

EVIDENCE REPORT

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Addressing and Mitigating Violence

Key Challenges of Security Provision in Rapidly Urbanising Contexts: Evidence from Kathmandu Valley and Terai Regions of Nepal

Jaideep Gupte and Subindra Bogati

May 2014

The IDS programme on Strengthening Evidence-based Policy works across seven key themes. Each theme works with partner institutions to co-construct policy-relevant knowledge and engage in policy-influencing processes. This material has been developed under the Addressing and Mitigating Violence theme.

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List of abbreviations

APF	Armed Police Force
CIB	Criminal Investigation Bureau
CPA	Comprehensive Peace Agreement
CPDS	Centre for Political and Diplomatic Studies
CPN	Communist Party of Nepal
CSJS	Centre for Security and Justice Studies
DANIDA	Danish International Development Agency
DFID	Department for International Development
DHS	Demographic and Health Surveys, Nepal
FGD	focus group discussions
HUGOU	Human Rights and Good Governance Advisory
ICT	information and communications technology
IDA	Interdisciplinary Analysts
IHRICON	Institute of Human Rights Communication Nepal
INGO	international non-governmental organisation
INSEC	Informal Sector Service Center
IVF	India Vision Foundation
KII	key informant interviews
LPC	Local Peace Committees
NCC	Northeast Christian College
NEMAF	Nepal Madhesh Foundation
NGO	non-governmental organisation
NIPS	National Institute of Population Studies
NLFS	Nepal Labour Force Survey
NTTP	Nepal Transition to Peace Project
NYP	National Youth Policy
OHCHR	Office of the High Commissioner for Human Rights
PeDS	Peace and Development Studies
SCNHRC	Strengthening the Capacity of the National Human Rights Commission
SSP	Special Security Plan
THRD	Terai Human Rights Defenders
UNDP	United Nations Development Programme
UNDSS	United Nations Department of Safety and Security
UNICEF	United Nations Children's Fund
UNIRP	United Nations Inter-agency Rehabilitation Programme
USIP	United States Institute of Peace
VMLR	Verified Minors and Late Recruits

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Executive summary

We know that urban violence not only affects people's health and wellbeing, it has a devastating impact on the social fabric and economic prospects of entire cities (Moser 2005). It can also set recursive cycles of vulnerability in motion – violence-affected individuals find it increasingly harder to be gainfully employed, while poverty is sustained through inter-generational transfers. However, the mechanisms through which violent crime and urbanisation are interconnected are not straightforward. While higher rates of violent crime are generally seen in the larger urban centres, not all urban centres experience similar degrees of violence. That is, the security and insecurity outcomes in a city are the result of a complex range of socioeconomic, political and demographic factors, which can vary temporally, spatially, as well as be significantly different for different individuals or groups. Importantly, rapid urbanisation also brings with it a unique set of challenges, which has the potential to overwhelm key government services, including policing and security provision.

There has been much debate about the role of the state in providing security in urban areas, which are increasingly characterised by a diverse group of actors, and where non-state actors also tangibly deliver security. In this report we use evidence from Nepal to look at *the key challenges for providing security in rapidly urbanising areas*. We base our findings on a review of existing evidence (including, in particular, perceptions surveys amongst youth populations), consultations with key officials and civil society stakeholders, as well as focus group sessions with young offenders, both inside and outside prison.

We find that since the Comprehensive Peace Agreement was established in 2006, war-related killings have dramatically reduced. Yet, while these overall trends are improving, there are reasons to be cautious. First, official data is not capturing the true extent of armed violence, particularly criminal activity by gangs concentrated in and around Kathmandu and other fast-growing mid-size cities in Terai. Second, the nature of existing violence – relating to complex social and economic problems and perpetuated by a host of criminal groups – makes it far more difficult for formal policing and security structures to address it on their own. Thus, while the Nepal Police have a significant and often undervalued role to play in the sustainable prevention of violent urban crime, a wider 'developmental' approach involving state, and non-state actors (as well as armed groups themselves) is also needed. Given the demographic shift occurring in Nepal, we find that youth issues are of particular importance, with unemployment and involvement in organised crime being two primary concerns.

We find that (1) youth issues, (2) community-based partnerships, (3) urban planning and design, as well as (4) police capacity, resources and training issues, will need to be kept at the forefront of successful crime reduction strategies in urban Nepal. In particular:

- Being responsive to youth needs entails a multipronged strategy wherein vocational support programmes look to specifically target marginalised urban youth, including those who may have perpetrated violence. Vocational and other support programmes linked to juvenile detention to reach young offenders, particularly those who are at risk of repeat offending should be a key priority.
- Establishing effective partnerships for community-based interventions entails being inclusive of six constellations of actors: civil society peer groups, the police, prosecution, politicians, the prisons system, as well as the media. We suggest pathways along which these six may interact (e.g. through the '6-P Approach').
- Affirming safety and security as an integral part of the urban development strategy, and creating consultation platforms that bring together urban planners, citizen's groups (in particular those that represent youth and women's voices), as well as the police.

- Strengthening police capacity in terms of personnel numbers, urban specific training and resources, as well as infrastructure. While urban police organisational structures have already been established, and are largely in line with regional standards, we identify a number of entry points for strengthening police capacity including better understanding of urban crime, better data collection and analysis, *ex-post* policing interventions, and *ex-ante* crime reduction strategies. Simultaneously, in the context of rapid urbanisation, we also identify a need to undertake regular neighbourhood level participatory multi-stakeholder assessments to get a clearer picture of urban vulnerabilities.

1 Introduction

With the world now mostly urban (United Nations 2010) and nearly 60 per cent of global GDP generated in only 600 urban centres (McKinsey Global Institute 2011), understanding how the processes of urbanisation interact with development outcomes is of key importance. However, it is not evident that urbanisation is inherently poverty reducing as a third of the world's urban population live in slums, and the urban share of global poverty is increasing (Ravallion, Chen and Sangraula 2007). Where urbanisation has been rapid, it has also tended to be associated with higher rates of violence and crime. It can also overwhelm government services, including public safety and police (Cordner, Das and Cordner 2010). While the socioeconomic and political contexts play a significant role in determining the nature, extent and consequences of these impacts, it is generally evident that the larger the population of a city, the greater the levels of violent crime and victimisation (United Nations 2007), a relationship most often manifest in higher homicide rates, and in rapidly expanding cities (Gaviria and Pagés 2002).

In this context, there has been much debate about the role of city police forces in maintaining law and order in dynamic urban areas. On the one hand, these areas are increasingly characterised by a multiplicity of actors and agents, where the taxonomy of security provision is complex. As a result, there is a noticeable shift from viewing the state as *the* to *a* security provider (Loader and Walker 2007). On the other hand, evidence also shows that the police continue to play a critical role in the maintenance of law and order, and are focal points around whom community partnerships for the provision of security are most successfully organised (UNODC and UN-Habitat 2011). How urban police forces respond to the challenges of rapid urbanisation can therefore have a significant impact on the safety and security outcomes in urban areas.

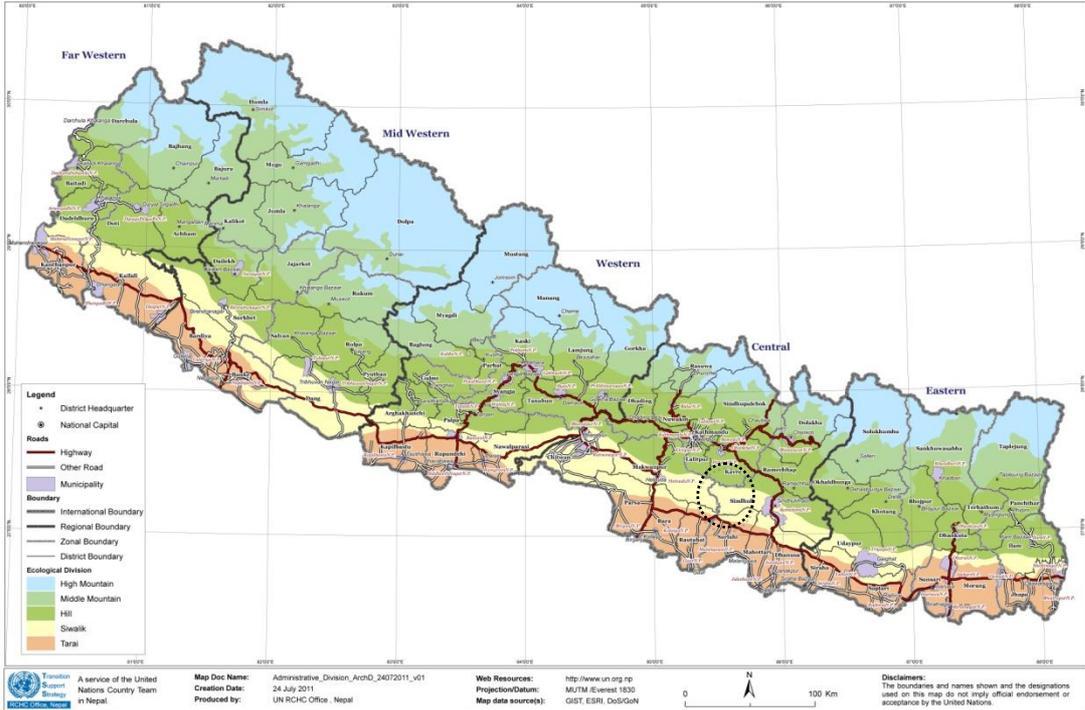
1.1 Focus

To further this debate, in this report we use evidence from Nepal to look at *the key challenges for providing security in Nepal's rapidly urbanising areas*. Nepal presents an interesting case as the country is not only attempting to rebuild state capacity in the wake of a long civil war, but has also been experiencing a rapid rate of urbanisation, one of the highest in the region.

It has been nearly a decade since the violent conflict between the Communist Party of Nepal (Maoist)¹ and the state ended with the Comprehensive Peace Agreement (CPA) in 2006. The ten-year long conflict in Nepal left some 16,278 casualties and led to the displacement of some 150,000 people (BBC News 2009). In addition, many more have been maimed and traumatised by the violence and the cost of destruction of physical infrastructure and its impact on the economy has also been significant. It would however be wrong to assume that the period following the CPA has been entirely peaceful. While deaths related to the conflict have subsided, recent research shows that violence in Nepal since the signing of the CPA is concentrated disproportionately in urbanised areas (Housden 2010).

¹ The Communist Party of Nepal (Maoist) and Communist Party of Nepal (Unity Centre – Masal) merged in January 2009 to become the Unified Communist Party of Nepal (Maoist).

Figure 1.1 Administrative zones in Nepal



Source: UN RC Office, Nepal (2011).

In Nepal, violence is often ‘politicised’ and permeates all aspects of social relations – including in peri-urban and rural areas. Nevertheless, there are strong indications that the main urbanised areas of the Terai region (shown in orange in Map 1.1) and the Kathmandu Valley (circled in Map 1.1), which account for less than a third of the population, now account for a significant majority of violent crime in Nepal. While conflict-related deaths have subsided since the signing of the Comprehensive Peace Agreement in 2006, killings by non-state actors and the homicide rate continue to be high. Significant changes in the modalities of violent crime are also evident. Whereas the conflict pre-2006 involved the state and politically motivated non-state groups, more recent violence has been predominantly perpetrated by criminalised armed groups or politically affiliated gangs. In recent years, membership into criminal networks in urban areas has also increased, and recruiting patterns seem to indicate a steady flow of rural unemployed youth migrating into urbanised areas. New data on small arms possession amongst the youth also shows a marked increase, with organised gangs selling locally and internationally manufactured pistols at relatively affordable prices. There is also some evidence of use of explosives, increased incidences of extortion and various types of robbery in previously ‘calm’ districts. Interestingly, most weapons seized by the police in the course of operations appear to be ‘locally’ manufactured (in Bihar/India), while the presumed stockpiled weapons from the war period have yet to make an appearance.

In a context where the national security infrastructure continues to be largely geared towards counter-insurgency, there are conceivably two potential drivers behind these trends of violent crime: (1) that the actors and agents perpetrating violent crime have largely remained the same, but have relocated and are now predominantly operating in urban areas; and/or (2) that new actors and agents have emerged. With these in mind, we also take a broad look at who the actors and agents involved in the perpetration of violent urban crime are, and what their motivations, seen as potential drivers behind the increase in violent and organised crime since the political peace agreement in 2006, might be.

1.2 Methodology

This study is primarily based on recently compiled secondary data sources. These include data and evidence from a variety of sources, including from the Government of Nepal (concerned ministries); Nepal Police; World Bank; Demographic and Health Surveys, Nepal (DHS); United Nations Department of Safety and Security (UNDSS); UNICEF; as well as data and studies conducted by other research institutions and NGOs, including Interdisciplinary Analysts (IDA); Informal Sector Service Center (INSEC); Saferworld; Small Arms Survey; and the United States Institute of Peace (USIP). We also collected a small amount of primary data to supplement and substantiate our critical analysis. We conducted two focus group discussions (FGDs)² with juvenile and first-time offenders inside prison in Kathmandu for gang-related offences. The key informant interviews (KIIs) were with former offenders and gang members released from incarceration in Jawalakhel (Lalitpur), Jorpati and Thamel (Kathmandu),³ and there were also KIIs and expert consultations with a number of relevant police personnel of varying ranks.⁴ A key stakeholder mapping was conducted in Lalitpur with representatives from relevant organisations.⁵ Following this, a roundtable discussion was held in November 2013 with key stakeholders, including the Nepal Police, the Ministry of Home Affairs, and key national and international experts, to reflect on our interim findings, and explore ways to improve responses to urban violence in Nepal.⁶ The reflections from the roundtable have also been incorporated into this report.

² See Annex 3 for FGD protocols and field notes.

³ See Annex 3 for KII protocols and field notes.

⁴ See Annex 3 for expert consultation protocols and field notes.

⁵ See Annex 2 for list for netmapping protocol.

⁶ See Annex 1 for list of roundtable participants.

2 Linking urbanisation and the incidence of violent crime

The channels through which urbanisation, the incidence of violence and insecurity are associated are complex, and often misunderstood. On the one hand, urban spaces the world over are increasingly characterised by heightened conflict and contestation (Rodgers 2009; Graham 2004). Goldstone (2010) even describes heavily urbanised countries, especially those with younger populations, as more likely to be prone to civil unrest, 'experience Dickensian poverty and anarchic violence'. Due to the dynamics of migration, urban areas tend to concentrate 'precisely that demographic group most inclined to violence: unattached young males who have left their families behind and have come to the city seeking economic opportunities' (USAID 2005: 7). Such observations are based on research that links the presence of jobless and idle urban youth with higher levels of violence, substance abuse, and gang activities (Narayan and Petesch 2010).⁷ Following the recent youth-led Arab Spring, for example, African heads of state noted that high youth unemployment is an impending threat to stability in Africa (African Union 2011).

