

# SECURITY FOR WHOM?

## Security Sector Reform and Public Security in Nepal

Charlotte Watson with Rebecca Crozier

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## ACRONYMS

<b>AISC</b>	Army Integration Special Committee
<b>AMMAA</b>	Agreement on the Monitoring of the Management of Arms and Armies
<b>APF</b>	Armed Police Force
<b>ATMM</b>	Akhil Terai Mukti Morcha
<b>BASE</b>	Backward Society Education
<b>CA</b>	Constituent Assembly
<b>CDO</b>	Chief District Officer
<b>CPA</b>	Comprehensive Peace Accord
<b>CPN-M</b>	Communist Party of Nepal – Maoist
<b>DAC</b>	Development Assistance Committee
<b>DCAF</b>	Geneva Centre for the Democratic Control of Armed Forces
<b>DDC</b>	District Development Committee
<b>DfID</b>	Department for International Development
<b>DSP</b>	Deputy Superintendent of Police
<b>EC</b>	European Commission
<b>GBV</b>	Gender-based violence
<b>IFP</b>	Initiative for Peacebuilding
<b>JTMM</b>	Janatantrik Terai Mukti Morcha
<b>KASDA</b>	Karnali Sustainable Development Academy
<b>KIRDARC</b>	Karnali Integrated Rural Development and Research Center
<b>LDO</b>	Local Development Officer
<b>MoPR</b>	Ministry of Peace Reconstruction
<b>NC</b>	Nepali Congress
<b>NGOs</b>	Non-governmental organisations
<b>NPTF</b>	Nepal Peace Trust Fund
<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>PLA</b>	People's Liberation Army
<b>SP</b>	Superintendent of Police
<b>SSDAT</b>	Security Sector Development Advisory Team
<b>SSR</b>	Security sector reform
<b>UML</b>	United Marxist Leninist Party
<b>UNMIN</b>	United Nations Mission in Nepal
<b>VDC</b>	Village Development Committee
<b>YCL</b>	Young Communist League
<b>YF</b>	Youth Force

## EXECUTIVE SUMMARY

The accessible and accountable provision of security and justice is a key requirement for ensuring sustainable peace and economic and social development. In Nepal, there is an urgent need to address issues related to security provision and the security sector as part of the ongoing peace process. Success in security sector reform (SSR) is vital in ensuring the improvements to governance, without which further violent conflict in Nepal is likely.

SSR and public security initiatives planned in tandem are key to improving the security situation. However, given the sensitivities that SSR terminology evokes, thought needs to be given to what can be done in the short term under the banner of public security to lay the groundwork for SSR. If something is not done to address the current public security situation, then any longer-term SSR initiatives will be jeopardised.

The EU is among a number of actors engaged in Nepal that have committed to addressing security-related issues. With a wide range of instruments at its disposal, it is in a position to play a significant role in developing and sustaining a human-security driven approach that ensures public security, and peoples' needs, are addressed in the broader context of long-term SSR.

## THE CURRENT SECURITY SITUATION IN NEPAL

The signing of the Comprehensive Peace Accord (CPA) in November 2006 and the relatively peaceful Constituent Assembly (CA) elections in April 2008 marked the end of a conflict in Nepal that lasted for over a decade. However, the peace process remains fragile and levels of insecurity are high, particularly in the eastern Terai. The lack of progress made in drafting the Constitution has fuelled tensions and driven a sense of disenfranchisement, as well as the desire by some to gain a "piece" of the political pie. The ongoing levels of insecurity also reflect entrenched grievances, often manifested in gender, ethnic and caste divisions, which the peace process has been unable to address.

## THE EXISTING SECURITY SECTOR

Security actors in Nepal include both state providers and traditional and community-level organisations. The latter have a long history of service provision at the local level, a role that was strengthened during the conflict years. Any SSR process needs to ensure that the roles played by a wide range of groups, and how they interact, are understood and taken into account if any change is to be effective and gain popular support.

Security service providers whose roles will need to be assessed and reviewed include: the Nepal Army (90,000 personnel), the Armed Police Force (40,000 personnel), the Nepal Police (56,000 personnel) and political youth wings, including the Communist Party of Nepal - Maoist (CPN-M) Youth Communist League (YCL) (around half a million members), the United Marxist Leninist Party (UML) Youth Force (YF) (numbers uncertain) and the Nepali Congress (NC) Tarun Dal (numbers uncertain).

