ARMED VIOLENCE IN THE TERAI

AUGUST 2011

interdisciplinary Analysts

small
arms
survey

SAFERWORLD

ARMED VIOLENCE IN THE TERAI

Acknowledgements

Contents

Acronyms

AMMAA	Agreement on Monitoring of Management of Arms and Armies
APF	Armed Police Force
CA	Constitutional Assembly
COAS	Chief of the Army Staff
CPA	Comprehensive Peace Agreement
CPN-UML	Communist Party of Nepal – Unified Marxist Leninists
FW	Far-Western (Development Region)
ICM	Institute for Conflict Management
IDA	Interdisciplinary Analysts
IED	Improvised explosive device
INSEC	Informal Sector Service Centre
JTMM	Janatantrik Terai Mukti Morcha
MJF	Madhesi Janaadhikar Forum
MPRF	Madhesi People's Rights Forum
MW	Mid-Western (Development Region)
NEMAF	Nepal Madhes Foundation
NGO	Non-governmental organisation
NP	Nepal Police
OCHA	UN Office for the Co-ordination of Humanitarian Assistance
SATP	South Asia Terrorism Portal
SSP	Special Security Plan (Programme)
TLA	Tharuhat Liberation Army
TMLP	Terai Madhes Loktrantrik Party
UCPN-M	Unified Communist Party of Nepal – Maoist
UDMF	United Democratic Madhesi Front
UNMIN	United Nations Mission in Nepal
VDC	Village Development Committee

List of figures and tables

Map of Nepal

Preface

This report is based on field research that was carried out by the Small Arms Survey, Saferworld, IDA and NEMAF, from March to June 2010. Consequently, the analysis presented here reflects the situation in Nepal during this period and includes events through August 2010, when the primary author finalised drafting the report. As a result, the report does not address key events that took place during the first half of 2011. The findings in the report and the trends identified in terms of small arms, security and the role of armed groups in security and politics continued to hold true through December 2010.

Executive summary

Since the signing of a comprehensive peace agreement in 2006 Nepal has been in a delicate state of peace. While most international and domestic attention is devoted to the political situation in Kathmandu, one region, the Terai, has experienced a post-war rise in violence and a proliferation of armed groups. Since 2007, the Terai has witnessed bombings, shootings, abductions, extortion, armed crime and domestic violence making it the most insecure region in Nepal.

This report seeks to explain these trends and give an impression of the state of security in the Terai during 2010. It finds that while violence continues to take place, several indicators and widespread popular perception suggest that the overall security situation is improving. Based upon the results of a household survey, focus group discussions and interviews conducted in 2010, most people feel that their community is safe, it is safer than the previous year and they are not concerned that someone in their household would become a victim of crime. Research also suggests that neither weapons ownership nor crime rates are as high as popularly perceived and, in fact, are surprisingly low.

However, the report also underscores that optimism must be tempered by caution. A lack of accurate and reliable data and monthly fluctuations in the number of violent incidents make it hard to assess whether security is definitively improving. The improvement in perceptions of security is also not uniform – women and those living in the border areas are far more likely to feel unsafe at home or in the community. Most importantly, research found that many of the factors that drive insecurity are also still in place and remain salient. So long as phenomena like the proliferation of armed groups, the politicisation of crime, the criminalisation of politics, socio-economic exclusion, limited border controls and weak state security provision remain unaddressed, any improvement in security is conditional and prone to reversal. When viewed within the wider context of political uncertainty and events such as the dead-line for a new constitution (28 May 2011) and the rehabilitation of former combatants, the ongoing salience of these and other factors helps to explain why this report found that optimism over improved security was accompanied by an unease that the situation may turn for the worse with relative speed.

The key findings from the report are:

Priority concerns remain economic rather than security

The main concerns of the population in the Terai are economic in nature, especially poverty, unemployment and price hikes. Education, health care and transportation issues were also cause for concern. Less than 10 percent of survey respondents mentioned security concerns while almost 50 percent cited poverty as one of the most serious concerns in their community. Moreover, half of those who were specifically

asked about their security concerns reported that they had none. To a lesser extent in urban areas and the Central and Eastern regions, most people consider their neighbourhoods to be safe and to be safer than they did a year ago. They also are not worried that someone in their household will become a victim of crime or violence. However, economic exclusion is considered crucial to understanding crime. Interviewees believed that the criminal behaviour that does take place can be linked to poverty, poor education and unemployment and the aspiration of young males' pursuit of the '3M's' – money, machines (cell phone/motorbike) and *masti* (fun).

Available data suggests crime rates are not high

A little less than four percent of respondents reported that a member of their household had been a victim during the past year. The most common incident was assault and the majority of victims were young men who were known to the perpetrator. Two-thirds of all incidents involved a weapon; usually a bladed or a blunt weapon. Respondents reported the use of small arms in 11 percent of incidents and in all cases of violent incidents. The popular perception that armed violence is widespread is not supported by reports of actual incidents.

Perception of widespread possession and use of firearms not supported by available evidence

The repeated statements and conviction that guns are 'everywhere' is not backed up by the available evidence. Only 31 of 2000 survey respondents said that someone in their household possessed a firearm and this was mostly for personal protection. No respondent thought that more than a quarter of the population possessed weapons and most viewed firearms as a threat to safety. While there are regional variations in the perceptions of firearms misuse and the illegality of most firearms possession is likely to discourage full disclosure of weapons possession, convictions on the prevalence and misuse of firearms seem to be based more on news reports than actual experience.

Diverse perceptions and understandings of personal security

Despite the positive signs, it is hard to state with certainty that the Terai is witnessing a sustainable and long-term increase in security for a number of reasons. In the first instance, not all respondents agreed that security is improving. While the general trend was positive, those living in border areas more commonly expressed concerns about living with considerable anxiety and uncertainty. In particular, they felt that the overall security situation had not improved because political *bandhs* (strikes) still occur at regular intervals. People's security concerns also do not solely relate to physical security or organised violence. For many respondents security includes such aspects as dignity, a life without discrimination, freedom from social exclusion and economic insecurity. As a consequence, perceptions of security are often linked to social status (e.g. caste, ethnicity) and the ability to meet socio-economic needs. Poor people are thus more vulnerable to insecurity, understood more broadly.

Security perceptions vary according to gender

The sense of security is also not the same for both sexes. Contrary to men, women's security concerns were more likely expressed in terms of physical security and the security of their children. Widespread domestic abuse and gender-based violence mean that a woman's situation is fragile irrespective of her status or her position in society and that all women are vulnerable to violence. The experience of violence generally goes unreported and is strongly linked to alcohol abuse and to location. The danger to women increases as they leave the home, the community or go out after dark. Across both sexes, it was felt that travelling outside their own communities, during the night, and at certain times of the year (e.g. national holidays, harvest time, religious holidays and paydays) increased one's exposure to violence, theft and other crime.

Political instability and weak state response contributes to insecurity

Ongoing political instability at both the national and local levels and limited state capacity to address crime and violence or the socio-economic drivers of conflict contribute further cause for caution. Political instability is seen as a key contributory factor to insecurity in the Terai both because political representatives are hindering progress toward peace and because politics and crime are increasingly interlinked. Respondents expressed dissatisfaction with their political representatives who, because of a lack of consensus and ongoing power struggles, are consumed by un-ending political negotiations rather than attending to the most pressing issues affecting everyday people. By contrast, a coherent political situation and a stronger and more responsive state are widely seen as the best means of curbing violence in the Terai; the promulgation of the constitution is a key step forward to bringing national political stability.

Despite recognising the existing institutional constraints, respondents also indicated dissatisfaction with the ability of security agencies to improve the security situation, especially ending the regular *bandhs*. While some people regard the police positively and consider policing to be improving, many others point to a range of challenges: the inability to deliver justice and effectively investigate crime; corruption; alleged ties between criminals and police; and discrimination and misconduct. Law and order is generally considered to be weak and only attainable for those who can afford it and the under-representation of non-Hill communities contributes to a lack of trust in certain communities. Consequently, some respondents stated that informal means of security are popular in the Terai and that communities themselves have an important role in ensuring their own security. There was widespread recognition however that the police are operating under difficult circumstances due to limited resources and manpower, poor roads and political interference. The Special Security Plan (SSP) began addressing these obstacles in 2010, but not to the degree necessary.

Porous border with India is a double-edged sword

The border with India has both positive and negative consequences for inhabitants of the Terai. On the one hand the ease with which the border can be crossed enhances trade and the access to goods, improves work opportunities and allows people to visit relatives. On the other hand, the porous border is widely thought to negatively impact security by enabling the illegal flow of firearms into Nepal, providing a safe haven for criminals from either side and by providing criminal opportunities for armed groups, notably through goods trafficking, cross-border crime and smuggling false currency into India. Some also believe that the porous border increases the risk of terrorism. With these benefits and threats in mind, respondents indicated considerable support for tightened border controls, while at the same time emphasising that tightened security should not eliminate the many positive advantages of the border.

The proliferation of armed groups and the nexus between crime and politics

The principle security issue in the Terai, particularly in the East, is the multiplication of armed groups that has occurred since the Madhesi *Andolan* (uprising) in early 2007. There is much debate about the number of armed groups active and about their organisation and objectives; in particular whether they are primarily criminal or political in nature. While some refer to them as purely criminal groups, others argue that they need to be taken seriously as political entities and engaged through negotiation rather than eliminated through force. The proliferation of these groups, who engage in activities such as extortion, intimidation, shootings, *bandhs* and the counterfeit and drugs trades, may be partly explained by a rise in identity politics. By taking on ethnic labels, criminal groups can acquire an air of legitimacy and a means to create both fear and support. The number of non- or counter-Madhesi armed groups appears to have risen and with this the threat of ethnically-based violence. In addition, both Madhesi and non-Madhesi groups often fragment into smaller factions.

Irrespective of their stated political goals, the links between the armed groups and the political sphere are often apparent and criminals and armed groups are perceived to get protection from politicians. In turn, this has contributed to allegations of ties between the police and armed groups.

Economic impact

The trends of armed violence and crime mapped by this report appear to be having a significant impact upon the local economy and prospects for local-level development. The practice of extortion and forced donations strongly affects the business community by reducing investor confidence and forcing many business owners to pass on the increased transaction costs to the consumer. Apart from armed groups, who are the main perpetrators of extortion, political parties and, to a lesser extent, police officials are also reported to be involved. The many *bandhs* restrict opening hours and the movement of goods and people causing disruption and the loss of valuable trade. As well as undermining investor confidence, this insecurity also appears to have increased the desire of business people to own weapons and create the security that the state is failing to provide.

At the Village Development Committee (VDC) level, real or threatened violence is undermining the local economy and prospects for development and better state service provision. There are reports of intimidation, threats and extortion being directed variously at whole communities, wealthy families and VDC secretaries. The practice of targeting Government officials is weakening the state presence and further impoverishing poor communities as many VDC secretaries have resigned their posts after receiving threats and attempts at extortion. Local and international non-governmental organisations (NGOs) are also exposed to these demands and there are reports that their presence, and the services they offer, have decreased in some areas due to security concerns.

Cautious optimism and recommendations for improving security

In summary, although the future of Nepal remains uncertain, this report found indications that security in the Terai was improving in 2010. Optimism about a sustainable decrease in armed violence and crime must however be tempered by an awareness that progress is dependent upon a number of factors. Not least of these is a reduction in poverty, which is seen as the major cause of crime, and, linked to this, increased and fairer access to basic services. The political sphere too is inextricably linked to security. The ongoing failure to promulgate a new constitution, to decide modalities for integration and rehabilitation of former combatants, and to look beyond narrow party political interests constitute both sources of grievances and obstacles to effective state delivery of security and other services. A lack of political progress provides the space for armed groups to mobilise under political banners and leads to frequent *bandhs* and protests. Outside the political and economic arenas, other key drivers of insecurity that must be addressed include the status and rights of women; police performance and capacity; access to informal and formal justice mechanisms; and firearm and border controls. Specific recommendations are outlined in the conclusion to this report. As Nepal passes through an increasingly uncertain period in its peace process the risk to the Terai region is that gains made in improving security are lost under the strain of political instability and the lack of attention of a distracted political leadership. Taking action on the areas outlined in this report will provide a more solid foundation for actors and communities in the Terai to withstand these threats.

Based upon the findings of the research, a number of recommendations are put forward to suggest ways to improve security and reduce armed violence in the Terai. They are primarily directed at the Nepalese Government and state services but are also of relevance to international donors, local and international NGOs.

Recommendations

▶ Marginalised groups must be given adequate time and opportunity to provide input to the draft constitution. A perceived lack of transparency in the constitution writing process provides political motive to armed groups to mobilise and must be avoided through adopting an inclusive and transparent process to developing a new constitution. This could include consultations based on a draft constitution.

▶ Political interference in investigations and prosecutions and the application of pressure to drop police cases and release suspects must be stopped in order to end the culture of impunity. Political interference in police operations, including taking decisions upon the transfer and promotion of officers, must also be publically addressed and political consensus reached over steps to reduce its occurrence.

▶ Building on steps already taken by the SSP, gaps in police capacity should be addressed, particularly in areas that relate to the rebuilding of trust and confidence within communities. Local level police stations are under-resourced and must be provided with the logistical means, if necessary with donor assistance, to adequately house officers, provide them with the means of transport to visit communities and to detain suspects in acceptable conditions.

▶ The under-representation of women, minority ethnic groups and castes in the police force should be addressed through removing obstacles to their recruitment, retention and deployment throughout the Terai. Obstacles may be internal (e.g. recruitment procedures, organisational culture) or practical in nature (e.g. lack of separate accommodation for female officers). The practice of transferring police officers on a regular basis around the country should also be reviewed, especially in regards to its impact upon community policing.

▶ Strategies for more productive and useful communication between the police, affected communities and the media should be developed to combat the disproportionate fear of crime. Linked to this is the need for the improved gathering and public dissemination of accurate crime statistics.

▶ Research should be undertaken to assess the true extent of weapons possession in the region and plan for a civilian disarmament programme accordingly. Political parties must agree to such an information gathering exercise and encourage weapons owners to acknowledge possession in order to obtain an accurate picture of small arms proliferation.

▶ Cross-border co-operation between Nepali and Indian security services must be increased to better counter cross-border crime and the illegal smuggling of goods, firearms and people. Given the importance of personal relationships to effective co-operation, initiatives should include efforts to strengthen links between law enforcement and border control officials from both countries.

▶ The Government and relevant security and justice institutions should prioritise the ending of extortion. The implication of political actors and the blurred line between politics and crime must be acknowledged by political leaders at the centre. A cross-party or, preferably, independent body should be established to identify ways to address the nexus of crime and politics.

▶ Further research should be conducted to better understand the push-pull factors that cause young people, primarily males, to join armed groups and engage in crime. This research should be used as the basis to inform targeted youth programming to reduce the attractiveness of engaging in crime and to provide alternatives (e.g. education, training, mentoring and employment).

▶ People-orientated security concerns should be integrated into district development planning. Affected communities and police at both district and local levels should be consulted as to how interventions (e.g. roads, infrastructure, economic investment, education) can be designed in such a way as to positively impact upon security through, for example, targeting particular groups of young people or bringing economic opportunities to marginalised, insecure areas.

▶ Further research should be undertaken to better understand the existence, capacity and nature of armed groups as a step to developing both preventive and enforcement strategies to counter their impact upon community security and the business community.

▶ Implementation of the Domestic Violence (Crime and Punishment) Act, enacted in April 2009, should be strictly enforced and monitored as well as relevant areas of the National Action Plan on UN Security Council Resolutions 1325 and 1820, for example, the expansion and strengthening Women and Children Service Centres of the Nepal Police.

▶ Serious efforts to ascertain the prevalence of domestic abuse and gender-based violence should be undertaken, combined with an assessment of how to curb violence, raise awareness, encourage victims and others to report cases of alleged abuse, improve the responsiveness of security agencies and communities to such allegations and address the stigma often associated with such crimes.

▶ The expected influx of rehabilitated Maoist combatants to poor urban and peri-urban areas needs to be planned for so that potentially negative impacts upon the security situation are anticipated and prevented. Central to this is the need for a community-based approach that has as a central aim the building of trust and co-operation between incoming former combatants, receiving communities, local government and security services. A community approach includes components such as awareness-raising, the monitoring and redressing of emerging tensions and an appropriate mix of group and individual livelihoods support.

CHAPTER 1

Introduction

In mid-2010, Nepal remained in a delicate state of peace. The civil war that began in 1996 ended in November 2006 with a Comprehensive Peace Agreement (CPA).[1] Since then progress has been slow in implementing the peace agreement, but the peace process does continue to move forward, if incrementally. Positive events have taken place, including the holding of the Constituent Assembly elections on 10 April 2008. Nepal became a federal democratic republic in May 2008 with the abolition of the monarchy. However, important sticking points remain in the peace process and Nepal faces many challenges on the economic, political and security fronts.

One of the pressing economic and security challenges is the ongoing barrage of *bandhs* (strikes), including the most serious yet held from 2–7 May 2010 that effectively closed the capital and much of the country for nearly a week. Other challenges include the ongoing efforts to write a new constitution. The Constitutional Assembly (CA) missed the deadline, 28 May 2010, and extended the timeframe for promulgating the constitution by one year. Nearly twenty thousand soldiers from the Maoist army combatants remain in cantonment centres, awaiting a decision on their future. The provisions of the CPA provide for the formation of "a special committee in order to supervise, integrate and rehabilitate the Maoist combatants" (para 4.4), but did not provide further details on the process. The Agreement on Monitoring of Management of Arms and Armies (AMMAA), of 8 December 2006, provided for the integration into State security agencies of certain Maoist combatants deemed eligible (by the afore-mentioned special committee). Until the end of 2010, the Nepal Army and a number of political parties remained opposed to the integration of Maoist Army combatants into the national army. Ongoing disagreements among the political parties have further contributed to concerns about the fragility of the situation and the slow progress on reforms and implementing the peace agreement.

All eyes are focused on Kathmandu and the political situation there. Yet there is more happening in the country than the political wrangling in the capital. Since the end of the civil war violence has increased; in particular in the Terai region of the country. This region contains 20 districts and stretches from east to west along the Indian border (see map). It is the most densely populated area of the country outside of Kathmandu and contains roughly 50 percent of the Nepali population. Since the end of the war, this region of the country has experienced an escalation in violence and the proliferation of armed groups.

While studies suggest that a rise in violence is not unusual in post-conflict settings, it is curious that the violence has been largely concentrated in the Terai region of the country. While this could be explained in part by the fact that this region contains a

[1] The full text of the Comprehensive Agreement can be found at: www.reliefweb.int/rw/RWB.NSF/db900SID/VBOL-6VSHK8?OpenDocument.

large percentage of the population, and therefore would logically exhibit more violence than other areas that are sparsely populated, this does not explain all of the violence. Various explanations have been offered for the rise of violence in the Terai: the growth of identity-based politics, a weak state, weak law and order, ineffective policing, high levels of political contestation, political influence over police activities, poor economic opportunities, democratisation and weak border controls. This study sought to uncover additional evidence to explain the rise in violence and the proliferation of armed groups in the region.

1.1 Research methodology

This report is based on four sources of primary research:

▶ A household survey of 2,000 people across the Terai's 20 districts, carried out between 14 March and 5 April 2010

▶ In-depth interviews with 40 people of different gender, age, educational background, caste/ethnicity, religion, occupation and location carried out between 14 March and 5 April 2010

▶ Key informant interviews with relevant Government officials, security and justice professionals, politicians, subject-matter experts, civil society groups and donor country representatives carried out between March and June 2010

▶ Focus group discussions held in 16 communities in the districts of Kapilvastu, Bara, Siraha and Sunsari between 9 March and 20 May 2010

The report also draws on existing literature on Nepal and available data and statistics from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), Informal Sector Service Centre (INSEC) and the United Nations Mission in Nepal (UNMIN). In addition, five validation workshops were held in Kathmandu and in the districts with key stakeholders to discuss initial findings from the household survey. On 8 June 2010 a validation workshop was held with police officers (both Nepal Police and Armed Police Force) in Kathmandu; on 9 June with donors; and on 11, 15 and 17 June with state and civil society representatives in district headquarters of Dhanusha, Morang and Banke respectively. These workshops provided important insights into the findings and additional information for the report.

Additional information about the research methodology can be found in Annex 1 of this report. Information about the household survey (including sampling strategy, questionnaire and basic frequency statistics) is available upon request. Further information regarding in-depth interviews, key informant interviews and focus group discussions can be made available upon request from Saferworld. Please note that the identities of survey respondents, interviewees and participants of the focus group discussions are confidential.

1.2 Structure of the report

This report has nine chapters. This chapter provides an overview and introduction. Chapter 2 provides a review of key events in the first half of 2010 and a discussion of remaining challenges. Chapter 3 provides a discussion of the Terai and the Madhes, as well as an overview of violence in the Terai since 2007. Chapter 4 presents the key findings of the household survey. These findings focus on perceptions of violence, victimisation, firearms and a discussion of armed groups. Chapter 5 reviews some of

the broader impacts of violence, beyond those injured and killed. This includes a brief look at the impacts on businessmen, communities and regional dynamics. Chapter 6 presents key findings from a series of in-depth interviews. These focused on views on security, the role of the state and security actors, women, firearms and the open border with India. Chapter 7 presents key findings from a series of focus group discussions. These provided insights into the causes of insecurity and the factors that contribute to security in communities. Chapter 8 focuses on security provision, based on the household survey, and how individuals are responding to insecurity. Chapter 9 concludes the report with comments on the way forward and next steps that are needed.

Major events in 2010 and ongoing challenges

During the research period in 2010 and beyond, Nepal remains in a delicate state of peace.[2] There are signs of some progress being made and a willingness of the political parties to work together when absolutely necessary to avoid a crisis. However, the ongoing rivalries between the political parties and challenges to security continue to slow progress and threaten stability in the country.

2.1 Key events in the first half of 2010

On 8 January 2010 a group of senior political leaders created a high-level political mechanism to address the remaining key issues of the peace process – namely the promulgation of a new constitution and resolving the situation of the Maoist Army combatants. Former Prime Minister and Nepali Congress party leader, Girija Prasad Koirala, led this process until his death on 20 March 2010. Despite the formation of this mechanism, progress proved slow in the first half of 2010.

In January, the process for discharging those Maoist Army combatants found ineligible for integration (i.e. due to being verified minors or late recruits) began. The process ended in February with the formal discharge of 2,394 of the 4,008 combatants found ineligible.[3] The rehabilitation process for these combatants is continuing.

In January, Prime Minister Madhav Kumar Nepal submitted a 112-day action plan to the Special Committee for the Supervision, Integration and Rehabilitation of Maoist combatants (hereafter, Special Committee) that provided the details for the integration and rehabilitation of the Maoist Army combatants.[4] The Special Committee had not approved this plan by mid-year and little progress was made during 2010.

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2 For a discussion of the status of the peace process see International Crisis Group, *Nepal's Political Rites of Passage*, Asia Report No. 194 (International Crisis Group, 29 September 2010).

3 United Nations, Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process, UN Document S/2010/214, www.reliefweb.int/rw/RWFiles2010.nsf/FilesByRWDocUnidFilename/ EGUA-856LM9-full_report.pdf/$File/full_report.pdf, April 2010, p. 5.

4 *Ibid*. United Nations (April 2010), p. 4.

The Nepal Army announced a new recruitment drive in February; a move endorsed by the Ministry of Defence in April. This sparked complaints by the Maoists due to the fact that the issues related to the integration of the Maoist Army combatants have not been resolved.[5] Maoists want those in the cantonments to be integrated into the national security forces, including the Nepal Army, however, the Nepal Army remains largely reluctant to such integration. The announcement also runs counter to the provisions of the CPA and AMMAA.[6]

The mandate of the CA, the main governing body, was scheduled to end on 28 May 2010. This was also the deadline for the promulgation of the new Nepali constitution. The CA failed to draft the new constitution and, in response, has extended the mandate of the CA for one year. The political wrangling over the new constitution has left parties unable to reach agreement on the future form of the Government and the country's federal structure. Eleven thematic committees were established to draft papers to support the writing of the constitution.[7] By late April only three thematic papers had been submitted.[8] As at 31 August 2010, eight had been submitted to the CA for discussion.

The Maoists used the failure of the CA to promulgate a new constitution as a justification for holding the largest and most serious *bandh* from 2–7 May 2010. The *bandh* effectively closed the capital and much of the country for nearly a week.[9] The Maoists brought tens of thousands of supporters into the capital to demonstrate against the ruling government, demanding the resignation of the Prime Minister and the establishment of a new national unity government. Although *bandhs* are common in Nepal, this one proved impressive for the level of organisation demonstrated by the Maoists and the widespread impact of the *bandh* across the country.