And yet, we also know that social disorder in urban areas is more closely related to the lack of consistent political institutions and economic shocks, rather than a large urban population, or the predominant presence of particular age groups *per se* (Buhaug and Urdal 2010). Urban living places a range of severe demands on young people, through social fragmentation, the often precarious living conditions of the urban poor, as well as the hazards of air, water and noise pollution, which can all tip charged urban settings into violence (Moser and Horn 2011). In this, rapid urbanisation also brings with it a unique set of challenges ranging from impacts on ecology (Zhao *et al.* 2010), and health (Moore, Gould and Keary 2003), to resources utilisation (Foster 2001), and basic service provision (Mohanty 1993). Importantly however, urban settings continue to be attractive destinations, even for those affected by conflict, as they provide opportunities that are simply not available in rural areas (Sommers 2010). As such, well-managed urban spaces can also be viewed as sites of stability, and urban youth might be seen to constitute a largely untapped resource for productivity and innovation.

That is, 'security' and 'insecurity' in a city are the result of a complex range of socioeconomic, political and demographic factors, which can vary temporally and spatially. Importantly, individuals may experience the city in significantly different ways (Taylor 2011). It is therefore increasingly being recognised that the principles governing the layout, functionality and management of urban spaces also contribute to the safety of such spaces, as well as to the feeling of safety amongst users. Influential work by Jane Jacobs and later by Oscar Newman has outlined two broad principles that govern these relationships. First, that the presence of activity on the streets, of movement, of buildings opening onto the street, of windows overlooking it, is a primary factor contributing to safety (Jacobs 1961); and second, that urban residents are more likely to defend and respect a place over which they feel a sense of ownership (Newman 1973).

Furthermore, urban violence itself is not singular in form. Its modalities are very diverse, ranging from political, institutional to economic and social (see Table 2.1). Similarly, the mechanisms of security provision in cities are also complex, and often include non-state and informal actors just as much as state security services (Gupte 2012). The various forms that urban violence takes can be understood through varying degrees and combinations of three broad categories: (1) 'social violence' which is primarily interpersonal and motivated by the

⁷ Also see World Bank (2011).

will to get or keep social power and control; (2) 'economic violence' which is motivated by material gain and can take the form of street crime, drug-related violence and kidnapping; and (3) 'political violence' which is inspired by the will to win or hold political power (Moser and McIlwaine 2004: 60). All three categories of violence extenuate, or are extenuated by, the particularities of the urban condition mentioned above. Table 2.1 provides a useful typology of violence in urban areas.

Table 2.1 Moser’s roadmap of categories, types and manifestations of violence in urban areas

Category of violence	Types of violence by perpetrators and/or victims	Manifestations
Political	<ul style="list-style-type: none"> • State and non-state violence 	<ul style="list-style-type: none"> • Guerrilla conflict • Paramilitary conflict • Political assassinations • Armed conflict between political parties
Institutional	<ul style="list-style-type: none"> • Violence of state and other 'informal' institutions • Including the private sector 	<ul style="list-style-type: none"> • Extra-judicial killings by police • Physical or psychological abuse by health and education workers • State or community vigilante – directed social cleansing of gangs and street children • Lynching of suspected criminals by community members
Economic	<ul style="list-style-type: none"> • Organised crime • Business interests • Delinquents • Robbers 	<ul style="list-style-type: none"> • Intimidation and violence as means of resolving economic disputes • Street theft, robbery and crime • Kidnapping • Armed robbery • Drug trafficking • Car theft and other contraband activities • Small arms dealing • Assaults including killing and rape in the course of economic crimes • Trafficking in prostitutes • Conflict over scarce resources

Economic/ social	<ul style="list-style-type: none"> • Gangs • Street children (boys and girls) • Ethnic violence 	<ul style="list-style-type: none"> • Territorial or identity-based turf violence, robbery, theft • Petty theft • Communal riots
Social	<ul style="list-style-type: none"> • Intimate partner violence inside the home • Sexual violence (including rape) in the public arena • Child abuse (boys and girls) • Inter-generational conflict between parent and children • Gratuitous/routine daily violence 	<ul style="list-style-type: none"> • Physical or psychological male–female abuse • Physical and sexual abuse, particularly prevalent in the case of stepfathers but also uncles • Physical and psychological abuse • Incivility in areas such as traffic, road rage, bar fights and street confrontations • Arguments that get out of control

Source: Adapted from Moser (2004).

3 Background and context of Nepal

After 104 years of Rana oligarchy, democracy was introduced in the country in 1951. However, the King-imposed *Panchayat* system⁸ lasted for about 30 years before it was overthrown in 1990 through popular protests. A democratic government under constitutional monarchy was reinstated in 1991. Post-1990, the country was on track to development, with about seven per cent economic growth over the 1980s and 1990s, a massive expansion of community management of forest, micro hydro- and community-based irrigation systems, a substantially improved education index,⁹ expanded communication and media outreach, and stronger civil societies. However, the gradual institutionalisation of democracy could not withstand the rapid rise in people's aspirations (Hoftun, Raeper and Whelpton 1999). The unstable political scenario resulted in frequent changes of government witnessing much corruption, with charges of cronyism and injustice in service provision. A radical Maoist left was born mobilising on popular grievances, fuelling dissatisfaction and creating recruit pools among the poor and the marginalised (Whelpton 2005).

The Maoist agenda was a mixture of political demands and socioeconomic reforms, articulated in the form of an insurgency, which devolved into a decade-long civil war with the state. The conflict has been characterised as essentially ideological (Mishra 2004), its primary drivers being 'social and economic order', 'unsuccessful development endeavours', 'structural inequality in the system' and a 'general sense of neglect felt by a majority of the population' (Thapa and Sijapati 2003); or corruption and bad governance (Pandey 2005).

The insurgency came to an end in 2006 with the signing of a Comprehensive Peace Agreement (CPA). Immediately after the signing of the CPA, in 2007, the Interim Parliament voted to abolish the monarchy in Nepal to become a 'federal democratic republican state'. Subsequently, the Constituent Assembly (CA) elections were held on 10 April 2008 and the Communist Party of Nepal (Maoist) – CPN (M) – emerged as the largest party. These political changes were to be stabilised with promulgations of a new constitution and the completion of the peace process with the integration of the Maoists combatants into the state security forces. The CA could not deliver the constitution in time despite repeated extensions and it was dissolved. However, by 2012 a total of 1,462 ex-Maoist combatants had been fully integrated into the Nepal Army as part of the peace process (Pun 2012).

Though the Nepali state emerged relatively intact after the decade-long conflict, its structures and mechanisms have fared badly. The absence of political mechanisms to guide needed reforms, extremely low levels of trust and commitment to power sharing, lack of public dialogue on the issues of state restructuring, weak law and order throughout the country, political uncertainty and the absence of elected local government for over a decade are all issues that have fragmented the society.

Even after the end of the conflict the focus has been more on political transition and less on economic transition for a more equitable growth. The (non) performance of the economic sector has also been because of the increasing politicisation of the bureaucracy and militant trade unions. And these have posed a number of challenges to the Nepali economy. Poverty estimates range from 40 per cent living in poverty, to 25.16 per cent poverty headcount ration at the national poverty line, according to the Central Bureau of Statistics of Nepal (Thapa 2011). Respondents in a recent perceptions survey indicated that the most commonly cited concerns facing the country were poverty (42 per cent), unemployment (35 per cent) and inflation (27 per cent) (Saferworld 2012). Exclusion is also persistent, with lowest caste *dalits*

⁸ The *Panchayat* system was a non-party system of councils known as '*Panchayat*'. The King exercised sole power and nominated people to the upper house as the representatives to the lower house were elected.

⁹ According to CBS (2002), the literacy rate in 1991 was 39.6 per cent, which increased to 54.1 per cent in 2001.

(socially discriminated people of the so-called 'lower caste' or 'untouchable' groups) accounting for 20 per cent of the total population, but 80 per cent of the poor. Youth literacy rates are promising, with 88 per cent of males and 78 per cent of females aged 15–24 years being literate in 2011, according to the Demographic and Health Surveys Program. Despite consistent progress in literacy however, the dropout rate of 7.7 per cent per year continues to present a major challenge, while around 4.7 per cent of primary school age children (i.e. over 0.8 million) are out of school. Challenges like the distance between school and home for students, the infrastructure of schools and the quality of learning process are major factors that need to be addressed and have resulted in the dropouts.

Nepal's economy is shifting from agriculture to the service sector, and share of the industrial sector in the country's GDP is slowly declining. However, underemployment, at just below 50 per cent of the total population, is also at a critically high level, while 46 per cent of young people aged 20–24 years remain outside the formal labour force (NLFS 2009). Due to diminishing and limited economic opportunities at home, nearly 1,500 young people from Nepal go abroad (other than India) daily for employment opportunities (UNFPA Nepal 2013). Nepal is currently experiencing an acute electricity shortage, resulting in load-shedding of up to 14 hours per day during winter months.¹⁰ The three-year interim plan formulated just after the end of the April movement of 2006 (2007/8–2009/10, instead of a five-year plan) emphasised the structural problems of the country, such as the issue of the inclusion of disadvantaged and marginalised people, which were considered the major causes behind Maoist conflict. However, delays in budget approval and in the contract-awarding process, the low presence of state employees, the lack of elected representatives at the local level, and the overall political instability have lowered the performance of capital expenditure during this post-conflict transition phase.

Thus, significant socioeconomic and political fissures remain despite the political transition in Nepal since 2008. In this context, activities of armed groups have become a worsening problem in Kathmandu and the Terai. Many of these groups are alleged to be operating in collusion with the political elite, while others are described as criminal in nature. But the actual influence and impacts of armed groups – described as political or economically motivated actors of six or more people – appears to be overstated. Such groups tend to adopt the names of their leaders using their 'brand' to extract rents – including in relation to trafficking in timber, contraband, drugs, arms, and people. The presumed threats presented by such actors have also been cast in politicised and ethnic identity terms. The Nepal Police claim that they are relatively small scale, fragmented and are experiencing an erosion of their command and control. Their relative capacities and influence appear to ebb and flow in relation to government-led crack-downs and recently they have been passive. Regardless, such groups are almost universally associated with rising crime and corruption, particularly in the Terai, which straddles the southern part of the country and borders India. Their presence has also been directly linked to the breakdown of service delivery mechanisms in the Terai, where for example, due to the fear of or threat from armed groups many areas have been left without Village Development Committee secretaries, causing a significant negative impact on service delivery (IDA *et al.* 2011).

In addition to continued political uncertainty in the capital and the supposed threat of armed groups is the unrest in key districts outside Kathmandu. There are outstanding questions about the many thousands of ex-combatants who were not 'fit' to join the state security forces and instead induced to return to civilian life.¹¹ Two additional 'development' concerns

¹⁰ Nepal Electricity Authority regularly publishes new loadshedding schedules. Currently there is a power outage of 14 hours a day. For loadshedding schedule, see www.nea.org.np/images/supportive_docs/2017loadshedding.pdf.

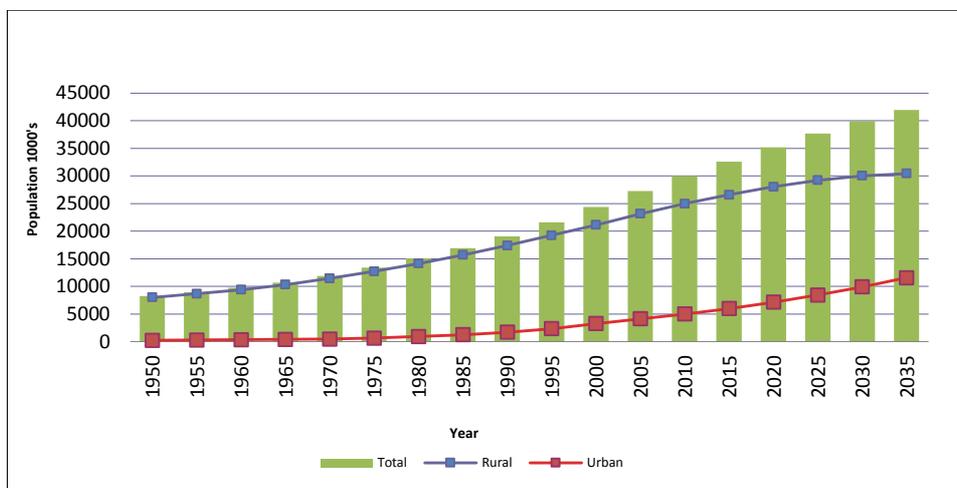
¹¹ 4,008 combatants who joined the Maoist People's Liberation Army before they were 18 years old or after the first ceasefire between the Nepal Army and Maoist PLA on 26 May 2006 failed to meet the criteria established by the United Nations Mission in Nepal and were discharged. Also see Saferworld (2010).

registered by multilateral and bilateral donors relate to ‘access’ for agencies and escalating ‘identity-based conflict’ which are undermining investments.

3.1 Urbanisation in Nepal

Nepal remains one of the least urbanised countries in the world and also in South Asia. Nepal’s 27.47 million people live mostly in rural areas, and only 17 per cent are urban residents. However, the Himalayan nation has been experiencing a very high rate of urbanisation (3.62 per cent annually), one of the highest in South Asia. Currently, there are 58 urban and semi-urban areas classified as municipal areas: 53 municipalities, four sub-metropolises and one metropolis. Nevertheless, urban areas in Nepal cover only 2.2 per cent of the total area of the country. The smallest urban area covers 5.6 km while the largest spreads across 319.9 km. The average size of an urban centre is 56.5 km (Muzzini and Aparicio 2013). The Kathmandu Valley has a population of 2.5 million.

Figure 3.1 Projected urban and rural population of Nepal



Source: Authors’ own, adapted from United Nations (2012).

The political change of 1951¹² had a significant impact on urban growth in Nepal, and marked a transition from urban concentration only in Kathmandu, to a spread of urban growth across the Terai region. The country was divided into five development regions, in which development activities, often carried out through foreign assistance, arguably resulted in the dramatic growth of towns and urban centres.