## SSR AND PUBLIC SECURITY IN NEPAL

Improving the public security situation in Nepal is inherently linked to SSR. A successful SSR process will facilitate the democratic and accountable provision of security, which in turn will enable the government to ensure public

security. However, discussions about SSR are in their infancy and progress is hampered by political manoeuvring and disagreements over People's Liberation Army (PLA) integration into the Nepal Army. Little consideration has been given to how an SSR process will be designed to take into account local-level realities and wider public security needs.

In the meantime public security appears to be deteriorating and the perceived lack of attention to this is having a negative effect on public faith in the government and the peace process. The Nepal Police are, officially, on the front line of security service provision but lack the necessary capacity and resources and do not have the full trust of the population. Community mechanisms, which are seen to be more effective and accessible, remain the first recourse for the majority of the population.

Public security is also threatened by a significant minority of disillusioned, frustrated, angry youth who feel, and in many cases are, excluded from the political process and do not see the potential for making a legitimate way of living.

## INTERNATIONAL ENGAGEMENT ON PUBLIC SECURITY AND SSR – THE EU AND BEYOND

There is a need for a common understanding to be agreed upon between bilateral and multilateral actors to provide a framework for the European Commission (EC), EU Member States and other actors to tackle both public security and SSR in a coordinated manner. Until political agreement is reached at the national level, donor support for SSR will remain limited, with the majority of bilateral funding currently pledged through the Nepal Peace Trust Fund (NPTF). Additional activities include:

- *An informal donor working group* on SSR (Denmark, Finland and the UK as well as Norway and Switzerland): Coordination mechanism but little progress to date;
- *UN Mission in Nepal (UNMIN)*: Limited coordination of donor/international partner meetings on integration and SSR, development of a matrix of donor support to integration;
- *The UK*: Limited support to improving civilian control of the security services, indication of support for a public security programme, focusing on community policing and alternative prison sentencing, once the political situation has stabilised; and
- *The EC*: 30 percent of the €120 million budget under the 2007-2013 under the *Country Strategy Paper 2007-2013* allocated to Stability and Peacebuilding, €5 million allocated to the NPTF under the Stability Instrument, potential for an additional contribution of €22 million pending an EC assessment.

## CONCLUSIONS AND RECOMMENDATIONS

It is widely acknowledged that any progress on a broad SSR process is likely to be stalled until the composition of the Army Integration Special Committee (AISC) is agreed on and the issue of integration is resolved. In the meantime, the deteriorating security situation necessitates that addressing public security issues is an immediate priority if the current fragile peace is to be maintained. It is also a necessary step in paving the way for longer-term SSR initiatives.

This briefing recommends that the EC, Member States and the wider donor community should:

- Support the development of a realistic system for local-level consultation on security issues;
- Build the will and capacity of stakeholders to engage in consultation processes;
- Develop increased understanding of existing local dispute resolution mechanisms and community organisations in order to establish how they could be supported and/or support the work of Local Peace Councils;
- Support information sharing between Kathmandu and districts, and *vice versa*, through media and communications channels;
- Establish a public security forum, to develop a common understanding of public security and SSR issues and approaches;



- Ensure consideration is given to how aid and development funds can impact on security at the local level;
- Support the development of capacity within the Ministry of Peace and Reconstruction (MoPR) to effectively coordinate and implement NPTF priorities;
- Ensure support to the NPTF is balanced with support to initiatives that address wider public security challenges; and
- When assessing public security priorities establish how to link this to, or establish, approaches that ensure that youth play a positive role in the ongoing political discussions.

**Keywords:** Nepal, Peacebuilding, Public Security, Security Sector Reform (SSR)

## INTRODUCTION

The provision of security and justice is one of the main requirements for a peaceful, democratic society and sustained social and economic development. Security provision and access to justice are essential public services, are fundamental building blocks in promoting good governance and are critical for the creation of a secure environment within which human rights are respected. In this context SSR programmes have become an increasingly important component of peace processes. The success of SSR programming is essential for providing the necessary secure space for sustainable peace and equitable development to be initiated and consolidated.

