



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

Distr.: General
16 February 2021

Original: English
English, French and Spanish only

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

**Information received from Nepal on follow-up to the
concluding observations on its sixth periodic report***

[Date received: 1 February 2021]

* The present document is being issued without formal editing.



Introduction

1. The Government of Nepal submits the follow up to the concluding observations of the Committee on the Elimination of Discrimination against Woman adopted on 14 November 2018 (CEDAW/C/NPL/CO/6). Pursuant to paragraph 51 of the concluding observations, the follow-up covers paragraphs 31 (a) and (b), and 43 (b) and (c).

Response to paragraph 31 (a) of the concluding observations

2. The Constitution of Nepal of 2015 guarantees the right to obtain citizenship of Nepal by Nepali citizens as a constitutional right. The Constitution ensures equality between men and women with respect to acquiring, retaining, and transferring of citizenship. This also equally applies to their children. The Constitution ensures every child the right to name and birth registration along with his/her identity. Similarly, the Act Relating to Children, 2018 ensures the right of the child to have a name with his/her own identification and birth registration. Likewise, the National Identity Card and Registration Act, 2020 provides procedural and institutional provision for ensuring this right. All of these legal rights have been fully enjoyed by Nepali citizens.

3. In order to implement equality provision of the Constitution, Nepal Citizenship Amendment Bill has been submitted in the Federal Parliament on 7th August 2018.

Response to paragraph 31 (b) of the concluding observations

4. As provided in Article 15 of the Constitution, matters relating to the maintenance of records setting out the identity of every citizen of Nepal and the citizenship of Nepal, the National Identity Card and Registration Act, 2020 has been enacted and came into force on 11 February 2020 which repealed the Birth, Death and Other Personal Incident Registrations Act, 1977. The National Identity Card and Registration Act does not require consent and assistance of the husband or the husband's family for registration of birth. Father or mother, or in their absence, any member of the family who has attained eighteen years of age may inform the Office of the Local Registrar within thirty-five day from the date of the birth of the child for registration of birth. Moreover, the persons having the responsibility to give information of the birth of the child referred above may give the power of attorney to any person to inform such events. The Citizenship Amendment Bill has also been submitted in the Federal Parliament to that effect.

Response to paragraph 43 (b) of the concluding observations

5. Detailed provisions relating to the conclusion, dissolution, and registration of marriage are provided in the National Civil Code, 2017. The Code provides that if a man and a woman accept each other as husband and wife through any occasion, ceremony, formal or other act, a marriage is deemed to have been concluded. The Code requires both husband and wife to get their marriage registered by filing an application to the competent authority. The National Identity Card and Registration Act, 2020 provides that in case of marriage both, husband, and wife, and in case of dissolution of marriage either husband or wife must inform for the registration or dissolution of marriage in the local registrar within thirty-five day from the date of such event. The Government of Nepal has been implementing the provisions of the National Penal Code on the minimum age of marriage. The Code came into force on 14 August 2018. The conclusion of marriage below twenty years of age is a criminal offence.

Response to paragraph 43 (c) of the concluding observations

6. The National Penal Code explicitly prohibits marriage below twenty years of age. Marriage concluded or caused to be concluded under the age will be void ipso facto and punishable offence.

7. The Government of Nepal has adopted the National Strategy to End Child Marriage in 2016. The Strategy to end child marriage by 2030, took a multi-sectoral approach and was implemented through six pillars: empowerment of girls and adolescents; quality education for girls and adolescents; engaging boys, adolescents, and men; mobilizing families and communities; access to services; and strengthening and implementing laws and policies. Based on the strategy, a systemic review of laws and policies were undertaken in relation to child marriage in line with constitutional and international human rights standards including harmonization of laws in the areas of property rights, gender-based violence, as well as provisions relating to divorce, annulment, marital rape, dowry, birth registration, and citizenship.