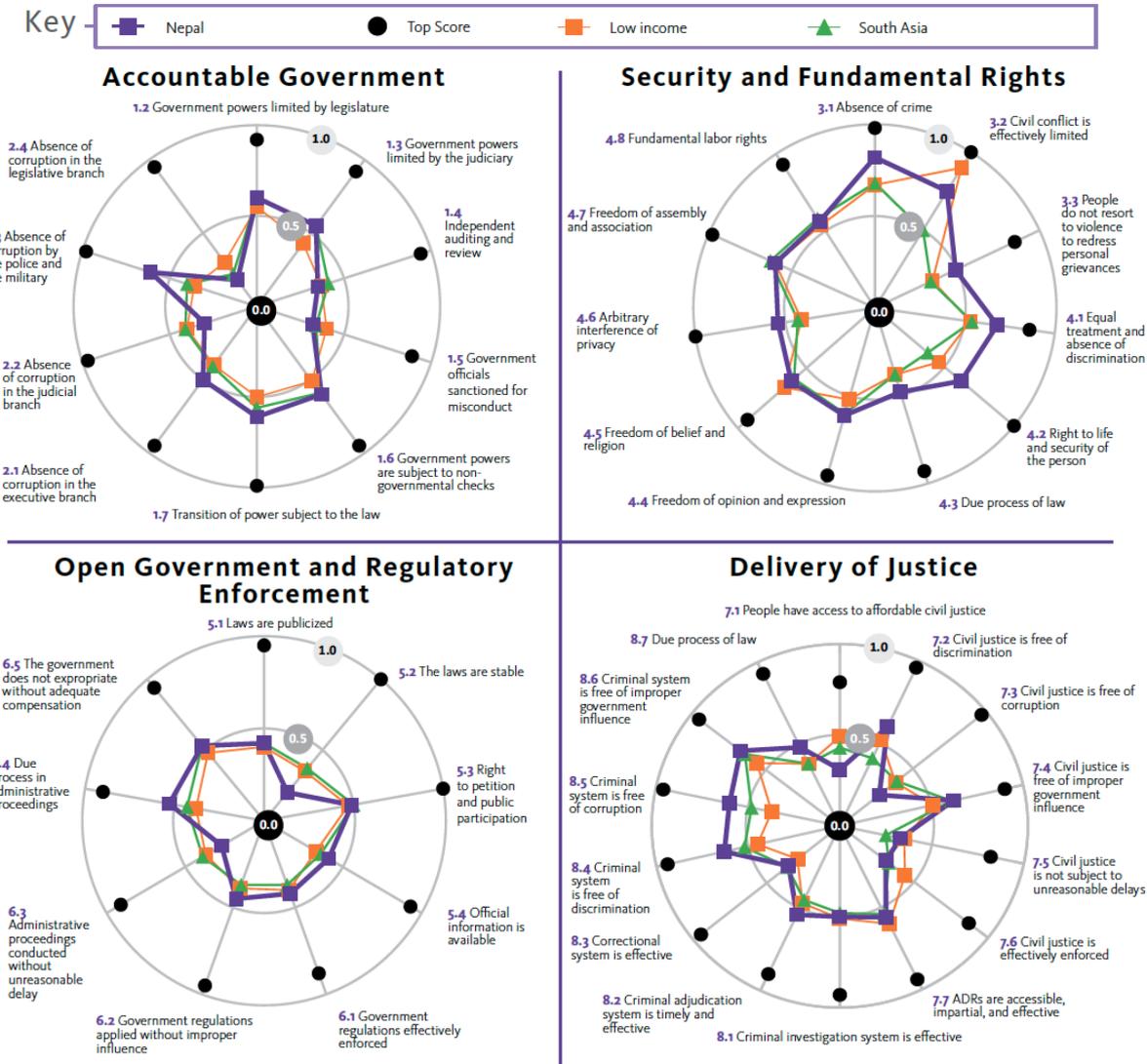
Political, demographic and climatic reasons discouraged the growth of large permanent settlements in Terai until 1920. The trade treaty of 1923 between Nepal and British-India has made a positive impact on the growth of urban centres in Terai. The industrial development that took place in Terai during the 1930s further enhanced the importance of southern towns. The initiation of the malaria eradication and the resettlement programmes in the late 1950s created the framework for a long-scale migration of hill people to the Terai. Furthermore, pull factors such as the rich agricultural base in the Terai plains, the increasing volume of trade with India passing through the region, the expansion of the state bureaucracy to the Terai, and the creation of physical infrastructure, also contributed to the patterns of migration from the hilly regions to the Terai plains.

¹² The Rana oligarchy ruled Nepal until 1951, pursuing a policy of stagnation and isolation. A democratic movement led by the Nepali Congress in 1950 ended the Rana’s 104-year-long autocratic rule.

3.2 The changing security scenario post-2006 in Nepal: violent urban crime

The transition process has been slow since the official end of the conflict in 2006. An estimated 150,000 people are thought to have been displaced due to the conflict (Internal Displacement Monitoring Centre 2006). The rule of law situation remains fraught with challenges in the absence of political will to prosecute the alleged perpetrators of the conflict era crimes. People do not feel peace dividends as political instability continues to negatively impact the development and investment environment.¹³ As seen in Figure 3.2, Nepal currently ranks amongst the lowest ranked nations (globally, amongst its regional neighbours, as well as amongst nations within its income group) for a variety of indicators of the rule of law.

Figure 3.2 Nepal indicators of the rule of law



Source: World Justice Project (2014).

¹³ See for example, Nepal Country Profile, World Justice Project Rule of Law Index (www.worldjusticeproject.org).

Since the 2006 peace agreement, political divisions in Nepal have widened even further. While the Maoist revolt underscored the importance of populist discord with the establishment and the need to bring greater development to the margins, the main political parties in Nepal today are disconnected from the key concerns of most people. Violent clashes involving the Madhesh movement¹⁴ and the Maoists in the post-conflict era have also contributed to the fragility in the Terai districts. Armed outfits have increased their activities, with initial focus on people of *pahadi* (inhabitant of the hilly areas) origin as victims of kidnappings, extortions and killings, then later targeting Madheshi people in all walks of life.

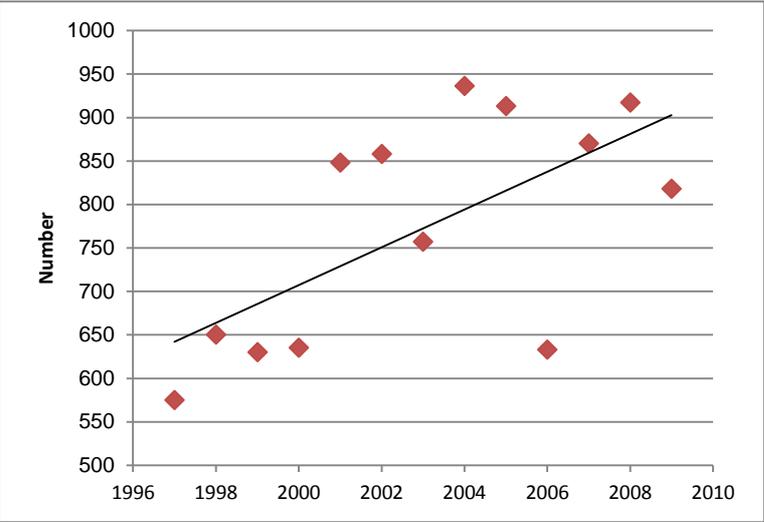
A nationwide survey conducted by Interdisciplinary Analysts and Saferworld points out that the concerns of the average Nepali person are quite distinct from those inherent in the slogans of the political parties during the post-transition phase (IDA and Saferworld 2009: 11–14). Political parties have tended to accord primacy to matters relating to state restructuring and the Constituent Assembly, while other developmental issues such as poverty, inflation, and unemployment, particularly at the local level, are largely viewed as being ignored (Sharma 2010). Many serious issues like Internally Displaced People (IDPs), conflict victims, disappearances, and seized land and property also remain unaddressed, while post-conflict transitional justice has remained incomplete in the absence of a truth and reconciliation commission.

It is important to recognise that the signing of the CPA dramatically reduced war-related deaths. Killings by the state have reduced by 96 per cent since 2006, while killings by non-state actors have nearly halved in the same time period (INSEC 2008–12). This is significant evidence showcasing the effectiveness of the CPA and the subsequent Special Security Plan (SSP), which is discussed in Section 4.4. While this is certainly a positive outcome, there are two main caveats. First, killings by non-state actors continue to be high, and now account for 97 per cent of all deaths (as opposed to 66 per cent in 2006). Second, non-war-related homicides have continued on an upward trend unabated (from 575 homicides in 1997 to a post-CPA high of 917 in 2008), with only a temporary decline to 633 coinciding with the lockdowns during the instating of the peace agreement in 2006 (see Figure 3.3). Importantly, a significant proportion of homicides are committed in urban areas, with Kathmandu alone accounting for roughly 30 per cent. A similar percentage of homicides were committed with firearms (UNODC 2011). Other urban crime has also increased by ten per cent since 2006, with police estimates indicating that an alarming 80 per cent of the crimes going unrecorded or unreported.¹⁵ The Office of the High Commissioner for Human Rights documented 57 cases of deaths as a result of the unlawful use of lethal force by the security forces between January 2008 and June 2010 (Geneva Declaration Secretariat 2011).

¹⁴ This movement took place in the Terai region for 21 days in January and February 2007 and demanded the end to the discrimination of Madheshi people, greater autonomy within Nepal and greater representation within national politics.

¹⁵ Interview with Nepal Police, 28 October 2013.

Figure 3.3 Homicides in Nepal



Source: Author’s own, adapted from UNODC (2011).

Table 3.1 Homicides in Nepal

Year	Killed by the state	Killed by the non-state actors	Total killed	Proportion killed by non-state actors	Homicide (per 100,000) ¹⁶
2006	313	613	926	0.66	2.3
2007	37	514	551	0.93	3.1
2008	50	491	541	0.91	3.2
2009	41	432	473	0.91	2.8
2010	32	427	459	0.93	-
2011	12	365	377	0.97	-

Source: Authors’ own, adapted from INSEC (2008–12).

In this context, the Terai region, which constitutes the most densely populated area of Nepal outside the capital city, has experienced a post-conflict proliferation of armed groups and small arms. Particularly since 2007, ‘the Terai has witnessed bombings, shootings, abductions, extortion, armed crime and domestic violence making it the most insecure region in Nepal’ (IDA *et al.* 2011). State and non-state killings now predominantly occur in Terai districts, which also account for 60 per cent of all kidnappings.¹⁷

Organised crime in Nepal, encompassing both politically motivated and economically driven crime, is still in its initial developmental stages compared with other post-conflict countries. In the past, organised criminal groups were mostly involved in drug trafficking, and smuggling of

¹⁶ See Geneva Declaration Secretariat (2011).

¹⁷ See INSEC (2008–12) for further details.

gold and artefacts. However, there are signs of proliferation. Some recent evidence points to the involvement of organised criminal groups in human trafficking, smuggling of red sandalwood, kidnapping, extortion, as well as money laundering (Saferworld 2012). The Nepal Police have recently recognised this complexity, in their typology of urban violence in Nepal (see Figure 3.4).

Criminal groups have not only had an impact on public security, but have also had a tangible impact on processes like city governance and elections. Just before the Assembly elections of November 2013, security agencies identified activities of local thugs, armed groups and the presence of small arms as the major security challenges for the polls (Sharma 2013). In the post-CPA period, the nexus between crime and political apparatuses has also been thickening and few political parties are immune from using criminal groups for political purposes, including raising funds for the party, demonstrating street power, and securing contracts for clients.¹⁸ There are also reports of political parties relying on these groups, or their finances, for the coercion of opponents or rigging elections (NIPS 2013).

Figure 3.4 Urban violence in Nepal



Source: Dhakal (2013).

It is interesting to note however, that while armed criminals were rated as one of the top ten factors contributing to insecurity in a recent public perception survey, respondents in that study overwhelmingly rated unemployment, alcohol consumption, and poverty as the top three factors (see Table 3.2). Political instability was also rated as a major contributor to insecurity. Strengthening law and order was rated as one of the foremost factors that could contribute to security (USIP 2011).

¹⁸ Interview with civil society leader, Kathmandu, 2013.

Table 3.2 Factors contributing to insecurity

Significantly contributing to insecurity		Significantly contributing to security	
Factors	%	Factors	%
Unemployment	67.2	Skills development for the poor	70.8
Alcohol consumption	61	Prohibition of alcohol	67.5
Poverty	51.8	Access to secondary education	66.1
Political instability	50.2	Stronger laws	63.1
<i>Bandhs</i> /strikes and <i>Chakkajams</i>	44.6	Declaration of strikes as illegal	58.7
Limited access to education	42.4	Income and employment generation programmes	57.3
Drug use	38.8	Equal enforcement of the law	55.7
Economic inequality	38.0	Government prioritisation of security	55.3
Open border	36.2	Increase in civil society presence	54.9
Armed criminals	35.4	Civic education	54.4

Source: Adapted from USIP (2011); see also IDA and Saferworld (2011).

4 Law and order responses to urban violence in Nepal

Law and order responses to high levels of violent crime and insecurity have adopted various approaches, involving state as well as state–civil society-based interventions.

4.1 Small arms regulation

In Nepal, there are in the region of 205,000 privately owned licit and illicit firearms (Karp 2007), i.e. 0.8 firearms per 100 population, compared to the 136,800 military firearms with the defence forces, and 65,800 with the police (Karp 2006: 61). While the rate of privately owned firearms is lower than regional comparators (Sri Lanka – 1.5, India – 3.36, and Pakistan – 11.6 firearms per 100 population), gun ownership is increasing, and there is a perception that private firearm ownership, particularly amongst armed criminalised groups outweighs firearms ownership of security personnel.

The primary instrument for the regulation of small arms in Nepal is the *Arms and Ammunition Act* (1962a) that was amended in 2007. The law requires that a record of the acquisition, possession and transfer of each privately held firearm be retained in an official register (*Arms and Ammunition Act 1962c*), while dealing in firearms by way of business without a valid gun dealer's licence is unlawful (*Arms and Ammunition Act 1962b*). The maximum penalty for illicit firearm possession is five years prison and/or a fine of 100,000 rupees (*Arms and Ammunition Act 1962d*). In 2013, the Ministry of Home Affairs issued notice to people to surrender any illegal firearms to the police or district administration in exchange for a pardon, and was able to confiscate 5,498 illegal weapons from the public (*My Republica* 2013a). The total number of firearms destroyed following this amnesty, collection and seizure programme is reported to be 3,475 (Karp 2009). In 2011, the Ministry of Home Affairs approved a small arms management work plan with a view to banning the production, transportation, sales and distribution of small arms in the country (*Kathmandu Post* 2011b). Both the Nepal Police and the Armed Police Force have been conducting joint operations in the Terai districts with a view to reducing armed criminal activities, and this partnership has yielded some positive results.¹⁹ However, the open Nepal–India border has remained a security challenge for Nepal, and is deemed to be one of the primary reasons for the proliferation of small arms in the country. In the past, open borders not only helped Maoists acquire small arms at relatively low prices, but also allowed armed groups in the Terai to use the area as a safe haven. Young people from certain Terai districts were arrested under the *Arms and Ammunition Act* (1962) for illegal possession of a firearm (see Table 4.1).

¹⁹ Interview with Nepal Police, Kathmandu, October 2013.

Table 4.1 Young people arrested under *Arms and Ammunition Act (1962)*

Terai district	Number of youth arrested for possession of illegal firearms (2011)
Bara	124
Parsa	107
Rautahat	162
Sarlahi	110
Mahottari	92
Dhanusha	196
Siraha	218
Saptari	122
Total	1,131

Source: Adapted from Aryal and Jha (2011).