In Nepal, the development of a democratic and accountable security and justice sector, and the provision of security and justice services have been a major challenge, and will remain so in the post-election context. This challenge is further complicated by the entrenched stratification of Nepali society along gender, ethnic and caste lines, which has historically resulted in inequitable access to services, including to security and justice. In order to move forward and address some of these challenges, it is necessary to reach a common understanding of what SSR means in the Nepali context and what activities fall under its remit. It is particularly important to emphasise the scope of SSR<sup>1</sup> and to ensure that it goes beyond addressing thorny political issues, such as the integration of the PLA into the army, and addresses public security issues too.

At the international level the need to address public security, as well as national security, through SSR is increasingly being recognised. It is encapsulated by the statement in the Organisation for Economic Cooperation and Development (OECD) Development Assistance Committee's (DAC) *OECD-DAC Handbook on Security System Reform*, which states that 'The traditional concept of security is being redefined to include not only state stability and the security of nations but also a clear focus on the safety and well being of their people'. The challenge now is to establish how such an approach can be adopted and implemented in Nepal. This is particularly important given that discussions about SSR are in their infancy and that little thought has, as yet, been given to activities that could enhance public security while higher-level political discussions continue under the banner of institutional focused SSR.

This briefing forms part of the EU-financed Initiative for Peacebuilding (IfP). As a major actor in the security sphere,<sup>2</sup> the EU has competencies and funding instruments that can be used to implement security, development, governance and justice activities. Combined effectively, and reinforced through political dialogue, these can play a fundamental role in driving and sustaining the kind of SSR programmes that will facilitate accessible and accountable security provision and contribute to improving human security and hence, public security, more broadly.

This briefing aims to connect the public security and SSR agendas in Nepal in order to inform ongoing discussions amongst donors and to explore the role that the EU could play in future security-enhancing activities in Nepal.

1 The most commonly accepted definition of what the security sector itself consists of is given in the OECD-DAC guidelines. These guidelines, agreed on at the ministerial level in 2004, define the security system as including: core security actors (e.g. armed forces, police, gendarmerie, border guards, customs and immigration, and intelligence and security services); security management and oversight bodies (e.g. ministries of defence and internal affairs, financial management bodies and public complaints commissions); justice and law enforcement institutions (e.g. the judiciary, prisons, prosecution services, traditional justice systems); and non-statutory security forces (e.g. private security companies, guerrilla armies and private militia). See: Organisation for Economic Cooperation and Development (OECD) (2007). *OECD DAC Handbook on Security System Reform: Supporting security and justice*. Paris, France: OECD. p.5..

2 To date, there have been 17 European Security and Defence Policy (ESDP) missions (some ongoing and some completed) around the world. These missions cover a broad spectrum including military operations (e.g. EUFOR Althea), security sector reform (e.g. EUSEC DR Congo), institution-building (e.g. EUJUST Lex Iraq) as well as police and rule of law missions.

It is beyond the scope of this briefing to exhaustively analyse all aspects of SSR and public security in Nepal. Rather, it is presumed that the target audience for the briefing, predominantly those with an interest and a role in policy-making in Nepal, has a degree of background knowledge and so the briefing aims to provide an overview to frame subsequent content. In addition, while it is acknowledged that justice is a vital area to be addressed, the briefing focuses more on security issues. It is envisaged that justice and issues of impunity will emerge as areas to follow up on in the next phase of the IfP project.

The briefing itself has been informed by interviews, meetings and informal workshops held in Kathmandu and in Jumla, Kailali and Morang districts throughout 2008.<sup>3</sup>

The briefing addresses:

- Key causes of insecurity in Nepal
- The current security situation in Nepal
- Security provision in Nepal
- SSR and public security
- International engagement in SSR – The EU and beyond
- Conclusions and recommendations

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<sup>3</sup> For more specific information, see International Alert-Nepal's individual "snapshots" from Jumla, Kailali and Morang, *Snapshot series 1: Security and justice from a district perspective*. Available at [www.international-alert.org/nepal/index.php?t=3](http://www.international-alert.org/nepal/index.php?t=3).

## KEY CAUSES OF INSECURITY IN NEPAL

The causes of insecurity in Nepal are diverse and complex. Based on International Alert's ongoing research and analysis, the following is a summary of some of the key factors and triggers affecting the situation.

