

Interview 15: NEPAL: Dhana Kumari Sunar

Mrs. Dhana Kumari Sunar is a member of the National Women's Commission. She is actively involved in the defense of the rights of women in Nepal. As a member of the Dalit community, she has strongly advocated in favour of the rights of the Dalit women in particular.

What is the relationship like between the police and citizens in Nepal? The police and the Nepali citizens do not share a close relationship. Police officers have not fulfilled their duty to protect the security of the citizens and the state. The state does not train police officers for that purpose. So police officers have not developed a feeling that they should work in favour of the citizens. But to some extent, this attitude is changing little by little. The police are slowly becoming aware that their work should benefit the people, rather than repress them further. Unfortunately, influential persons and families have been influencing the work of the police and of the whole public security mechanism. Though the police's salaries and benefits are paid by the ordinary citizens' tax money, they do not have that mindset where they feel responsible for helping the citizens. Basically, there is a huge gap in terms of the lack of understanding between the police and citizens.

So how do you think the relationship should be?

There is no denying that the citizens are the main entity of any and every society. Therefore, the state should guarantee all the rights of its citizens. The police act as one of the mechanisms of a state, so they should be more responsible and take care of the citizens' rights and security. There should be an environment of cordial relationship between the police and state's citizens. Now, the sight of the Nepalese policeman inspires fear and insecurity in the people, and this should be changed. This environment should be changed and a close relationship should be maintained.

What do you think of the police's use of torture?

Though the government has ratified the Convention Against Torture and other international laws and conventions, the ratio of police torture is rising every day. The police do not have any right to torture anyone detained under their custody. Recently, the police tortured a Dalit, Sanu Sunar, to death in Kathmandu. There are numerous instances similar to this one. The police either do not know about or do not want to follow legal procedures and methods to extract information and sanction the true perpetrators instead of resorting to the practice of torture. The fact that the government has not been serious in addressing these issues is a major problem in Nepal. Why do the police still torture people in custody? Is it because they do not understand? Are we incapable of teaching them? We lack the capacity to draft and implement such laws in the country. But slowly, we should manage to eliminate this problem.

Would you feel safe going to a police station and filing a complaint if you had a problem?

I read some research which said that only 6% of victims in trouble actually go to the police. What happens to the rest? Because of the people's distrust of the police and the state's security mechanism, they do not seek justice. People do not think it is safe to approach the police to solve their problems and fight for justice. The way the police think, behave and act is totally adverse to the common citizens. Therefore, common people are afraid to approach the police. Most of the time, they think it is better not to approach the police station. When

they have no option but to go to a police station, they go, but they are still fearful of untoward incidents which might happen. They fear that they may have to suffer and may be punished themselves. There is no environment guaranteeing justice to the victims in the police station. So in Nepal, the police are not a citizen-friendly body.

Is there a law against domestic violence in Nepal?

Yes, we do have a law against domestic violence. We recently celebrated the first anniversary of this law's passing in Nepal. But we still need to set regulations for it. The law has not been strongly implemented. Actually, its implementation can be termed at almost zero level - a common problem in Nepal when it comes to implementation.

What is the problem with its implementation?

The main problem is that the law says that the complaint should be examined by three to four bodies, which in most cases is just not practical. Moreover, there is a problem of coordination among the different bodies. As we still need to prepare regulations for the domestic violence law, this hinders its effective implementation. The National Women's Commission has recognized the necessity of quickly drafting guidelines and promptly implementing the law which is supported by organizations working in the human rights and women's rights sector.

How do you view the policing system in your country?

The policing system is still under the grip of political parties in power. The police lack the willingness to understand the citizens, and to respect their sentiments and beliefs. We need to raise the police's awareness about this because we do not have any option other than to reform this system. In reality, they are supposed to work for the benefit of the state and its people, so rules and regulations should be formulated to bind them to this responsibility. The police should be established as an institution which respects and gives security and justice to the citizens of Nepal.