

**Statement delivered at the Sixth Periodic Review of Nepal at 71<sup>st</sup> session of CEDAW committee by the Leader of Nepali Delegation Hon'ble Minister for Women, Children and Senior Citizens Mrs. Tham Maya Thapa**

**(Geneva, 23 October 2018)**

Respected Chairperson of CEDAW committee,  
Distinguished Members of the Committee,  
Member of National Human Rights Commission of Nepal,  
Representatives of Nepali Civil Society Organizations,  
Media persons,  
Ladies and Gentlemen,

1. First of all, on behalf of Government and people of Nepal and on my own, I would like to appreciate the CEDAW committee for opportunity in this dialogue.
2. I would now like to introduce the members of my delegation. It comprises:
  - Myself, Tham Maya Thapa, Minister for Women, Children and Senior Citizens, as the leader of Nepali delegation to the 71<sup>st</sup> session of the CEDAW Committee
  - Mr. Deepak Dhital, Ambassador and Permanent Representative of Nepal
  - Ms. Radhika Aryal, Joint Secretary, Ministry of Women, Children and Senior Citizens
  - Mr. Phanindra Gautam, Ministry of Law, Justice and Parliamentary Affairs
  - Mr. Tirtha Raj Wagle, Deputy Permanent Representative
  - Mr. Ram Prasad Subedi, Minister Counsellor
  - Ms. Meena Aryal, Counsellor
  - Mr. Kumar Rai, Counsellor
  - Ms. Antara Singh, Second Secretary (who will be my interpreter also), and
  - Mr. Vijay Raj Tandukar, Second Secretary
3. I am glad to participate as the leader of the Nepali delegation and discuss on the report presented by Nepal for the Sixth Periodic Review of the CEDAW, along with the response to the list of issues received from the committee thereafter.
4. I would like to inform that while preparing these reports, wider discussions and consultations were held with relevant government agencies, Human Rights agencies, NGOs, CSOs and Development Partnership organizations. The report includes the implementation status of the issues contained in the concluding observations made by the combined fourth and fifth review report, progress made in the overall implementation of CEDAW, Beijing declaration, and the implementation of Beijing Platform for Action.
5. I would like to reiterate that Government of Nepal is committed to the effective implementation of Convention on the Elimination of All Forms of Discrimination Against Women. I would also like to reaffirm our commitment to the implementation of all Human Rights Conventions to which Nepal is a party.
6. Presently, Nepal is a member of the UN Human Rights Council, deputy member of the Governing Board of International Labour Organization, an active member of BIMSTEC, Chair of SAARC, and chair of the regional consultative process on overseas labour migration - the Colombo Process. In all these forums, besides other issues, Nepal has been raising views on the advancement of women's rights and gender equality.
7. It is almost 28 years since Nepal had ratified CEDAW. During this period, Nepal has made important achievements to institutionalize women's rights.
8. Nepal became a state party to CEDAW when the multiparty system was restored in the country in the early 1990s. We have been making efforts in line with the set principles and spirit of CEDAW since then. We had to pursue a long struggle in the Parliament to amend the laws and policies that were put in place by the design of the centuries-old feudalistic mentality and paternalistic value system. These old values and practices continued to perpetuate violence and discrimination against women. Against this odd, the Nepali people organized a popular movement in 2006 for the establishment of a Federal Democratic Republic. Following the success of the movement, intensive and long discussions were held among the elected representatives of the people which culminated in the making of the new constitution. This has fulfilled the seven decades long desire of Nepali people to draft a constitution on their own. Along with the promulgation of the constitution, the peace process has reached its logical conclusion.

9. This constitution ensures the building of an equitable society based on the principles of equality, shared prosperity, social justice, proportional and participatory inclusion and the ending all forms of discrimination based on class, ethnicity, region, language, religion, gender and other specificities.
10. Article 18 of the constitution provides for the Right to equality which prohibits discrimination against women on any ground. Likewise, article 38 guarantees equal lineage right, along with right to safe motherhood, and reproductive health for women. It further criminalizes any physical, mental, sexual, psychological, or other form of violence or exploitation against women. It also provides the right to obtain special opportunity for women in education, health, employment and social security on the basis of positive discrimination.
11. This constitution has transformed Nepal from a unitary form of governance to a federal set up with three tiers of Government at the federal, provincial and local levels. At the center - the Federal Government, at the provincial level - seven provincial governments, and at the local level - seven hundred and fifty-three local governments have been formed. As per the constitution, around forty thousand representatives have been elected after the conclusion of federal, provincial and local level elections. Women's representation through election has reached over forty one percent. This level of participation of women at the political and policy making level has set a milestone in the history of women representation in Nepal.
12. The administrative restructuring as per the Federal Governance System has reached its final phase. To deal with overall issues related to women, Ministry of Women, Children and Senior Citizens at the federal level, Ministry of Social Development at the province level, and Social Development Section at the local level have been established.
13. National Women Commission has been upgraded into a constitutional body. Accordingly, the Commission has been empowered and equipped with required means, resources, manpower, rights and responsibilities. The process of appointment of officials to the National Women Commission along with other constitutional bodies has been initiated.
14. Likewise, in the judiciary, three tiers of courts in the form of Supreme Court, High Court and District Court have been provisioned. This has further facilitated access to justice for women at the local level.