"*The Unified Communist Party of Nepal-Maoist* (*UCPN-Maoist*) *called off a nationwide strike that crippled the whole country for the first week of May 2010 and demanded the Prime Minister's resignation and the formation of a National Government. Offices, schools, colleges and businesses all were closed and public transport remained off roads. Nepal's business community estimates the forced shutdown cost the country's already weak economy about one quarter of a billion dollars.*"[10]

The UNMIN mandate had been scheduled to expire on 15 May 2010. The UN Security Council extended the mandate of the mission to 15 September 2010 and then mandated UNMIN to stay in Nepal until 15 January 2011. The primary purpose of the mission was to monitor the arms and armed personnel of the Nepal Army and the Maoist Army combatants in line with the CPA and the AMMAA. According to UNMIN statistics, the number of weapons that were monitored (registered and stored) included: 2,855 of the Nepal Army and 3,475 of the Maoist Army combatants.[11] UNMIN also completed a verification process of the Maoist Army combatants in December 2007. Of 32,250 combatants registered, 19,602 met the criteria agreed between the Government of Nepal and the Maoists and remain in the cantonments. There are seven main cantonment sites and twenty-one satellite camps. On 16 May 2010, UNMIN stated that it "can conclude its monitoring responsibilities when any residual monitoring responsibilities are handed over, or when the situation of the Maoist army is resolved. How soon this

5 For a discussion of the Nepal Army's position see International Crisis Group, *Nepal's Faltering Peace Process*, Asia Report No. 163 (International Crisis Group, 19 February 2009), p. 14–15.

6 *Op cit* United Nations (April 2010), p. 3.

7 The thematic committees of the CA include: Constitutional Committee; Committee on Fundamental Rights and Directive Principle; Committee for the Protection of Fundamental Rights of Minorities and Marginalised Committee; Committee for the Restructuring of the State and Distribution of State Power; Committee for the Determination of the Form of the Legislative Organs; Committee for the Determination of the Form of Governance of the State; Committee on the Judicial System; Committee on the Determination of the Structure of Constitutional Bodies; Committee on the Division of Natural Resources, Financial Powers and Revenue; Committee on the Determination of the Bases of Cultural and Social Solidarity; Committee on the Protection of National Interests.

8 *Op cit* United Nations (April 2010), p. 3.

9 Joanna Jolly, 'Nepal brought to standstill by strike', BBC News, http://news.bbc.co.uk/2/hi/south_asia/8663390.stm, 6 May 2010.

10 International IDEA, 'Comments on Nepal's preliminary draft constitution,' www.idea.int/asia_pacific/nepal/comments_on_constitution.cfm, 15 May 2010.

11 UNMIN, 'Arms monitoring', www.unmin.org.np/?d=activities&p=arms, retrieved on 2 June 2010.

can be done will depend on how quickly the parties reach agreement."[12] The integration of the Maoist Army combatants has been a key sticking point between the Maoists and other political parties.

2.2 Remaining challenges

Maoist Army combatants remain in cantonments, awaiting a decision on their future. This has been a serious battle between the Maoist leadership and other political parties, as well as the Nepal Army; one that pitted former Prime Minister Prachanda (Pushpa Kamal Dahal) against the Chief of the Army Staff (COAS), General Rukmangad Katawal. Prachanda's failure to dismiss the COAS, a move rejected by the President of Nepal, Ram Baran Yadav, led to Prachanda's resignation as Prime Minister in May 2009 and the withdrawal of the Maoist Party (UCPN-M) from the Government.[13] The resignation set the parties further at odds with each other and generated additional concern about the stability of the peace process. The CA elected the leader of the Communist Party of Nepal (CPN-UML), Madhav Kumar Nepal, to replace Prachanda as Prime Minister. The Nepal Army's announcement in February 2010 of a recruitment drive for 5,000 new recruits only further aggravated the situation.

The political parties continued to disagree on the way forward. Although all agree that there must be a unity government, at the time of research, none agreed on which party should lead the Government. The Maoists are not the only problem, but as a party they carry significant weight since the CA elections in 2008. "The Maoists hold 40 percent of the seats in the Constituent Assembly, more than twice the number of any other party, and the constitution cannot be completed without their support."[14] The withdrawal from the Government of the Maoists in 2009 has hindered progress on the political front. Some progress was made at the end of May 2010 with an agreement between the ruling Communist party of Nepal, the Maoist Party and the Nepali Congress – the three largest parties – to form a new government and extend the CA for one year. The deal rested on the agreement of the Prime Minister to step down and the Maoists to fulfil their obligations under the CPA. The process has since returned into a stalemate.

The political machinations in Kathmandu resonate throughout the country. There is a sense that the rest of the country is on hold waiting for progress on the political process in the capital. In interviews in the Terai in April 2010 it became clear that everyone is looking to Kathmandu for solutions. Nepal has long been victim of a Kathmandu-centric focus, ignoring many pressing issues outside of the capital city. When asked what the solution is for resolving security problems in the Terai, respondents all mentioned the need for a good government in Kathmandu and better political parties. It seems they are waiting for politicians to make progress on the peace agreement and on governance in general so that the Government can then turn its attention to other problems in the country.

Insecurity remains a problem in many parts of the country. The violence is not often associated with the past war. In some places there have been cases of retribution killings, in particular against the Maoists, but these seem to have reduced since their height in the immediate aftermath of the war. Instead a range of criminal, and often violent, activities take place. These include: forced donations (extortion), shootings, clashes between youth groups, clashes between political parties, clashes between

12 UNMIN, 'Press statement on the length of UNMIN's mandate', www.unmin.org.np/downloads/pressreleases/Press. Statement.16.05.10.ENG.pdf, 16 May 2010.

13 VOA News, 'Nepal's Maoist Prime Minister Prachanda Resigns', www1.voanews.com/english/news/a-13-2009-05-04-voa8-68802427.html, 4 May 2009; The Financial Express, 'Prachanda resigns, Nepal gripped by fears of unrest', www.financialexpress.com/news/prachanda-resigns-nepal-gripped-by-fears-of-unrest/454434/, 5 May 2009.

14 UNMIN, 'Climate of mistrust threatening Nepal's peace process, RSG', www.unmin.org.np/?d=activities&p=activity_detail&aid=249, 7 May 2009.

ethnic groups and communities and domestic violence (including violence against women and children).

The holding of numerous *bandhs* has also contributed to violence. As one community member explained in an interview in April 2010: "*bandhs* have become a way of life. If you don't like something you call a strike." While the strikes themselves are not usually violent, there is often violence associated with them. Youth wings of political parties have used them as opportunities for clashes. Violence also results from the weariness of the population with the numerous strikes and their far-reaching economic conse- quences. The *bandhs* often block transportation routes such that people cannot move, they cannot go to work, goods cannot move, shops close and the Government has at times imposed curfews. Clashes between those imposing the strike and community members opposing it are not uncommon. The largest organised opposition to a strike came in response to the shutdown of Kathmandu in early May.[15]

The situation of insecurity is compounded by the failure of the police to provide security or to address criminal and violent incidents. In part, this failure results from political interference at the local level.[16] Numerous interviewees pointed to political parties interfering with police work as an important hindrance to more effective policing. They often mentioned that even when the police did their job and arrested accused persons, those persons were soon released due to phone calls from local political leaders. Many other community members argued that oftentimes the police were involved in the criminal activities, or in some way profiting from turning a blind eye to them, and therefore had no incentive to police those activities.[17] There is some level of understanding over some of the reasons (political interference, poor pay, limited equipment, long hours) for limited effectiveness and involvement in crime. Overall though, there is a sense of impunity,[18] a belief that many get away with their crimes, and this contributes to the growing concern about violence.

Many in the Terai point to the poor economy at the heart of many of the concerns about security. The lack of jobs and economic opportunities make the population more desperate and crime more lucrative and therefore more attractive. This is especially true of youth, who can often be convinced to commit crimes for small payments of cash or goods. One community member suggested that one could offer a youth a motorcycle and that would be sufficient for the youth to kill someone. A number of interviewees also pointed to the problems of drugs and alcohol as underlying contributing factors to violence and crime. The relatively recent emergence of opium cultivation has raised fears that the Terai could become like Colombia or Afghanistan.[19]

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15 BBC News, 'Clashes hit Nepal "peace rally" in Kathmandu', http://news.bbc.co.uk/2/hi/south_asia/8667652.stm, 7 May 2010.

16 Such interference was also reported in a study by the Carter Center. See Carter Center, *Nepal Second Interim Report* (November 2009), www.cartercenter.org/resources/pdfs/peace/democracy/TCC%20Security%20Report_English.pdf.

17 Similar claims are made in a study by the Carter Center. *Ibid*. Carter Center (November 2009).

18 For a study on impunity in Nepal see Binod Bhattarai, Mohan Mainali, Jogendra Ghimere and Akhilesh Upadhyay, *Impunity in Nepal: An exploratory study*, (September 1999), The Asia Foundation, http://nssn.org.np/library/ download.php?id=423.

19 Interviewees actually referenced these countries explicitly and voiced their concerns that the Terai was headed in that direction. Interviews with community leaders, Bara district, April 2010.

Dynamics in the Terai

3.1 The Terai

The Terai consists of 20 of the 75 districts of Nepal (see map). The Terai comprises roughly 20 percent of Nepal's 147,181 sq km,[20] stretching east to west along the Indian border for some 900 kilometres, with a width of about 70 kilometres.[21] Nepal is divided into five development regions (from east to west): Eastern, Central, Western, Mid-Western and Far-Western. These regions are used in the report when discussing a particular development region and when Terai is used on its own this refers to the entire region.

The Terai is the country's fertile region and is often referred to as the "agricultural and industrial heartland" of Nepal.[22] The main occupation in the region is agriculture. The primary agricultural products include: "rice, jute, sugar, mustard, tobacco, herbs and spices."[23]

The Terai contains roughly 50 percent of the 29.3 million inhabitants of Nepal.[24] The Terai is often divided into two main geographic categories: the plains (Madhesi) and the hill region (Pahadi). Madhesis make up about one-third of the population of Nepal[25] and the majority of the population in the Terai.[26] The Pahadi make up about one-third of the population in the Terai.[27] This division into Madhesi and non-Madhesi, while often used, also over-simplifies the situation.[28] The Terai in fact contains a mix of ethnic groups, castes and religions.

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[20] IRIN, 'Nepal: Background of the Terai's Madhesi people', www.irinnews.org/report.aspx?reportid=70027, 8 February 2007, gives a figure of 17%; Bishnu Pathak and Devendra Uprety, *Terai-Madhes: Searching for Identity Based Security*, CS Centre Kathmandu, Situation Update 88 (October 2009), www.cscenter.org.np/publications.php, or http://api.ning.com/files/kbOUqAVWc9Ln66YlxroHMtRoqmhcweBzcR0j365W50-yAnqtkbwzBwWNZ0dhGNGRgYwXjg HNI54M*Uoz2OE0FTQlakJApCB6/SituationUpdate88TeraiMadhesSearchingforIdentitybasedSecurity.pdf, p. 1, gives a figure of 23%. Depending on where one defines the end of the Terai (how much of the hill region it contains) estimates of its area vary.

[21] *Ibid*. (Pathak and Uprety) p. 1. Depending on where one defines the end of the Terai (how much of the hill region it contains) estimates of its width vary.

[22] IRIN, 'Nepal: Violence in south threatens November elections', www.irinnews.org/Report.aspx?ReportId=74355, 18 September 2007.

[23] *Op cit* IRIN (8 February 2007).

[24] IRIN, 'Nepal: Continuing violence in south threatens peace process', www.reliefweb.int/rw/RWB.NSF/db900SID/EVOD-6ZQHTL?OpenDocument, 28 March 2007.

[25] IRIN, 'Nepal: Business community bemoans worsening security situation', www.alertnet.org/thenews/newsdesk/IRIN/45ecdafcd17d0b24af5b2d121de07d08.htm, 29 August 2007.

[26] IRIN, 'Nepal: Tension in south could lead to war, analysts warn', www.reliefweb.int/rw/RWB.NSF/db900SID/SHES-724KQR?OpenDocument, 9 April 2007.

[27] IRIN, 'Nepal: Rising communal tensions fuelling displacement – rights activists', www.irinnews.org/Report.aspx?ReportId=75573, 29 November 2007.

[28] International Crisis Group provides a good discussion of the Terai and the Madhes/Madhesi in: *Nepal's Troubled Terai Region*, Asia Report No. 136 (9 July 2007).

3.2 **A note on the Terai and the Madhes**

It is not uncommon to see the region called the Terai-Madhes or to see the two terms, Terai and Madhes, used interchangeably. Yet this is a serious point of contention among some groups living in the Terai. 'Madhes' means 'middle country.'[29] Terai translates roughly into low-lying areas or plains. Geographically, they refer to the same area of the country; though the use of Madhes may often connote the central and eastern parts of the Terai. Population statistics often divide between Hill and Madhesi, which roughly translates into those living in the hill region (Pahadis) and those living in the plains (Madhesi).

However, importantly, Madhes (and Madhesi for the people) has taken on a *political* connotation that means something more than geography and now refers to the history, culture and language of a people.[30] This new usage explains at least some of the discontent over using the terms interchangeably. Those living in the plains of the Terai but who do not see themselves as Madhesi do not want to be given this label.

The Madhesi political parties, and those who support them, refer to a long history of grievances against the state, including: discrimination, repression and exclusion. These long-held grievances culminated in a mass protest movement in January 2007 that is now often referred to as the Madhesi *Andolan* (see the following section 3.3).[31] Many point to January 2007 as a clear marker of when the situation changed in the Terai and the starting point of the proliferation of armed groups there.

The recent movement by the Madhesi community to create a 'one Madhes, one province' has raised concerns among many of the smaller ethnic groups who do not want to be subsumed under the Madhesi label. These groups fear that to subsume everyone under this label would threaten the histories and cultures of the minority groups living in the Terai. These concerns are further exacerbated by those in the Madhesi movement who have called for not only autonomy but also secession. One group that has become particularly vocal against the 'one Madhes' concept is the Tharu population, and in particular those living in the western area of the Terai:

"*The Terai and the Madhes are not the same; they are not synonyms of each other. We call the historic territories of the Tharu people Tharuhat. The Madhesis have their historic territories – it is called Madhyades. The Terai is a territory where many groups live, including Tharus, Madhesis, Muslims, Dalit, Pahadis. Now, if one community, the Madhesis, claim the entire Terai from the Mechi to the Mahakali as their own, our identity will become extinct. If that happens, we will lose our political, cultural and linguistic rights.*"[32]

That the Madhesi have experienced poor treatment is not disputed. However, other groups, who are often placed as part of the broader Pahadi category but even those who are subsumed under the Madhesi label, have also experienced discrimination on the basis of ethnicity and caste. These minority groups in the Terai fear that if parts of the Terai are to be given autonomy under the Madhesi that they would be further excluded. This has led to great wrangling over the structure of a newly federated Nepal. Concerns by some in the Tharu community have led to the emergence of Tharu armed groups and to violent incidents.[33] Other ethnic minority groups are also concerned and have reacted against the Madhesi movement by declaring autonomy and creating their own

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29 *Ibid*, p. 2.
30 For a more detailed discussion of the situation in the Terai and the evolution of the Madhes concept and the Madhesi movement see: Jason Miklian, *Nepal's Terai: Constructing an Ethnic Conflict*, South Asia Briefing Paper #1, PRIO, 2009, www.prio.no/sptrans/1048688851/Nepal's%20Terai%20(South%20Asia%20Briefing%20Paper%201).pdf; *op cit* Pathak and Uprety, p. 2.
31 *Andolan* means mass movement.
32 kiratisaathi.com, 'Interview with leader of the Tharu Welfare Council, Raj Kumar Lekhi', www.kiratisaathi.com/blog.php?id=1120, accessed 2010.
33 Telegraph Nepal, 'Address Tharu demands: Nepal's political actors', www.telegraphnepal.com/news_det.php?news_id=4972, 7 March 2009

armed groups to press forward their demands.[34] There exists the potential for future violence as the discussions over the federal structure of Nepal continue.

3.3 Madhesi *Andolan*

The Madhesi Janadhikar Forum (MJF)[35] launched a large-scale protest in the eastern half of the Terai region in early 2007. Now commonly referred to as the Madhesi *Andolan*, strikes lasted from 17 January to 8 February 2007. The MJF launched the strikes in an effort to get more attention from government, greater autonomy for the Madhesi region, more representation by Madhesi in government and broader citizen-ship for the Madhesi population.[36] In 2007 only 15 percent of the 330 Nepali parlia-mentarians were Madhesi.[37] Following the 2008 election Madhesi parties held 87 seats in total: MJF (54), Terai Madhes Loktrantrik Party – TMLP (21), Nepal Sadbhavana Party (9), Nepal Sadbhavana Party-Ananda Devi (3). At the beginning of the strikes "more than 40 percent of the Madhesi [did] not have citizenship or voting rights."[38] The strikes did achieve some changes on citizenship rights. In August 2007 the Government agreed to distribute citizenship papers to those born in the country after 1990.[39] In January 2010, UNHCR estimated that approximately 800,000 Nepalis remained stateless, even after the Government's citizenship campaign in 2007.[40]

The protests began as anti-government protests to gain more rights and reduce discrimination, but the protests took on an anti-Pahadi tenor in some areas and exacerbated previously existing tensions between communities.[41] There is a long history of tension between Madhesi and Pahadi communities that reaches back into the 1960s when Pahadis migrated from the hills to the plains for work. The Pahadis came to dominate local politics and the local economy. As a result, Pahadis are often better educated, have more access to jobs and are financially more secure. Madhesi leaders accuse the Pahadi leaders of discrimination, neglect and exclusion.[42]

The strikes and the ensuing community violence have had wide-reaching effects. These include: closures of factories, the creation of an environment of fear, obstruction of firms operating in the area or shipping goods from the south to the north, and in particular Kathmandu, the destination of some 60 percent of consumer goods,[43] as well as the inability of Government officials to do the work of the VDCs.[44] Violence is common due to strikes, protests, threats of extortion, rivalries and clashes between Pahadi and Madhesi groups.[45] Extortion often affects the wealthier families: "The worst affected are middle class families and well-off farmers who own large tracts of land or have a lot of property. They are forced to pay large sums to military Madhesi groups."[46]

During the 2007 protests Madhesi protestors reportedly attacked "those who are or look like Nepali of hill origin… because the Government is dominated by Pahadis."[47]

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34 IRIN, 'Nepal: Analysts warn of rising ethnic tensions', www.irinnews.org/Report.aspx?ReportId=79818, 14 August 2008.

35 The MJF is also called the Madhesi People's Rights Forum (MPRF).

36 *Op cit* IRIN (8 February 2007).

37 *Ibid.*

38 IRIN, 'Nepal: Maoists and Madhesi activists clash in Terai', www.irinnews.org/Report.aspx?ReportId=70464, 1 March 2007.

39 Shubha Singh, 'Bringing peace to Nepal's Terai region won't be easy', Opinion, Boloji.com, http://boloji.com/opinion/0504.htm.

40 UNHCR, '2010 UNHCR country operations profile – Nepal', www.unhcr.org/cgi-bin/texis/vtx/page?page=49e487856.

41 *Op cit* IRIN (9 April 2007).

42 *Ibid.*

43 *Op cit* IRIN, (29 August 2007).

44 IRIN, 'Nepal: Violence, abductions on the rise in volatile southeast', www.irinnews.org/Report.aspx?ReportId=79282, 16 July 2008.

45 *Op cit* IRIN, (9 April 2007).

46 *Op cit* IRIN, (29 November 2007).

47 IRIN, 'Nepal: Journalists, aid workers and rights activists under threat', www.alertnet.org/thenews/newsdesk/IRIN/2 0026e6ef2e4f00d2fc40988730439f8.htm, 4 February 2007.

Many families fled the violence; and not just Pahadi families. Madhesi families also left areas where tensions were high. Large clashes between Madhesi and Pahadi communities, such as those in September 2007 over the death of a local Madhesi leader, Mohit Khan, have led to thousands being displaced.[48]

The ongoing violence has impacted many. Those working for government, media and human rights organisations have felt under threat and fear for their jobs and their lives.[49] Journalists and human rights activists have been under threat for negatively portraying the strikes or not properly reporting the news, according to the Madhesi groups.[50] During the 2007 strikes people were unable to reach hospitals or other health services due to both violence and the Government-imposed curfew.[51] The general population suffered due to the closure of markets and the lack of access to goods due to halts on transportation and the general loss of freedom of movement.[52]

3.4 **Overview of violence**

Since the end of the war, there has been a popular expectation that peace would bring security. Yet the Terai region has become known for its violence and its armed groups. In national surveys about security, households identified the Terai as the most insecure area.[53] Saferworld's 2007 survey of attitudes towards safety, security and justice in Nepal revealed significantly higher levels of insecurity in the Terai than elsewhere in Nepal.[54] For example, 38 percent of survey respondents from the Central region and 32 percent from the Eastern region were very worried about becoming victims of crime, compared with seven percent in the Western region and only one percent in the Far-Western region.[55] The 2008 survey suggested that insecurity in the Terai had increased over the previous 18 months.[56] While some reports suggest the violence is abating, there is still clear evidence that violent incidents remain a concern; in the first three months of 2010, 62 killings were reported, for instance.[57] In addition, the Terai remains the most insecure region in Nepal. Violent incidents have been common since 2006, including: bombings, shootings, clashes between youth groups, abductions, intimidation, extortion, rape and domestic violence. There are also clashes that involve the security agencies, mainly the police, as well as accusations of extrajudicial violence and killings. The problem of violence has not gone unnoticed. The Government implemented its Special Security Plan (SSP) in late 2009 to try and reduce violence and crime in certain districts. Initially, the SSP did appear to have a positive impact on crime and related violence. By mid-2010, however, Nepali newspapers were critical of the programme, claiming it had not yet produced results.[58]

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48 IRIN, 'Nepal: Over 5,000 displaced after ethnic violence in south', www.irinnews.org/Report.aspx?ReportId=74457, 24 September 2007; IRIN, Nepal: Children severely affected by ethnic violence in south', 26 September 2007.

49 IRIN, 'Nepal: Rising communal tensions fuelling displacement – rights activists', www.reliefweb.int/rw/RWB.NSF/db900SID/LRON-79EJA2?OpenDocument, 29 November 2007.

50 *Op cit* IRIN, (4 February 2007).

51 IRIN, 'Nepal: Violence stops access to hospitals in south', www.reliefweb.int/rw/RWB.NSF/db900SID/YZHG-6XWPAT?OpenDocument, 29 January 2007.

52 IRIN, 'Nepal: New Madhesi strike could have dire humanitarian impact', www.irinnews.org/Report.aspx?ReportId=76888, 22 February 2008.

53 Saferworld, *Public safety and policing in Nepal: An analysis of public attitudes towards community safety and policing across Nepal* (2008), p. 14; Interdisciplinary Analysts and Saferworld, *On track for improved security? A survey tracking changing perceptions of public safety, security and justice provision in Nepal* (2009), pp. 18–21; Interdisciplinary Analysts and Saferworld, *Treading water? Security and justice in Nepal in 2009* (2010), p. 16–21.

54 Saferworld, *Public safety and policing in Nepal: An analysis of public attitudes towards community safety and policing across Nepal* (2008).

55 *Ibid.* p. 12

56 Interdisciplinary Analysts and Saferworld, *On track for improved security? A survey tracking changing perceptions of public safety, security and justice provision in Nepal* (2009).

57 *Op cit* United Nations (April 2010), p. 5.

58 The Himalayan Times, 'Special Security nothing but a sham', www.thehimalayantimes.com/fullNews.php?headline=Special+Security+nothing+but+a+sham&NewsID=245266, 26 May 2010.

3.5 **Review of existing datasets and trends**

3.51 OCHA data

The United Nations Office for the Co-ordination of Humanitarian Assistance (OCHA) has tracked reported violent incidents in Nepal since February 2006. This information represents only reported incidents and does not claim to be comprehensive and include all incidents that have taken place. Nevertheless, the reporting demonstrates interesting trends across regions over time. The OCHA data focuses on three types of violent incidents: killings, abductions and improvised explosive device (IED) explosions.

An analysis of OCHA incident reports indicates that the most dangerous regions have been Eastern and Central Terai, with these areas reporting the most killings in 2007 through 2009. The districts reporting the most security incidents in all three years include: Morang, Sunsari, Banke, Parsa, Bara, Siraha and Saptari (see map).[59] It is important to note, as will be discussed later, that the number of reported security incidents varies widely by month. For example, in 2009, except for two months (August and October), the Eastern and Central Terai regions have reported the most killings (see Figure 3.1).