4.2 Urban policing

In 2010, the government established a Criminal Investigation Bureau (CIB) to further combat organised and complex crimes. The CIB is authorised to investigate cases of money laundering, complex crimes, organised crime, ICT-related crimes and human trafficking. It has 153 staff and is headed by the Deputy Inspector General of Police. The Nepal Police and Ministry of Home Affairs also instituted an integrated four-tier special security plan that involved the Nepal Army, Nepal Police, Armed Police Force and the National Investigation Department (ICMS 2013). For the polls of November 2013, under this plan the government deployed 62,000 Nepal Army personnel, 65,000 Nepal Police personnel, 32,000 Armed Police Force personnel and 45,000 temporary police and 2,000 National Investigation Department officials (*My Republica* 2013b).

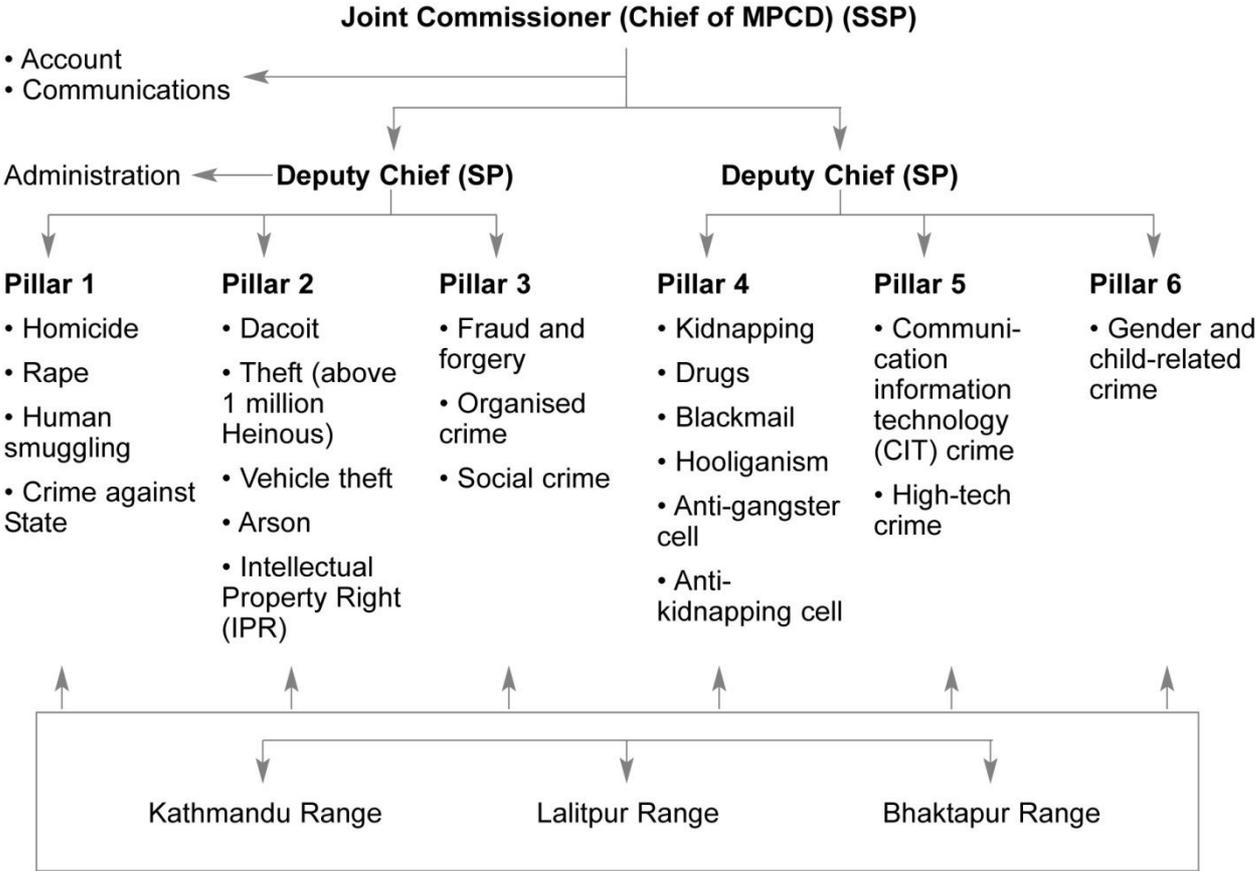
At present the Metropolitan Police comprises the Public Security Division, Administration Division, Intelligence Division, Inspectorate, Crime Division, Traffic Division, Armed Police Battalion, Riot Control Battalion, Garrison Battalion, Control Room, three Ranges, 18 Circles, 50 Sectors, three Area Police Offices and 23 Police Posts. Currently, the Kathmandu Metropolitan Police has a strength of 8,127 police personnel (Dhungana 2009). A Metropolitan Police Crime Division was established after the initiation of the Metropolitan Police in 2006, and is largely in line with regional standards. It had an initial strength of 123 police personnel working under the command of one Superintendent of Police. The Division currently serves with a total of 138 police personnel, of varying ranks (Table 4.2) under the command of a Senior Superintendent of Police (SnSP), and operate as per the organisational structure illustrated in Figure 4.1. The incarceration system includes 73 prisons and jails, with a total of 7,132 people incarcerated, of which 7.1 per cent are women (UNODC 2002). The prison population includes 59.8 per cent being held pre-trial (ICPS 2004), and overcrowding is a growing concern with prisons operating at 142.6 per cent of the official prison capacity (Himalayan News Service 2012).

Table 4.2 Personnel numbers by rank, Metropolitan Police Crime Division, Nepal

Senior Superintendent of Police	1
Superintendent of Police	2
Deputy Superintendent of Police (DySP)	2
Inspector	10
Sub-Inspector (SI)	33
Asst. Sub-Inspector (ASI)	47
Head Constable (HC)	30
Constable	13
Total	138

Source: Adapted from Metropolitan Police Commissioner's Office (2014)

Figure 4.1 Organisational structure of the Metropolitan Police Crime Division



Source: Adapted from Metropolitan Police Commissioner's Office (2014).

Three Police Ranges are stationed in Kathmandu, Lalitpur and Bhaktapur. The Kathmandu Metropolitan Police Range serves one of the three major cities located inside the Kathmandu Valley, besides Lalitpur and Bhaktapur. Its duties and responsibilities include prevention and investigation of crime, maintaining crime and criminal activities records, and coordinating with other government offices, political parties and private organisations, among others. The Lalitpur Police Range is situated at Jawalakhel, Lalitpur. Of the 58 municipalities, it is the third largest city. Like the Kathmandu Metropolitan Range, its duties and responsibilities include prevention and investigation of crime, maintaining crime and criminal activities records, and coordinating with other government offices, political parties and private organisations, among others. Bhaktapur is the smallest district of Nepal. The duties and responsibilities of the Bhaktapur Police Range include controlling and investigating crime, carrying out surprise checks to discourage criminals, conducting a door-to-door programme for effective community support in preventing crime, maintaining crime and criminal activities records, and coordinating with other government offices, political parties and private organisations, among others.

Table 4.3 Personnel strengths in the Metropolitan, Lalitpur and Bhaktapur ranges

Rank	Metro Range	Lalitpur Range	Bhaktapur Range
Senior Superintendent of Police	1	1	1
Superintendent of Police	6	2	2
Deputy Superintendent of Police (DySP)	30	9	6
Inspector	66	24	20
Sub-Inspector (SI)	199	66	51
Asst. Sub-Inspector (ASI)	308	116	87
Head Constable (HC)	1,254	473	317
Followers	68	24	15
Total	1,932	715	499

Source: Adapted from Metropolitan Police Commissioner’s Office (2014)

4.3 Local Peace Committees

Local Peace Committees (LPC) is a generic name for a committee or other structure formed at the level of a district, municipality, town or village with the aim to encourage and facilitate joint, inclusive peacemaking and peace-building processes. LPCs were implemented under the auspices of the Nepal Transition to Peace Project (NTTP), which comprised the Ministry of Peace and Reconstruction, senior level representatives of the main political parties in Nepal, including the rebel movement, CPN (Maoist), civil society representatives, as well as the UN Mission in Nepal. The NTTP promoted LPCs in the context of the armed conflict, as well as high and rising levels of violent crime. Such LPCs were set up in about 74 districts

between 2006 and 2008 (Odendaal and Olivier 2008). Given the dynamics of the conflict pre-2006, LPCs operate primarily in the rural context outside of Kathmandu. The idea of setting up LPCs was to consolidate peace from the community level and to provide a common forum for the people to resolve conflict and disputes locally, and to directly address the impact of conflict.

LPCs have demonstrated a capacity to reduce the incidence of violence, but as they do not have powers of enforcement, have not been able to prevent violent crime altogether. They have however, played a primary role in channelling compensation to conflict-affected people, and been key in creating a space for dialogue, problem solving and mediation, which has often contributed to pre-emptive problem solving. They are however, best suited as transitional mechanisms, aimed at filling a void or weakness in local governance (Odendaal 2008).

4.4 Special Security Plan

In recognition of the worsening incidence of violent crime and disorder, in 2009, the Government of Nepal brought the Nepal Police, the Armed Police Force and the National Investigation Department under a unified command, under the Special Security Plan (SSP). The approach behind the SSP was to adopt a mix of hard and soft tactics to combat organised crime, address impunity, ensure public service delivery, restrict forced closures of public and educational offices, and increase the participation of civilians in their own security. The SSP had several priority areas, including: (1) enabling the government to deploy armed police personnel and coordinate with security staff deployed in various areas of the border; (2) providing security for those targeted by criminals; and (3) developing initiatives focused on crime-prone areas. To increase the productiveness of the plan, the SSP mandated security agencies to manage security forces with weapons to patrol on motorbikes, erect 24-hour security picketing, enforce a no-closure of offices, to blockade roads and traffic, conduct emergency frisking and searches, and cordon and search in suspect areas as necessary. This special security team comprised at least 20 Nepal Police and 30 Armed Police Force personnel. They have been given the authority to carry out raids in suspicious places, security checks in different parts of the district with the help of local police, and can also hold suspicious persons in their custody for investigation purposes. The team would also arrange security for high-level government officials and political party leaders.

The SSP was introduced to improve law and order across the country by considerably expanding the presence of the Nepal Police at the local level and security sweeps often focus on young itinerant males, at the risk of stereotyping (and alienating) Nepal's unemployed youth. However, while a more visible police presence improved coordination between security entities, and cross-border coordination with Indian counterparts sharply reduced the violence and the activities of armed groups, as the government could not continue to fully fund this initiative, the SSP's long-term effectiveness is likely to be weak.

Since the CPA, the number of victims of abductions has dramatically reduced (see Table 4.4), largely attributable to the initial work around the SSP. The number of victims of threats and beatings, as well as of physical injuries, have similarly reduced. According to a report by the Carter Center (2009), a number of factors played a role in improving the security situation. The factors include increased police presence, establishment of Armed Police Force (APF) posts, improved cooperation among Nepal-India border officials, the government's engagement in talks with some armed groups, the splintering of armed groups, and changes in the district administrative officials.

Table 4.4 Victims of abduction, threats, beatings and injured (2006–11)

Year	Victims of abduction	Victims of threats by state and non-state actors	Victims of beatings	Injured
2006	22,978	–	–	–
2007	1,700	–	–	–
2008	729	–	–	–
2009	281	636	1,327	–
2010	185	548	843	424
2011	144	112	457	272

Source: Authors' own, adapted from INSEC (2008–12).

However, as we have argued earlier, it would be wrong to assume that the period since the CPA was established has been peaceful. Data shows that killings continue to be high in the 20 districts of the Terai region (see Table 4.5), and importantly, over 41 per cent of the killings have occurred in the Central districts, which are the most urbanised, and a further 31 per cent have occurred in the Eastern region.

Table 4.5 INSEC reports on killings in 20 Terai districts (2006–11)

Districts	Total killings since 2006	Total since 2006 (%)
<i>Far-western</i>		
Kanchanpur	31	1.60
Kailali	51	2.63
Subtotal	82	4.23
<i>Mid-western</i>		
Bardiya	34	1.75
Banke	87	4.49
Dang	47	2.43
Subtotal	168	8.67
<i>Western</i>		
Kapilvastu	96	4.95
Rupendehi	92	4.75
Nawalprasi	94	4.85
Subtotal	282	14.55

<i>Central</i>		
Chitwan	45	2.32
Parsa	82	4.23
Bara	125	6.45
Rauthaut	149	7.69
Sarlahi	141	7.28
Mahottari	80	4.13
Dhanusa	179	9.24
Subtotal	801	41.34
<i>Eastern</i>		
Siraha	137	7.07
Saptari	139	7.17
Sunsari	69	3.56
Morang	145	7.48
Jhapa	115	5.93
Subtotal	605	31.21
Total	1,938	

Source: Adapted from INSEC (2008–2012).

5 Challenges of policing urban areas in Nepal: key findings

5.1 An assessment of the overall situation since the implementation of the SSP

Through our expert consultations (KIs), we find that violent incidents – including shootings, abductions, intimidation, extortion and clashes between youth groups – have become common in the post-CPA period, while narcotics, explosives and firearms are increasingly available in Kathmandu.²⁰ The security situation in the Terai and part of the Eastern Hill districts has remained fragile, and a greater expression of ethnic, social and political identities, accompanied by the emergence of identity-based political groups and a proliferation of armed groups and small arms, has led to political conflicts and a heightened contestation for power in these districts.

The Government of Nepal implemented its Special Security Plan (SSP) in August 2009 to try and reduce violence and crime in the Terai and Eastern Hill districts, as well as in the Kathmandu Valley. This plan set out six major goals: (1) to tackle organised crime; (2) to eradicate highway blockades; (3) to deal with cases of impunity; (4) to ensure public service delivery; (5) to restrict forced closure of public offices and educational institutions; and (6) increase participation in security management. The government earmarked 3.8 billion rupees to implement this plan, targeting the Kathmandu Valley, 16 districts in the Terai and seven districts in Eastern Hills region. The government proposed to effectively mobilise the three security agencies – the Nepal Police, Armed Police Force and National Investigation Department – under a unified command. ‘Emergency frisking, searches, mobilising armed security personnel on motorbikes, surveillance by CCTV, adopting security alarm systems and providing quasi-judicial authority to metropolitan police are also strategies under the plan’ (Chapagain and Gautam 2009).

Though the SSP was initially deemed successful with an increase in police presence in troubled districts, it has largely been perceived by the public as having failed to achieve the desired impact on security provision,²¹ and several shortcomings are apparent. The Nepal Police tried to recruit a further 10,000 police personnel under the SSP but this has not materialised. Police personnel have allegedly been involved in recent extrajudicial killings, drawing criticism from various sectors and thus demonstrating the need for a focus on the conduct of the police, with a thorough investigation and criminal proceedings if necessary.

