-trafficking teams need to be able to proactively infiltrate existing online markets and networks, collect human rights-compliant digital forensic evidence and develop enforcement countermeasures to address the challenges presented by strong encryption.

261. Traffickers have integrated the internet into their business models, as it facilitates the luring of victims into sexual exploitation, forced labour, forced criminality and other purposes. Governments must catch up to and outmatch the technological advancements of traffickers to bring them to justice.

262. Despite efforts in building national collaborative capacity to end violence against women and girls, the results are yet to be made instrumental because of serious cases of physical and sexual violence and continued harmful practices and stereotyping. Women's rights violations are still high and not decreasing in the expected way. According to the NDHS 2016, more than one-fourth (26 per cent) of women between the ages of 15 and 29 experience physical or sexual violence. New forms of violence, like acid attacks and cybercrime are also evident. Child marriage is still common with more than 37 per cent of girls married before age 18 and 10 per cent before age 15. This demonstrates challenges in enforcing laws.

263. Women's significant engagement in informal employment, mainly in the agriculture sector, has been a challenging issue in terms of the decent work deficit, invisibility, exploitation and occupational development. As informal workers, women share a disproportionate burden of unpaid and underpaid care work and family responsibilities.

264. Significant challenges remain to achieve gender equality and the empowerment of all women and girls in the context of climate change, environment and disaster risk reduction policies and programmes. Moreover, the COVID-19 pandemic has significantly slowed progress toward achieving gender equality. Adequate and effective preparedness for response, building resilience and economic reintegration are seen as critical challenges.

265. Women's representation and participation in public life and business sectors, however, have advanced in terms of quantity. Still, Nepali women in leadership and decision-making roles have continued to be marginalized due to a lack of opportunities.

266. Rural areas in Nepal continue to be disadvantaged in terms of access to basic health services and opportunities for education and employment. Along with cities, rural development is important for alleviating poverty, controlling mass out-migration, creating jobs, maintaining the local population and reducing disparities.

267. Although there is growing awareness in Nepal about protecting LGBTIQ+ rights, national policies and laws do not yet properly address discrimination and sexual violence against these communities.

## **National Commitment and the way forward**

268. To better realize gender equality, non-discrimination and women's rights, there are several 'levers' and intervention areas that the government must embrace to accelerate progress and effectively implement CEDAW. These include: shifting gender norms through a transformative approach, bridging gaps between law and enforcement with results delivery, countering all forms of discrimination and backlashes to gender equality, fostering meaningful inclusion and accountability, transforming traditional 'welfare or charity' cases to having a 'rights-based' approach and harnessing women-friendly production systems and technology for entrepreneurial enhancements.

269. Nepal can achieve the objectives of CEDAW and the BPfA by removing gender stereotypes, rectifying long-standing inequalities and matching our commitments with action at the sub-national, national, regional and international levels. The women's rights movement must continue until we achieve full and substantive equality. We remain committed to eliminating remnants of discrimination and bridging the implementation gaps.

270. The GoN is committed to fighting domestic and gender-based violence and will continue to focus on short-term and long-term plans and programmes to respond to these issues. In addition to rescue, relief and rehabilitation, the MoWCSC has focused on livelihood, income generation and entrepreneurship development programmes for women's economic empowerment.

271. The GoN has made continuous efforts to review and reform legal frameworks to ensure *de facto* equality and non-discrimination, conceptually and operationally.

272. For effective implementation of CEDAW and BPfA, the GoN is moving forward with the required policies, strategies and legal frameworks.

273. In pursuit of ensuring meaningful and objective operationalization of reservations for women in public positions, the GoN will conduct a review of the existing laws and mechanisms for addressing the needs of women from marginalized, excluded and downtrodden communities.

274. The Human Trafficking and Transportation (Control) Act, 1999 will be amended to criminalize all forms of sex trafficking and labour trafficking in line with the 2000 UN TIP Protocol. Capacity development will be carried out among law enforcement, prosecution and adjudication agencies, along with enhanced collaboration and partnerships for prevention, control and reintegration.

275. To prevent labour trafficking and exploitation among women, the government is planning to make international migration qualifications based on semi-skilled and skilled labour, which will enhance the quality and safety of foreign employment opportunities.

276. The GoN is firmly committed to improving its CEDAW implementation measures on all fronts in terms of policies, laws, institutions and systems through the following actions:

(a) Transforming all welfare or charity measures to rights-based measures for women's development;

- (b) Promoting broad-based collaboration and partnerships between the government, political parties, non-government agencies, civil society, the private sector, business communities, mass media and international development partners;
  - (c) Building capacity for effective law enforcement, policy and strategy implementation, institutional strengthening and delivery systems;
  - (d) Effectively mainstreaming gender and women's issues through adequate investment and resource management at all levels;
  - (e) Implementing gender-responsive budgets across all three tiers of government and their sectors, with a focus on outputs and results;
  - (f) Developing and strengthening the gender management information system and sex-disaggregated data management capacity through mandatory gender assessments and analyses while formulating, executing and conducting monitoring and evaluation of policies and programmes;
  - (g) Building Nepal's readiness for responding to pandemics and future shocks that may affect women, children and marginalized communities;
  - (h) Responding to issues affecting the LGBTIQ+ community, including the right to sexuality and freedom from violence, discrimination and exclusion, and mainstreaming these issues into the development paradigms;
  - (i) Fostering safer, documented migration of female migrant workers by developing the monitoring capacity of diplomatic missions and labour attachés, improving information sharing between governments and strengthening the cross-border vigilance system;
  - (j) Strengthening the capacity of the MoWCSC, NWC and government Gender Focal Points to effectively perform on issues of women's rights, gender equality and women's empowerment.
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