Figure 3.1: Total reported killings, OCHA data, 2009
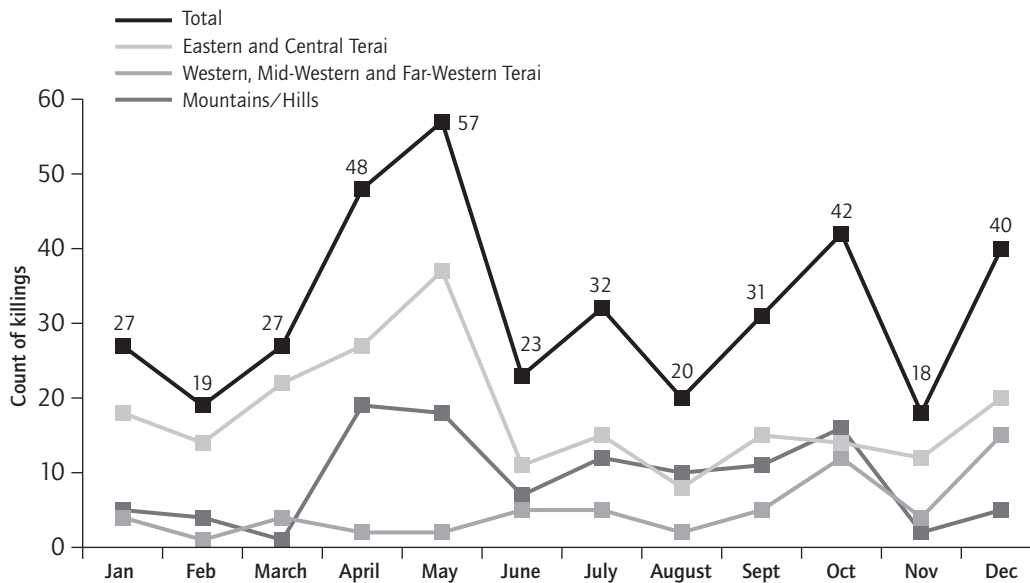
Source: OCHA, Nepal Reports of Security Incidents in 2009, 2010

There are also districts within regions that demonstrate comparatively high levels of violent incidents. For example, those districts where reporting exceeded 100 security events in 2009 include: Banke (117), Sunsari (105) and Morang (121), with Parsa (98), Siraha (90) and Saptari (90) not far behind.[60] Although a number of events take place in the western half of the Terai, and Banke consistently reports the most incidents in the west since 2007, the eastern half of the Terai has comparatively higher levels of violent incidents.

The general trend in reported abductions in 2009 was downward, with the variation by month being far less than that for reported killings (see Figure 3.2). Since OCHA only records incidents that are reported it is possible that the dataset undercounts these events as interviews and focus group discussions revealed that individuals preferred to

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59 Analysis conducted by Bilyana Tsvetkova, Small Arms Survey, using the OCHA data on reported incidents 2007–2009.
60 United Nations OCHA, 'Nepal – Reports of Security Incidents in 2009, 1 January–31 December 2009', 2010.

negotiate the release of family members or hire local gangs to assist them in retrieving their family members rather than reporting the abduction to the police.

Figure 3.2: Total reported abductions, OCHA data, 2009
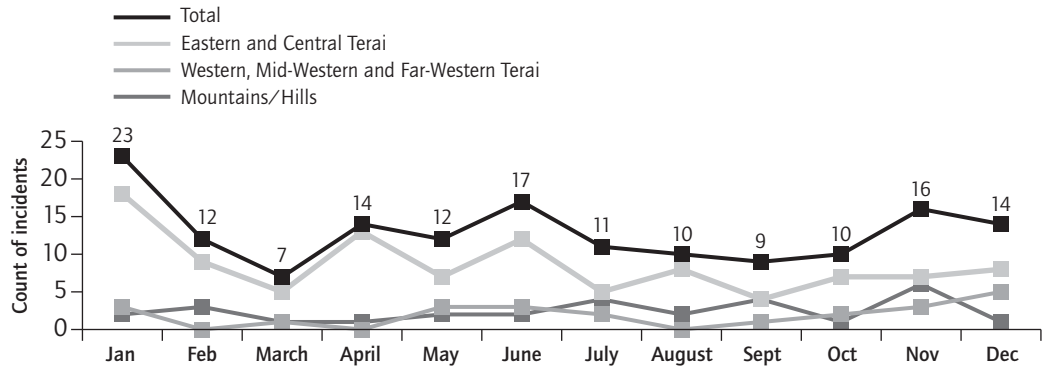
Source: OCHA, Nepal Reports of Security Incidents in 2009, 2010

The general trend in reported IED explosions was also downward in 2009; although again the number changes each month, with large variation in the second half of the year (see Figure 3.3).

Figure 3.3: Total reported IED/explosions, OCHA data, 2009
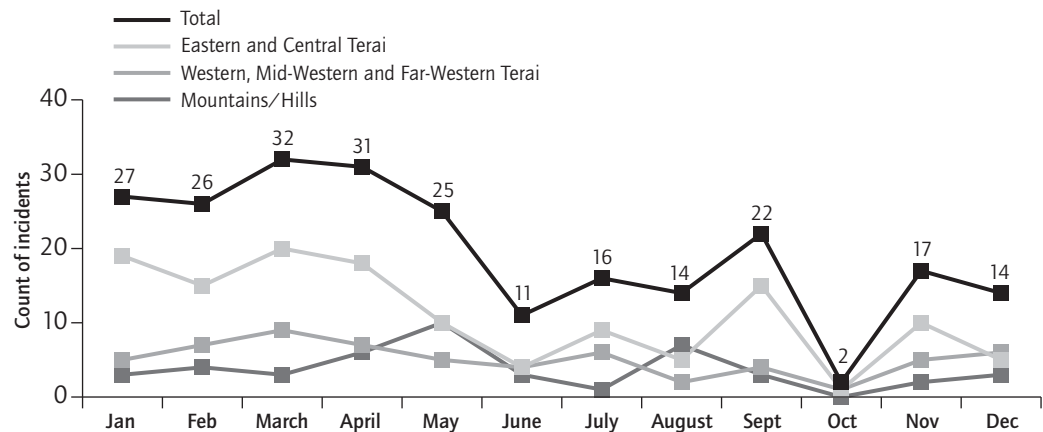
Source: OCHA, Nepal Reports of Security Incidents in 2009, 2010

The Carter Center produced a report on security in the Terai in November 2009. This report claimed that respondents were reporting an improvement in security since early 2009, but that incidents continued to be reported and people expressed concerns that "the situation could easily worsen again in the near future."[61] The Carter Center cited the OCHA security incident reports as supporting the perception that the situation was improving. The OCHA data provides a mixed picture. The number of reported abductions had reduced from January 2009, but still exhibited some peaks and troughs (see Figure 3.2), though not as starkly as reported killings (see Figure 3.1). The total number of reported explosions also demonstrated a declining trend for the first half of 2009, but again with a fluctuating number each month. The number of reports of killings however suggests that the situation is more volatile. This does not suggest that the Carter Center report was inaccurate. Instead, the point here is to underscore the apparent volatility in the country and the difficulty in marking clear trends. The important note in the Carter Center's work is that even if the number of reports suggests volatility, the population's perception is a cautious one of improved security. This research found similar perceptions, despite the ongoing incidents of violence.

The Carter Center also presented a number of factors that were found to have contributed to the improved security situation: increased police presence, establishment

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61 *Op cit* Carter Center, p. 3.

of Armed Police Force (APF) posts, improved co-operation among Nepal-India border officials, Government's engagement in talks with some armed groups (July 2009), the splintering of armed groups, changes in district administrative officials,[62] and more effective policing (for example arrests and reduction in forced donations).[63]

3.52 ICM tracking data

In its annual assessment of Nepal in 2010, the South Asia Terrorism Portal (SATP) stated that although the situation remains tense and there remains no sense of 'enduring stability' the trend in declining violence since the CPA has been sustained.[64] Citing data from the Institute for Conflict Management (ICM) (see Table 3.1), SATP argues that the number of fatalities from extremist-related violence has continued to decline since 2005. This Table 3.1 provides a lower total than the OCHA data or other data sources. This is possibly the result of a different focus of the datasets, with ICM appearing to focus on conflict-related fatalities.

Table 3.1: Fatalities in Nepal, 2005–2009

Year	Civilians	Security Forces	Members of Armed groups	Total
2009*	35	1	13	49
2008	55	1	25	81
2007	57	0	40	97
2006	61	181	238	480
2005	231	310	1307	1848

Source: Institute for Conflict Management[65]

*Data through 31 October 2009

www.satp.org/satporgtp/countries/nepal/database/majorattacks.htm

3.53 Police crime statistics[66]

Reports by the Nepal Police (NP) and the APF suggest certain trends in small arms and criminal activities. Small arms are used in a wide range of crimes, including: homicide, attempted homicide, *dacoity* (banditry), kidnapping, theft, robbery, rape and extortion. The most common criminal activities include: illegal drug possession, *bandhs* and arson (see Tables 3.2 and 3.3). While *bandhs* do not constitute a criminal activity by law, they are included in the APF statistics because they are often the source and site of criminal activity, for example, violence.

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62 The removal of corrupt officials helped improve security.
63 *Op cit* Carter Center, p. 3.
64 The 2010 report can be found at: www.satp.org/satporgtp/countries/nepal/index.html.
65 South Asia Terrorism Portal, 'Nepal Assessment 2010,' www.satp.org/satporgtp/countries/nepal/index.html.
66 This section is based on discussions with the NP and APF and two presentations by them on 22 July 2010. The presentations can be accessed at www.unrcpd.org.np/activities/conferences/conferences.php?cid=36.

Table 3.2: Criminal activity, reported by APF, 16 January–15 August 2009

Type of crime	16 JAN–15 FEB	16 FEB–15 MAR	16 MAR–15 APR	16 APR–15 MAY	16 MAY–15 JUN	16 JUN–15 JUL	16 JUL–15 AUG	TOTAL
Assassination	10	18	8	11	11	9	2	69
Abduction	6	21	11	3	3	12	6	62
Bomb explosion	17	34	20	12	2	6	3	94
Arson	20	57	15	36	16	12	17	173
Chakkajams[67]/*bandhs*	32	241	67	222	16	23	37	638
Kidnapping (number of hostages released)	4	15	0	4	1	2	0	26
Illegal weapons seized by APF	24	31	19	8	14	9	9	114
Marijuana seized by APF (kgs)	98	218	114	2630	10	4695	150	7915

Source: APF

Table 3.3: Criminal activities, reported by APF, 16 August 2009–15 July 2010

Particulars	16 AUG–15 SEPT	16 SEPT–15 OCT	16 OCT–15 NOV	16 NOV–15 DEC	16 DEC–15 JAN	16 JAN–15 FEB	16 FEB–15 MAR	16 MAR–15 APR	16 APR–15 MAY	16 MAY–15 JUN	16 JUN–15 JULY	TOTAL
Assassination	4	7	7	6	16	9	15	4	16	12	12	108
Abduction	6	5	9	8	14	15	12	9	13	6	19	116
Bomb explosion	9	4	2	4	4	5	5	6	7	12	13	71
Arson	6	10	3	14	28	13	24	28	51	11	8	196
Chakkajams/bandhs	32	7	15	20	93	32	31	26	222	18	17	513
Kidnapping (number of hostages released)	3	10	4	0	11	11	5	4	4	7	14	73
Illegal weapons seized by APF	7	6	11	6	10	17	29	11	28	20	17	162
Marijuana seized by APF (kgs)	60	640	91	251	40	361	805	225	307	617	29	3426

Source: APF

The small arms used in incidents and recovered by the police are mainly homemade handguns, revolvers and pistols according to the Nepal Police (see Tables 3.4).

Table 3.4: Small arms seized and persons arrested, NP, 2007 to 2010

Fiscal year	Nos of registered cases	Arrested			Description of arms				
		MALE	FEMALE	TOTAL	PISTOL	REVOLVER	RIFLE	KATUWA & BHARUWA (HOMEMADE HANDGUNS)	TOTAL
2007/2008	480	355	1	356	126	7	34	89	256
2008/2009	480	393	6	800	75	26	38	341	473
2009/2010	417	614	4	618	70	8	28	269	375

Source: NP

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67 Traffic blockades, although the term *chakkajam* is often synonymous with *bandh*.

3.54 INSEC data

The Informal Sector Service Centre, perhaps better known by its acronym INSEC, is a Nepali non-profit organisation working on human rights issues. With representatives in each of the 75 districts, INSEC collects information about incidents of human rights violations and compiles these in an annual human rights yearbook.

Table 3.5: INSEC reporting on abductions and killings, 2004–2009

District	2004		2005		2006		2007		2008		2009	
	ABDUCTION	KILLING	ABDUCTION	KILLING	ABDUCTION	KILLING	ABDUCTION	KILLING	ABDUCTION	KILLING	ABDUCTION	KILLING
FAR-WESTERN												
Kanchanpur	15	51	61	39	47	11	13	3	2	3	1	8
Kailali	2199	129	81	90	51	13	21	11	6	8	9	10
MID-WESTERN												
Bardiya	33	64	52	76	79	10	6	3	6	2	4	3
Banke	66	109	44	24	74	33	16	8	15	7	9	15
Dang	103	63	42	42	80	17	18	3	6	12	4	6
WESTERN												
Kapilbastu	32	79	34	86	44	21	10	20	14	34	2	7
Rupandehi	4	66	–	51	9	39	28	5	6	18	1	9
Nawalparasi	156	86	20	54	129	39	59	13	9	17	5	5
CENTRAL												
Chitawan	6	52	4	60	18	25	19	1	25	2	17	9
Parsa	20	53	30	22	833	7	18	23	8	16	5	16
Bara	13	46	7	28	49	12	38	46	12	24	5	16
Rautuliat	181	56	322	50	42	18	91	54	14	23	4	18
Sarlahi	62	57	19	38	92	47	15	30	15	23	29	15
Mahottari	41	36	11	17	33	11	30	13	48	15	13	16
Dhanusha	38	111	11	54	20	20	33	23	45	44	18	39
EASTERN												
Siraha	25	50	12	63	46	20	78	28	53	36	13	22
Saptari	23	38	43	29	100	24	136	33	110	37	37	21
Sunsari	13	28	7	21	34	9	31	12	9	17	8	12
Moran	79	100	96	56	153	44	9	29	26	32	6	13
Jhapa	147	65	720	20	81	37	23	15	3	15	3	16

Source: INSEC annual reports (compiled by NEMAF)

The INSEC data (see Table 3.5) indicates that in general the number of reported abductions and killings has declined over time and declined significantly since the end of the war. In most districts the number of incidents reached the lowest point in 2009. However, there are some noteworthy outliers. Saptari and Siraha witnessed relatively high levels of abduction and killings in 2007 and 2008. The number of killings almost doubled in Dhanusha between 2007 and 2008 and then dropped only slightly in 2009.

The figures suggest that violence continues to pose problems in a number of areas, and given the fluctuations in reported incidents over time, the lower rate of abductions and killings in 2009 might not be sustained.

Initial trends in 2010 suggest a continuation of the violence. In January, 23 people were killed and 11 were abducted; in February, 20 people were killed and nine were abducted; and in March, four people were killed and seven were abducted.[68] Data from the months following March indicate an increase in the number of casualties (both deaths and injuries) through June. At least 25 persons were killed and 45 incidents were reported in the period of April–June 2010.[69] Similarly, 33 persons were killed and 16 were abducted between July and September.[70]

Analysis by INSEC for the period of November 2009 through June 2010 provides insight into the nature of the violence taking place.[71] During this period there were 214 incidents, primarily personal disputes, with 268 casualties (96 deaths, 172 injuries). Those affected were mainly adult male farmers. Nine percent of the casualties were children. The majority of the incidents took place in the Eastern and Central regions, followed by the Mid-Western, Western and Far-Western respectively. While the majority took place in the plains region (62 percent), more than a third took place in the hill region (38 percent). This is significant because much attention has focused on the plains region as the 'problematic' area, but there seems to be significant unrest in the hill region as well. The primary weapons used in incidents were bladed or sharp weapons (163 incidents), while 64 incidents involved firearms.

68 INSEC, Trend Analysis, www.inseconline.org/index.php?type=reports&id=3&lang=en, accessed 2010.

69 INSEC, Trend Analysis, www.inseconline.org/index.php?type=reports&id=3&lang=en.

70 INSEC, Trend Analysis, www.inseconline.org/index.php?type=reports&id=3&lang=en.

71 This paragraph is based on analysis by INSEC. INSEC, 'Small Arms and Other Portable Lethal Weapons. Surveillance System, Nov 2009–June 2010,' Presentation by Krishna Prasad Subedi, INSEC, at a workshop on Initial meeting to establish a Working Group on Small Arms and other Portable Lethal Weapons (SApIW) in Nepal, 22 July 2010, organised by United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific.

Perceptions of violence: a household survey

This chapter presents the primary findings from a household survey conducted across the Terai region between 14 March and 5 April 2010 (see Annex 1 for additional details on the research methodology).[72] The survey asked questions about people's perceptions of security, victimisation, security provision and firearms.

4.1 Main concerns in the population

During the survey, respondents were asked first about their primary concerns in their neighbourhoods and then more specifically about their security concerns. When asking about the main concerns in the community, interviewers did not initially make any differentiation between security and other concerns. Instead respondents were allowed to answer the general question about primary concerns without any prompting by the interviewer. Very few respondents mentioned security issues as their main concerns. Instead, respondent concerns centred on issues of the economy and poverty, as well as education, health care and transportation (see Figure 4.1). Some respondents did mention security issues and these included lack of security for family members at home (7.2 percent) and lack of security for family members outside the home (4.2 percent).

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[72] IDA conducted the survey in the 20 districts of the Terai, interviewing 2,000 respondents. While providing a wide sample of respondents from across districts, rural/urban, gender, caste/ethnicity, religion, education level and occupation, the sample does not reflect population characteristics exactly. Differences between the sample and the population are reported in Annex 1.

Figure 4.1: Perceptions of most serious issues/concerns in community

What are the *most* serious issues or concerns in your neighbourhood/community?
(Percentage based on multiple respones) (base = 2000)
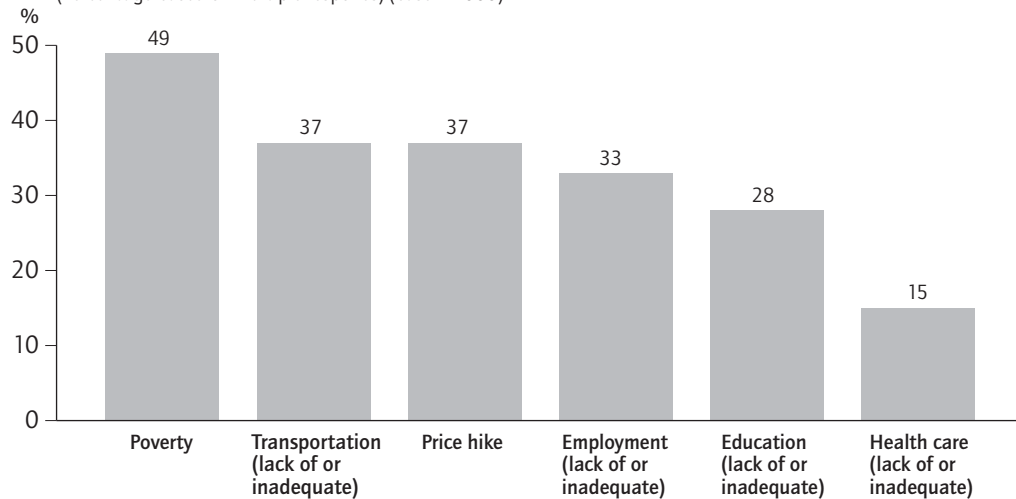
Source: IDA household survey, 2010

Note: Respondents were allowed multiple answers and thus the percentages total more than 100 percent. This chart only shows those answers that received responses by 15 percent or more of the respondent pool.

Respondents were then asked to identify specifically their main safety or security concerns in their community. A surprising 50 percent reported that they had no security concerns (see Figure 4.2). Political instability (19 percent) and violence against women (11 percent) were the two most commonly cited concerns. Other security concerns reported in more than five percent of the responses included: disputes over land, attacks against households, violence against children, armed groups and theft/robbery.

Figure 4.2: Perceptions of main security/safety concerns in community

What are the *main* safety and security concerns in your neighbourhood/community?
(Percentage based on multiple responses) (base = 2000)
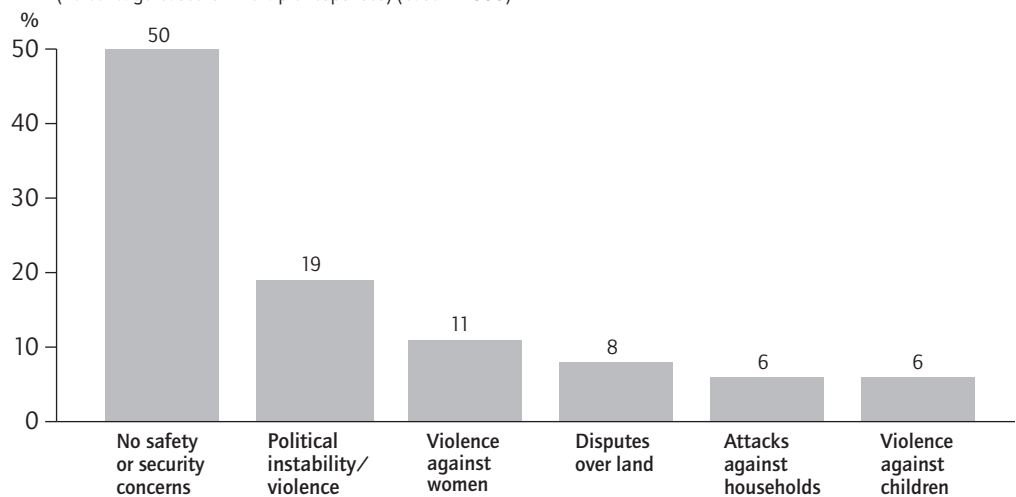
Source: IDA household survey, 2010

Note: Respondents were allowed multiple answers and thus the percentages total more than 100 percent. This chart only shows those answers that received responses by 6 percent or more of the respondent pool.

In general, the survey results suggest that community members feel safe in their communities (see Figure 4.3). Only in the Eastern (16.3 percent) and Central (23.9 percent) regions do feelings of being unsafe rise above 10 percent of respondents.

Figure 4.3: Perceptions of community safety

Do you consider your neighbourhood/community to be − very unsafe, unsafe, neither safe nor unsafe, safe or very safe? (base = 2000)
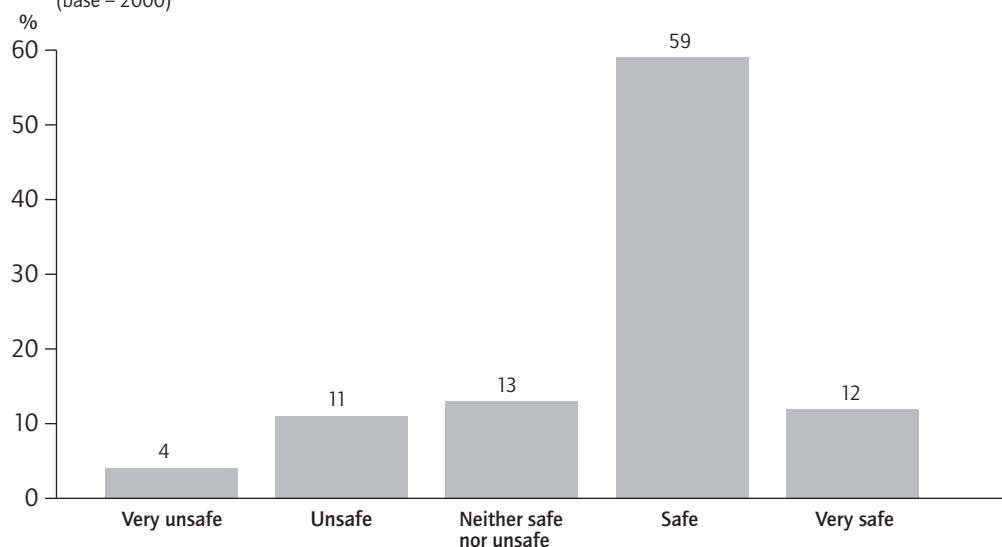
Source: IDA household survey, 2010

In general, while 71 percent considered their neighbourhood to be safe (responding either safe or very safe), urban areas are perceived as less safe, more violent and more at risk than rural areas. Night is overwhelmingly considered to be the least safe time of day with 72 percent of respondents reporting they considered night-time to be less safe. This is true for each of the sub-regions as well, except the Mid-Western region where residents were divided across daytime (38.1 percent), dusk (23.8 percent) and night (38.1 percent) (see Figure 4.4).

