

## U.N. COMMITTEE CALLS ON NEPAL TO ERADICATE CHILD MARRIAGE AND ENSURE WOMEN'S ACCESS TO SAFE ABORTION SERVICES

12.3.14 - (PRESS RELEASE) The United Nations Committee on Economic, Social and Cultural Rights (U.N. CESCR) this week denounced the Nepal government for its failure to end child marriage and to ensure all women in the country have access to reproductive health care services, including safe and legal abortion.

While U.N. CESCR recognized the Nepal government for its political commitments to end child marriage, the committee criticized officials for slow progress in eliminating the illegal practice, citing low prosecution rates in child marriage cases. Further, the committee noted that despite Nepal's legalization of abortion in 2002, too many women are still unable to obtain safe abortion services. In its recommendations, U.N. CESCR noted, "The low awareness of legality of abortion and the existence of safe abortion services as well as the lack of access to trained health assistants and adequate services..." has forced many women, especially those from rural and disadvantaged communities, to obtain unsafe abortions. Said Nancy Northup, president and CEO of the Center for Reproductive Rights:

"Nepal has some of the strongest constitutional and legal protections for women's rights in the world, but they cannot be allowed to exist on paper alone.

"Countless girls are still married off against their will and women are consistently denied essential reproductive health care. These are serious violations of fundamental human rights.

"The United Nations committee is right to hold the Nepal government accountable, and the government must now act decisively to ensure that the progressive laws and rights it has established become a reality for women and girls throughout the country."

The U.N. CESCR recommendations call on the Nepal government to create a public awareness campaign on safe abortion, to adequately train health assistants, and to take measures to prevent uterine prolapse, a serious pregnancy complication affecting thousands of Nepalese women.

In 2006, the Nepal government adopted an interim constitution that established reproductive rights as fundamental rights, and in 2009 Nepal's Supreme Court deemed that the government has an obligation to guarantee women's access to safe and affordable abortion services, and ordered the state to develop a comprehensive abortion law which has yet to be enacted.

Prior to the U.N. CESCR review, the Center for Reproductive Rights, Justice for All and Forum for Women, Law and Development submitted a joint letter to the committee expressing serious concerns related to access to reproductive health care services, quality maternal health care and child marriage. While the government of Nepal has demonstrated political will to address child marriage—even signing onto a U.N. Human Rights Council resolution last year—the country has one of the highest rates of child marriage in South Asia and has been slow to effectively implement laws and policies to eradicate the practice.

Child marriage is just the tipping point of human rights violations against girls and women in Nepal and throughout South Asia. According to the 2011 national census, more than 100,000 women were given away in marriage before the age of 10. These young girls are pressured to bear children soon after marriage, even though it puts their health at grave risk. If these brides want to leave the marriage, the current law does not offer any legal protection or entitlements to women. Adding insult to injury, the laws in place are not enforced so women cannot seek justice.

"All women and girls have the fundamental right to make critical decisions about their reproductive

lives and with whom they wish to build a family,” said Melissa Upreti, regional director for Asia at the Center for Reproductive Rights. “In order for the Nepal government to fully respect and protect the human rights of women and girls, law and policymakers must work swiftly to adopt a robust national strategy to end child marriage and enact a comprehensive abortion law.”

In its recommendations, U.N. CESCR called on Nepal to finish drafting the new constitution quickly and to “ensure that under no circumstances will the enjoyment of rights already acquired by women and disadvantaged and marginalized individuals and groups be restricted.” The committee also urged the government of Nepal to enforce its Domestic Violence Act of 2009 so survivors of violence and sexual assault can seek justice. It also called on the state to expedite the adoption of the “National Strategy to End Child Marriages.”

In 2013, the Center issued the report *Child Marriage in South Asia: Stop the Impunity* examining the consequences of child marriage, which subject girls to heinous abuses, including domestic violence and marital rape, placing their reproductive health and lives at serious risk. The report criticizes the failure of governments in South Asia to prevent and prosecute cases of child marriage, which has led to these countries being responsible for violating young girls’ human rights.