Immediately following the *Madeshi Andolan*,²² as the Nepal Police tried to maintain neutrality, the ongoing political transition, growing number of armed outfits and the activities of ethnic and identity-based groups posed the security challenges. This resulted in the proliferation of small arms, cross-border crimes and a loss of public confidence in the police. Political parties made claims that improper implementation of the SSP, in some cases overtly so, caused the oppression of some Madheshi groups in the Terai in particular (Carter Center 2009). Political protection for armed groups and local strongmen appears to be on the rise and failure to upgrade the police force hindered government efforts to contain criminal activities. Such a

²⁰ Interview with Senior Police Officer in Kathmandu, 26 November 2013.

²¹ A report by the Carter Center (2009) notes that while the situation across parts of the Terai remains poor, it has moderately improved since early 2009. See also IDA *et al.* (2011).

²² *Madeshi Andolan* (movement) is regarded as the strongest identity-based movement in Nepal's modern history, which lasted for 21 days in January–February 2007. It brought regional-based ethno-nationalism as one of the prominent issues in the national discourse on restructuring the Nepali state. It helped Madheshi issues (particularly political representation) occupy the national centre stage.

nexus between criminals and politicians frustrated efforts by the Nepal Police (*Kathmandu Post* 2011a). In 2009, the government declared that there were 109 armed groups operating in the country (Manandhar 2009), and of these 70–5 of them operated largely in Terai areas. Information on these groups however, continues to be largely speculative, and there has been much debate about the exact numbers of active armed groups and about their organisations and objectives. The police have had limited capacity to undertake pre-emptive investigations and surveillance of armed group activity.²³ Hitherto, no comprehensive research has been conducted on explicitly understanding the push–pull factors that cause young people, mostly males, to join armed groups and engage in crime in Nepal (Bogati, Carapic and Muggah 2013).

Policing urban areas of Nepal thus continues to be a significant challenge, and we identify below three key contextual issues that exacerbate this. These need to foreground any policing strategy for sustained prevention of violent urban crime and maintaining law and order in Nepal.

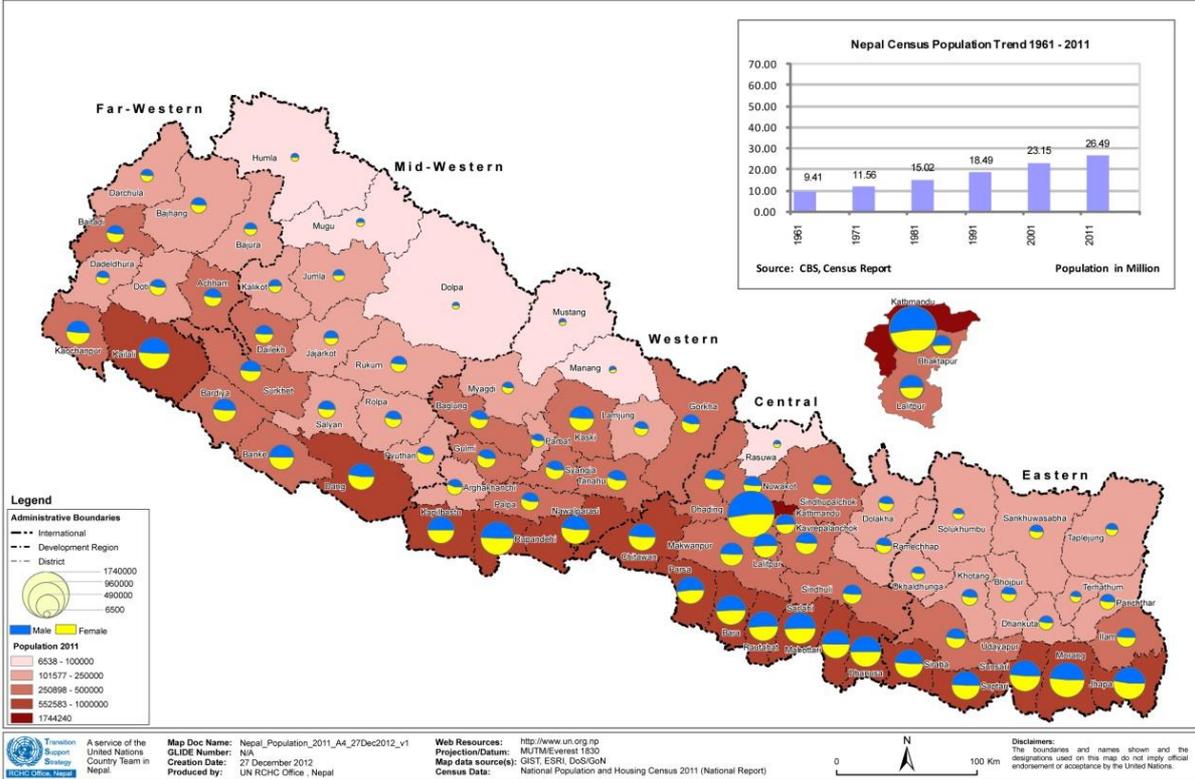
5.1.1 Key contextual issue 1: rapid urbanisation and the prevalence of urban poverty

The proportion of urban population in Nepal increased from four per cent in 1960 to 17 per cent in 2011 (United Nations 2012). While this is still significantly lower than the global average, Nepal currently has the highest annual urban growth rate, 6.4 per cent, in the South Asian region. Poignantly, in the last decade, urban population growth has been three times that of the entire country. Thus, it is not urban areas *per se*, but their rate of growth that is of particular significance. We know that unplanned rapid urban growth can overwhelm government services and have grave consequences on public safety and security (Gizewski and Homer-Dixon 1995).

The urbanised area of the Kathmandu Valley has a population of 2.5 million people, and is one of the fastest-growing metropolitan areas in South Asia growing at four per cent per year. There are 137 slum neighbourhoods in Kathmandu with 6,985 households and 31,463 people (UN Nepal Information Platform n.d.). In the 1950s, more than 80 per cent of Nepal's urban population lived in the Kathmandu Valley, and this was the first region in Nepal to face the unprecedented challenges of rapid urbanisation and modernisation at a metropolitan scale. More recently however, Nepal's fastest-growing cities and towns are spread out in the Terai plain (see Map 5.1). Pokhara, the largest city outside of the Valley, is expanding at an annual population growth rate of above five per cent. Bharatpur in the Central Terai, Butwal in the Western Terai, and Dhangadhi in the Far Western Terai, are all experiencing annual growth of over four per cent (CBS 2012). In addition to this, clusters of non-farm economic activities, comprising a core urban centre surrounded by a hinterland of small towns and rural areas, have emerged close to the border with India, while towns are growing rapidly along the main highways, some increasing by 5–7 per cent annually (Muzzini and Aparicio 2013). However, Nepal remains one of the poorest countries in the world and internal conflict and continued political instability have limited its economic growth in recent years.

²⁴ Discussion at the IDS Roundtable on Violence and Organised Crime in the Terai Region and Kathmandu Valley, 26 November 2013, Kathmandu.

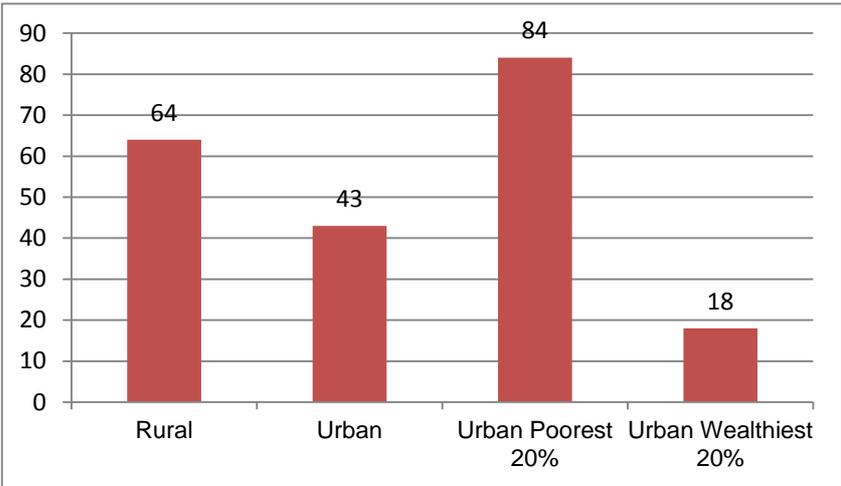
Figure 5.1 The population of Nepal, 2011



Source: UN RC Office, Nepal (2013).

Rapid urbanisation in Nepal has implied that urban poverty is acute and is persisting. As seen in Figure 5.1, children from the poorest urban quintile are 4.5 times more likely to die before the age of five than children from the wealthiest urban quintile, as well as children from rural areas (DHS 2011). Basic service provision in urban areas is failing to keep abreast with increases in population. Between 1996 and 2006, access to safe drinking water for example, has *decreased* for the poorest, middle, fourth and wealthiest quintiles of urban residents (DHS 2011). The average monthly income for a household in one of Kathmandu’s 40 informal settlements for example, is NPRs 4,173 (less than half a dollar a day). Only four per cent of the slum population earns more than NPRs 10,000 per month (equivalent to US\$100). More than half the squatters in the Kathmandu Valley belong to indigenous groups, with Tamangs being in largest numbers (UN Nepal Information Platform 2011).

Figure 5.2 Under-five mortality rate: deaths per 1,000 live births



Source: Adapted from WHO (n.d.).

Areas of recent urban expansion, in Kathmandu, but increasingly also in and around smaller urban areas spread out in the Terai region, continue to either be classified as rural, or have only recently been classified as urban, and as such, are neither directly under the purview of urban municipal planning nor urban policing systems. This has led to irregular, substandard, and inaccessible housing development, loss of open space and decreased liveability.

Rapid urban population growth has also put severe strains on the stock of affordable houses, while effectively planning and managing the haphazard and uncontrolled growth of built-up areas has become a matter in need of urgent policy attention (Muzzini and Aparicio 2013). A recent study concluded that Nepal must build 329,711–434,930 houses to meet the total population’s present needs (CIUD 2010). While official estimates recognise approximately 20,000 slum dwellers in the Valley, unofficial estimates of the number of slum dwellers across the country are as high as 2.8 million.²⁴ And furthermore, the categories of urban poor are broader than those residing in squatter settlements, and also include street dwellers, vendors, marginal farm families, as well as scavenging groups. These communities generally reside either on the banks of rivers or in peri-urban open spaces, while hawkers and vendors congregate nearer the city centre.

This implies that the sudden sprawl and the lack of planning is also having a direct impact on the maintenance of law and order in these areas, and speculative reports point to these areas as fertile territories for the proliferation of criminalised and armed groups.²⁵ There are two primary reasons for this:

1. Jurisdictional and resource constraints imply that these areas are not properly covered by urban police beats or patrolling, and consequently police response times in many of these areas are very long and violent crime often goes unreported or unrecorded.
2. The physical layout of these informal settlements does not lend themselves to effective policing. Of the 40 squatter settlements in the Kathmandu Valley for example, 24 are on the floodplain of rivers. Other settlements are in areas prone to landslides, such as *ghats* (stretches of riverbank), where old public buildings are often

²⁴ See for example, Homeless International and Lumanti estimates, available at www.homeless-international.org/our-work/where-we-work/nepal.

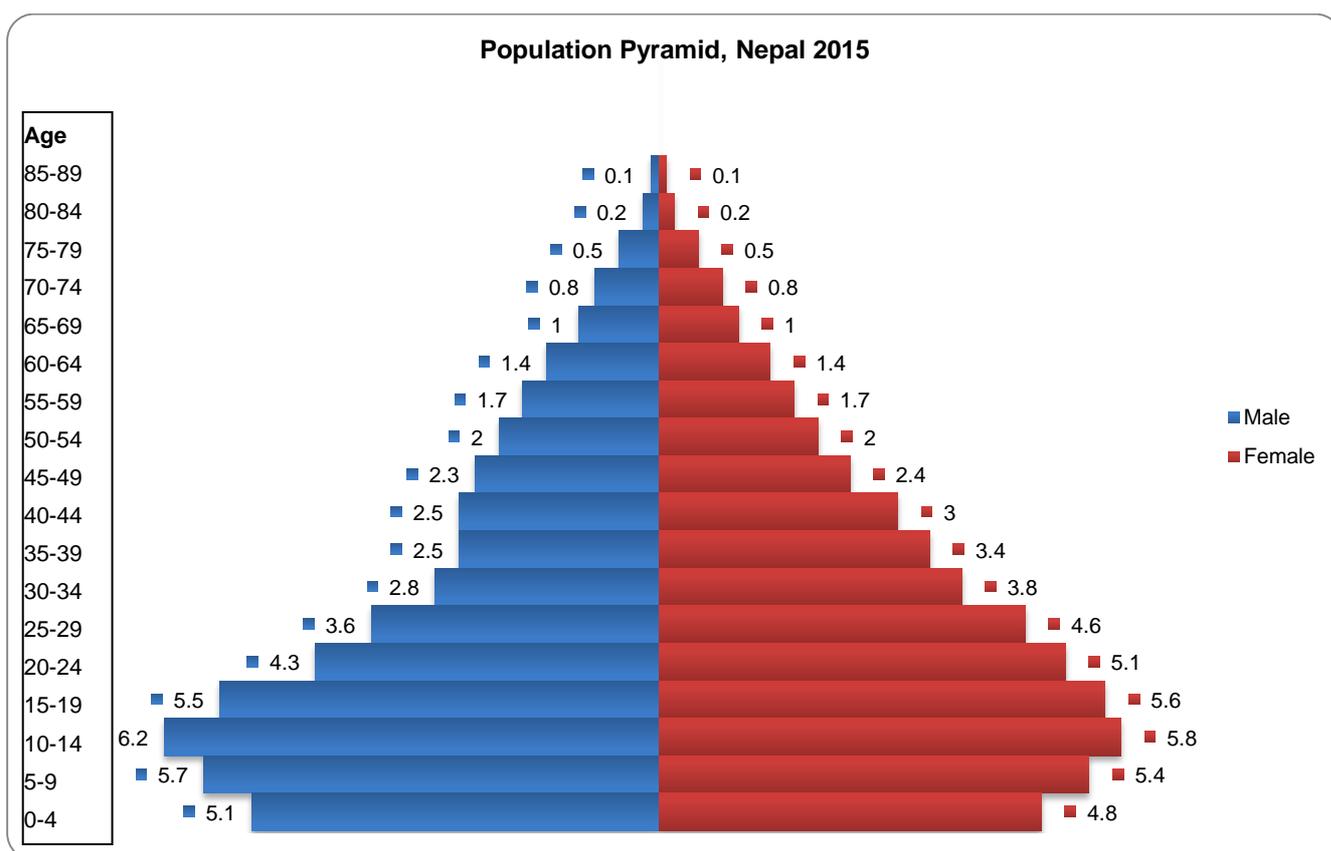
²⁵ Interview with Nepal Police, Kathmandu, October 2013.

leaking badly and on the verge of collapse (UN Nepal Information Platform 2011). In order to maximise the usage of space in most informal settlements, minimal space (often of only a few metres in width) is left for walk-ways in between patches of extremely dense and overcrowded living quarters, and this severely limits vehicular access. Sturdy fencing, often erected by residents for security reasons, inadvertently also restricts movement of security personnel. As has been the experience of urban centres across South Asia, patrolling or maintaining police presence in these areas without adequate training, resources, or importantly, support and involvement of the local residents, is virtually impossible.²⁶

5.1.2 Key contextual issue 2: the youth bulge

Around 400,000 young people enter the labour market in Nepal every year (British Council 2013) making youth and adolescent issues of critical national importance. According to Nepal’s National Youth Policy (NYP), 38.8 per cent of the total population is 16–40 years and those aged 15–29 form 27 per cent of the population, and 17 per cent of the urban population. The Nepal Labour Force Survey of 2008, reports that 400,000 youth enter the labour market each year, and, although approximately 70 per cent of youth are educated, youth unemployment is quite high at around 54 per cent (NLFS 2009). Only 27.87 per cent of the youth have received skill-oriented training.