### STRUCTURAL FACTORS

- *Governance:* Lack of participation in decision-making, and poor responsiveness and accountability to the public by the government has been a key cause of conflict in Nepal in the past decade. Following the signing of the CPA, unrest and tensions related to poor governance persist and could result in renewed and widespread violence if reforms are perceived to be ineffective by ordinary people throughout Nepal. The formation of new armed militias pressing the political claims of marginalised groups in the Terai demonstrates the urgent need for the government to overcome marginalisation and disenfranchisement through more responsive service delivery, before tensions erupt into further violence. Without reforms, continued heavy-handedness and impunity among security agencies and other groups risk entrenching divisions and sparking further conflict.
- *Socio-economic:* Research over the past three years has shown that access to economic opportunities is considered a key prerequisite for security at the local level. Across Nepal, the feeling is that security has improved 'only for the strong'; with women and young people feeling especially marginalised in this regard. It was felt by many interviewed during the course of Alert's work that the police and judiciary discriminate against the poor in their decision-making, with the rich able to "buy" security and justice. In the eastern Terai, it was felt that a lack of (equitable) access to opportunities (both educational and economic) was a fundamental obstacle to peace and security in the region, and the line between ideologically motivated political groups and armed gangs out for economic gain in this region is blurred.

### PROXIMATE FACTORS

- *Weak state security and justice provision:* The ten-year-long conflict between the state and the Maoists saw state presence in over 75 percent of the country confined to urban areas. The security and justice sectors in Nepal remain weakened following the conflict and are unaccountable and ill-equipped to respond to the particular and diverse needs of local populations. The situation has left many communities without recourse to state security or justice forums, and has fuelled the emergence of armed and violent groups offering alternative forms of security and justice provision.
- *Political pressure:* Key state security and justice providers – including the Nepal Police, the Armed Police Force (APF), judges and lawyers at the local and national level – are on the frontline of service provision. However, their mandate and capacity has, to date, been significantly influenced by political priorities and pressure from political parties at all levels. This is compounded by the fact that the role and mandate of these security and justice providers has been poorly articulated to the communities to which they are assigned to protect and serve. Both factors combine to result in continued mistrust between communities and state security and justice representatives.

## TRIGGERS

- *Political:* The political situation in Nepal remains volatile with the fragile *status quo* threatened from a number of directions. The struggle to control the direction of the Maoist party could spill over into more widespread national instability. Inside the party hardliners are pushing for the “people’s victory” to be converted into a “people’s republic” ruled by one single party – CPN-M. So far, the more “gradualist” leaders like Prime Minister Dahal and Finance Minister Baburam Bhattarai have maintained control of the senior party members. Further pressure by the hardliners will cloud the political transition for the foreseeable future. For these Maoists (including YCL cadres), the future does not involve “state control” of Nepal’s development, but rather “party” control. If these tensions grow, there is a strong risk of worsening political conflict – including within the current government coalition. In addition, tensions within the NC and the fact that the party is increasingly seen by some as playing a negative, obstructive role in opposition also has the potential to derail consensus politics and, as a result, the peace process.

The continuation of personality politics, epitomised by senior appointments in the civil and foreign service as well as state-run institutions being determined by patronage networks, is feeding frustration at the lack of opportunities available to those without contacts and strengthening the agenda of agitating groups. These groups, previously excluded from political processes, are now demanding “self-determination” in the form of a secessionist or federal state to be constructed in their interest. One feature of these agitations has been that they have involved clashes of the emerging groups not only with state security services, but also the Maoists, who may in some areas be seeing the “people’s war” being usurped.

- *Natural disaster:* The recent flooding in the eastern Terai has highlighted the level of tensions between communities living in this area and the inability of the state to respond quickly and effectively. At the local level, communities and businesses stepped up in the initial relief effort, with international organisations and the government trailing in their wake. Growing competition for natural resources in an already over-populated area of the country is likely to grow due to the land lost and families displaced in the flood, bringing with it an increase in tensions, particularly along ethnic lines (the vast majorities of those displaced belonged to low-caste Madhesi communities, traditionally marginalised and disenfranchised). The perceived role of Indian negligence in the flooding in Nepal may also lead to increased tensions in that respect, with particular implications for the Terai region.

