



Controversy Around Nepal's Citizenship Law

Why in News?

Recently, the president of Nepal sent back the **bill to amend the Citizenship Act, 2006** to the lower house of the [Nepal](#) Parliament for reconsideration.

What's the Issue About?

▪ About:

- After the fall of the monarchy and the transition of Nepal into democracy in 2006, there was the emergence of the [multiparty system](#) followed by the adoption of a constitution in 2015.
 - Due to this, all-Nepalese citizens **born before the adoption of constitution got naturalised citizenship.**
 - But their **children remained without citizenship as that was to be guided by a federal law that has not yet been framed.**
 - The recent amendment is expected to pave the way to citizenship for many stateless **youths and their parents.**

▪ Issues in the Act:

- **Against Gender Justice:**
 - It goes against established parameters of gender justice, according to a new amendment, a person born to a **father or a mother with Nepalese citizenship can get citizenship by descent.**
 - Also, a person who is born to a **Nepalese mother** (who has lived in the country) and an **unidentified father** will also get citizenship by descent.
 - But this **part seems humiliating to the mother because her husband has to declare his unknown in order for the child to apply for citizenship.**
 - Further, in the case of a **Nepali father, no such declaration is required.**
- **Contradictory in Nature:**
 - If a child born to a **Nepalese mother and a father holding foreign citizenship** can get **naturalised citizenship.**
 - This places a condition of permanent residency on the mother (and the child) which will determine the grant of citizenship for the child.
- **Flawed nature of Law:**
 - If a person who is born to a **Nepalese mother and an unidentified father** can be granted citizenship by descent, in case the **unidentified father turns out to be a foreigner, the citizenship by descent would be converted to naturalised citizenship.**

What was the Need to bring this Amendment?

- The Nepalese men, particularly from the **Terai region, continue to marry women from northern India**, so this could affect their Nepali Identity.
 - **"Beti-Roti" (Nepalese men marrying Indian women)** issue, many women could not become citizens of Nepal as they were subjected to the infamous seven-year cooling-off period before they could apply for citizenship in Nepal.

- As such women were **stateless, and children of such families were also often found to be without Nepalese citizenship.**
- That's why the new amendments have **done away with the cooling-off period for these stateless women.**
- This will **benefit the children of such families where the mother and children remained stateless for years**

[Source: TH](#)

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