Figure 5.3 Nepal population pyramid



Source: Adapted from UNDESA (2013).

²⁶ See for example similar experiences in India: Roy, Jockin and Javed (2004).

Box 5.1 Repeat offender

'I was in the jail for four years. I looted the house of someone and got arrested. I am doing well nowadays but police still considers me the culprit and puts me in the jail on different accusations during the festivals. They argue that if I'm left in the community, I create troubles. There are so many young people like me who are unemployed. Government has failed to provide them with jobs. Government people eat good food and drive on good cars. Young people also want to have such luxury that is why they commit different sort of crimes.

I have done all the bad things so far from pick pocketing to using swords to make people wounded. I have been doing this since I was 18 years old. Police started arresting me since I was 22. Police now know me well as a criminal. These days, I am staying with my sister and working in the motorcycle workshop. Police also ask money from me, and if I fail to give them money, they put me in the jail. They don't need any evidence to put us in the jail. Most of my friends and I do the same sort of work. And I find most of them in the jail. Wherever I get arrested, I meet at least one or two I know... in this field, you make money quickly and spend it too. I really made good amount of money, enough to build two or three buildings [houses] in Kathmandu. I had a car too. I spent money on drugs, casinos and restaurants. I couldn't save or utilise the money I earned. All my friends also spend money on this.

I never tell people in the society about my past. In case, if they tell me you are like this, then they will be gone. I know society thinks I am a bad boy and I feel bad about it. People don't say in my face as they are scared. But they do so in my absence. I had young people as supporters too. I just had to order them to hit the people. However, I was not a don.

Being in the jail: I think whatever sin you commit, prison is the place that helps wash away it. When in the prison, I sometimes feel I should not be committing such crimes. However, once I am out, I don't feel like working hard and opt for easy options. Police actions are not going to bring down the crimes. So many young people are jobless. The young people start taking this sort of work once they start working as drivers/conductors or in the carpet factory. They start knowing each other and make it big. When police arrests them, they are put in the jail for 45 days or so only. And they come out and start repeating the same thing.

I need about 10–15 thousands a month to lead a simple life. I don't think I can do a hard work but I could be a police CID. I know more hooligans than police does. It will help the police too.'

R (repeat offender, male, 32)²⁷

Recent studies show that Nepali male youths are being increasingly drafted into the youth wings of the political parties specifically to be engaged in the use of 'muscle power' rather than participating in dialogue and debate (Equal Access Nepal, International Alert and Youth Action Nepal 2011). These young people have been participating in events such as general strikes, shutdowns, *chakka jam* (transportation strikes) through political parties. Some of them also become members of underground parties and get engaged in violent activities like extortions, kidnappings, etc. As crime is being politicised and impunity is rampant, criminals associated with the political parties normally are immune from due legal process. Unemployed youth are potentially at risk of engaging in antisocial activities like *bandhs* (strikes and agitations) and are vulnerable to joining armed groups or gangs. According to a recent report, criminal behaviour in Nepal can be linked to poverty, poor education, unemployment and the aspirations of young males to pursue the '3 Ms' – Money, Machines and *Masti* (fun) (IDA *et al.* 2011). In addition, for some young people joining an armed group is a way 'to increase their sense of power and purpose where they would otherwise feel powerless and marginalised. Hence, association with an armed group makes the child feel

²⁷ FGDs and KIs with offenders, 30–31 October 2013.

more powerful (being a '*thulo manche*' [big man]), and can also work as a protective measure against becoming a victim of abduction or looting' (UNICEF-Nepal 2009: 12).

Understanding the relationship between a 'youth bulge' and high levels of violence is not however, straightforward. Just as youth cohorts are likely to be involved in the perpetration of crime and violence, they are also likely to be victims of it. Historically, the coincidence of youth bulges with rapid urbanisation, especially in the context of unemployment and poverty, has been an important contributor to political violence. The argument is that youth often constitute a disproportionately large part of rural-to-urban migrants, hence, in the face of large youth cohorts, strong urbanisation may be expected to lead to an extraordinary crowding of youth in urban centres, potentially increasing the risk of political violence. However, several other factors, which may be associated with higher levels of youth exclusion – notably, the absence of democratic institutions, low economic growth, and low levels of secondary educational attainment – are also significantly and robustly associated with increasing levels of urban social disturbance.

Understanding the true motivations and compulsions of young perpetrators of violence is therefore critical in the formulation of a strategy to improve security and maintain law and order. It is equally important to not presuppose a disposition to perpetrate violence onto the youth, and recognise that youth groups can also play key roles in community policing initiatives.

5.1.3 Key contextual issue 3: whither the 'unfit' ex-combatants?

In addition to continued political uncertainty in the capital and the threat of armed groups in Terai and Eastern Hill districts outside Kathmandu, there remain questions about the many thousands of ex-combatants who were excluded from formal demobilisation efforts as they were deemed 'unfit' to join the Nepali armed forces, and were instead induced to return to civilian life. Furthermore, out of 19,602 verified Maoist combatants, only 1,462 chose a job with the Nepal Army as part of the integration process (Pun 2012).

One of the key features of the CPA was the integration and rehabilitation of the Maoist combatants. Though combatants were registered in the cantonments, by February 2010, 4,008 combatants who failed to meet the criteria established by the United Nations Mission in Nepal had been discharged (Saferworld 2010). These combatants were verified as minors and late recruit combatants (VMLRs) because either they joined the Maoist Army before they were 18 years old or they joined after the ceasefire in May 2006. They were kept in the Maoist cantonments for over three years. In 2010, the United Nations Inter-agency Rehabilitation Programme (UNIRP) started managing the implementation of rehabilitation packages for discharged combatants. However, a number of factors that prevented uptake of the rehabilitation packages were identified, including inadequate communication, lack of a transition period, lack of socioeconomic profiling, lack of national and local labour market analyses, inadequate stipends provided to support participation and training and transportation, dissatisfaction with the types and length of vocational training offered, limited political and government buy-in, inadequate community involvement and ownership of the rehabilitation process, lack of understanding and responsiveness to the different needs of men and women, lack of health care and psychological trauma counselling services, absence of support to access legal documents, among others. However, UNIRP continued working with VMLRs through counselling, training, education, and job support to help ensure their smooth rehabilitation (UNIRP 2012). According to the UNIRP report (2012), 2,231 participants enrolled in its rehabilitation-training programme and 59 per cent of them are either employed or have established their own businesses. These VMLRs wanted to live in urban centres as there are greater employment options (Saferworld 2010).

At the same time, a distinctive feature of Nepal's post-conflict transition has been the sudden proliferation of identity-based movements, and the recourse by these groups to agitation

often culminating in violence. For example, in early 2007, the *Madeshi Andolan* with participants mostly in the 12–25 age group, continued for 21 days in January–February (Hachhethu 2007). This uprising brought a lot of long-neglected issues to the frontline: Madheshis demand a proper Nepali identity and recognition from the government. They have long been marginalised members of Nepali society, often looked down upon and discriminated against by the *pahadis* (people of hill origin). This kick-started a proliferation of armed groups in eastern Terai, which brought to notice security concerns in that part of the country.

In this heated context, the lack of sustained support services and re-integration efforts for the ex-combatants who were not inducted into the Nepali armed forces implied that some of them invariably contributed to the insecurity leading up to the Constituent Assembly in 2013 by being linked to ‘armed groups, small arms, local goons and poll-opposing parties’ (Sharma 2013). Importantly, this has led to a considerable change in the nature, location and groups who were involved in the perpetration of violence from before the Maoist insurgency, to largely involving Terai-based armed gangs and ethnic groups. In the early stages of the Maoist insurgency, people killed by state security forces were those accused by the police as being involved with the Maoists or their informers, and people killed by Maoists were alleged to be police informers, lower state functionaries and cadres of other political parties. However, since the end of the civil war, people killed by state security forces comprise primarily of protesters and cadres of armed groups. Interestingly, the eastern and western Terai regions have been the most seriously affected regions, while those killed by armed gangs are most often people of hill origin, lower level state officials or relatively well-off individuals. As can be seen in Table 3.1, while there has been a decrease in the total number killed since 2006, killings by non-state actors continue to be very high, as does the homicide rate. This implies that killings by non-state actors now account for nearly all killings.

6 Pathways to reducing urban violent crime: policy recommendations

Any strategy for violence prevention and reduction in Nepal would need to be grounded in a comprehensive and ongoing sociopolitical analysis of several key processes of change occurring in the country, including urbanisation, demographic shifts, as well as the motivations and compulsions behind the perpetration of violent crime. Needless to say, such a focus on urban crime must not focus solely on Kathmandu, but explicitly incorporate small- and medium-sized towns in its outlook, and not disregard the linkages with rural dynamics. As long as the rule of law and effective service delivery at the district level are not forthcoming, the presence of armed groups, criminal or political, and localised conflicts are likely to continue unabated.

We find that the Nepal Police have a significant role to play in preventing violent urban crime, and particularly so at the city and town level. However, effective and sustainable strategies to reduce violent crime cannot be the responsibility of any one set of actors alone. Policies designed to reduce crime and violence can fall into several broad categories, ranging from effective urban planning, design and governance, to community-based approaches including initiatives that seek to develop the ability of individuals and communities to respond to problems of crime and violence, and a reduction of risk factors by focusing on groups that are likely to perpetrate crime, as well as those groups likely to be victims of crime. The combination of several of these approaches – all of which are especially suitable for implementation at the local level into a systematic programme, driven by a broad strategy and based upon a careful understanding of the local context – seem more likely to succeed than the *ad hoc* application of individual initiatives (UN-Habitat 2008).

Based on a review of best practices and lessons learned from Nepal, as well as from across South Asia and elsewhere, and consultations with key informants and stakeholders in Nepal, we find that successful crime reduction strategies in urban Nepal will keep: (1) youth issues, (2) community-based partnerships, (3) urban planning and design, as well as (4) police capacity, resources and training issues, at their forefront.

6.1 Being responsive to the needs of youth

It is undeniable that Nepali youth, who make up a significant proportion of the urban population, see their future in cities. Trends indicate that they are unlikely to migrate back to the countryside. The overall population growth rate of Nepal is slowing, while the rate of urbanisation remains high. And yet, policymakers typically overlook the concerns of youth. At the same time, there is a tendency to bracket youth, particularly males, and those who have a criminal past or are ex-combatants, under one homogenous category. There is a significant opportunity to draw on youth-focused learnings from other countries where urbanisation and youth issues have been at the forefront of crime reduction strategies for some time, including in particular, countries across sub-Saharan Africa, where ‘urban youth must be actively, consistently, and positively engaged... [and furthermore] it will be essential to transform perceptions of urban youth. They must no longer be seen as the core of urban... problem[s], but as the foundation for solutions’ (Sommers 2003: 12).

One of the key messages arising from our FGDs with young offenders, as well as KII with key police personnel, was that some form of ‘special measures should be taken to reduce poverty and unemployment amongst young people as they are linked with security’.²⁸ The young offenders we spoke with, both while in prison and after release, were generally of the

²⁸ FGDs with young offenders, 31 October 2013.

view that unemployment is pushing them to commit crime. One offender made a telling remark that 'once he starts making easy money [through involvement with criminal groups], he cannot return back to the normal life'.²⁹ We also found that there was a high degree of disgruntlement, particularly amongst male youths who had not succeeded in gaining employment overseas, or who have not had the opportunity to go abroad in search of work. There was a perception that those who were 'left behind were failures'.³⁰

The demographic shift which Nepal is experiencing is likely to intensify such pressures on young people as they begin to reach adulthood, but without any real prospects of long-term or stable employment (British Council 2013). However, the lives of urban youth are often so unstable, and their needs are so great, that youth employment programming implemented in isolation may yield only minimal success (Lowicki 2000). The often-held perception that youth issues are separate from other developmental concerns can be misleading.

Employment generation programmes for youth are key. Recent success of the Jobs for Peace (J4P) programme, which enabled employment opportunities for 12,500 youth (McCarthy 2010), only underscores the critical need for such programmes. Urban areas should not be viewed only as points of employment generation for such programmes, but rather, programming can extend specifically to include urban areas. This includes specifically targeting unemployed urban youth, particularly in marginalised areas such as informal settlements, as well as providing vocational skills that are tuned to 'urban' sectors such as construction. Links with the informal economy are also important, as is the need for an emphatic focus on graduating participants onto self-sustaining their livelihood. Box 6.1 highlights potential pathways along which such initiatives might be shaped to be more responsive to the needs of youth.

²⁹ FGDs with young offenders, 31 October 2013.

³⁰ IDS Roundtable on Violence and Organised Crime in the Terai Region and Kathmandu Valley, 26 November 2013, Kathmandu.

