

Responses from Nepal to the 71st session of CEDAW Committee in relation to the constructive dialogue with the state party on the 6th periodic report of Nepal on 23 October 2018

1. ***On protection of child care, elderly care and care of other vulnerable population:*** The recently enacted Right to Social Justice Act, 2018 has a comprehensive scheme of providing social security in eight different clusters - senior citizens, economically deprived community, incapacitated and helpless persons, helpless single women, persons with disabilities, children, those not capable of taking care on their own, and endangered community. Therefore, special care shall be provided to these groups through the scheme of this Act. Moreover, there are sectoral laws dealing with children, senior citizens and persons with disabilities. The current budget and annual program of the government has a provision of free medical insurance of Rs. 100,000/- to persons above the age of 70 years. In the fiscal year 2017-18, budget allocated for the health sector stands at Rs. 56.41 billion, a significant increase compared to the budget allocated in the last fiscal year.
2. ***On the issue of discrimination in food distribution against women and girls:*** There is no such discrimination against women or girls in any form and manifestation. Moreover, the recently enacted Right to Food and Food Sovereignty Act, 2018, ensures right to access of all citizens to adequate, nutritious and quality food without discrimination. This Act has accorded first priority in obtaining the Food Assistance Identity Card to the senior most woman member of a family. In addition, the government has been implementing the Multi-sectoral Nutrition Plan to address food deficiency specially targeting pregnant women, lactating mothers and children.
3. ***On the compliance of the ILO recommendation 202:*** The Right to Social Justice Act, 2018 referred to above addresses the issues raised in the said recommendation.
4. ***On same sex marriage and other issues relating to LGBTI:*** The Supreme Court, through its directive order to the Government, led to the formation of a committee to study on the issue of same sex marriage. Prior to the court order, the Government had also made various provisions to protect the rights of LGBTI such as issuing citizenship certificate, passport and voter's identity card with the mention of "others" in sex column. The Constitution has guaranteed the rights of LGBTI and the government is committed to ensure their rights.
5. ***On consultation NGOs/CSOs in legislative process:*** Under Nepal's law making process, stakeholders are consulted at different levels by the sectoral ministries, departments and relevant committees of the Parliament as may be necessary.
6. ***On inconsistency between Penal code and Civil code:*** Regarding concerns on the inconsistency in civil code and criminal code on marriage, inheritance and other matters of family life affecting the rights of women and girls, the

government will look into it and take necessary measures for amendment, if found any.

7. ***On becoming a party to the various conventions as raised by the CEDAW Committee members:*** Government of Nepal will consider becoming a party to the Migrant Workers Convention, ILO 189 and other instruments in due course of time.
8. ***On issues relating to women migrant workers:*** The Government is effortful to conclude bilateral labor agreements with the labor destination countries on a priority basis with special provisions for safety and security of women migrant workers.
9. ***On implementing the recommendations of the Special Rapporteur on Migrant Workers:*** We have taken note of the recommendations; some of which have been already implemented and some are in the process of implementation.
10. ***On the issues of women workers engaged in entertainment sector:*** The Labor Act, 2017 has been implemented, which equally encompasses both the informal and formal sector. It has provided measures to safeguard decent work, including application of minimum wage, issuance of appointment letter and identity cards.