Figure 4.4: Perceptions of security at different times of the day

In which time of the day is your neighbourhood/community less safe? (base = 470)
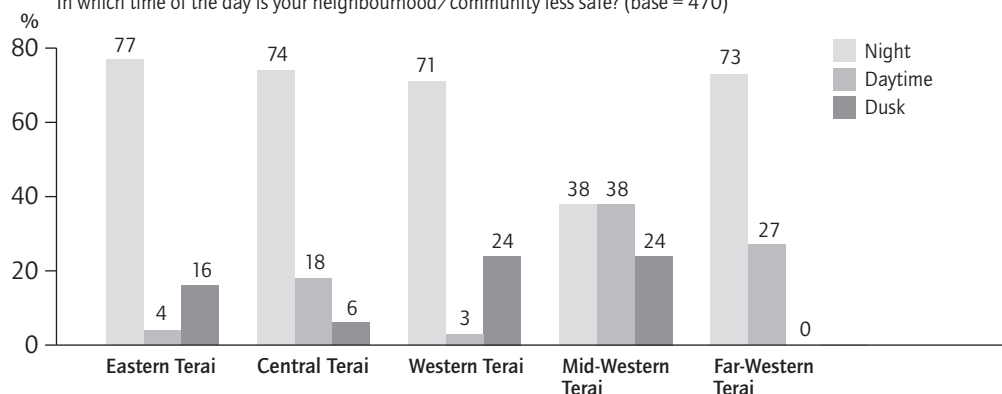
Source: IDA household survey, 2010

Respondents were also asked about their feelings of security when engaging in various activities: walking in the neighbourhood, being at home, being at the market, being at work and taking public transportation (see Table 4.1). Respondents felt most unsafe in situations where they are outside at night.

Table 4.1: Perceptions of security during activities

	Very unsafe	Somewhat unsafe	Somewhat safe	Very safe
Walking around the community (day)	0.7	2.9	30.3	65.9
Walking around the community (night)	11.6	27.8	37.6	21.9
At home (day)	0.6	2.3	26.1	70.9
At home (night)	2.6	17.0	38.9	41.1
Walking alone from home to the market (day)	1.7	10.9	40.6	46.2
Walking alone from home to the market (night)	23.3	31.5	26.0	14.6
Walking around the marketplace (day)	0.7	7.3	42.4	49.2
Travelling to/from work	1.5	10.9	45.5	41.6
When taking public transportation	1.6	19.6	43.7	33.6
When at work	0.9	11.5	44.4	42.7
Your children, when they travel to/from school	4.3	16.2	38.8	39.9
Your children, when they are at school	1.8	6.4	33.2	57.9

Source: IDA household survey, 2010

Communities are also feeling safer than a year ago (see Figure 4.5). When asked to compare 2010 to one year ago more than two-thirds of respondents reported that security is better or much better (69 percent) and 20 percent said security had remained the same.

Figure 4.5: Perceptions of change in security in community in past year

Compared to one year ago, is the security in your neighbourhood/community – much worse, worse, same, better or much better? (base = 2000)
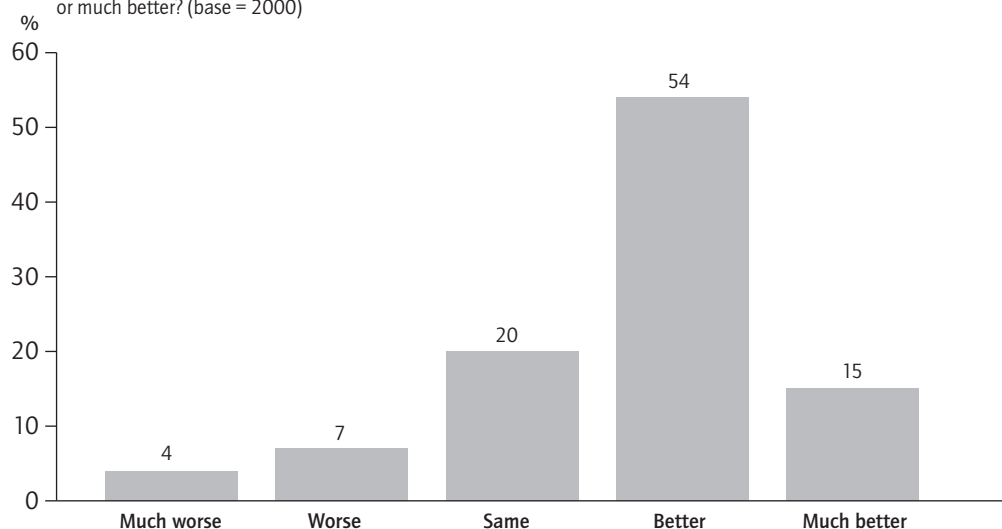
Source: IDA household survey, 2010

There were some important regional differences: more than 10 percent said the situation was worse or much worse in the Eastern (11.5 percent) and Central (13.5 percent) regions, while more than three-quarters of respondents in the Far-Western region (83.4 percent) said the situation was better or much better. There were also important demographic differences. Respondents in urban areas expressed security concerns more often than those in rural areas: 34.2 percent of urban respondents reported no security concerns, while 53.8 percent of rural respondents expressed no security concerns. In both urban and rural contexts, political instability and related violence was the most commonly cited concern by respondents (32.3 percent urban, 15.3 percent rural).

4.2 **Victimisation**

News reports provide an indication of the range of types of violence that take place in Nepal. Commonly reported violent events include: threats, extortion, shootings, bombings, clashes between political parties, clashes between youth groups of political parties, land seizures (by the Maoists in particular) and clashes between religious groups (with Muslim-Hindu riots being most commonly cited). Violence also results from protests and *bandhs*, during which clashes take place between those carrying out the strike and those opposing it. Protests taking place over past killings in order to grant the deceased martyr status have also resulted in violence, and in an ironic twist the past violence seems to lead to more violence to obtain the martyr status. Gender-based violence and domestic violence are also widespread, but such incidents are less commonly reported.

The survey asked respondents whether they worried about someone in their household becoming a victim of crime or violence. Overall 60.5 percent stated they did not worry that someone in their household would become a victim of crime or violence. However, concerns about victimisation varied by sub-region (see Figure 4.6), although in no sub-region did concern exceed 50 percent. In the Mid-Western region, respondents reported the highest level of concern about victimisation, with responses being divided almost equally between concerned and not concerned. A similar pattern emerged in the urban areas where respondents were split nearly evenly between being worried and not being worried (49.9 versus 49.2 percent, respectively).

Figure 4.6: Concerns about becoming victimised
Do you worry that someone in your household may become a victim of crime or violence? (base = 2000)
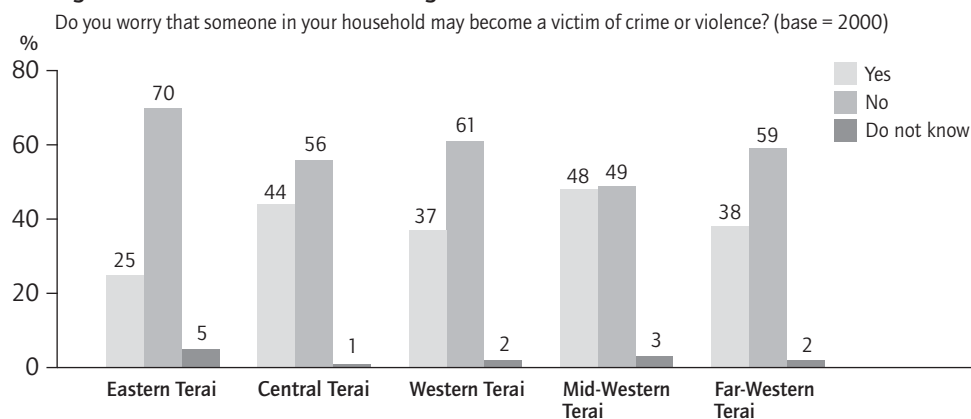
Source: IDA household survey, 2010

Of those respondents who did claim to be worried about someone in their household becoming a victim, the most common types of crime of concern included: theft (38.5 percent), assault/fight (27.6 percent) and armed robbery (11.1 percent). More than half of the concerned respondents in all regions worried equally about males and females becoming victims. Some regional differences emerged in responses where there was greater concern for household members of one sex. In the Eastern (24.7 percent), Central (30.5 percent) and Mid-Western (38.5 percent) regions, concern was greater for males than females. In the Far-Western region respondents expressed more concern for females (39.1 percent). Concerns were also raised about particular times of the year as being more dangerous than others. National holidays, harvest time, religious holidays and paydays were reported as being days that were less safe in communities. Holidays are commonly periods of higher levels of alcohol consumption, which leads to harassment of ordinary people. Paydays and harvest time are periods when individuals have incomes at their disposal, making them targets of criminal attacks.

The survey also asked respondents about their experience of violence and/or crime over the past year. Just less than four percent of respondents reported that a member of their household had been a victim during the past year.[73] Reviewing the data from those who reported that someone in their household had been a victim of crime/violence over the past year reveals some patterns in the data. Most respondents (77.5 percent) reported one incident that involved one member of the household as a victim in the encounter. Victims were more likely to be injured than killed and in nearly 40 percent of the cases no-one was injured or killed. The majority of the victims were male. Over half of the victims were 21–40 years old and just over 20 percent fell within the 41–60 age range. The primary type of incident was 'assault/beating' (see Figure 4.7). Nearly two-thirds (61 percent) of the incidents involved a weapon; usually a bladed weapon or a blunt weapon, though 23 percent involved a homemade firearm and 16 percent involved a pistol/revolver.[74] Interesting regional differences appeared with respect to the weapon used. The Eastern and Western regions reported only firearms being used, while Mid-Western and Far-Western regions reported only blunt objects and bladed weapons, respectively.

Figure 4.7: Most common types of victimisation reported in survey

What type of encounter was it? (Percentage based on multiple responses) (base = 71)
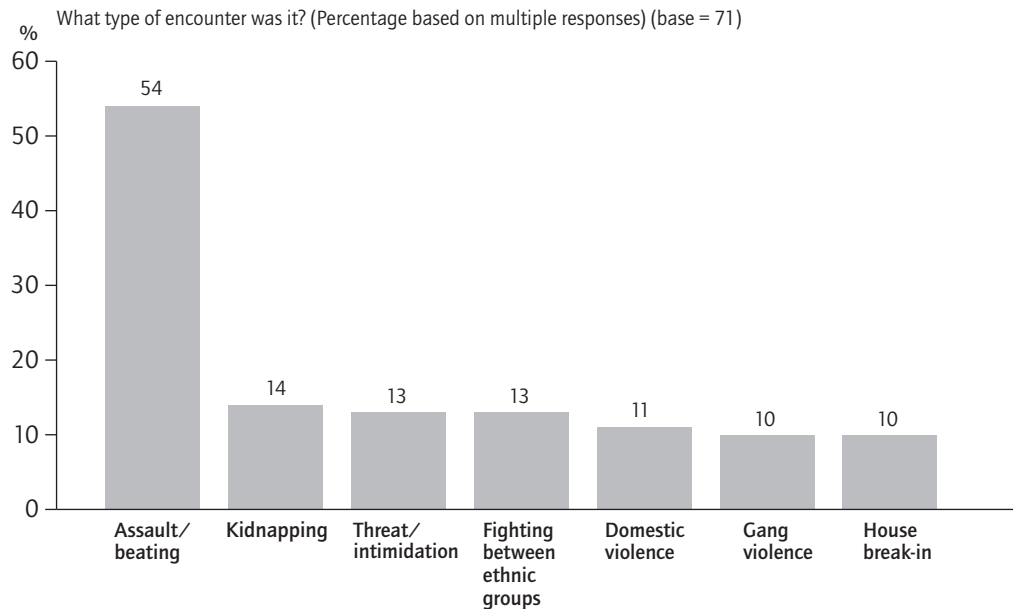
Source: IDA household survey, 2010

Note: Respondents were allowed to categorise the incident in more than one way if the incident involved various types of violence, thus the percentages total more than 100 percent. This chart only shows those answers that received responses by 10 percent or more of the respondent pool.

Most incidents took place at home or on the street, with the market and work being reported as well. Again, regional differences appeared. The time of day of the incidents suggests that there is no one particular time of day that is more dangerous than others (see Figure 4.8), despite the perceptions reported earlier that respondents felt least safe at night-time. However, if 'dusk' is considered part of the 'night' then the results do largely mirror perceptions of risk. In more than three-quarters of the reported cases (80 percent), the perpetrator was known by the victim.

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73 This should not be interpreted as the victimisation rate for the Terai. There are numerous reasons why respondents do not admit to being victims and victimisation is often under-reported in surveys.

74 While the percentages might suggest large numbers, they actually represent rather small numbers of victims and crimes.

Figure 4.8: Time of day of victimisation reported in survey

When did the event take place? (base = 71)
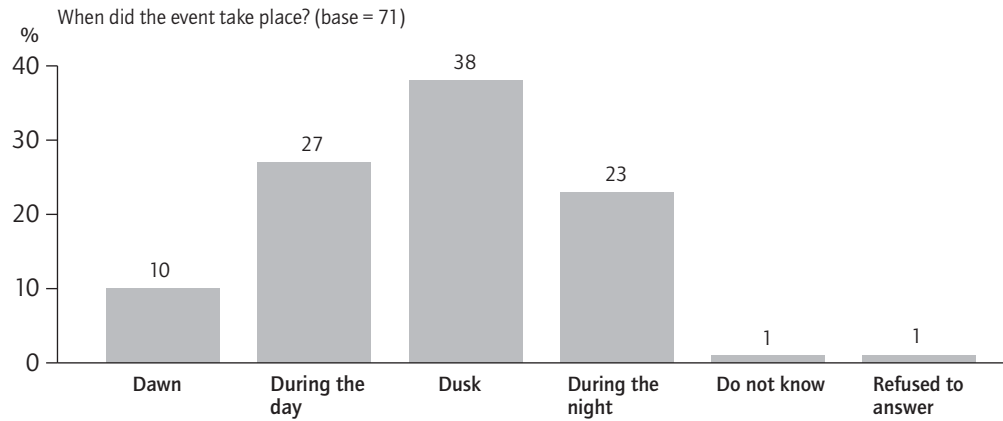
Source: IDA household survey, 2010

On a separate question, respondents were asked whether violent events occurred in their communities. Only 11 percent of respondents said violent incidents did occur in their communities. However, those who did report violent incidents occurring all reported that these incidents involved guns (including automatic rifles in some cases) (see Figure 4.9). These results offer a different perception than that from reports of victimisation, where blunt objects and bladed weapons were the most common weapons.

Figure 4.9: Most common weapons used in reported violent events in community

If there are violent events in your neighbourhood/community, what are the most common weapons used in these events? (Percentage based on multiple responses) (base = 228)
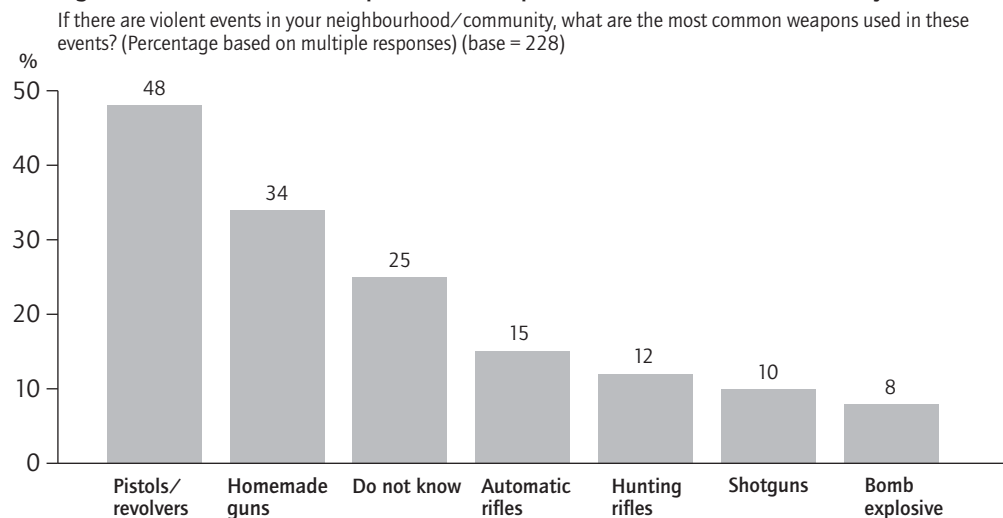
Source: IDA household survey, 2010

Note: Respondents were allowed to report more than one common type of weapon used in incidents, thus the percentages total more than 100 percent.

One possible explanation for this difference is that bigger stories spread more often. Whether in the newspapers or by word of mouth, the more violent incidents are more likely to be reported and discussed. It could also be a matter of perception. There does appear to be a difference between what actually happens and popular perceptions of what happens. A few incidents have managed to generate a lot of concern, despite low levels of victimisation. Such situations are not uncommon in post-conflict countries. In interviews numerous individuals indicated concerns, and even fear, about what could happen because of the stories they heard, but these concerns were not based on their own experiences. Likewise it was common to hear that "everyone has guns," yet when pressed to indicate what percentage of the population had guns interviewees responded in the range of 10–25 percent, never higher. This suggests high levels of concern that do not match the reality on the ground.

4.3 **Views on firearms**

Respondents were asked a series of questions about their views on firearms and fire-arm possession. During the survey, firearms were explained to respondents to include: pistols, revolvers, hunting rifles, shotguns, automatic rifles and machine guns.[75] Respondents were split on the extent to which the misuse of firearms posed a problem in their communities (see Figure 4.10). During the survey, misuse was explained as "the use of small arms for threatening people, robbing banks and ordinary people's homes, killing people etc."[76] Although overall 44 percent agreed with the statement that misuse of small arms is a problem, 34 percent disagreed with the statement. Regional differences suggest that communities in some regions do see misuse as a problem, such as the Far-Western region where nearly 77 percent of respondents agreed with the statement. Others, however, do not view misuse as a problem, such as in the Western and Mid-Western regions, which reported 65 percent and 51.5 percent disagreement with the statement, respectively.

Figure 4.10: Views on misuse of firearms as a problem

To what extent do you agree with the following statement: "Misuse of small arms is a problem in the area I live." (base = 2000)
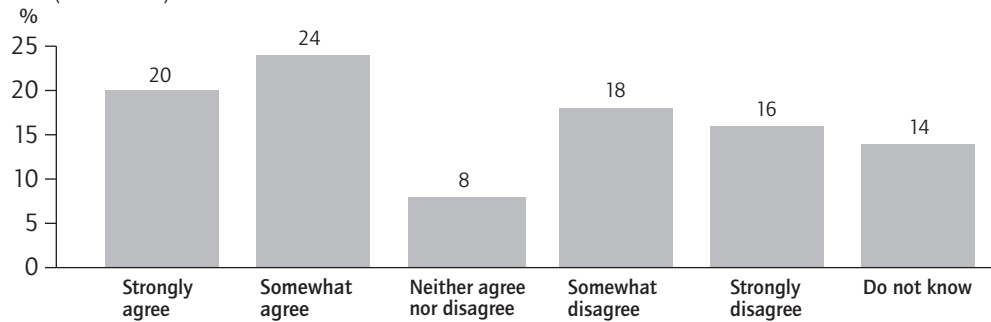
Source: IDA household survey, 2010

Most respondents viewed firearms as a threat to safety, though more than one-fifth of the respondents thought firearms were either desirable to own or normal to own (see Figure 4.11). This corresponds to interviews in which individuals claimed to be fearful for their security due to the threats they had received, while also at the same time stating they would want to get a firearm for self-defence if they could obtain a firearm legally and a licence from the Government to keep it.

Figure 4.11: Views on firearms

What do you think, in your opinion, about the firearms? (base = 2000)
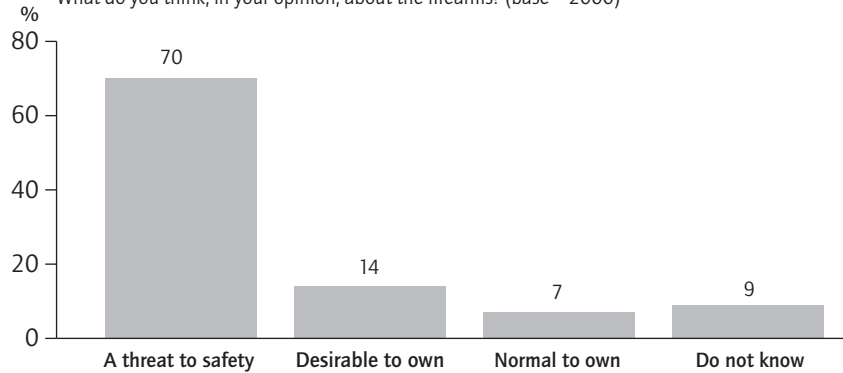
Source: IDA household survey, 2010

It would not be surprising, based on expressed views about firearms and their threat to safety, to see a low reported rate of firearm ownership. Less than two percent of

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75 In adopting this particular definition of firearms, the traditional knives (or *khukuris*) that people have were excluded.
76 The definition of "misuse" was arrived at by relating the questionnaire developed by Small Arms Survey to the Nepali context and by testing this definition during the pilot test.

respondents reported that someone in their household possessed a firearm. Thus out of the 2,000 respondents, only 31 people reported having firearms in the household. This is lower than might be expected based on the views expressed with 14 percent stating firearms were desirable to own and the common comments from interviewees that guns are common and easily available. Respondents reported possessing mainly homemade guns, pistols/revolvers and hunting rifles (see Figure 4.12).

Figure 4.12: Types of firearms reported in households

If *yes*, what type of firearm is in the household (Based on multiple responses) (n = 31)
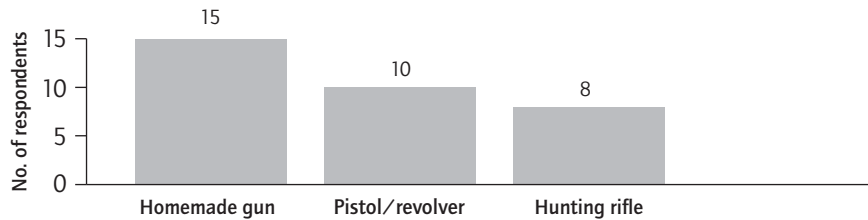
Source: IDA household survey, 2010

Note: Respondents who reported owning more than one firearm were allowed to report the types of each firearm.

Guns used during the war included "homemade guns, pistols, land explosive, pressure cooker bombs and other small arms."[77] These are the same types of weapons used today, which is not unusual in a post-conflict country. Yet it remains unknown how widespread possession truly is. Nepali activists "are unable to put a figure on the number of small arms in the country" but have claimed that "the flow of small arms is out of control."[78] This study did not attempt to measure the rate of possession, but results would indicate that despite statements that guns are 'everywhere,' they are less widespread than public perception would lead one to believe. In following up reports by one focus group discussion that guns were everywhere and easily available, we asked the group to give an estimated percentage of the population that possessed weapons; responses varied from 10–25 percent, but never higher than this. Available small arms include: "pistols, muzzle loaders, 12-bore and 22-bore guns, air guns, rifles and shotguns," and materials for IEDs.[79]

Although the responses are small in number, they did indicate regional differences in the types of weapons reported in possession. In the Eastern region they were all homemade guns. Homemade guns refer to guns that are not manufactured in legal factories. In the Mid-Western region they were all pistol/revolvers. In the Far-Western region they were all hunting rifles. Responses were mixed in the Central and Western regions between handguns and hunting rifles. No-one claimed to possess anything more powerful that this (for example, an assault rifle).

The possession of handguns is not uncommon for those seeking personal protection. When asked, respondents did indicate that the overwhelming reason for possessing a firearm was personal protection (see Figure 4.13). All respondents, except for three who worked in the police or army, reported having the firearm for personal protection. In addition to personal protection, respondents also claimed protection of community and property as significant concerns, while others indicated that possessing firearms was part of tradition or simply left over from the war.

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77 IRIN, 'Nepal: Small arms proliferation at large', www.reliefweb.int/rw/rwb.nsf/db900SID/ACIO-6H9ST3?OpenDocument, 17 October 2005.

78 IRIN, 'Nepal: Government urged to do more to curb small arms', www.reliefweb.int/rw/RWB.NSF/db900SID/EKOI-76P36T?OpenDocument, 2 September 2007.