Box 6.1 Improving youth opportunities and including young urbanites into civil society

- *Target the marginalised youth majority.* Marginalised urban youth tend to be unpopular with other members of urban society, including government officials. They are not widely viewed as vibrant, dynamic contributors to a city's culture and daily life. Limited institutional efforts are made either to understand and accept urban youth or to consider them as an untapped cultural and labour resource. Programming that is customised to the needs of male and female youth has the potential to help turn the tide against youth isolation.
- *Design emphatically inclusive programmes.* Small or narrowly targeted programmes also hold the potential for inadvertently promoting exclusion by exacerbating already existing feelings of alienation and marginalisation among youth. For example, the lack of programmes for youth who have resisted joining a gang, army or militia, who have been victims of such armed groups, or who have been child soldiers not included in ex-combatant programmes (e.g. underestimating the involvement of girls and female youth in soldiering), creates the feeling that programmers are paying attention only to the most prominent militarised youngsters.
- *Actively encourage female youth participation.* Successfully reaching female youth is a persistent and particularly thorny youth programming challenge. The tendency of urban male youth to live much more public lives than urban female youth makes this programming challenge even more difficult. The need to advocate for and work to include female youth is all the more important during and after wars, when many young females fall victim to war atrocities. Part of this process is for youth programmers to customise a programme to suit their time frames and other limitations, and addressing their human rights, mental, and reproductive health needs.
- *Draw from existing entrepreneurial skills when developing vocational training.* Many urban youth are small entrepreneurs in the informal sector. They have often already made some sort of market assessment and identified a niche where they might have a chance to succeed. Since it is probable that most youth employment opportunities will exist in the informal sector, finding useful ways to develop such skills will probably be a key component of effective vocational programming for urban youth.
- *Foster trust by providing access to capital.* In addition to job skills, the primary support that some (not all) youth may require is improving their access to capital. Programming that recognises and builds on the entrepreneurial skills of urban youth, including microenterprise business skills training, training about specific vocations, apprenticeships, and mentoring builds on pre-existing entrepreneurial skills. Unfortunately, microcredit programmes for urban youth are rare.

Source: Adapted from Sommers (2003: 12–15).

Furthermore, vocational support programmes attached to prisons, particularly aimed at younger offenders, are in our view, critical to reduce cycles of repeat offending. Importantly, such programmes can benefit greatly from long-term views on rehabilitation, and the success of initiatives is most likely to result out of partnerships with those sectors, both public and private, which might offer long-term opportunities for offenders in vocational support programmes. There is also a need to monitor, track and document the development of apprenticeships gained through vocational support programmes and importantly, capture key features that could inform future initiatives.

Counselling and mentorship can also greatly facilitate reintegration of offenders, and lessons can be drawn from successful initiatives such as the recent establishment of juvenile justice officers within Nepal's prisons (UNICEF 2005). Civil–society partnership can also be supported to widen the reach and scope of such interventions.

Likely focal points to coordinate such programmes include the Ministry of Home Affairs and the Department of Prison Management, while active partnerships with the Ministry of Labour and Employment are also likely to be key drivers of sustained success.

6.2 Community-based partnerships

In post-conflict or highly crime-endemic contexts, the demand for security often exceeds the state's capacity to provide it. There has been growing acknowledgment that urban residents themselves may be the key to a better understanding of such violence, to identifying appropriate interventions, as well as play key roles in their implementation (Moser 2006). In Nepal, LPCs were set up in response to the interim need to forge consensus between the former protagonists and other stakeholders on urgent matters of coexistence at local level, calls for a mechanism to facilitate consensus. To a large extent, they also supplanted for the absence of legitimate local government structures. Similarly, the concept of community policing is not new to the Nepal Police as this was first introduced in 1982 and in Kathmandu, it was launched in 1994 and then spread over to 100 centres in Nepal with different names like Community Police Service Center, Community Service Forum, Community Police Service Forum, Community Service Committee, etc. (Saferworld 2007).

Such interventions are in evidence around the world, and have shown the key role communities can play not only in contributing to the maintenance of order, but also in articulating the complexity of everyday violence. However, a key learning has also been that simply transplanting community-policing models from developed country contexts does not necessarily lead to sustained crime reduction, and indeed, can inadvertently subvert democratic functioning (Brogden 2005). Community policing interventions therefore need to be explicitly rooted in local contexts. This provides the necessary context for framing an integrated policy, one that reconciles the bottom-up views of local people with the top-down interventions. Several key aspects of such partnerships have been identified through best practice analysis of initiatives in urban centres across the developing world.³¹ Key features of successful community–police partnerships include:

- Having the support of national/regional formal mandate
- Expressly build mutually beneficial partnerships with local police
- Create a platform for grievance redressal
- Identifying and including key local stakeholders from all sections of society
- Identification of crime hotspots takes on board participatory assessments of the nature and extent of vulnerabilities faced by local residents
- Creation of fixed geographic neighbourhood areas with permanently assigned police officers
- Reorienting patrol activities to emphasise non-emergency servicing
- Clear demarcation of roles and responsibilities
- Clear, open and accountable participation in community police committees

³¹ See for example slum *panchayats* in Mumbai: Roy *et al.* (2004); in Nairobi: Ruteere and Pommerolle (2003); and in Timor-Leste: Belo *et al.* (2011).

Public–private partnerships which effectively reduce violent crime can be inclusive of several key sections of society. One approach is the ‘6-P framework’³² for crime reduction (see Box 6.2). This framework provides a holistic view of the interactive roles played by six key constellations of actors in reduction strategies in the sustained reduction and eventual prevention of violent crime: citizen’s groups, the police, the prosecution system, the incarceration and reformation system, as well as the press and media. In Box 6.2, we describe potential roles, pathways and interactions between the six nodes, which national and international donor agencies may look to support.

Box 6.2 6-P Approach to urban crime reduction

P1: People. Citizen’s groups coordinate joint initiatives against armed and violent crime. Include researchers, activists, and representatives from various sections of society, including in particular, religious groups, women’s groups, youth groups and organisations of the urban poor. Seek to build partnerships with P3.

P2: Politicians and municipal leaders, including in particular, elected city representatives. Learn from, and be accountable to P1. Focus on the type of law and constitutional structures needed. Create formal pathways for P3 to access resources and facilities. City and municipal planners need to create platforms for consultation with P1, particularly youth groups, and P3 on zonal/regional planning and design.

P3: Police. Focus on crime-detection, prevention. Makes public its yearly crime data and prevention plan; prepares in-house strategy to combat crime. Seeks to build open partnerships with P1. Create formal platforms to advise and consult with P2 in real time.

P4: Prosecution System. The primary and main responsibility of the Ministry of Home Affairs. Be fully aware of the sensitive nature of crime prevention, set up formal channels to consult with P1, P2 and P3. The role of the Ministry of Home Affairs is create a formal platform for coordination and facilitate interaction between all actors involved in crime prevention, including justice and other agencies throughout the Criminal Justice System. Home/Interior Ministry needs to keep in close contact with P3 and P5 to direct planned and unplanned expenditure, in real time.

P5: Prison. Key players but often not included in the debate. Liaise closely with P3 and P4 to create effective pathways for reform, particularly geared towards first-time offenders, young offenders and those likely to repeat offend. Create vocational and other support for offenders to enable them to gainfully and legally utilise their skills and bring them closer to society. Build effective partnerships with P1 to facilitate support services for inmates and reintegration programmes. Keep P4, P3 and P2 informed about vital statistics and highlight resources needs in real time.

P6: Press. Key roles include responsible, accurate and non-sensationalist reporting of crime, and creating spaces for public debate on priority areas. Ensure equal and adequate voice for P1, P2 and P3.

Source: Adapted from Bedi (2013).

³² As conceptualised by Bedi (2013).

6.3 Urban planning and design

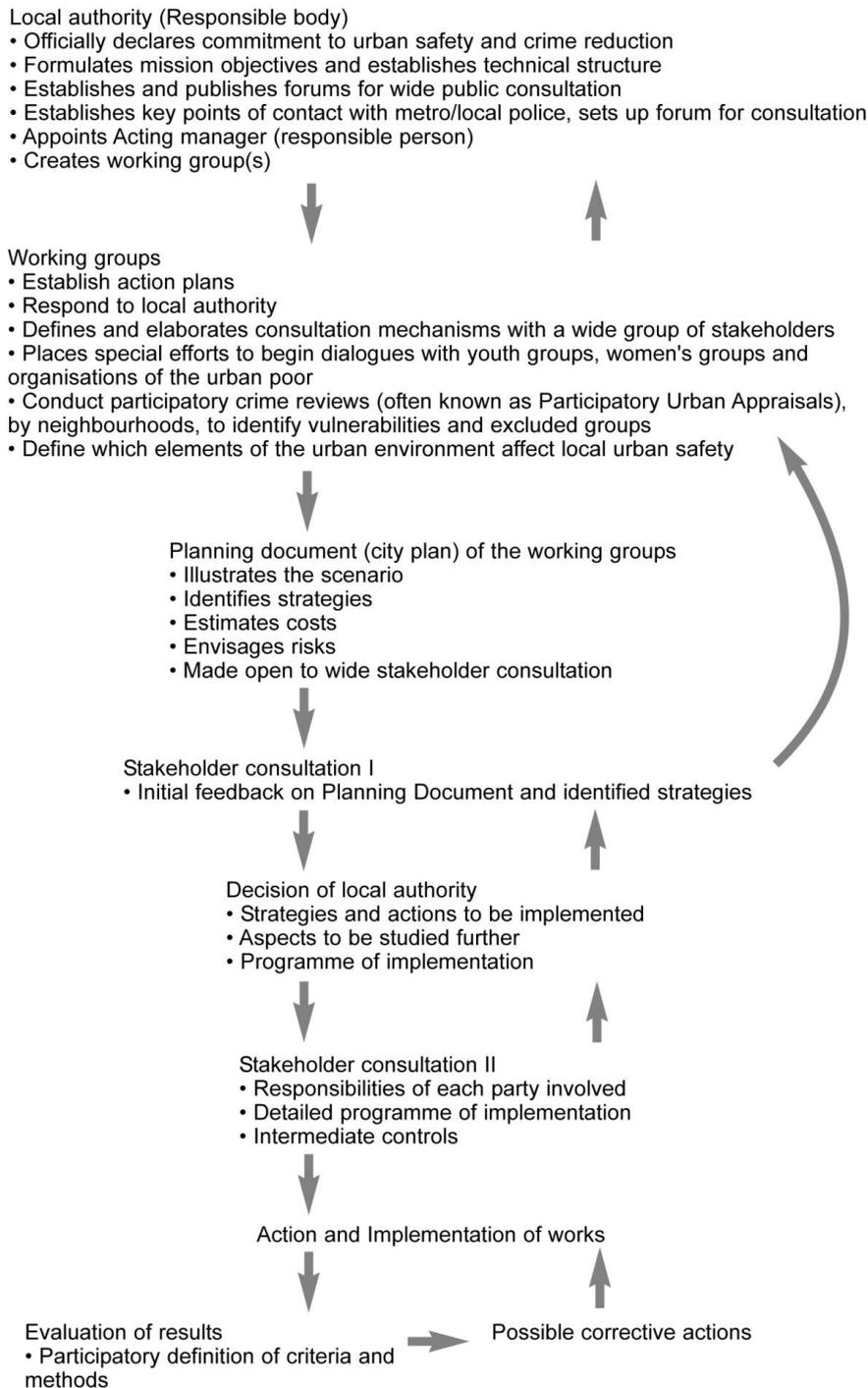
One of our key findings relates to the spatial layout of rapidly expanding urban areas, in particular in informal settlements, which can adversely hinder urban policing efforts and negatively impact security outcomes.

When responding to the challenges of rapidly urbanising areas, urban planners must therefore engage with urban spaces in such a manner that they create and encourage a sense of territory, and be aware of which physical characteristics (e.g. being open or closed, visible or hidden, light or dark, accessible or inaccessible, public or private) allow or prevent the opportunity for endemic crime. Importantly, this involves active engagement with citizen's groups, in particular organisations that represent youth and women's voices (UN-Habitat 2008). A potential process for integrating crime prevention into urban projects is illustrated in Figure 6.1.

Important elements of such a process include wide stakeholder identification and consultation. This specifically includes involving groups representing youth, women and the urban poor, and conducting regular Participatory Urban Appraisals and neighbourhood level safety and security audits. Involving police as key stakeholders and bringing them into the planning and design processes of urban rejuvenation interventions early on is also of particular importance. Evidence from India, for example, has shown that relocation interventions targeting inner-city informal settlements and footpath dwellers, can fail to meet their eventual objectives due to the lack of dialogue and consultation with the police from the early stages of the relocation (Gupte 2010). This failure occurs for two broad reasons. Firstly, particular design elements of urban rejuvenation plans may inhibit or worsen the safety and security of the relocation site, and the lack of proper consultation with the police is likely to exacerbate this. And second, if such consultation and dialogue is not a formal requirement, beneficiary households and the police interface only at three points: during eviction of non-compliant households, during law and order situations in transit camps, and finally during law and order situations in the eventual relocation site. All three can be highly charged situations, bear a high risk of becoming unnecessarily belligerent, and therefore have a long-term negative impact on community-police relations (Gupte 2010).

Key focal points to facilitate this process include the Ministry of Urban Development (MoUD), who can consider formally instating a platform for joint consultations with the Nepal Police on matters of urban planning.

Figure 6.1 Process for integrating crime prevention in urban projects



Source: Adapted from ECDGJ (2007).

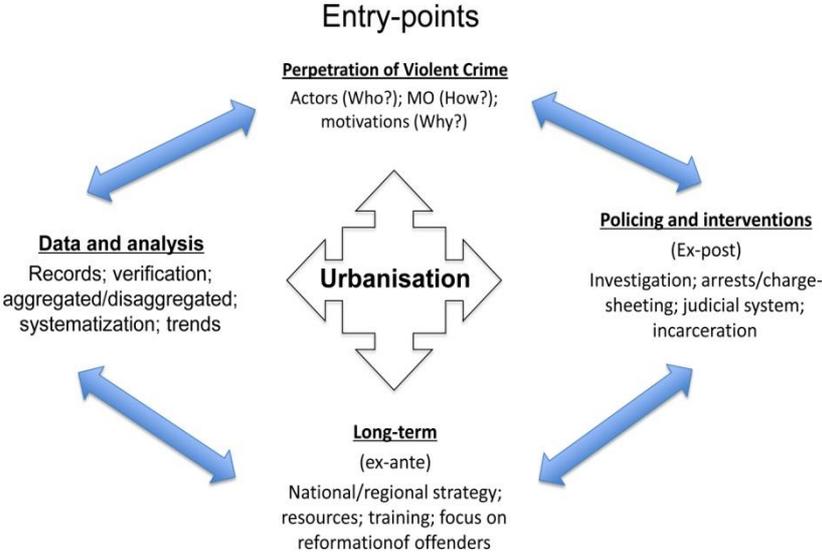
6.4 Police capacity, resources and training

The Nepal Police is a key stakeholder and actor in preventing and mitigating the risk of instability in Nepal. However, its agencies are hindered by a lack of adequate transportation, training, and equipment, which often prevents it from effectively completing missions. Urban policing structures are largely in line with regional standards (Das and Palmiotto 2006); however, there is a perceptible need for investment in police infrastructure (including for example, rebuilding police stations destroyed in the conflict), increased resources and support for urban specific training, as well as an updated crime records infrastructure.

