

Women's Rights in the Constitution of Nepal: 2015

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Abstract : Nepalese legal system was derived from Hindu sacred before the democratic movement in 1990. Before this movement, Nepal had a patrimonial system. Nepal has ratified the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). Women organizations of the various political parties, different social organizations and women activists are playing the significant role to empower the women through the social awareness campaign across the country. As a result, 33% women representation in the local government has ascertained by the current constitution. The Constitution of Nepal-2015 has mentioned the rights of women as a fundamental right and it also has provisioned the National Women Commission as the constitutional body. This constitution is the model of gender friendly constitution in the world. As per this constitution, the Citizenship certificate is issued based on the lineage of the mother or father along with gender identity. The current constitution has guaranteed 33% women participation in judiciary, bureaucracy and legislation. This constitution further states that the parliament must elect a woman either as the president or the vice president. Similarly same rule is applied to elect the speaker and the deputy speaker in the parliament. In the same constitution, rights of the third gender also has guaranteed. The guiding principles of the constitution further explain that the constitution has followed the rule of positive discrimination and proportional representation of women in all elements of the state. This study shows that the state is not only focused in the representation of women in all structure of the nation but also need to emphasize the enhancement of the capability of the women to make them equal to the men.

Keywords : constitution, empowerment, representation, women's rights

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