79 *Ibid.*

Figure 4.13: Reasons why respondents kept a firearm at home
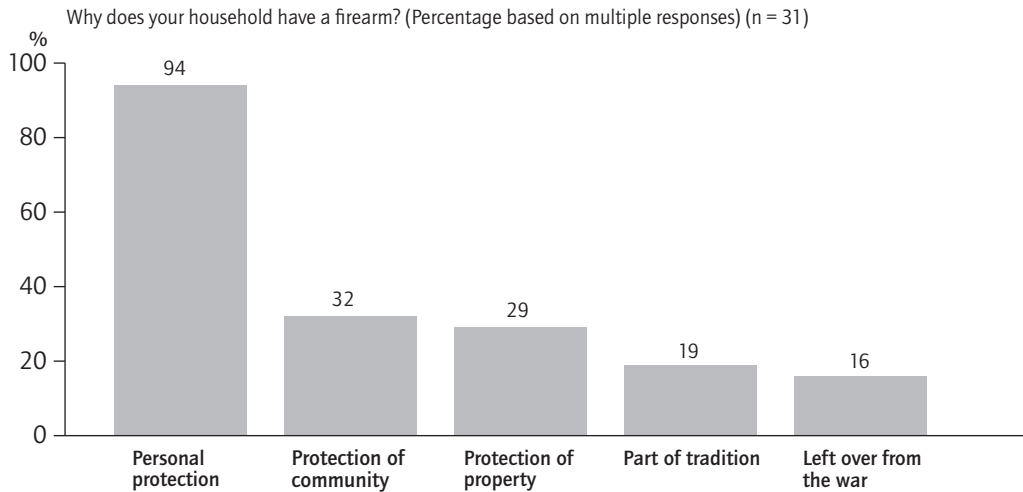
Why does your household have a firearm? (Percentage based on multiple responses) (n = 31)

Source: IDA household survey, 2010

Note: Respondents were allowed multiple answers and thus the percentages total more than 100 percent. This chart only shows those answers that received responses by 15 percent or more of the respondent pool.

Over half of the firearms were new (54.8 percent), while a third of them were used (32.3 percent), at the time when the household obtained the firearm. More than half of the respondents had bought the firearms (64.5 percent) and just less than 20 percent did not pay for them. Of those who did pay for their firearms, most (65 percent) paid between 1,000 and 10,000 Nepalese Rupees (NPR) (approximately USD 14–140).[80] Those firearms that cost more than 10,000 NPR were all bought in the Central region, ranging from 10,001–50,000 NPR (USD 140–700). The firearms came mainly from India (38.7 percent) and neighbouring villages (29 percent), although more than 30 percent responded that they did not know the origins or would not provide an answer.

It should be noted that even those respondents who admitted to having a firearm in the household were reluctant to provide additional details about the firearms. At least 10 percent of respondents claimed they did not know whether the firearm was new or used, whether they had had to pay for the firearm, how much it cost, or from where the firearm was obtained. Six and a half percent of respondents with firearms refused to answer the question about where they had obtained the firearm. This suggests some unwillingness to discuss firearms possession. This unwillingness might be explained, in some part, by the perceptions of firearms.

When respondents who claimed that they did not have firearms in their homes were asked why they did not own firearms, more than a third of the respondents claimed it was dangerous, but nearly as many claimed it was illegal to own firearms (see Figure 4.14). This underscores the understanding within the population that they should not have guns according to the law.[81] This may contribute to explaining the under-reporting of possession as many do not wish to talk about the issue. In one of the focus group discussions, a participant claimed that her family did not have a gun, but then discussed how they were being threatened to pressure her father into hiring certain individuals. When asked whether her family was afraid that the people threatening them would come after them with guns, she claimed they were not afraid because they had guns too. While this led to much laughter in the group at the time, it also suggests that a person's first response is to deny possession.

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80 Based on an average exchange rate of 1 USD to 70 NPR.

81 The laws on firearm possession are set out in the Arms and Ammunition Act (1963). This Act allows for a person to possess only certain types of firearms (12, 16, 20, 410 bore gun; muzzle loaded gun; air gun; .22 calibre rifle) for self-defence and hunting purposes provided the person obtains a license for the firearm. Licenses are not available for any other type of firearm. The Chief District Officer is the person responsible for reviewing and approving licenses. 'Country paper of Nepal for Regional Seminar on Enhancing International & Regional Co-operation to Prevent, Combat and Eradicate Illicit Brokering in Small Arms and Light Weapons in South Asia and Central Asia,' (17–18 June 2009) www.unrcpd.org.np/uploads/conferences/file/Nepal%20Session%20III.pdf.

Figure 4.14: Reasons why respondents did not have a firearm

If *no*, why has your household decided not to have a firearm? (Percentage based on multiple responses) (base = 1967)
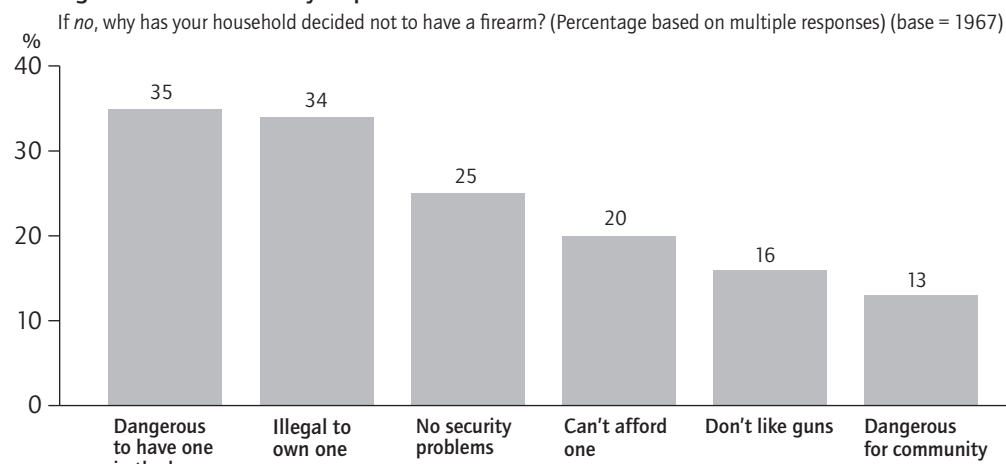
Source: IDA household survey, 2010

Respondents were asked whether it would be easy to obtain a firearm if someone wanted to own one. More than half (61.6 percent) of the respondents said no, it would not be easy. Only 13 percent said yes it would be easy and 25 percent did not know. However, in the Central and Western regions the 'yes' rate rose to 20 percent (see Figure 4.15). The Central area reported the highest level of firearm ownership in this survey, the widest range of firearms in possession and the most new weapons purchased.

Figure 4.15: Perceptions of the ease of obtaining a firearm

If somebody in your neighbourhood/community wants to own a firearm, is it easily available? (base = 2000)
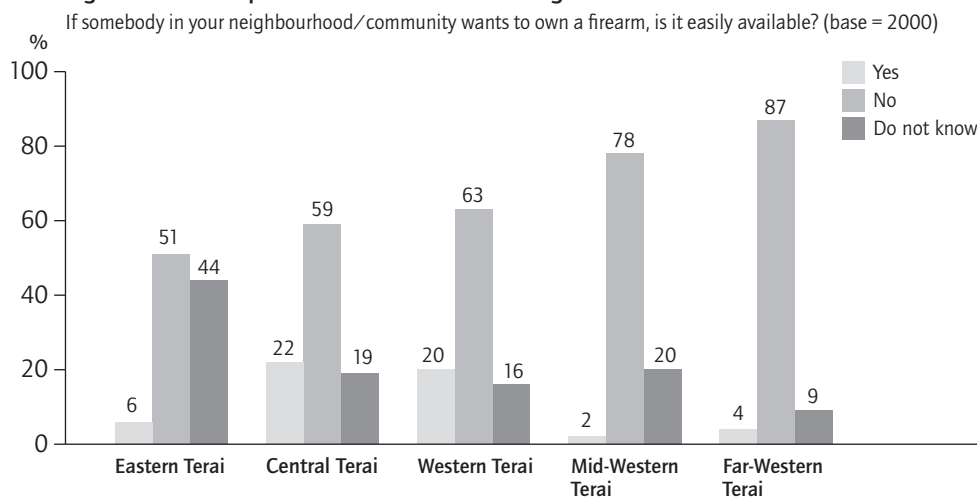
Source: IDA household survey, 2010

Although reported ownership is low, it is not uncommon to hear that weapons are easily available and widely owned. The survey asked respondents about their views on the need for a civilian disarmament programme. More than three-quarters (87 percent) of the respondents reported that they think there should be a civilian disarmament programme. A civilian disarmament programme in the Nepali context was translated as "a programme that encourages people to get rid of firearms." This suggests that communities do believe there is a need to remove firearms from circulation, which would suggest a belief (whether real or not) that there are significant numbers of firearms in circulation. Respondents were also asked their views on the potential impact – good or bad – of having a civilian disarmament programme (see Figure 4.16).

Figure 4.16: Perceptions of potential impact of civilian disarmament programme

Do you think having a civilian disarmament programme in your neighbourhood/community would – improve security a lot, improve security a little, have no impact on security, decrease security a little, decrease security a lot? (base = 2000)
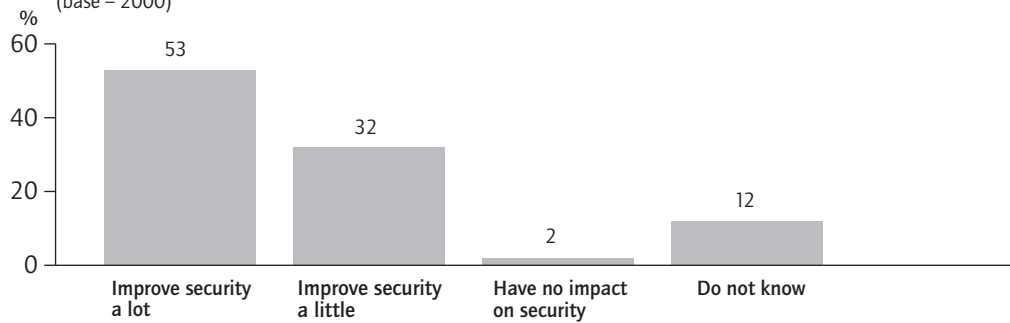
Source: IDA household survey, 2010

The vast majority of respondents believed that a civilian disarmament programme would improve the security situation, with over half stating that they thought it would improve the situation a lot. This again suggests that people widely believe that guns are in circulation and are harmful.

4.4 Role of armed groups in violence

Various armed groups have existed in Nepal and in the Terai. Some were created toward the end of the war to assist the Government in fighting the Maoists. Others have emerged as community responses to threats and insecurity. Despite their prior activities, January 2007 marked the point of an important change in the dynamics of armed groups, especially those in the Terai.

In January 2007 a large uprising in the Madhesi community led to weeks of protests and what is now referred to as the Madhesi *Andolan*. These protests put Madhesi groups on the map and their names at the front of headlines. The MJF emerged as a strong force. The successful agitations of Madhesi groups has garnered a handful of Madhesi groups a certain status with the Government, resulting in negotiations that produced agreements with various groups in 2007, 2008 and 2009. They also set the stage for some Madhesi groups to contest the 2008 CA elections. The MJF emerged from the elections as the fourth largest party in the CA, winning 50 seats, while another Madhesi party, the TMLP, won 20 seats. The successes in the elections did not however put an end to the violence in the Terai or the operations of Madhesi armed groups.

Since 2007 armed groups appear to have multiplied in the Terai, particularly in the eastern half of the Terai. There is some debate about the number of armed groups active in the Terai as well as the nature of these groups. The Ministry of Home Affairs published a report in 2009 claiming there are 109 armed groups active in Nepal and that most of these operate in the Terai.[82] Other estimates run close to this, or simply repeat the Government estimate.[83] While others suggest a far lower estimate and that there may be closer to a dozen armed groups operating in the Terai.[84] One ex-armed group member disputed the Government figure in an interview in April 2010, stating that there were only about 10 armed groups active. Those providing the much lower estimate seem to be focusing on the main political armed groups, such as the Janatantrik

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82 *Op cit* Pathak and Uprety, p. 13.

83 See for example *op cit* Pathak and Uprety, p. 20; Amnesty International, *Amnesty International Report 2010: Federal Democratic Republic of Nepal,* 2010, https://bangla.amnesty.org/en/air2010/nepal.

84 Amnesty International, *Nepal: Overturning the Legacy of War – priorities for effective human rights protection* www.amnesty.org/en/for-media/press-releases/nepal-overturning-legacy-war-priorities-effective-human-rights-protectio, 12 May 2008; IRIN, Nepal: Small arms fill power vacuum, www.irinnews.org/Report.aspx?ReportId=78188, 14 May 2008; *op cit* Watson and Crossier, p. 14.

Terai Mukti Morcha (JTMM), and do not include a range of much smaller and more criminally-motivated groups. Respondents to the household survey were asked whether they knew of any armed groups currently residing in their communities and only four percent said yes.[85]

Although the number of groups has undoubtedly grown from a few to at least a dozen, if not many more, many of the specifics of these groups remain unclear, including their organisation, goals and membership. Members seem to be able to join and leave without consequences, contributing to a fluidity of membership. It remains unclear how many of these groups are truly organised or whether they are simply using a name to commit crimes. Some interviewees suggested the latter, suggesting that any group of individuals seeking to commit crimes for financial gain were creating names for their groups as a way of gaining legitimacy and instilling fear in the population in order to ensure donations. Some of the well-known armed groups, such as the JTMM, have split into various factions, which had contributed to a proliferation of groups, though the groups are smaller in size. There also appears to be a responsive multiplication by non-Madhesi groups that have arisen in defence of smaller minorities in the Terai.

Armed groups are involved in a range of political and criminal activities, including: intimidation, forced donations, shootings and bombings in response to donation refusals, participation in *bandhs* and participation in the drug trade and counterfeit currency trade. Household survey respondents stated that the main activities of these groups included (in descending order of percentage of responses received): extortion, theft/robbery, community protection, enforcing *bandhs*, defending against other armed groups, organising political rallies and kidnapping. Responses pointed to extortion (66.3 percent) and theft/robbery (38.8 percent) as the most common. While this might suggest these groups are primarily criminal in nature, extortion in Nepal is often tied to politics. While not all groups demanding donations are tied to political parties, many of the most well-known groups do put forward political goals (if not a clear political agenda) and forced donations by political parties are not uncommon in Nepal. These demands tend to increase during election cycles and when a political party wants to hold a particular event. For example, many claimed the Maoists had greatly increased their demands for donations in the lead up to the May 2010 strike, needing the money to transport, house and feed the tens of thousands of supporters they had hoped to move into Kathmandu from the outlying areas.

This raises an important point of contention in the discussion of armed groups. While some refer to them as purely criminal groups bent on economic gain without any political motivations, others argue that the political armed groups need to be taken seriously as political entities and engaged by the Government through negotiations, not heavy-handed tactics. Many have started arguing that the line is increasingly blurred and it has become difficult to distinguish the political from the criminal.[86] While a handful of groups offer more clear evidence of their political nature, they still engage in criminal activities of extortion, forced donation and killings. Although it is not always clear whether the groups are criminal or political in nature, most respondents participating in focus group discussions and interviews in the study stated they believed that there was a link between the politicians and these armed groups. In some cases this constituted a protective link, whereby politicians would ensure members were not arrested, or if they were that they would be released. In other cases, allegations suggested political parties used these armed groups for both financial and political gain. One Kathmandu based activist argued that there was a need to distinguish between political and criminal groups, and that there should be no protection for the political groups, but instead the police should enforce law and order.[87]

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85   There are a number of reasons for this low figure. It could accurately reflect that armed groups are simply not active everywhere. It might also represent a reluctance to speak about these groups.

86   For example, Charlotte Watson with Rebecca Crozier, *Security for Whom? Security Sector Reform and Public Security in Nepal*, www.international-alert.org/pdf/IfP_Security_Sector_Reform_and_Public_Security_in_Nepal.pdf, International Alert, January 2009, p. 21.

87   Interview, Kathmandu, 30 April 2010.

Armed groups tend to operate locally. Some groups have a presence across a few districts, but rarely do they operate beyond that. The Madhesi armed groups are active in nine of the twenty Terai districts[88] and primarily active in the eastern half of the Terai, where their support base is strongest and their political appeal most likely. These groups appear to be connected to the relatively higher rates of violent incidents in that half of the region. In late 2008 the Tharuhat Liberation Army (TLA) formed for the "liberation of Tharu people and establishment of a Tharuhat province in federal Nepal" in Kailali district.[89] There are ethnic Limbuwan and Khumbuwan movements in the hill regions.[90] The emergence of other ethnic-based armed groups, some might even call them counter-Madhesi groups,[91] has raised concerns about the potential for increased violence between the ethnicities in general and between these groups in particular. The TLA has "vowed to fight against attempts to turn Terai into Madhes province."[92]

Armed groups are reported to use primarily homemade guns. These handguns are produced predominantly in India through illegal manufacturing processes. They are relatively cheap and widely available across the border. Armed groups may also have weapons from the war period, either through the Maoists or the Government. A number of members of armed groups are former members of the Maoist army suggesting they might have access to war-time weapons. Some communities were armed by the Government during the later part of the war to assist in combating the Maoists.[93] There are poor records of who received weapons, who turned them in and who still has them. Firearms have also been obtained individually.

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88 *Op cit* Pathak and Uprety, p. 14.

89 NepalNews.com, 'Tharuhut liberation army is formed,' 4 November 2008; www.nepalnews.com/archive/2008/nov/nov04/news06.php.

90 *Op cit* Watson and Crozier, p. 16.

91 Watson and Crozier describe the rise of the TLA as a "direct response" to the Madhesi movement (*ibid*.).

92 *Op cit* NepalNews.com (4 November 2008).

93 International Crisis Group, *Nepal: Dangerous Plans for Village Militias*, Asia Briefing (17 February 2004), www.crisisgroup.org/en/regions/asia/south-asia/nepal/B030-nepal-dangerous-plans-for-village-militias.aspx.

Impact of armed violence

This chapter seeks to highlight some of the broader impacts of violence beyond the most visible effects of injuries and deaths.

5.1 Effect on the business community and the economy

Extortion and forced donations have had a large impact on the business community. It has made business people uncertain and fearful and in search of means of providing themselves with protection. Many mentioned the desire to obtain firearms to ensure their safety. Members of the business community have been one of the most common targets of forced donations because they are perceived to be the ones in the community with money to give. Enough business people have experienced shootings and bombings when they have not paid demands that many are frightened and believe the threats to be real and that they will be followed by violent acts if money is not forfeited. Some business people simply see it as a cost of doing business. They negotiate to respond to the demands of armed groups. This makes the costs of doing business higher, but these costs are simply passed on to consumers in the rise in prices.

The common occurrence of *bandhs* has also imposed costs on the business community. In some cases violence erupts or businesses are burned, but more often the challenges come in the forced closure, or limited opening hours, of shops during the *bandhs*. During *bandhs* it is often difficult to transport goods, which can lead to shortages in goods, even essential goods, and higher prices for those that are available. Workers often cannot travel to places of employment. Government-imposed curfews can also limit operating hours. When violence is expected business people may simply choose to close early to be home by dark, or to close at times when confrontations are likely. Shop owners have also temporarily closed their businesses when threatened. One person explained that this was to avoid paying extortion fees because if the owner pays once he/she would have to pay again and even more groups would come to demand money.

Security concerns and fear of violence appears to have also led to the proliferation of firearms among the business community. While few will admit owning guns, most admit

to wanting to obtain them. One focus group discussion revealed that "all businessmen have been getting guns."[94] They view firearms as important for their security because the Government and police do not provide security. They believe they need to provide their own security and that owning firearms is the best way to do this. Some business owners also indicated a desire to hire armed private security. There are widespread reports of demands for new laws so that business people, and other civilians, can legally purchase and own firearms (other than rifles) to protect themselves, as they see this as the only way to ensure their safety.[95] One businessman complained that the law only allowed a license for a rifle and that this was not useful for self-protection, instead he wanted a handgun.[96]

5.2 Effect on communities

Although much of the extortion violence often targets the business community, there is also intimidation, threats, forced donations and extortion at the community level. This targets both communities as a whole as well as Government officials posted to these communities. In many instances communities reported that they had simply come to an arrangement with the armed group making the demand for donations to provide a community-based donation on a monthly basis. Community members donate to the total sum and this is given to the group each month. This has important economic implications, especially for poor communities, even though the sums that had been negotiated were relatively small. It also raised questions about the potential for future violence should communities prove incapable of paying later or if they decide that they no longer want to pay. For now, the preference seems to be to pay the demands, though they are negotiated to much lower rates than originally demanded, in order to avoid violence.

Communities have also been adversely affected by widespread *bandhs* over the past few years. The *bandhs* restrict movement, which can affect communities in a variety of ways, including: making it difficult to travel to work, to the hospital or to markets, making it difficult to transport agricultural goods to the market, and generally interrupting the daily flow of business and other activities. In addition, violence has often resulted from *bandhs*, whether between competing groups or sometimes resulting from communities attacking those that strike because they are frustrated with the length of the strike and the inability to go about their daily lives.

Extortion has also targeted many local government officials in the VDC. The heads of the VDCs control the local budgets, which are seen as a good source of funds. The ongoing threats and violent repercussions for not giving into extortion demands have led to many VDC secretaries leaving their posts. This has weakened an already patchy local government presence in many areas.

Extortion has also affected a number of local and international non-governmental organisations operating in the areas. This has resulted in a decline in the number of NGOs located in the Terai, reducing both their presence and the level of activities, which in turn has reduced community access to aid and to other benefits. This could have longer-term impacts on the health of communities and the available support for communities. The challenging operating environment has also deterred foreign investment, which would bring employment opportunities and an influx of resources to some areas.

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94 Focus group discussion, Bara district, April 2010.
95 Interview with journalist, Bara district, 28 April 2010.
96 Interview with business leader, Bara district, 28 April 2010.

5.3 **Regional dynamics**

Nepal has an extremely porous southern border with India. Although the border is also porous in the north, the northern border consists of more rugged, mountain terrain with "more than 90 percent of the frontiers run[ning] through high altitudes with rocks and snow, glaciers and ice fields which are entirely uninhabited" with very few settlements near the borders on either side.[97] By contrast the southern border can be easily crossed on foot in most places. A number of official checkpoints and major crossings exist. There are an estimated 22 agreed transit and customs posts along the Nepal-India border.[98] However, one can move across the border easily at most points: "people of both the countries can cross it from any point, despite the existence of border check-posts at several locations."[99]

The ease of movement across the border has brought both positive and negative consequences. On the negative side, many complain of smuggling and the flow of illegal goods and persons across the border. The reported heavy flow of goods across the southern border is said to go in both directions, not just into Nepal.

"The most serious and adverse impact of open and uncontrolled Nepal-India border has been in the form of growing and anti-social and lawless activities. The ever increasing number of crimes along the border has been a major concern for both governments since early nineteenth century, and the Treaty of 1855 was aimed at controlling these problems. However, the policy of open border has rather enhanced such activities. The unrestricted movement across the border has indeed been responsible for all sorts of criminal, anti-social and illegal activities such as robbery, theft, murder, smuggling of goods to evade custom duties, narcotic drugs trafficking, trafficking of girls, arms smuggling, smuggling of archaeological arts and [*artefacts*] *and manuscripts, kidnapping for ransoms, etc."*[100]

Both countries, India and Nepal, are concerned about the border. India's concerns stem from the possibilities of terrorists moving into northern India from Pakistan, through Nepal. There are also concerns about small arms moving from China, through Nepal, into India. These guns provide more modern weapons than can be manufactured in the 'homemade' factories of India to the numerous groups contesting the Government in India. There are also concerns about the influx of fake Indian currency across the border. A number of individuals interviewed pointed out this problem and stated that armed groups in the Terai were involved in such activities.

The relations between officials across the borders vary. In some instances there is close co-operation, while in others there is suspicion; a lot depends on the persons involved and the extent of interaction they have with one another. Policing is reported as most effective where local cross-border relations are good and ineffective where they are poor or non-existent. While there has been some co-operation to deal with accused criminals who operate across borders, this is not yet well established, or entirely effective in managing criminal activities. Many respondents, including policemen, reported that criminals often gain safe harbour on the opposite side of the border. This is true for both Nepal and India, and many concerns were raised about Indian criminal groups operating inside Nepal in areas nearest the border.

