

**Mandate of the Working Group on the issue of discrimination against women in law and in practice**

REFERENCE: OL  
NPL 7/2014:

14 November 2014

Dear Mr. Adhikari,

I have the honour to address you in my capacity as Chairperson-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice pursuant to Human Rights Council resolution 23/7.

The Working Group is following up on the information on Nepal, published by the UN High Commissioner for Refugees in its 2014 annual note regarding gender equality in legal provisions in nationality laws. According to this information, current nationality law in Nepal discriminates against women in that a child born to a Nepalese father acquire citizenship under all circumstances whereas children born in Nepal to Nepali mothers and foreign citizen fathers have to apply for citizenship through a naturalization process. Reportedly no children have acquired citizenship in this way.

In this regard, the Working Group wishes to recall CEDAW's Concluding Observations on Nepal (CEDAW/C/NPL/CO/45), the Committee expressed concerned about the persistence of a significant number of discriminatory laws and provisions. The Committee recommended that the State party repeal all the remaining discriminatory laws and provisions.

The Working Group would also like to recall the recommendations made in the context of the Universal Periodic Review of Nepal, which are under consideration or are supported by Nepal, which called the State to continue its efforts to end discrimination on the grounds of religion, race or gender in law and practice, further develop its efforts to ensure gender equality and enhance measures aimed at protecting the human rights of children, women and other vulnerable groups (see recommendations 106.21 & 106.14 in A/HRC/23/8).

The Working Group would like to draw to your attention the existence of wide spread good practices by States in your region with many countries upholding equality between men and women in relation to nationality.

In order to clarify the measures being taken by your Government to repeal the discriminatory legislative provisions on nationality, the Working Group would be grateful if you could address the following matters:

1. Please provide any additional information on the current status of the relevant legislation with regard to the right of women to pass their nationality to the children on an equal footing with men;
2. Please provide information on any measures that your Government has taken or intend to take in order to implement the recommendations by UN human rights mechanisms, referred to above, and to bring its legislation into compliance with international human rights law.

The Working Group would appreciate a response within 60 days and remains available for any type of technical advice on legislative reform that your Government may require.

This communication and your Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Mr. Adhikari, the assurances of my highest consideration.

Frances Raday  
Chairperson-Rapporteur of the Working Group on the issue of discrimination against  
women in law and in practice