In our interviews with key police personnel, there was a consistent reporting of strategic priorities, including in particular, the need for more vehicles, better infrastructure and the means to investigate crime. With 768 police posts damaged or destroyed during the conflict and only 277 being rebuilt under the Nepal Peace Trust Fund, there is clearly a significant infrastructure gap. Furthermore, our research reveals that police morale is low and public confidence in the police is marred by political interference. This has weakened the independence of the police, and has to some extent created reluctance to investigate politically connected offenders.

We identify four interconnected entry points into addressing the issues of police capacity, resources and training, in the context of rapid urbanisation:

Figure 6.2 Entry points to addressing the issues of police capacity, resources and training



Source: Authors' own

- (a) Update knowledge of the modalities and perpetration of urban violent crime: we find that there is a critical need to update police intelligence on specific modalities of urban violent crime in Nepal, including in particular, who the actors involved are, what their motivations and compulsions for perpetrating violent crime may be, as well as an analysis of their *modus operandi*. Many practices and perceptions amongst urban police personnel continue to be guided by their experiences of the armed civil conflict pre-2006. While this is understandable, and experience of dealing with security provision in a post-conflict setting cannot be devoid of a deep understanding of the historical precedence of violent conflict, we find that this knowledge can be updated

with expertise geared specifically to urban crime prevention. Given that Nepal's rapid rates of urbanisation and demographic shifts will dictate several key economic, social and political dynamics in the country for the perceptible future, the need to strengthen urban policing remains high. Here, Nepal has an opportunity to create tangible dialogue with police expertise in the region, and draw on the vast experience of neighbouring countries in terms of best practices and lessons learned.

- (b) Data and analysis: better knowledge of the modalities of urban violent crime needs to be supported by (i) an infrastructure that produces data which is accurate, consistent, relevant and complete. Emphasis must be on ensuring data is comparable across precincts and across time, and where possible, supplemented with GIS and GPS data that enables crime mapping. Such an infrastructure can also greatly benefit by facilities that allow for real-time updating. While we recognise that the basic infrastructure is already in place under the Computer Directorate,³³ we found that crime investigation and detection centres still require sufficient human resources, technology and other operational needs, to match the increasing sophistication in crime patterns.³⁴ And (ii) careful monitoring and evaluation of the process of registering and recording of incidents of crime. Through our consultation process, we found that a depleted infrastructure and a fraught interface between the public and the police have led to the systematic under-reporting of crimes, and there is therefore a significant need to understand this issue. We also found that the Nepal Police could benefit from regular monitoring of several key statistics, including the average number of cognisable offences registered *at the police station level* per annum.
- (c) & (d) *Ex-ante* and *ex-post* policing interventions: both long-term (national and city) strategies, as well as current police investigation practices need to be cognisant of the impacts of rapid urbanisation on policing. On the formal policing front, these include monitoring and ensuring responsiveness to real-time needs along several vertices: number of police stations, average jurisdictional areas of these police stations, strength of officers and men in these police stations, and number of civilian policemen (including officers) per 10,000 population. In addition, longer-term interventions also require close partnerships with civil society, research community and urban planning departments, which should be prioritised.

³³ See www.nepalpolice.gov.np/computer-directorae.html.

³⁴ Interview with a senior Nepal Police officer, Kathmandu, 2013.

7 Conclusion

In this report, we have focused on the key challenges for providing security in Nepal's rapidly urbanising areas. While we have not intended the study to be exhaustive in its collection of data, we have based our findings on a review of existing evidence (including in particular perceptions surveys amongst youth populations), consultations with key officials and civil society stakeholders, as well as focus group sessions with young offenders, both inside and outside prison.

We have highlighted two key trends: first, Nepal has been experiencing one of the most rapid rates of urbanisation in the region. However, this trend in urbanisation should not in and of itself be viewed as a positive outcome. Indeed, urbanisation is a process deeply connected with economic transition and political instability. Rapid urban growth in particular can overwhelm government services, including policing and security provision. And second, the urbanised areas of Terai and the Kathmandu Valley, which account for less than a third of the population, now account for a significant proportion of violent crime in Nepal. While conflict-related deaths are dramatically subsiding since the Comprehensive Peace Agreement was instated, killings by non-state actors now account for nearly all killings, while the homicide rate continues to be high.

In sum, urban violent crime is an issue of significant importance to Nepal. Effective and sustainable urban crime prevention requires a holistic multi-sectoral strategy. Our key policy recommendations for a strategy to sustainably reduce violent crime and increase the sense of security in urban areas cover four areas: (1) youth issues, (2) community-based partnerships, (3) urban planning and design, as well as (4) police capacity, resources and training issues. Under the first areas, we point towards the need for continued employment generation programmes, but recommend that these also specifically reach out to marginalised youth in urban areas, as well as create vocational support for young offenders, with a view to reduce repeat offending. Our second area of recommendation focuses on building workable partnerships (e.g. following the '6-P framework') focused on security provision and crime prevention, between civil society, police, prosecution, as well as the media. Our third area of recommendations focuses on the need to view urban police as key stakeholders in the process of urban development and planning. And lastly, we recommend several entry points to strengthen police capacity, infrastructure and training.

Annex 1: Roundtable list of participants

IDS Roundtable on Violence and Organised Crime in the Terai Region and Kathmandu Valley, 26 November 2013, Kathmandu

Name	Organisation	Position
Sachchi Karki	UNDP	Program Analyst
Prem Lal Lamichane	Ministry of Home Affairs	Under Secretary
Rishav Dev Bhattarai	Armed Police Force	Assistant Inspector General of Armed Police Force
Bijay Lal Kayastha	Nepal Police	Senior Superintendent of Police
Subodh Raj Pyakurel	INSEC	Chairperson
Tula N. Shah	NEMAF	Executive Director
Pradip Pariyar	Nepal Youth Foundation	President
Dipti Karki	Nepal Police	Inspector
Shobha Shrestha	Women for Peace and Democracy – Nepal	Executive Chair
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Shobhakar Budhathoki	USIP	National Advisor
Mie Roesdahl	DANIDA–HUGOU	Advisor
Krishna Man Pradha	Nepal Law Society	Executive Director
Sanat Basnet	Ex APF	Inspector General of Armed Police Force (Retired)

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Kiran Bedi	Navjodi and IVF	Chair Person
Navaraj Dhakal	Nepal Police	Ex Commissioner
Dennis Curry	UNDP	Head of PBRU
Kumar Koirala	DFID	National Advisor
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Bijay Poudel	Nepal Youth Foundation	Researcher on youth
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Kapil Kafle	IHRICON	Executive Director
Hem R. Subedi	CPDS, TU	Programme Coordinator
Devendra Subedi	Nepal Police	SSP
Surendra B. Malakar	UPBI/ NCC	Secretary General

Annex 2: Netmapping

In July 2013 a member of the IDS Knowledge Services Team held a project mapping session in Kathmandu with partners/key stakeholders. The purpose of the exercise was: (1) to identify the key actors who could be invited to the project roundtable, and (2) understand the pathways to influence and impact (Collodi 2013).

To identify the key actors we responded to a critical question: *'Who is able to combat the sharp increase in violent and organised crime since the political peace agreement in 2006?'* We also added a number of sub-questions to allow us to detail the specific project interest: *'Who is working on youth and adolescents vis-à-vis criminal gangs? With unemployed urban youth? Or looking to combat criminal networks? What other important non-state actors need to be identified?'*

We based the activity on the netmapping process. This allowed us to identify circles of influence (e.g. who funds who); detail actors' objectives; and conflicts or alliances between the named stakeholders. We then undertook a power analysis – i.e. looking at actors' influence on and interest in combating the issue – to identify those who we must engage with (who scored high on both counts); those who could champion the project (low influence/high interest); and finally those we needed to engage (high influence/low interest), i.e. who could prove an obstacle to the success of the work. The final stage of the process was to look at the key actors' information needs (i.e. what format/language, etc. would they need outputs in); their information-seeking behaviour (where they source their information from); and then look at the opportunities/channels the project and its partners can utilise to reach the actors. These processes allowed us to understand the **pathways to influence and impact** for the project. Key points from our analysis include:

- The **Nepal Police** are at the centre of the state's efforts to combat the issue.
- There are four key donors that focus strongly on the issue – DANIDA; DFID, the Swiss Embassy (foreign and political affairs); Norwegian Embassy (foreign and political affairs). Of these, **DANIDA** has connections with a large number of actors.
- **Political parties** are a key driver of violence/organised crime. As they have been identified as having high influence, but little real interest in supporting the aims of the project, we need to engage with them. The **Swiss** Embassy (foreign and political affairs) and **INSEC** have functioning relationships with the parties.
- It is very important to influence the **media** in order to reach national government.
- It is important to involve **UNDP** in programme activities, *i.e. to continue the contact*. UNDP is working closely with the government on directly related issues.
- **INGOs**, i.e. Saferworld, International Alert, Search for Common Ground, The Asia Foundation and Care are key actors/funders.
- **INSEC** is a key national player, and the organisation is seen to have influence at the highest levels of government.

Annex 3: Interview protocols and guiding questions (FGDs and KIIs)

To supplement the findings of the desk-based review on mitigating and addressing urban violence, the Institute of Development Studies will be conducting Focus Group Discussions with juvenile and first-time offenders in prison for gang-related offences. It is anticipated that this research tool will successfully garner extensive information to supplement and substantiate the critical analysis for a greater understanding of the urban violence dynamics currently plaguing the country.

1 Focus group discussions (FGDs)

The objectives of the Focus Group Discussions are:

1. To briefly inform juvenile and first-time offenders of the research, its rationale, and potential contribution to government policy.
2. To hear from participants about their direct experiences of violence and victimisation.
3. To learn from participants anything they may know concerning violence and victimisation.

Components

The team will conduct a total of three focus groups. Each focus group will be comprised of approximately six to ten participants. These will be facilitated by two members of the research team.

(Note: Ideally, the focus groups comprised of women would be conducted by female members of the research team to ensure that women and girls are given the privacy, confidentiality and the space for their voices to be heard. This may not be possible, and it is recognised this may restrict and constrain some of the information being shared during the women's focus groups.)

Methodology

The focus group consultation will be conducted through a participatory approach, which will include three key stages:

1 Introduction

The research team will first provide a brief introduction of themselves and the research, and it will be made clear that there will be time at the end for questions and answers. Key points to be made include:

- This is an independent research project, being conducted by the Institute of Development Studies, University of Sussex.
- The goal of the project is to better understand urban violence and victimisation in Nepal.
- Participation is voluntary, and all comments will be completely anonymous. No names or personal details of the participants will be recorded.
- Participation may be ended for any reason, at any time, by informing the facilitator.
- Participation is very much appreciated, and very valuable: the information provided will help the researchers to better understand the dynamics of urban violence in Nepal. Researchers will need written (or where applicable, verbal) consent.
- Any questions participants may have can be answered in the beginning or at the end.

2 Guiding questions

Criminal/first-time offender in prison/jail

- How long you are in the prison? For what crime? Is this your first time in incarceration?
- How is your life here? (what do you like and do not like) – if a response is not forthcoming, ask slightly broader questions like ‘what does being in prison mean to you?’ and ‘what do you miss most from your time outside prison?’
- How many people of your age are here?
- What is your education level?
- Are you close to your family?
- Are you close to your friends outside prison?
- Do you have friends inside this prison? Have you made new friends since being in prison?
- Did you have a job before coming here?
- Are you getting any economic support? From where and how much?
- What are your friends doing now? Do you see yourself doing something similar in the future?
- How do you think your (or another) community will treat you if you go back to normal society?
- What is your biggest concern/fear about going back in society?
- What do you see yourself doing in the near future?
- What type of support/training do you need to help this process?
- What needs to be done by policymakers (or others) to mitigate the violence?

Former offenders in the community

- What crimes did you commit? When? When were you arrested?
- How long did you serve in the prison/jail?
- Do you have family in this community? Old friends? A job?
 - Did this specifically influence your return to this community?
- Are you close to your family? Do you also support your family? How large is your family?
- Do you know other men or women who have come back here after serving in jail/prison?
- What type of challenges do you face? (Response of community, discrimination, finding a job, treatment from local government, employers, health services, etc.).
- How do the community members treat you – are you honest about having been in prison/jail?
- How do you find the life between now and before you were put into jail?
- Do you have sufficient means of financial/emotional support/member of any support network?
- What support do you think you will need to lead a normal life?
- What is your plan for the future?
- What does being in prison mean to you?
- What did you miss most when you were in prison?
- What needs to be done by policymakers (or others) to mitigate the violence?

The questions above are only an indicative list. Not all questions will be relevant for each focus group, and there are certainly others, which are not included above. The facilitators will use their best judgement to ask the most appropriate questions.

3 Conclusion

Following the open discussion, participants will be thanked again for their participation and given the opportunity to ask any questions about the research. Drinks and snacks can also be provided at this time. Key points to be made include:

- Again – participation is very much appreciated, and very valuable: the information provided will help the government to better understand the dynamics of urban violence in Nepal, especially of the Kathmandu and Terai regions, and take steps towards improving security and reducing violence in the future.
- If participants have any questions about the project, the research team is more than happy to answer them.

2 Expert consultations and Key informant interviews (KIIs)

Guiding questions

The Nepal Police

1. Kathmandu Metropolitan Police
2. Centre for Investigation Bureau
3. Drugs Control Department

- What are the main crimes reported at your office?
 - In your opinion are these reporting levels higher or lower than the national average?
 - And how do reporting levels compare to last year? Five years ago? Ten years ago? (differentiate between cognisable and non-cognisable?)
- How many open cases exist for the main crimes reported more than one year ago?
- Who are the main perpetrators of these crimes?
- Who are the victims of these crimes?
- In your opinion, do these perpetrators/victims know each other?
- What sorts of individuals (age groups) are involved in the crimes you mentioned?
- If we look at the crime-related data, has the crime level gone down or up since the CPA? (Is the situation improving/declining/or the same?)
- Why do you think such crimes are taking place?
- Does your office have a specific strategy in place to mitigate such crime incidents?
- What do you think are the major challenges to mitigate? How can these challenges be overcome?
- Given the new sort of crimes taking place in Nepal, do we have enough rules and laws in place?

Head of Prisons

- What are the total number of inmates held here?
- What kind of criminals are held here?
- Who are the main perpetrators/victims of the crimes?
- Have you seen more/less criminals after the CPA?
- If yes, why do you think there is an increase/decrease of crime levels in the country?
- How does incarceration impact those imprisoned for serious (armed?) offences?
- Do you have any suggestions on how these criminal activities can be mitigated?
 - What role do/can punitive/correctional facilities play?

Ministry of Home Affairs or Chief District Officer

- Has the crime level gone down or up since the CPA? (Is the situation improving/declining/or the same?)
- What kind of crimes have increased or decreased? And why?

- What sorts of people (age group) are involved in the crimes that have increased?
- Who are the main perpetrators/victims of the crimes?
- Do you have any suggestions on how these criminal activities can be mitigated?
- Given the new sort of crimes taking place in the country, do we have enough rules and laws in place?

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