"In recent years, there has been sudden spurt in crimes such as theft, robbery, kidnapping and murder on both sides of the border as well as increase in terrorist activities on the Indian side. Open border has provided safe passage to criminals and terrorists."[101]

97 Vidya Bir Singh Kansakar, *Nepal-India Open Border: Prospects, Problems and Challenges*, Friedrich Ebert Stiftung, 2001, www.nepaldemocracy.org/documents/treaties_agreements/nep_india_open_border.htm.

98 www.ifa.org.np/talk/trade.php.

99 *Ibid*.

100 *Ibid*.

101 *Ibid*.

There have been discussions of tightening border controls. Many respondents pointed out that this needed to be done to reduce crime and improve security; in particular with respect to the flow of firearms into Nepal. However, tougher scrutiny of the flow of goods and people, while aimed at reducing illicit activities, could also negatively impact the everyday activities of the population. There are close ties between those living in the border regions of both countries. Many go across the border for work, day labour and to purchase goods (which are cheaper in India than in Nepal). Tightened controls could make it more difficult to visit family, more time consuming to go to the market as well as more difficult to return with goods purchased across the border and more difficult and expensive to move legal goods in either direction.

"The open border has economically benefited the nationals inhabiting both sides of the border. Those engaged in agriculture have economically benefited from the sale and purchase of agriculture and livestock products in the bazaars taking place regularly in different places on either side. The increasing urbanisation and growth of towns in the Terai and along the border inside Nepal has resulted in large inflow of goods from Indian side into Nepal. The open border has provided employment to the people on both sides in the transport sector as well." [102]

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102 *Ibid.*

Perceptions of key informants: in-depth interviews with key stakeholders

This chapter presents the findings of 40 interviews conducted across the Terai.[103] The overall objective of the in-depth interviews was to learn about views on armed violence in the Terai and its impact on the population as well as opinions about the peace and security situation in local areas and in the country as a whole. While the household survey was designed to understand what happens in the Terai, the in-depth interviews aimed to better understand why armed violence takes place and the factors that contribute to incidents of violence.

6.1 Security situation today

Respondents provided mixed views on whether the security situation had improved over the last year. Although most stated that the situation had improved compared to the Maoists' 'People's War' phase (1996–2006), in most of the border areas people continue to live with considerable anxiety and uncertainty about life and property. For these respondents, the security situation is not good enough to feel safe and secure on a daily basis.

"Last year was better in terms of peace and security. Before 2008 the situation wasn't good at all. The year 2008 was peaceful in fact. But again the situation in 2009 deteriorated. One or the other political party close down the market and this leads to disputes and quarrels which sometimes become nasty. Sometimes it is Maoists calling for bandhs; *at other times it is the MJF."*

Muslim farmer, age 48, Banke

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103 This section is based on reporting from IDA on the 40 in-depth interviews IDA conducted across the Terai from 14 March until 5 April 2010. Each respondent was asked the same set of questions, followed by additional questions appropriate to the responses heard during the interviews.

Most felt that the overall security situation had not improved due to political *bandhs* and strikes occurring at regular intervals. They also pointed to persisting crimes, threats, corruption, theft, robbery and weak governance as other reasons for a lack of improvement in the security situation.

"Even though there has been improvement compared to 2–3 years ago, I feel that the security situation is worsening. I feel so because there are too many strikes. Anyone can undertake strikes these days and there is no security of life for citizens."
Dalit businessman, age 26, Kanchanpur

Those who did feel that the situation had improved pointed to the successful 2008 election of the CA as the most important reason for feelings of improved security. They also cited a reduction in threats, violence and killings as well as police patrolling as contributing to security.

"Comparatively speaking, the situation is good now. There is less violence. We used to fear even to walk outside, it is not the case now."
Yadav teacher, age 30, Rautahat

Concerns about security do not necessarily reflect concerns about physical security, or about organised violence. Respondents expressed that security is something which allows them to live with full freedom and dignity, a life without any discrimination, suppression and domination. They expressed feeling insecure due to discrimination based on their caste or occupation, due to the lack of assistance from Government and due to financial vulnerability. Most of the respondents linked security to addressing the socio-economic needs of the public and argued that economic well-being was crucial to reducing crime.

6.2 Roles of other actors in ensuring peace and security

Most of the respondents expressed dissatisfaction with their respective political representatives concerning peace and security. They viewed political parties as ineffective in providing peace and security both in their local area and in the country in general. Respondents argued that the lack of a common political platform and ongoing struggles for political power had resulted in an unending process of political negotiations that did not allow politicians time to pay attention to other issues in the country.

"Political parties are not worried about any issue, not even about security issues. They are not attentive towards it because they are engaged in political wrangling."
Yadav housewife, age 32, Bara

None of the respondents could point to a national or international organisation that focuses on peace-security issues specifically. However, they did state that different development organisations have various activities and that they are playing an important role in solving small disputes within communities and thereby enhancing peace in these communities. However, some pointed out that organisations can find it difficult to operate in some areas due to problems of insecurity.

"There are organisations but they are not working effectively. Human rights activists fear to work in remote areas where there are armed groups."
Lawyer, age 41, Siraha

In the absence of formal conflict resolution organisations, most respondents reported using informal means of resolving problems such as asking for the support of neigh-

bours, relatives or influential local people. The first option is to solve the problem within the community with the help of village elders or other communal leaders; if the situation does not get resolved there and if the case is a major one then they go to the police.

"It is solely our neighbourhood that solves our problems and tries to maintain peace and security in our community."

Kurmi housewife, age 45, Rupendehi

6.3 Views on security in neighbourhood and community

Most respondents perceived their community to be safe because they were familiar with everyone in their vicinity and there were fewer cases of stealing, robberies and killings.

"These days I feel secure. Earlier we were afraid even to go out in our own community but now we feel safe even when travelling from one village to another at night."

Tharu farmer, age 51, Dang

Most respondents mentioned that they felt less safe when travelling outside the community due to frequent and regular strikes, political clashes, the absence of feelings of brotherhood and untrustworthiness of other people. Even if they have not experienced violence themselves, people apprehend that something nasty could happen and widely perceive the situation at the national level to be less secure and the border areas to be dangerous due to the presence of 'robbers and thieves.'

"Only yesterday, one person was killed and thrown near Motipur. In my area, there are no such incidents. But still we feel less secure in travelling outside. Who knows when you will get robbed since these kinds of incidents are so frequent."

Kurmi farmer, age 42, Rupendehi

Respondents reported feeling less safe at night, during festival times and during strikes and elections.[104] Festival times are seen as unsafe because people consume alcohol and engage in unruly behaviour. Alcohol was reported by many to be a concern and a contributing factor to violence.

"During festivals and at night as well, people get drunk and they fight. Dasain, tihar and holi are the most insecure times. After drinking men fight with their brothers, friends and create violence in liquor shops and in their homes."

Satar farmer, age 26, Morang

Even though respondents may not have faced or experienced violence themselves,[105] they fear that they might face violence in the future and worry about their family members because of hearing news of violence in other areas. Respondents stated that quarrels and disputes are normal in any community or household. These often arise over business, property, or domestic issues, but also involve political differences and caste discrimination. Respondents viewed their society as trapped in a cycle of conflict where no-one's security is guaranteed. In response, most respondents indicated taking various measures to improve their safety, including: putting up fencing, strong walls

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104 Respondents reported that during elections political parties pressure the public to vote for them. They threaten that if they vote for another party they will be penalised. This means that ordinary people do not feel safe during election times.

105 One respondent from Saptari did report receiving regular threats from a political party: "I am from this party, bring money or I will kill you."

and strong windows with grills; closing doors before going to bed; not talking to strangers; returning home before dark; being co-operative and friendly with neighbours.

6.4 Women and security

The responses of male and female interviewees demonstrated that the sense of security is not the same for both sexes. Women face additional threats due to the weak status of women in society and gender discrimination. Domestic abuse and gender-based violence are widespread. A woman's situation is fragile irrespective of her status or position in society. Whether a woman is married or unmarried, whether she is employed or not, she is likely to get subjected to gender violence.

'There is vast difference between a man and a woman. Women can never be safe. A woman is not safe."
Muslim housewife, age 35, Kapilvastu

Security concerns of women were related to physical security and the security of their children. Women stated that they remain physically insecure most of the time. Domestic violence and so-called 'eve-teasing' (sexual harassment and abuse of women and girls) are widely prevalent. Women reported that men indulge in violent behaviour even on minor issues such as putting less salt in food or when the food is not ready. Alcohol was the most common contributing factor to insecurity for women in Morang, Siraha, Sunsari, Dang, Kachanpur and Dhangadi districts. All the respondents acknowledged that it may be more dangerous for women when they are outside of their communities, but gender violence has been reported even when women are working within the community. Respondents stated that women who are confined within their houses are generally secure, but if they go out they should be accompanied by a male member of the family. The majority of respondents, especially women, also sought to reduce their mobility after dark to avoid the likelihood of physical insecurity.

Women are more vulnerable to gender violence and this violence generally goes unnoticed and unreported. Respondents stated that women rarely complain because they fear that if they report incidents they will lose respect in society, or that if they do make a report they are sceptical about getting justice because the police have not always assisted women when they take their complaints to stations and have at times harassed them. Those who do report incidents do not always choose to report to the police, but instead seek the assistance of women's organisations, other Government offices like the Chief District Officer's office, the VDC office, NGOs and human rights organisations. Some preferred to seek community solutions to the problem. The Government of Nepal enacted the Domestic Violence (Crime and Punishment) Act in April 2009 but full implementation is still a challenge due in large part to entrenched social attitudes towards gender relations.[106]

6.5 Perceptions about state security agencies

Respondents were particularly angry over the Government's failure to end the culture of holding *bandhs* and strikes by various groups, political parties and organisations. They reported that immediate and long-term consequences included: insecurity, price hikes, job losses, business closures and the disruption of education.

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106 A copy of the Act can be found at www.lawcommission.gov.np.

Respondents also expressed frustration and unhappiness with the police. They pointed to a number of problems: inability to deliver justice; inability to deter crime; ineffective investigations; improper working mechanisms; corruption; alleged ties to criminals; influence of politicians over cases; favouritism, discrimination, impoliteness and misconduct.

"I don't trust police because police are corrupt. They work only when they see money. If they are bribed, they can frame an innocent man with a false charge; likewise if bribed, they can release criminals."
Koiri male, age 46, Parsa

Some respondents did hold positive views. They acknowledged the good work of the police to ensure security. They cited several examples in support of the police: their fair decisions, the improvement in security, regular patrolling, timely help and co-operation, positive roles in solving disputes and quarrels, a decrease in crimes and proper deliverance of justice.

While respondents regard the police as most responsible for providing security, they also consider the police relatively weak and corrupt and therefore normally prefer less formal means of security. Preferred options include: community elders and elites, other powerful people in the community, neighbours and community leaders. The majority of the respondents also stated that communities needed to be responsible for maintaining better security in their local area themselves; believing that other security institutions and organisations would be effective in their work only when communities take local ownership of their security.

6.6 Armed violence

Respondents believed that insecurity in the Terai results from the political instability and unrest in the country, which has, in turn, exacerbated existing social, economic, political, religious and other communal tensions in Nepal. Respondents reported that property-related disputes and alcoholism are common causes of disputes and conflicts among the public in most of the Terai regions; and they explained that very often these disputes result in the killing of one or more parties to the dispute.

Respondents indicated their frustration with the lack of socio-economic development (for example, poverty, inflation and unemployment) in the country, which, according to them, has exacerbated violence in the Terai. Many believed that economic factors are responsible for exacerbating the proliferation of armed violence. It was widely believed that high rates of unemployment and economic desperation have lured a considerable number of youths to join armed groups and adopt criminal lifestyles, with young males being particularly susceptible to a life of armed violence.

None of the 40 interviewed respondents had experienced violent incidents during the past year, though a few reported that violence had occurred in their area. Such incidents included: conflict between locals, a student being killed during a rally, a bystander being shot during a police response to a political rally and a vendor being killed on his way home from work. Despite never being victims, these reports have clearly worried respondents who still expressed concerns about becoming victims.

"Night and day the radio broadcasts various kinds of incidences. Though we haven't faced any such incident till now, we are certainly worried that there could be such incidents in the future."
Chettri farmer, age 54, Nawalparasi

The majority of respondents denied any knowledge about organised armed groups in their area. Respondents also denied knowing anyone involved in armed groups and that anyone from their community was involved in armed groups. They stated that since the groups are underground it is not possible to recognise them. Respondents assumed that members of those groups are usually unemployed youths. Although respondents denied the presence of armed groups or armed group members in their areas, all stressed that as long as such groups exist they will have a negative impact due to their contribution to increased violence, terror and anxiety among the population. The majority stated that armed groups are involved in such crimes as stealing, robbery, extortion of money, threatening, forced donations, abductions and killings.

Despite not having first-hand experience with armed groups,[107] most respondents assumed there is some affiliation between various armed groups and Nepali political parties. The main reason people believe this is that they think criminals are often released soon after being arrested because a party representative telephones the police and claims the arrested person is one of their cadres. Many respondents also suspected the police of being involved in crimes and for encouraging violence.

6.7 Firearms[108]

Respondents reported that arms increased violence in society. In their view, the easy availability of arms causes regular conflicts and leads to their use even during minor fights among household members. Many felt that those people who are involved in activities such as stealing, robberies, extortion and abduction posses arms and misuse them. Few respondents stated that people kept arms because of the incapability of the state to ensure security; instead they reported that people prefer to keep arms for their own security.

"It is true that keeping arms without a license is against law. However, people buy and keep arms because of insecurity."
Musahar Government employee, age 49, Dhanusha

Except for one respondent from Chitwan, none of the respondents reported seeing firearms themselves in the hands of individuals. Most stated that they did not keep firearms, but they did acknowledge keeping *khukuri* (a curved knife similar to a machete), bricks and sticks for domestic as well as security purposes. However, two respondents[109] stated that although people do own arms at home for protection, no-one reveals that they have arms.

"No-one will tell you the truth that they have kept arms. They do keep arms for security reasons, but they won't disclose that to you."
Tharu farmer, age 51, Dang

Respondents mentioned several types of weapons being used whenever there are disputes or gang fights. These include homemade weapons (for example, *bhala* (spear), knives, *khukuri*, sticks and sharp-edged weapons) as well as firearms like *katuwa banduk* (a home-made rifle) and pistols. In many areas people also know how to manufacture explosives at home.

All respondents supported the idea of conducting programmes for civilian disarmament. There was consensus that peace and security cannot be established until arms

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107 IDA interviewers indicated that respondents refused to answer questions about armed groups and their members. A common response during interviews was "I don't know". The interviewers interpreted this as not a lack of knowledge but a reluctance to discuss the topic.

108 IDA defined small arms (firearms) as pistols and guns to the respondents. Sharp-edged weapons such as *khukuri* were also considered as small arms by many respondents.

109 Tharu farmer, age 51, Dang; Paswan male, age 38, Susari.

are abandoned by everyone. They agreed that there should be greater control of firearms and greater enforcement of penalties for illegal possession of firearms, and that such regulation and enforcement would require strong administration by the Government and security agencies. Respondents mentioned a number of measures that could be taken: proper investigations, strong punishments for those found possessing arms illegally, stronger efforts to curtail illegal possession, greater enforcement of and harsher punishment for illegal possession of firearms, an increase in the number of police officers, awareness-raising programmes, incentives for individuals to disarm and a ban on the import and manufacture of arms.

6.8 Open border with India

Respondents presented two views on the open border with India. From an economic point of view, and with respect to socio-economic relations with India, respondents viewed the open border positively. However, from a security point of view, the open border is widely believed to facilitate criminal activities and the trade in firearms.

"To stop the proliferation of small arms, there should be tighter border control between India and Nepal; there should also be greater control of firearms possessions."
Koiri respondent, age 46, Parsa

Interviewees argued that the open border has enabled the illegal import and export of firearms and that the Government should pay more attention to this problem. Concerns were also raised about growing insecurity due to the open border. Many pointed to the possibility of criminals coming from the Indian side and that this contributes to security problems.

From an economic point of view, the open border enables free and easy mobility. Most of the women respondents considered the open border a positive situation because it makes it easier for them to meet their basic needs by bringing goods from India. Many Nepalis in border towns also benefit from the thriving informal market in cheap goods and foodstuffs provided by cross-border smuggling, as they cannot afford prices in Nepali or Indian markets. There is a long history of an open border and strong cross-border relations within the population.

"There is no bad impact. We have good relations. Girls from here are married there and vice versa, similarly, people from both sides go across-border for shopping."
Yadav farmer, age 60, Rautahat

6.9 Perceptions about law and justice

The majority of the interviewees expressed their view that law and order is weak, if not non-existent, and only for those who can bribe officials. Respondents felt that the officials are corrupt and are guided by nepotism and those who are powerless are never heard.

"How can we talk about law and order at the local level when there is no law and order at the central level. Everyone is corrupt. Those who can bribe the officials, law and order belongs to them, and those who can't bribe, they never receive justice."
Yadav farmer, age 60, Rautahat

Economic and social discrimination, extortion, killings, murders and improper investigations were all cited as examples of the lack of law and order. The failure of security

bodies to arrest criminals has contributed to the distrust of the police by the public. This has been compounded by the emerging trend of politicians shielding criminals, which has exacerbated the public's suspicion of government and confirms their beliefs that there are corrupt monitoring mechanisms in the country. This trend has reached down to the local level, where the public witnesses the failures of the police system to arrest and convict criminals.

"When Nepal itself doesn't have effective law and order, then there is no issue of effective law and order at the village level."
Yadav farmer, age 36, Bara

6.10 The future

Regardless of their frustrations with political leaders, the public pinned high hopes on the rewriting of the constitution, believing that once the constitution is in place then things may get better. All of them have expectations that the situation might improve after the promulgation of the constitution. However, they remain pessimistic.

"The way we had the selection of CA members and the promises which they made, we had a hope that that now Nepal will be recognised as a developed nation very soon, but our leaders were apathetic towards their duties and responsibilities and engaged in useless dialogue, which has increased instability in Nepal. We are worried about Nepal's future."
Muslim student, age 32, Kapilvastu

The list of complaints and concerns is long: lawlessness, corruption, power tussles, inflation, poverty, unemployment, political instability, violence, *bandhs*, strikes, extortion, robberies, the lack of nationalism among the population and social and economic discrimination. These were all common reasons given by respondents that Nepal is not moving in right direction.

"Nepal is moving in the wrong direction because our leaders are busy in power struggle and are negligent towards the pressing problems (inflation, extreme poverty and un-employment) of poor people."
Dalit woman, age 23, Kanchanpur

Respondents appeared unanimous in the view that a viable and coherent political situation and strong state response would serve as the best means of curbing the increasing violence in the Terai.

In-depth in the Madhes: focus group discussions and interviews

This chapter presents the results of a series of focus groups held in the primarily Madhesi areas of the Terai.[110] Focus group discussions were held in four districts (Kapilvastu, Bara, Siraha and Sunsari) in the Western, Central and Eastern regions of the Terai. Four focus groups were held in each district, thus totalling 16. The areas were selected due to the history of armed groups in these areas, the expansion of armed groups since 2007 from east to west in the Terai and in order to capture the dynamics of heavily affected districts. The overall objective of focus group discussions was to learn about the experiences of armed violence and its impact on communities, and in some cases particular segments of the population, such as members of the business community and women. Participants were asked to identify the primary causes of insecurity in their communities and the main factors that contributed to security.

7.1 Causes of insecurity

One of the most common reported acts of violence is threats associated with forced donations. Armed groups (both criminal and political) often request large donations from businessmen, wealthy families and Government officials. These requests are often accompanied by threats of violence if the demands are not met. Such demands are often made via mobile phone and in the past it was common for groups to use Indian mobile phone numbers.[111] It was reported many times that initial demands are quite high, but that negotiations can normally lead to a reduced payment.

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110 This section is based on reports from NEMAF on the 16 focus group discussions and numerous key informant interviews. This section aims to present those issues raised most commonly in the focus groups and interviews. While these comments are not representative of the entire Terai population statistically speaking, they do represent commonalities among respondents and suggest that these perceptions are widely held in the population.

111 Nepal lacks the ability to trace mobile phones. However, reportedly India has improved its capacity to do so. One interviewee claimed that the tracing of Indian mobile phone numbers associated with threats and forced donations had led to the arrest of some individuals and that such policing successes had led to a shift in tactics by the armed groups and a return to the use of Nepali mobile numbers.

"Dealing with armed groups is easy. We know they just need money and when they ask one Lakh[112] we settle for two to five thousand rupees."
Business person, Siraha district, 1 April 2010

Negotiations appear to be a common way of responding to threats over forced donations. In a few instances communities and members of the business community reported coming to agreements with groups on small monthly payments. Several participants noted that threats for donations came weekly and sometimes from the same group. Most often a lower sum is negotiated and paid. Such concerns are not often taken to the police. Some reported using local 'gangs' to negotiate with those who made threats. In most cases individuals do not ignore the threats, though some reported doing so, out of fear of groups carrying out their threats. Targeted shootings and bombings have taken place when donations have not been made and such violent acts have induced enough fear to make most willing to donate something.

"The strategy of killing one helps to get more donations from many."
Business person, Siraha district, 1 April 2010

Robbery, theft and abduction are also common events reported by participants. These acts aim to obtain goods and money. Abductions are conducted for ransoms, not for political purposes. Financial gain is one of the primary motivations behind violence. This helps to explain why the main victims of crime and violence are often business people, other people with wealth or the ability to influence hiring decisions and VDC secretaries (who control large local budgets). Examples were given of donation threats and abductions of members of families who received large remittances from other family members working abroad. There were also examples of threats against those in positions of power who could make hiring decisions and the threats often involved the hiring of specific people for posts. Not all violence is about money. A number of participants mentioned revenge killings and clashes between religious communities, between hill and plains communities and between political factions.

Many business people complained that they are suffering not only from the actions of armed groups but from the actions of political parties and the police as well. They noted that while they have been victimised by criminals, sometimes organised and at other times opportunistic, they have also received requests for donations from political parties, faced threats from political youth wings and had to pay bribes to policemen to conduct their business. For many the costs of doing business are high. Several business people also indicated a strong interest in obtaining firearms other than rifles for self-protection, but argued that because it was illegal to do so they had not yet obtained firearms. Some claimed they had petitioned the Government to grant them licenses, but they had not yet received a positive response.

The main perpetrators seem to be relatively young people, often male. A number of interviewees explained youth involvement as the "search for the 3Ms: money, mobile and motorbike." They argued that these are the driving forces behind youths engaging in crimes and joining armed groups. In many cases, these young perpetrators are part of organised armed groups. These groups are not just Maoist, as some participants liked to claim, but also include groups from various political parties. In some cases the armed groups are more criminal than political in nature and may not have any links to political parties. Yet respondents also emphasised that violence and crime are not always carried out by organised named groups, meaning the well known Terai armed groups, but are instead perpetrated by unknown groups or a handful of youths. "In this belt only few groups are active as Terai armed groups, but most of the activities that occur here are by unnamed groups." The interviewee went on to describe an incident of three youths attacking a teacher in order to obtain money to buy alcohol.

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112 One *Lakh* is 100,000 Nepali Rupees (approximately USD 1,370).

Focus group participants identified a number of contextual factors that they believed contributed to instability, insecurity and violence. These ranged from political wrangling to the open border with India, from high unemployment to poor roads and from police ineffectiveness to widespread gun possession.

Politics plays an important role in enabling, and in some instances encouraging, violence. The political instability in the country has provided little stability in terms of governance and administration. While local government has returned to many areas following the end of the war, many VDC secretaries have fled their posts due to post-war violence. This violence is both political and economic in nature. VDC secretaries control the local budgets that can be quite large and, therefore, there are significant political battles and power struggles not only in Kathmandu but also at the local level. The ongoing political wrangling in Kathmandu also means that politicians in the capital have little time and pay little attention to the problems outside of the capital, and so issues of insecurity and ineffective administration are not redressed. Nearly everyone pointed to corruption as a problem, both in terms of governance and in terms of violence.

Politicians are widely accused of providing protection to criminals. Numerous police officers and others provided stories of how arrested individuals are released due to phone calls being made by politicians. There also alleged ties between political parties and armed groups. In some cases these ties are overt. The police have not escaped similar accusations. Many argued that the police, at least some of them, are involved in illegal activities themselves, or at the very least accept 'hush money' to turn a blind eye to such activities. Some respondents reported receiving threats after having reported incidents to the police, which reinforced beliefs of a strong police-criminal connection. Some stated that it put their lives at risk to report threats to the police.