Madam Chairperson,

15. In order to ensure smooth operation of the constitution, we have taken initiatives to draft new laws, and amend existing ones. In this regard, on 16 September 2018, the Federal Parliament enacted more than 105 acts, which includes sixteen acts related to fundamental rights meant for the implementation of fundamental rights enshrined in the constitution. All relevant remaining laws will be amended in line with the federal system as per the constitution by mid-March 2019.
16. Nepal's oldest codified law, the General code of Nepal, has been replaced by Civil Code 2017, Criminal Code 2017, Civil Procedures Act 2017, Criminal Procedures Act 2017, and have been brought into effect. These acts have criminalized all forms of discrimination, violence, social malpractices, or any harmful acts against women, and made provisions for punishment of the perpetrators, along with ensuring compensation for the victims. I would like to state that effective implementation of these laws in the coming days will further help for the effective and practical implementation of CEDAW.
17. In accordance with the constitution, and upon successful conclusion of all the three tiers of elections, we have achieved political stability in Nepal. The present government with a two-third majority in the Parliament is moving ahead with the long-term objective of 'Prosperous Nepal: Happy Nepali'. I would like to inform the committee that in order to realize this objective policies, plans and programs targeted to women have been accorded high priority.
18. In the new federal system, the head of state is a woman. This achievement is a pride for all Nepali people. Four of the ministers of the Federal Council of Ministers are women. Likewise, the chief of Province number three is a woman. In addition, 8 out of 16 parliamentary committees are being chaired by women. In the International forums also, the representation of Nepali women is continuously increasing. Five of the ambassadors representing Nepal are women. In this distinguished CEDAW committee itself, Ms. Bandana Rana from Nepal is serving as a member.
19. Along with the political representation of women, we have witnessed continuous improvement of the socio-economic situation of women. There is gender parity at the primary level of education. At the higher level of education, the gap is closing. In the health sector, women's

health is improving and the infant mortality rate has been reduced. In these sectors, Nepal is leading in South Asia.

20. Women's economic participation has increased. In 2011, the land and property ownership of women was around 20 percent. In 2017, this has reached 26 percent. In the cooperative sector, the involvement of women has been more than 50 percent and around 40 percent of cooperatives are being led by women.
  21. Nepal is committed to end all forms of violence against women and girls. Adequate legal provisions along with their effective implementation to end gender based violence have been made. On 24 August 2018, the House of Representatives passed a four-point resolution motion to end violence against women and girls. An action plan for the implementation of the resolution motion and a high-level mechanism for the monitoring of the implementation has been formed. I would like to inform the august committee that initiatives are being taken to draft laws with strong punishment to perpetrators of rapes against girls under the age of ten and women over the age of seventy.
  22. Awareness programs to end violence against women and children are being conducted throughout the country. Programs for the protection and rehabilitation of victims have been made across the country. These issues have also been included in the school curriculum. Through an 82-point action plan to reform police administration, special campaigns and programs will be conducted shortly to raise awareness for ending sexual violence against women and girls in collaboration with all levels of government.
  23. Bilateral labour agreements with seven destination countries have been concluded to ensure decent work opportunity for women and end irregular migration for foreign employment. Agreements with other major destination countries are in the process.
  24. A census is being conducted in Nepal in 2021. The preliminary preparation for the census has already started. In that context, comprehensive and gender disaggregated data will be collected.
  25. I would like to inform you that to end all forms of discrimination against women, we are planning to bring a 5-year action plan to end discrimination against women in a comprehensive manner.
  26. We have mainstreamed the 2030 Agenda for Sustainable Development Goals and targets into National Policies and Programs. For this purpose, at the national level, 430 indicators have been devised. This includes 20 indicators for the implementation of Goal 5 and the targets which is related to gender equality and women empowerment. The Fourteenth Periodic Plan is being implemented to achieve these indicators with the aim of 'Leaving No One Behind'. And the next fifteenth plan will also carry these issues forward.
- Madam Chairperson,
27. I would like to reiterate our commitment to the creation of an enabling environment and other necessary measures for the effective implementation of Convention on the Elimination of All Forms of Discrimination Against Women. I would like to further affirm that the conclusions and recommendations to be provided by the esteemed committee will be widely disseminated and implemented at the national level.
  28. Now, I would like to request the senior member of my delegation Ambassador/Permanent Representative of Nepal Mr. Deepak Dhital to take over the discussion. I will remain present throughout the discussion and will follow these dialogues through my interpreter.
  29. I thank you for your kind attention and ask Ambassador Dhital to proceed with further presentation.
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