## THE CURRENT SECURITY SITUATION IN NEPAL

Despite the signing of the CPA and the relatively peaceful CA elections in April 2008, ongoing insecurity continues to be experienced by many in Nepal, particularly the population living in the Terai.<sup>4</sup> This insecurity is not just a reflection of a lack of security provision, which is being utilised by criminal opportunists and vigilante groups, but is also a manifestation of long-standing grievances that the peace process has been unable to address.

With little progress being made in Kathmandu by the newly elected CA members in relation to the constitution-making process, the public's patience is wearing thin and the tentative improvements in security that have been experienced now appear to be in jeopardy. In recent months, there has been an increase in the numbers of armed groups who perceive violent action as the most effective way to negotiate a place in the political process or indeed achieve their demands outside the political process.

At a **national level** the government's ability to ensure security for the population has been increasingly hampered by the activities of political youth wings. The recent formation of new political party youth wings, such as the UML's Youth Force as a direct "opponent" to the CPN-M's YCL cadre is an illustration of this problem. The Deputy Prime Minister and Home Minister, Bamdev Gautam, recently acknowledged that maintaining peace and security has 'been problematic as the members of the party organisations often approach their leaders with complaints'.<sup>5</sup> The recruitment of young people into these youth wings is, in part, attributed to their frustration that they have failed to benefit from, or be included in, the peace process. It also supports the widespread view that the government's "honeymoon period" is running out and adds to the pressure to deliver tangible results on such a key issue.

Meanwhile, the debate about the integration of the PLA into the army continues amongst the political parties in Kathmandu, with wrangling over the formation and membership of the AISC.<sup>6</sup> In the meantime, over 19,000 PLA members officially remain in cantonments, which were envisaged as a short-term measure, not somewhere to spend almost two years. People living in the vicinity of the cantonments and the media report of cadres being delivered new combat fatigues and of military-style trainings being conducted within cantonments. There appears to be general public concern about how long control can be maintained over the increasingly restless cadre. In addition, there is a widespread belief that many of the key PLA fighters are no longer in camps (or in fact were never in them) and are joining the swelling YCL ranks. Amongst the complaints about life in the cantonments is that it is like living in a prison. One fighter has been quoted as saying, 'We went to war with the dream of people's liberation. How can we be happy living like prisoners in the cantonment?'<sup>7</sup> Increasing tensions within the CPN-M party between hardliners, who want to see the Maoist agenda taken to its logical conclusion of a "People's Republic" and a full communist system immediately, and those who support a more tempered political approach, may fuel further unrest amongst those remaining in cantonments.

In **the Terai** more than a dozen armed groups are active, seeking control over the region, its resources and associated political and economic power. The activities of these groups are largely funded by extortion (kidnapping

4 It is estimated that approximately 40 percent of Nepal's population lives in the Terai.

5 'Party youth wings threat to peace: DPM', *The Kathmandu Post*, 14th November 2008.

6 Currently the NC is claiming that the formation of the AISC contravenes Article 146 of the Interim Constitution. According to Article 146, the Council of Ministers will form a special committee ensuring representation of major political parties in the CA to supervise, integrate and rehabilitate Maoist army combatants. However, it does not stipulate which are the main political parties.

7 N. Bibhas, 'The war was better', *Naya Patrika*, 5th November 2008. Available at <http://www.nepalitimes.com.np/issue/2008/11/8/FromtheNepaliPress/15358>.

or ransom) and power is maintained by spreading fear through indiscriminate killings and bombings. Government officials are a key target and at least 13 government employees have been killed since April 2006, in the majority of cases for not paying “donations”.<sup>8</sup> This has caused the government to “shrink back” to headquarters following a credible presence during the April elections. In September 2008, 14 of the groups met in the Indian state of Bihar to discuss joining in a “united armed front” to launch an armed revolt against the government to demand regional autonomy for the Madhes.<sup>9</sup> The potential for this is uncertain, however, given infighting between and within the groups.