The police face a number of difficulties in providing security. They lack sufficient resources and manpower to patrol more comprehensively. This is compounded by the prevalence of bad roads in many areas, which make patrolling difficult, and according to many enable criminals to escape the law and take shelter in remote villages. Although the SSP has begun to address these problems through the establishment of more APF posts and a wider presence of officers through additional manpower, the population has not viewed the SSP with unanimous success. Police officers often lack local language skills, speaking Nepali but not Maithili or Tharu, the more common local languages. Many officers also come from hill communities, which contributes to suspicion and distrust by the non-hill population and some argue results in discrimination by the officers against non-hill people.

Many pointed to the open border as a source of potential problems. For the most part people and goods move freely across the border. 'Cross-border carrying,' or smuggling, is reported as a common activity by many. Smuggled goods include domestic items, timber, illegal and prescription drugs and handguns. The recent rise in opium farming is of concern to many who fear this will increase violence. Numerous interviewees and focus group respondents also pointed to the problem of cross-border safe havens. They argued that criminals conduct crimes in their home country then seek safe have across the border; and that this is true for both Nepali and Indian criminal groups.

Respondents explained youth involvement in crime as a result of poor education and high unemployment. They argued that youths, depending on their caste, may be illiterate, they may drop out of school, or they may receive a poor education, all of which contributes to making bad decisions (for example, choosing to join armed groups or engage in crime) and to facing extremely poor job prospects. For many youths, the only option for economic gain is through illegal activities.

Respondents reported that guns are both widely available and commonly possessed. Yet they also made an important distinction about possession, claiming that normal people keep guns for security, while criminals have them for crime. Most firearms are either left over from the war, or from before the war, or are obtained across the border

in India. Northern India has a large local gun manufacturing business. Those firearms obtained in India are often referred to as 'homemade' guns and are usually revolvers. They can be purchased for 2,000–3,000 NRs (USD 25–40); an affordable price. The same guns can be purchased in Nepal, but they cost more (upwards of 5,000 NPR). Ammunition is also purchased in India, but is reported to be quite costly at USD 1–2 per bullet. One interviewee said that it was easy to obtain ammunition in India and that he simply bought a handful and put it in his pocket and then walked back across the border into Nepal. Another interviewee stated that guns and ammunition could be placed into other goods (for example, a radio) and smuggled across the border. This suggests that while guns and ammunition do flow across the border they do so in the so-called 'ant trade' of the movement of small numbers of small arms.

7.2 Factors contributing to security

In most cases, the factors that contributed to security were the opposite of those that contribute to insecurity. Many mentioned the importance of education and employment. They also pointed to the presence of police posts, the establishment of new posts under the SSP and patrolling as contributing to a more secure environment. The area north of the highway that effectively divides the Terai in half is also seen as safer, in large part due to its distance from the border, whereas border areas are deemed less safe. Communities of homogenous populations were also perceived to be safer. It was also reported to be safer in areas where political consensus among political parties existed; this consensus making politicians less inclined to interfere with policing and police arrests.

A few focus groups mentioned self-reliant activities as providing security. This included those who had weapons, which ranged from small arms to bladed weapons to rods and sticks. While respondents did not claim to possess small arms, they did point out that those who were armed were safer. Another protective measure mentioned was the formation of self-defence groups in communities. In an interview, one local government official stated that the creation of a self-defence group had made a large, positive impact on security. He also mentioned that the community had pooled together funds to purchase a handful of handguns for the group to use while patrolling. A businessman stated that fellow members of the business community turned to private gangs to assist in abduction cases and to negotiate ransoms and forced donations.

Some also mentioned the important role of dialogue and negotiations between the Government and some of the armed groups. One focus group revealed a preference for negotiations, arguing for the need to treat political armed groups as political groups not as criminals and that the "Government should engage with them but they are not doing so. They are just taking them as a criminal group and adopting an offensive security plan." [113] The Government has engaged in negotiations with some politically-motivated armed groups. However, these have not always produced results.

7.3 The future

Many participants seemed resigned to the situation. They want to see improvement, but look to Kathmandu for changes to happen and do not believe that anything will change in their areas until the political wrangling is resolved in the capital. As a result businessmen and communities have designed their own coping mechanisms for

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[113] Focus group discussion with local opinion makers in Bara, 27 April 2010.

dealing with the insecurity and violence. Some communities have created their own groups to provide protection. While others have simply chosen to pay monthly donations to armed groups in order to avoid violence. It is unclear how sustainable such an option is, even though the monthly amount is shared by community members and is only a few thousand rupees. Businessmen have followed a similar pattern of self-preservation and negotiation: "In case of extortion and phone threat for donations, we bargain and deal for the lowest and save ourselves."[114]

While focus group participants were resigned or pessimistic, most interviewees, often Government officials or police officers, claimed the security situation had improved over the past several months. While they admit that threats, shootings, bombings and abductions still take place, they claim that these events are happening at a much lower rate than in the past. Many attribute this to the implementation of the SSP, the broader presence of the police, the arrest of some armed group leaders, the fracturing of other armed groups and the reduction in armed group activities.

114 Focus group discussion with business community, Bara district, 28 April 2010.

CHAPTER 8

# Security provision and responding to insecurity

This chapter focuses on respondent views about security provision. This includes questions about who is viewed as the primary responder in situations of insecurity and who respondents normally turn to if they need assistance. Respondents were also asked about their views about the APF and the impact of the additional deployments of the APF under the SSP. Finally, the chapter presents information about how community members have responded to violence and what measures they have taken, if any, to improve their security and the security of their household.

8.1 Security provision

The survey also sought to determine popular views about security provision. Respondents were asked who was mainly responsible for security provision in their community (see Figure 8.1). Over half of the respondents stated the police (56 percent). Community leaders (37.6 percent) and community security groups (29.1 percent) were also viewed as important security providers. Nearly 14 percent responded that "no-one" was responsible for security in the community. Similar percentages reported this in both urban (15.2 percent) and rural (13.2 percent) areas suggesting that such sentiments could result from the lack of police presence or the perception that not much is done about crime in general.

Figure 8.1: Main security providers in communities

Who is mainly responsible for providing security in your neighbourhood/community?
(Percentage based on multiple responses) (base = 2000)
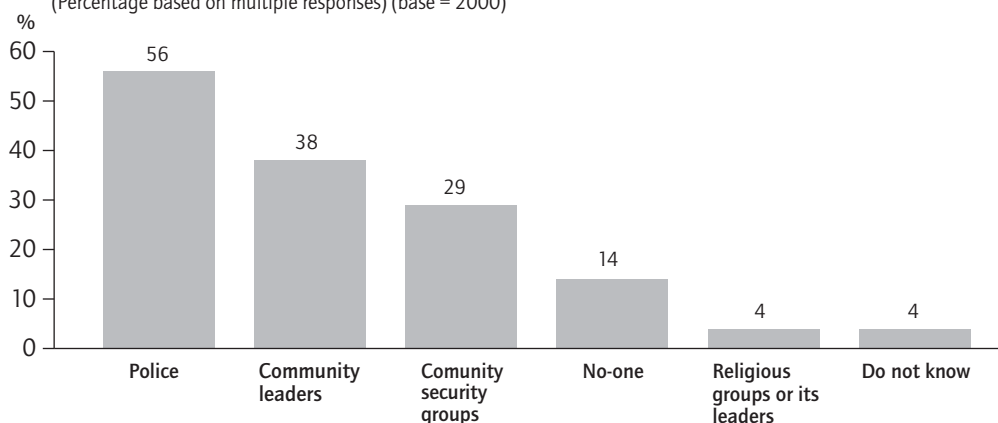
Source: IDA household survey, 2010

Note: Respondents were allowed to answer more than one type of security provider, thus the percentages total more than 100 percent.
This chart only shows those answers that received responses by 3 percent or more of the respondent pool.

There are differences across the sub-regions (see Figure 8.2). While in each sub-region the police were most frequently cited as the main security provider in the community, the percentages varied from 46 percent in the Far-Western region to 83 percent in the Mid-Western region indicating different perceptions of the police and of security providers in these areas. Likewise the Far-Western and Mid-Western regions reported the highest and lowest percentages respectively of those answering that no-one was responsible for security in the community.

Figure 8.2: Main security providers in communities, by region

Who is mainly responsible for providing security in your neighbourhood/community?
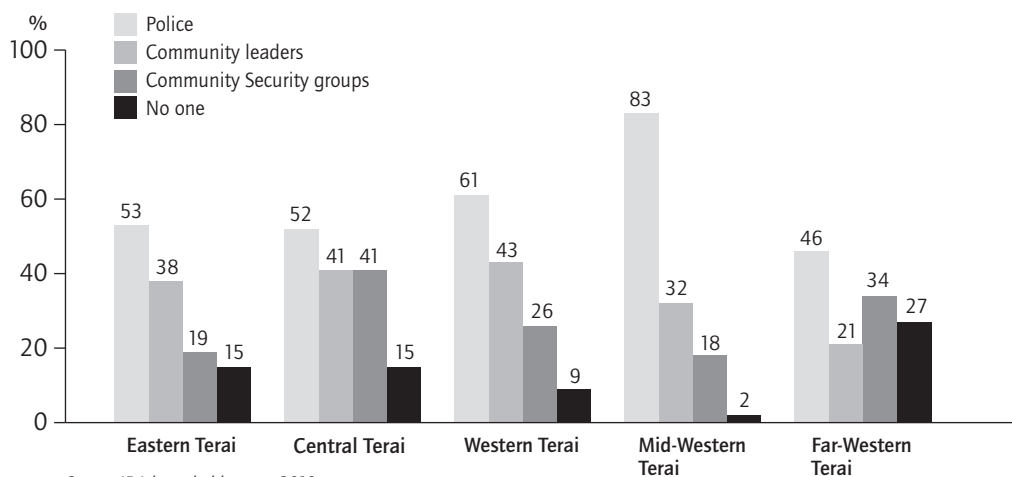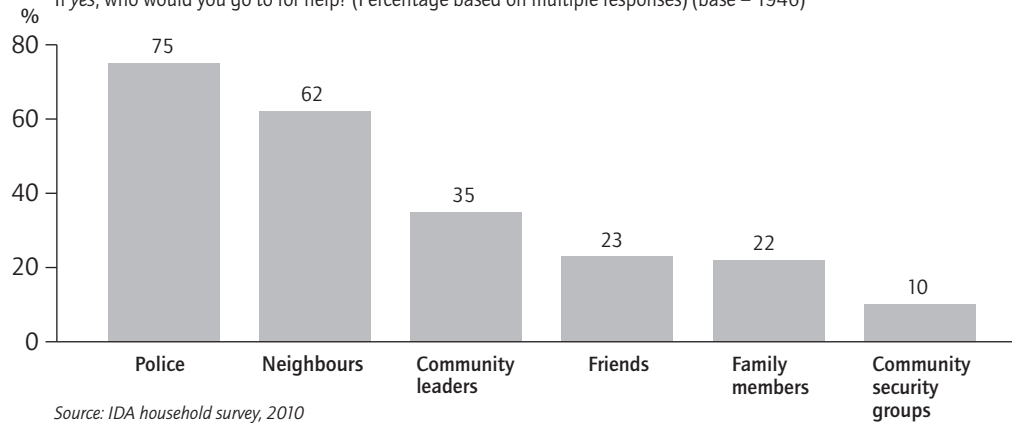(Percentage based on multiple responses) (base = 2000)

Source: IDA household survey, 2010

Note: Respondents were allowed to answer more than one type of security provider, thus the percentages total more than 100 percent.
This chart only shows the percentages for these four answers.

Yet when asked to whom they would go for help if they experienced a violent or criminal encounter, respondents overwhelming replied that they would go to the police, suggesting that the population held some confidence in the police (see Figure 8.3). Respondents, however, also indicated several other actors to whom they would turn if they were victimised. This included: neighbours (62.1 percent), community leaders (35 percent), friends (22.6 percent) and family members (21.9 percent). Although these percentage never surpassed those of the police (except in the Far-Western region where neighbours were mentioned by 84.2 percent versus the police by 78 percent), it is clear that respondents place a high value on those in their communities that would come to their assistance if needed.

Figure 8.3: Perceptions on best sources of assistance

If *yes*, who would you go to for help? (Percentage based on multiple responses) (base = 1946)

Source: IDA household survey, 2010

Note: Respondents were allowed to answer more than one type of assistance provider, thus the percentages total more than 100 percent. This chart only shows those answers that were mentioned by 10 percent or more of the respondent pool.

There is growing recognition by the Government of Nepal that the security situation in the Terai has deteriorated. This is evident in the special mention of the Terai in the SSP. The SSP was designed for 'high priority' areas, which include the Kathmandu valley area, as well as the Terai and the Eastern and Mid-Western Hill regions.[115] Specifically, the SSP is designed for the following purposes:

▶ To control organised crime
▶ To identify groups and individuals with criminal intent and to restrain them
▶ To ensure a secure social environment
▶ To enhance people's faith in the Government and to ensure peace and security
▶ To establish mutual trust between security personnel and local people.[116]

Special Action Plans were also designed as part of the SSP. These include: Public services and road obstruction control action plan, 2009; Kidnapping and serious organised crime control action plan, 2009; Special security plan for Kathmandu valley, 2009; Terai-Madhes (the plains in the South stretching from East to West), and Eastern and Mid-Western mountains security action plan, 2009; Sensitisation campaign for the effectiveness of peace and security management.[117] The SSP has been implemented since late 2009. In late 2009 new APF posts reportedly appeared in hot spot areas and along main roads.[118]
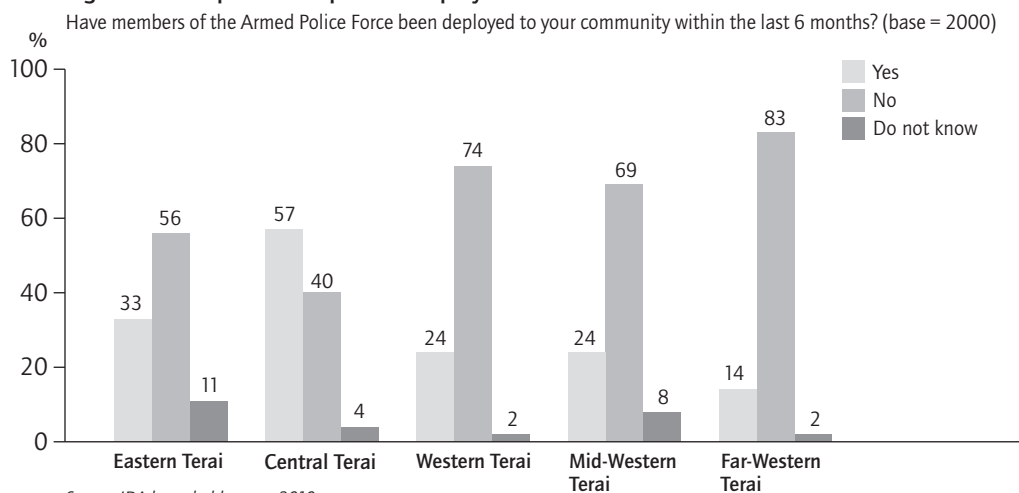
Respondents were asked whether members of the APF had been deployed to their community within the last six months. Nearly 38 percent said the APF had been deployed to their area, while nearly 57 percent said no and another 6 percent did not know. The response rates varied across sub-regions (see Figure 8.4) with the highest positive response coming from the Central (57 percent) and Eastern (33 percent) regions and the lowest coming from the Far-Western region.
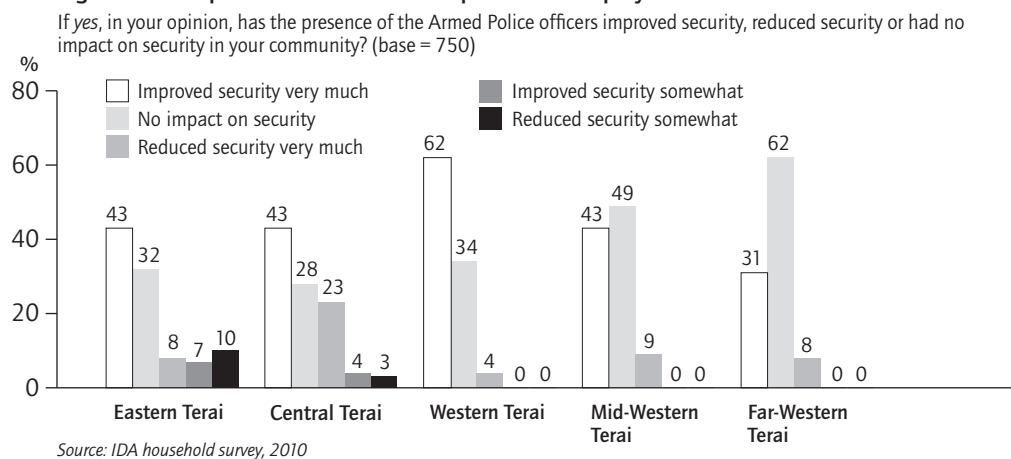
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115 *Op cit* Carter Center, p. 8.
116 Government of Nepal, Ministry of Home Affairs, Code of Conduct for Security Forces, November 2009, www.moha.gov.np/files/publication_resources/code2.pdf.
117 *Ibid*.
118 *Op cit* Carter Center, p. 8.

Figure 8.4: Respondent reports of deployment of APF

Have members of the Armed Police Force been deployed to your community within the last 6 months? (base = 2000)

Source: IDA household survey, 2010

Respondents who indicated that the APF had deployed to their area were also asked if they thought the presence of the APF had had any impact on community security. The majority of respondents reported that it had improved security (somewhat 32.1 percent; very much 44.3 percent). Again there were important regional differences (see Figure 8.5). More than 15 percent of respondents in areas where the APF had deployed in the Eastern region reported that the presence of the APF had reduced security, and nearly 23 percent in the Central region reported the APF presence has had no impact on security. The perceptions of those in the Eastern and Central regions raise concerns about the deployment of the APF since these are the areas reporting the highest deployment of APF.

Figure 8.5: Respondent views on the impact of the deployment of APF

If *yes*, in your opinion, has the presence of the Armed Police officers improved security, reduced security or had no impact on security in your community? (base = 750)

Source: IDA household survey, 2010

The survey results and interviews suggest that there is not always an easy or trusting relationship between the population and the police (both the NP and the APF). Previous surveys conducted by Saferworld and Interdisciplinary Analysts suggest similar concerns.[119] In 2009, 50 percent of survey respondents stated they had "only a little trust" in the NP and most people did not think Nepal's security services were adequately representative.[120] Respondents indicated that the level of trust could increase if the NP were not involved in corruption (20 percent) and if the NP were more disciplined (18 percent). Nonetheless, trust is relatively high and appears to be increasing; in 2009, 81 percent of survey respondents expressed some trust in the NP compared with 66 percent in 2007.[121]

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119 Public safety and policing in *Nepal: An analysis of public attitudes towards community safety and policing across Nepal* (2008); Interdisciplinary Analysts and Saferworld, *On track for improved security? A survey tracking changing perceptions of public safety, security and justice provision in Nepal* (2009); Interdisciplinary Analysts and Saferworld, *Treading water? Security and justice in Nepal in 2009* (2010).

120 Interdisciplinary Analysts and Saferworld (2009), p. 5.

121 Interdisciplinary Analysts and Saferworld (2010), p. 6.

8.2 **Responding to insecurity**

Respondents were asked whether they had taken any measures to improve the security of their household and household members. Only 23 percent stated that they had taken any measures to improve their security. However, responses varied across regions, with the Central (29.7 percent) and Mid-Western (35.5 percent) regions reporting higher rates of households taking measures to improve their security. The most common measures taken included: maintaining good relations with neighbours, fixing bars on windows and keeping blunt or bladed weapons at home (see Figure 8.6).

Figure 8.6: Measures taken by respondents to improve household security, overall
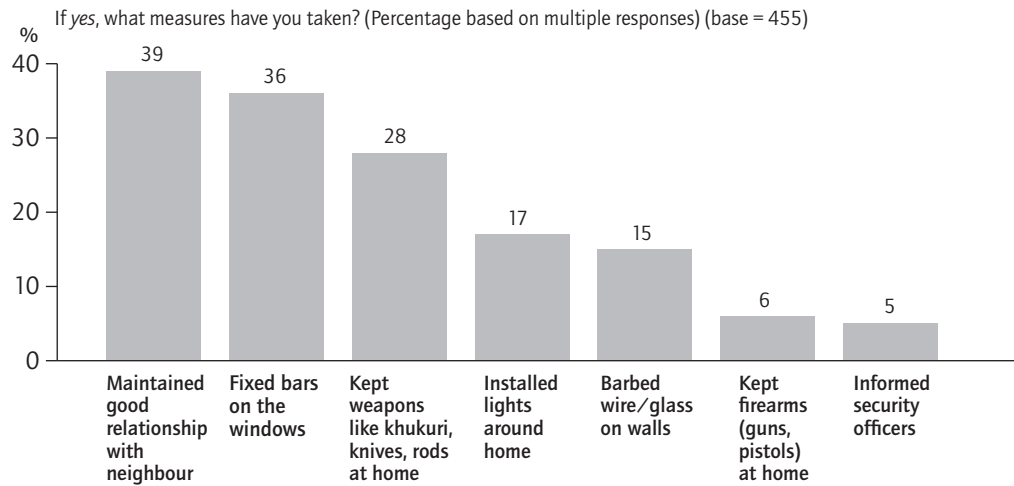
If *yes*, what measures have you taken? (Percentage based on multiple responses) (base = 455)

Source: IDA household survey, 2010

Note: Respondents were allowed to answer more than one measure, thus the percentages total more than 100 percent. This chart only shows those answers that were mentioned by 5 percent or more of the respondent pool.

The responses varied by region (see Figure 8.7). In some areas maintaining good relations with neighbours took priority, while in other cases physical security measures were preferred. In terms of firearms, the most interesting region is the Central Terai, where 11.2 percent of respondents to this question claimed they kept firearms at home to improve security while 3.7 percent stated they had removed weapons from the home to improve security.

Figure 8.7: Measures taken by respondents to improve household security, by region

If *yes*, what measures have you taken? (Percentage based on multiple responses) (base = 455)
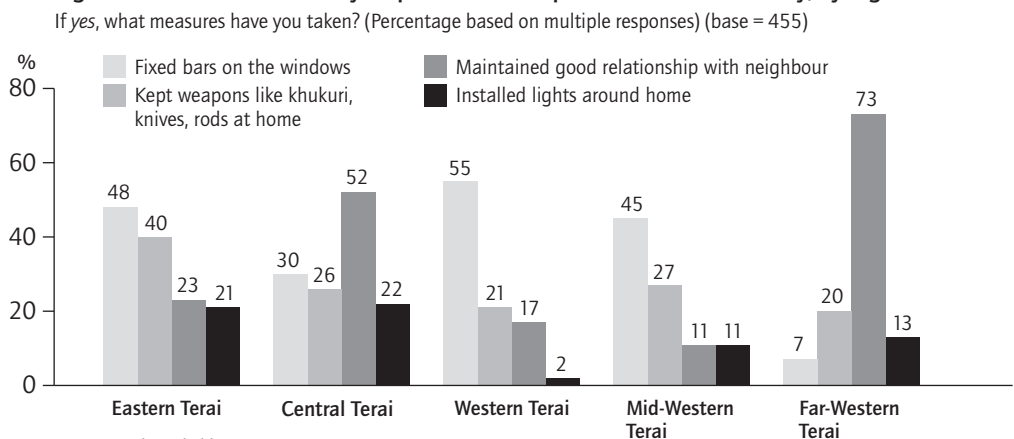

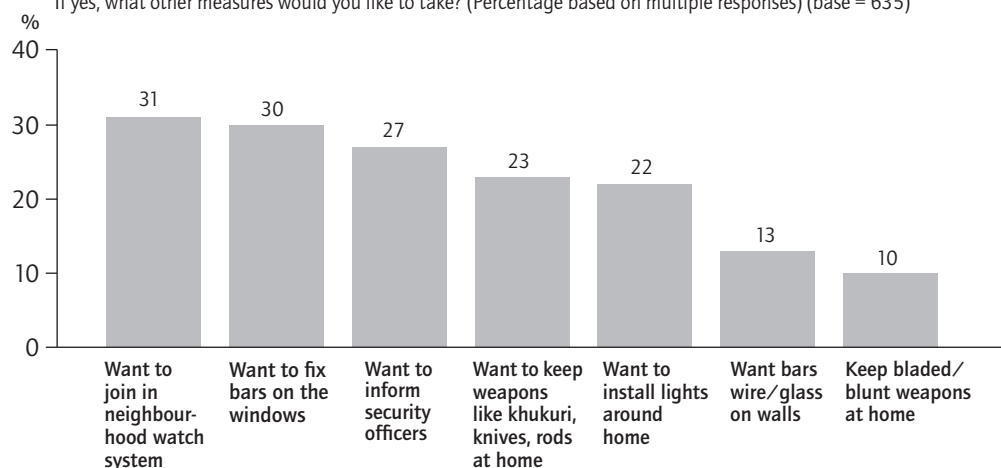*Source: IDA household survey, 2010*

Note: Respondents were allowed to answer more than one measure, thus the percentages total more than 100 percent. This chart only shows these four answers.

While respondents did not state what type of weapon they had removed from the household, it is possible that these were firearms. During the civil war Maoists had attacked individuals known to possess arms. Despite the war being over, concerns that having firearms could make them a target could have encouraged individuals to dispose of firearms. Overall, very few reported keeping firearms at home as a security measure. This contradicts statements in focus group discussions and interviews where respondents claimed that "everyone has a gun" or that guns are easily and widely available. This is not unusual. Surveys have tended to underestimate gun ownership, particularly in insecure areas and areas where laws on possession are quite strict, as respondents are concerned about admitting that they possess firearms.

However, respondents were more willing to admit wanting to obtain firearms as a source of protection. Respondents were asked if they would like to take additional measures to improve household security and overall 31.8 percent stated that they would. The rates were even higher in the Central (40.7 percent) and Far-Western (43.9 percent) regions, suggesting higher levels of feelings of insecurity and the desire to do something to improve security. Again the responses emphasised physical security measures, but respondents also highlighted the desire to join neighbourhood watch groups and provide information to security officers to improve household security (see Figure 8.8).

Figure 8.8: Measures desired by respondents to improve household security

If yes, what other measures would you like to take? (Percentage based on multiple responses) (base = 635)

Source: IDA household survey, 2010

Note: Respondents were allowed to answer more than one measure, thus the percentages total more than 100 percent. This chart only shows those answers that were mentioned by 10 percent or more of the respondent pool.

8.3 Views on security measures

The survey asked respondents their views on a number of possible security measures, specifically whether they thought such measures would improve or decrease security in their areas (see Table 8.1). No proposed measure received less than 70 percent support from the respondents. The measure that received the most support was reducing the number of *bandhs* (90.1 percent positive support). Those measures that ranked the highest, above 45 percent of respondents stating they would *significantly* improve security, included: a reduction in the number of *bandhs* (50 percent); harsher sanctions for the illegal possession of firearms (47 percent); and improved training for security providers (47 percent).

Table 8.1: Perceptions of potential impact of various measures (n = 2,000)

Question	Significantly decrease security	Somewhat decrease security	No change to security	Somewhat improve security	Significantly improve security
Greater control of firearms possession through enforcement of legal permits and licenses for firearms	2.5	6.8	4.6	34.9	41.4
Harsher sanctions for illegal possession of firearms	2.0	3.7	3.5	36.1	47.1
Greater enforcement of penalties for illegal possession of firearms	1.8	4.8	7.5	37.4	40.0
Introduction of a temporary weapons amnesty	3.0	5.8	9.8	40.3	32.5
Tighter border controls between Nepal and India	2.5	7.6	7.7	32.9	42.4
An increase in the number of police officers in your district	1.5	1.7	11.2	39.5	42.3
Improved training for security providers	1.1	0.5	7.4	38.6	47.1
A reduction in the number of activities of armed groups	1.5	2.2	4.0	41.9	41.2
A reduction of the number of '*bandhs*'	1.3	0.6	2.9	40.1	50.0

Source: IDA household survey, 2010

While the respondents largely expected all of the proposed measures to improve security to some degree, some proposed measures raised concerns among respondents. Although the percentages are not high, some did perceive some measures as a threat to security. These include: tighter border controls between Nepal and India (10.1 percent believed this would decrease security to some degree); greater control of firearm possession through enforcement of legal permits and licenses for firearms (9.3 percent); the introduction of a temporary weapons amnesty to allow the surrender of illegal firearms without any prosecution (8.8 percent).

Concerns about border controls are likely largely related to economic security issues. Nepalis and Indians can move freely and legally across the border. Many Nepalis travel to India to purchase basic goods that they cannot obtain in Nepal or that are cheaper to purchase in India. There are also family ties, cross-border marriages and many who work in India as day labourers. A tightening of border controls and a likely reduction in the ease of the flow of goods and people would have a significant impact on many who live in the border region.

Apprehension about greater controls of firearms likely stems from the belief by those responding that firearms provide a source of protection from crime, violence and, in some areas, wild animals. Although many in the survey believed firearms to be a threat to security, would like to see criminals disarmed and would support a civilian disarmament programme, they also have concerns that the police cannot provide adequate protection under current circumstances. As such they prefer to be allowed the possibility of securing their own safety through firearms. A number of interviewees, in particular business people, mentioned that they would like to own a firearm if it was not illegal to do so. These individuals had in fact petitioned the Government to allow them to obtain firearms. They would be likely to support a loosening of firearm regulations to allow them to obtain them through legal application for self-protection.

CHAPTER 9

Conclusion

Since the signing of the Comprehensive Peace Agreement in 2006, the Terai has acquired the status of being the most insecure and violent region of Nepal. This research found that, while this status has not changed, there is evidence of the security situation improving and reason for cautious optimism. Nonetheless, violence, armed and otherwise, remains prevalent and the situation remains volatile. The conclusion of this report is that if socio-economic and political drivers of conflict are not addressed and if key causes of insecurity (*inter alia*: weak security and justice provision, limited minority and women's rights, political interference) then any improvement in security can only be regarded as provisional and susceptible to reversal. The ongoing political wrangling at the centre and the expected return of significant numbers of former combatants to the region give heightened cause for concern. Of all the regions of Nepal, it is the Terai that is perhaps most vulnerable to the ongoing political instability that makes Nepal's peace process such a fragile and delicate one.

Based upon the findings of the research, a number of recommendations are put forward to suggest ways to improve security and reduce armed violence in the Terai. They are primarily directed at the Nepali Government and state services but are also of relevance to international donors, local and international NGOs.

Recommendations

▶ Marginalised groups must be given adequate time and opportunity to provide input to the draft constitution. A perceived lack of transparency in the constitution writing process provides political motive to armed groups and must be avoided through adopting an inclusive and transparent process to developing a new constitution. This could include consultations based on a draft constitution.

▶ Political interference in investigations and prosecutions and the application of pressure to drop cases and release suspects must be stopped in order to end the culture of impunity. Political interference in police operations, including taking decisions upon the transfer and promotion of officers, must also be publically addressed and political consensus reached over steps to reduce its occurrence.

▶ Building on steps already taken by the SSP, gaps in police capacity should be addressed, particularly in areas that relate to the rebuilding of trust and confidence with communities. Local level police stations are under-resourced and must be provided with the logistical means, if necessary with donor assistance, to adequately house officers, provide them with the means of transport to visit communities and to detain suspects in acceptable conditions.

▶ The under-representation of women, minority ethnic groups and castes in the police force should be addressed through removing obstacles to their recruitment, retention and deployment throughout the Terai. Obstacles may be internal (e.g. recruitment procedures, organisational culture) or practical in nature (e.g. lack of separate accommodation for female officers). The practice of transferring police officers on a regular basis around the country should also be reviewed, especially in regards to its impact upon community policing.

▶ Strategies for more productive and useful communication between the police, affected communities and the media should be developed to combat the disproportionate fear of crime. Linked to this is the need for the improved gathering and public dissemination of accurate crime statistics.

▶ Research should be undertaken to assess the true extent of weapons possession in the region and plan for a civilian disarmament programme accordingly. Political parties must agree to such an information gathering exercise and encourage weapons owners to acknowledge possession in order to obtain an accurate picture of small arms proliferation.

▶ Cross-border co-operation between Nepali and Indian security services must be increased to better counter cross-border crime and the illegal smuggling of goods, firearms and people. Given the importance of personal relationships to effective co-operation, initiatives should include efforts to strengthen links between law enforcement and border control officials from both countries.

▶ The Government and relevant security and justice institutions should prioritise the ending of extortion. The implication of political actors and the blurred line between politics and crime must be acknowledged by political leaders at the centre. A cross-party or, preferably, independent body should be established to identify ways to address the nexus of crime and politics.

▶ Further research should be conducted to better understand the push-pull factors that cause young people, primarily males, to join armed groups and engage in crime. This research should be used as the basis to inform targeted youth programming to reduce the attractiveness of engaging in crime and to provide alternatives (e.g. education, training, mentoring and employment).

▶ People-orientated security concerns should be integrated into district development planning. Affected communities and police at both district and local levels should be consulted as to how interventions (e.g. roads, infrastructure, economic investment, education) can be designed in such a way as to positively impact upon security through, for example, targeting particular groups of young people or bringing opportunity to marginalised, insecure areas.

▶ Further research should be undertaken to better understand the existence, capacity and nature of armed groups as a step to developing both soft and hard strategies to counter their impact upon community security and the business community.

▶ Implementation of the Domestic Violence (Crime and Punishment) Act, enacted in April 2009, should be strictly enforced and monitored as well as relevant areas of the National Action Plan on UN Security Council Resolutions 1325 and 1820, for example, the expansion and strengthening Women and Children Service Centres of the Nepal Police.

▶ Serious efforts to ascertain the prevalence of domestic abuse and gender-based violence should be undertaken, combined with an assessment of how to curb violence, raise awareness, encourage victims and others to report cases of alleged abuse, improve the responsiveness of security agencies and communities to such allegations and address the stigma often associated with such crimes.

▶ The expected influx of rehabilitated Maoist combatants to poor urban and peri-urban areas needs to be planned for so that potentially negative impacts upon the security situation are anticipated and prevented. Central to this is the need for a community-based approach that has as a central aim the building of trust and co-operation between incoming former combatants, receiving communities, local government and security services. A community approach includes components such as awareness-raising, the monitoring and redressing of emerging tensions and an appropriate mix of group and individual livelihoods support.

ANNEX 1:

Research methodology and demographics

This report is based on four key sources of primary research:

▶ A household survey of 2,000 people across the Terai region of Nepal, in each of its 20 districts, carried out between 14 March and 5 April 2010

▶ In-depth interviews with 40 people of different gender, age, educational background, caste/ethnicity, religion, occupation and location, from 14 March until 5 April 2010

▶ Key informant interviews with relevant Government officials, security and justice professionals, politicians, subject-matter experts, civil society groups and donor representatives in March–June 2010

▶ Focus group discussions in Taulihawa, Maharajganj, Krishnagar, Kushawa of Kapilvastu, Siraha, Lahan, Kachanari and Mirchaiya of Siraha, two in Kalaiya, Hariharpur, Sapahi of Bara, two in Inarwuwa, Bhutaha and Harinagra of Sunsari communities in four districts from 9 March until 20 May 2010

Five validation workshops were held in Kathmandu and in the districts with key stake-holders to discuss initial findings from the household survey. On the 8th June, 2010 a validation workshop was held with police officers (both Nepal Police and Armed Police Force) in Kathmandu; on 9 June with donors; and on 11, 15 and 17 June with state and civil society representatives in district headquarters of Dhanusha, Morang and Banke respectively.

The report also draws on secondary sources of information, including available statistics from OCHA, INSEC and UNMIN.

Household survey and methodology

The household survey questionnaire was designed by Small Arms Survey and Saferworld, in consultation with a number of other experts. The questionnaire was initially formulated in English and was later translated into Nepali by Interdisciplinary Analysts (IDA). IDA finalised the questionnaire text and pre-tested it from 5 to 7 March 2010 in both rural and urban areas of Parsa district. Minor amendments to the questionnaire were then made before the full survey was carried out.

A survey of 2,000 respondents of age 15 and above was then conducted across the 20 districts of the Terai region between 14 March and 5 April 2010. The survey question-naire was administered to the household head. The survey team administered the questionnaire in the local languages – Maithali, Bhojpuri, Awadhi, Tharu dialects – as well as in the Nepali language.

IDA designed the sampling strategy for conducting the survey in all 20 Terai districts. The sampling frame consisted of VDCs located on the plains; VDCs that happen to be on hilly terrain were excluded. Sampling proceeded in three stages.

In the first stage, the VDCs within each Terai district were stratified into two groups: (1) VDCs adjacent to Nepal-India border (i.e. Strata-I), and (2) VDCs not adjacent to the border (i.e. Strata-II). The total number of VDCs that were sampled was 100. This number was proportionally distributed across the 20 Terai districts based on the population size of the Terai districts. If the number was even, an equal number of VDCs was allocated for each of the strata. If it was odd, a higher number of VDCs was allotted to Strata-I. Allocated numbers of VDCs were then randomly selected for both strata of each Terai district through a simple random sampling technique.

In the second stage, two wards were selected from each of the sample VDCs by employing simple random sampling. Altogether 200 wards were included in the sample.

Subsequently in the third stage, 10 households in each sample ward were selected randomly by employing the Right-Hand-Rule technique.[122] If available, a household head of the selected household was interviewed. If not, any member of the household who was mature enough to answer questions about the local security situation was interviewed.

This survey results have a +/- 2.2 percent margin of error at the 95 percent confidence level at the aggregate level (that is at the national level). The survey does not reach this same level of precision at any disaggregated level of analysis (for example, at the regional level).

Note on excluded VDCs

The sampling framework used by IDA did not include Terai VDCs which are geographically located in the hilly terrain of the Terai region. Hill-origin communities (Pahadi) are predominant in the excluded VDCs. Given this selection bias, hill communities are under-represented while Madhesi communities are over-represented.

District	Exclusions	Excluded VDC/Municipality
Jhapa	7 VDCs and 1 municipality were excluded	Arjundhara Bahundagi Budhabare Dhaigan Khudunabari Mechinagar municipality Sanichare Shantinagar
Morang	11 VDCs were excluded	Bhogeteni Jante Kerabari Letang Madhumala Patigaun Ramitekhola Simhadevi Tandi Warangi Yangshial
Sunsari	4 VDCs and 1 municipality were excluded	Barahachhetra Bharaul Bishnu Paduka Dharan Municipality Panchakanya
Saptari	No VDC was excluded	
Siraha	No VDC was excluded	
Dhanusha	No VDC was excluded	
Mahottari	3 VDCs were excluded	Gauribas Khairamara Maisthan
Sarlahi	5 VDCs were excluded	Atrouli Dhungrekhola Narayan khola Patharakot Perwanipur
Rautahat	No VDC was excluded	

122 The starting points for the 'Right-Hand-Rule' are recognisable locations such as schools, crossroads, *chautaras* (public meeting place), bazaars and so on. First, the interviewer starts from the initial location, randomly selects a direction, and then walks that street to count the number of households on the street. If the number is less than 20, the interviewer will select the first 10 households on the right hand side of the route. If it is between 20 and 29, the interviewer will select the first household and then select every 3rd household on the right hand side of the route until 10 households are interviewed. If it is 30 or more, the interviewer will select the first household and then select every 4th household on the right hand side of the route until 10 households are interviewed.

District	Exclusions	Excluded VDC/Municipality
Bara	2 VDCs were excluded	Amlejganj Ratanpur
Parsa	No VDC was excluded	
Chitwan	8 VDCs were excluded	Chandi bhanjyang Dahakhari Darechok Kabilash Kaule Lothar Shaktikhor Siddhi
Nawalparasi	13 VDCs were excluded	Bharatipur Bulintar Dandajheri Dedgaun Gaidakot Jaubari Kothar Mithukaram Naram Rakuwa Ratanpur Ruchang Upalloarkhola
Rupandehi	4 VDCs and 1 municipality were excluded	Butwal municipality Debdaha Dudharaksha Parroha Saljhandi
Kapilvastu	9 VDCs were excluded	Banganja Barkatpur Bhaluwad Dudiya Gagauli Mahindrakot Motipur Shibapur Shiwagodhi
Dang	11 VDCs and 2 municipalities were excluded	Bagmare Bijauri Haluwar Hapur Kavre Loharpani Pawannagar Purandhara Saigha Santinagar Syuja Tribhuwan municipality Tulsipur municipality
Banke	5 VDCs were excluded	Chhisapani Kanchanpur Khaskushma Kohalpur Mahadebpuri
Bardiya	No VDC was excluded	
Kailali	7 VDCs were excluded	Godabari Khairala Mohaniyal Nigali Pandauri Sahajpur Sugarkhal
Kanchanpur	4 VDCs and 1 municipality were excluded	Daigee Jhalari Krishnapur Mahindranagar municipality Suda

Demographics

The following tables provide statistics for demographic patterns according to the 2001 Census ('Population') and the corresponding statistics for the sample used in the survey carried out by IDA.

Sample characteristics

Sex	Frequency	Sample (%)	Population (%)
Female	714	35.7	49.1
Male	1286	64.3	50.9
Total	2,000	100.0	100.0

Age group	Frequency	Sample (%)	Population (%)
0–14	–	–	39.7
15–25	402	20.1	18.9
26–35	534	26.7	14.6
36–45	524	26.2	10.8
46 and above	540	27.0	15.8
Total	2,000	100.0	99.8

Urban–Rural

The urban composition of the sample is higher than that of the population. This has been done by calculating the rate of growth of urban areas *vis-à-vis* rural areas. While the 2001 Census reports urban population to be 12.9 percent, by 2010 when the survey was undertaken, the urban population in the Terai would have been closer to 20 percent.

	Frequency	Sample (%)	Population (%)
Rural	1579	79.0	87.1
Urban	421	21.1	12.9
Total	2,000	100.0	100.0

Geographic location

The composition of the sample in terms of development region closely matches with that of the population of the development regions.

	Sample (%)	Population (%)
Eastern Terai	30.0	29.3
Central Terai	36.0	35.1
Western Terai	15.0	15.7
Mid-Western Terai	10.0	11.0
Far-Western Terai	9.0	8.9
Total	100.0	100.0

Caste/ethnic composition

The sampling framework did not include VDCs that are geographically located in the hilly terrain of the Terai region. Hill origin communities – Pahadi – are the majority population in these areas. Given that selected VDCs are from the plains of the Terai, hill-origin communities are under-represented while Madhesi communities are over-represented in the sample compared to the general Terai population. However the results are representative of the plains VDCs of the Terai.

	Sample (%)	Population (%)		Sample (%)	Population (%)
Tharu	11.65	13.30	Khatwe	0.80	0.67
Bahun	6.55	9.77	Sanyasi	0.50	0.66
Muslim	8.90	8.38	Dhobi	0.50	0.65
Chhetri	6.40	8.02	Nuniya	0.75	0.60
Yadav	12.60	7.95	Sarki/Mijar	0.15	0.56
Magar	1.30	3.69	Lohar	0.65	0.52
Teli	4.50	2.64	Kumhar	1.10	0.47
Chamar	3.15	2.41	Halwai	0.60	0.44
Koiri	2.75	2.21	Kumal	0.50	0.43
Kami/BK	1.15	2.12	Rajput	1.30	0.41
Newar	1.05	1.95	Badahi	0.15	0.40
Kurmi	2.60	1.89	Kayastha	1.30	0.38
Tamang	1.05	1.72	Satar	0.20	0.38
Dhanuk	2.15	1.66	Gharti/Bhujel	0.10	0.36
Musahar	2.05	1.51	Bantar	0.55	0.32
Dusadh	1.15	1.42	Barai	0.50	0.32
Kewat	0.50	1.22	Kahar	0.20	0.31
Rai	0.35	1.20	Majhi	0.30	0.29
Brahman Terai	5.20	1.15	Marwadi	0.40	0.28
Baniya	1.05	1.07	Gangai	1.25	0.27
Mallaha	1.50	1.02	Lodha	0.20	0.22
Kalwar	0.80	1.00	Rajbhar	0.05	0.21
Damai/Pariyar	0.25	0.99	Danuwar	0.10	0.20
Gurung	0.50	0.96	Binda	0.20	0.17
Limbu	0.60	0.90	Dhimal	0.10	0.16
Hajam	0.90	0.85	Tajpuriya	0.05	0.12
Kanu	1.00	0.85	Mali	0.15	0.10
Rajbansi	1.65	0.85	Dom	0.05	0.08
Sonar	0.60	0.82	Bangali	0.25	0.07
Thakuri	0.90	0.80	Gandharva	0.05	0.02
Sudhi	0.50	0.78	Jirel	0.05	0.00
Tatma	1.35	0.68	Others	0.30	4.15
			Total	**100.00**	**100.00**

Madhesi/non-Madhesi*	Frequency	Sample (%)
Non-Madhesi	419	21.0
Madhesi	1581	79.1
Total	2,000	100.0

*Of the eight broad categories of caste/ethnicity in Nepal, Madhesi is made up of Madhesi caste, Madhesi Janajati, Madhesi Dalit and Muslims. The other four categories are Hill caste, Hill ethnic, Hill Dalit and Newar.

Religion	Frequency	Sample (%)	Population (%)
Hindu	1779	89.0	85.2
Buddhist	27	1.4	3.9
Muslim	182	9.1	8.6
Christian	5	0.3	0.3
Kirat	7	0.4	1.5
Total	2,000	100.0	100.0

Educational status	Frequency	Sample (%)
Illiterate	576	28.8
Literate	414	20.7
Primary	252	12.6
Lower secondary	203	10.2
Secondary	124	6.2
School Leaving Certificate	218	10.9
Intermediate	142	7.1
Bachelor Degree	71	3.6
Total	2,000	100.0

Occupation	Frequency	Sample (%)
Agriculture	895	44.8
Industry/Business	238	11.9
Service	139	7.0
Labour	287	14.4
Student	126	6.3
Housewife/homemaker	232	11.6
Retired	28	1.4
Unemployed	55	2.8
Total	2,000	100.0

In-depth interviews

IDA conducted in-depth interviews with 40 individuals from across the Terai region. They represented people of different age groups, education, caste/ethnicity, development-geographic regions, gender, religions and occupations. Some of these 40 individuals were selected from among the larger sample of 2,000 respondents and some of them were not. Sufficient time was given to build a rapport with the interviewee

before the interview began. A one-to-one interview was then conducted with each individual in a private setting, guided by an open-ended questionnaire. The interviews were recorded with tape recorders and later transcribed.

Key informant interviews

Key informant interviews were conducted by Saferworld, NEMAF and the Small Arms Survey between March and June 2010 with political party leaders and Constituent Assembly members (including the CPN-Maoists, Nepali Congress, CPN-UML), security service providers (Nepal Army, Armed Police Force, Nepal Police), Government officials (Ministry of Home Affairs, Ministry of Defence), UNMIN, donors (including the Embassies of Finland, the United Kingdom and the United States of America), members of civil society organisations and media representatives. The interviews were semi-structured, based on guiding questions to ensure consistency between the interviews.

Validation workshops

Validation workshops were conducted by Saferworld, IDA and NEMAF to share the initial findings of the household survey and focus group discussions with various stakeholders and provide an opportunity for comments and feedback on the findings. These comments were then considered in the final analysis for the report. Five valida-tion workshops were held in June 2010. In Kathmandu, there was a workshop for a range of stakeholders including the police (NP/APF) and international donors. Work-shops were also held in three districts: Morang, Dhanusha and Banke. Participants at the district-level workshops included Chief District Officers, NP and APF personnel, lawyers, political party representatives, members of civil society organisations and representatives of business communities.

Interdisciplinary Analysts (IDA) is a Kathmandu-based research and consultancy firm that specializes in quantitative social science approaches. For the past ten years, IDA has conducted surveys on contemporary political situation, people's perception of safety and security as well as surveys on the business climate in Nepal. It engages with political parties, politicians, institutions such as the Nepal Police and the Election Commission, the business community and the larger public. IDA's contribution to the public discourse is based on its strong and qualified team that pursues sound research with rigorous scientific techniques.

Nepal Madhes Foundation (NEMAF) is a non-government grassroots research and field implementation organisation registered with Government of Nepal under Association Registration Act, 1977 in District Administration Office-Lalitpur (Registration number − 2563/287/471) and affiliated with Social Welfare Council-Kathmandu (Affiliation number − 23531). It promotes peace and harmony for sustainable socio-economic development in Terai plains known as Madhes aimed at improving the quality of life particularly of rural communities.

Saferworld works to prevent and reduce violent conflict and promote co-operative approaches to security. It works with governments, international organisations and civil society to encourage and support effective policies and practices through advocacy, research and policy development and through supporting the actions of others.

The Small Arms Survey is an independent research project located at the Graduate Institute of International Studies in Geneva, Switzerland. It serves as the principal international source of public information on all aspects of small arms and as a resource for governments, policy-makers, researchers, and activists. The project has an international staff with expertise in security studies, political science, international public policy, law, economics, development studies, conflict resolution, and sociology. The staff works closely with a worldwide network of researchers and partners.

COVER PHOTO: *Nepali armed policeman − While some people surveyed in this report consider policing in the Terai to be improving, our researchers found that law and order is still generally considered to be weak.*
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