### Government Talks with Madhesi Groups:

On 3rd October 2008, the government invited all the armed groups to talks, but success in contacting them has been mixed and some groups, such as the Akhil Terai Mukti Morcha (ATMM) are claiming they never received an invitation letter. Among the key groups invited to the talks are two factions of Janatantrik Terai Mukti Morcha (JTMM), Madhesi Tigers, Terai Madhesi Mukti Tigers, Terai Cobra, Terai Liberation Force and Madhesi Virus Killers. Some of the groups, including JTMM - Singh, have responded positively saying that they would engage in talks, but only if certain conditions were met, such as the release of political prisoners and the withdrawal of court cases against their members. On its side, the government has formed a “talks team” consisting of the Minister for Peace and Reconstruction Janardan Sharma (CPN-M) as coordinator, the Minister for Local Development Ram Chandra Jha (UML) and the Minister for Education Renu Yadav (MJF).

There is, however, the question of whether such talks represent credible, constructive dialogue or are driven by political manoeuvring. Many suspect NC of trying to bring these groups on board so that they can make an alliance and upset the balance of power which currently favours the CPN-M, UML and MJF. In which case, conflicting parties may be brought to the table by bribery and coercion (promises of seats and power), rather than through meaningful dialogue which is more likely to result in a sustainable and less fragile outcome.

The **open border between India and Nepal** is perceived to be a key contributing factor to the high levels of crime and insecurity in the eastern and central Terai in particular. Although armed police are in place at posts along the border, this frontier is largely unregulated and citizens of both countries come and go freely. In addition to the tangible forms of insecurity that this creates (due to criminal impunity, illegal trade, employment issues and a general lack of community cohesion), there are also high levels of mistrust, and perceptions of the role of “other” actors, such as the Indian government, are often extremely negative. It remains to be seen what impact the recent floods in this region (in both Sunsari/Saptari and Kailali/Kanchanpur districts) and the subsequent Indian response, will have upon cross-border relations and perceptions at the local level.

### Security in Morang:<sup>10</sup>

Major crimes reported in this Terai district are gangfights, theft, trafficking and rape. A large proportion of crime reported is believed to occur as a result of insecurity stemming from the open border between Morang and neighbouring Bihar. Police representatives attributed this to the relative strength of the police in Bihar meaning that Indian criminals are increasingly exploiting the current security vacuum in Nepal to commit crimes. Following successful elections, many respondents reported a “honeymoon period” of around two weeks, in which the activities of the armed groups that were ubiquitous before elections all but ceased. Since then, these groups have re-emerged, although weakened, and the fine line between politically-motivated armed groups and criminal gangs is becoming ever more blurred.<sup>11</sup> Most feel that the security situation has improved post-elections. However, frequent *bandhas* (strikes) continue to paralyse life for up to 15 days a

8 On 19th September 2008, a district administration officer in Parsa was killed. Other killings of government employees, including four in the civil service, have occurred in Parsa, Siraha, Dhanusha, Saptari, Banke, Sarlahi and Rautahat. VDC secretaries have been killed in Siraha, Rautahat, Bara and Mahottari.

9 Otherwise known as the Terai region. Madhesi armed groups have adopted the slogan, ‘Ek madhes, ek pradesh’ (One people, one province), which encapsulates their demand for an autonomous Terai region.

10 Based on Alert research in Morang in 2008.

11 In a report published earlier this year, Alert highlighted the difficulty that many people in the eastern Terai experience in differentiating between armed political factions motivated by ideology and criminal gangs motivated by economic gain. See: International Alert (2008). *Youth Perspectives on Community Security in the Eastern Terai*. Briefing Paper. London, UK: International Alert.

month, and violence can flare up with little warning. As a result, there remains a fear that the current fragile balance will not sustain and the region will see a relapse into full-blown conflict, particularly with the question of a future federal structure looming.

In **Terai districts not directly affected** by the activities of Madhesi groups, there are fears that the violence will spill over or that factions within these districts will mobilise around similar demands for autonomy. In Kailali such concerns were realised in late 2008 with the formation of the Tharuhat Liberation Army. The army has been formed to fight for the 'liberation of Tharu people and establishment of Tharuhat province in federal Nepal'.<sup>12</sup> The establishment of such a group can be seen as a direct response to the demands from the Madhesi movements for an autonomous Madhes state in the Terai.

There are a number of **hill-based ethnic movements**, such as the Limbuwan and Khumbuwan movements, who have also mobilised around political agendas, which continue to contribute to insecurity in their respective regions. However, for many of the population in **hill and mountain districts**, the situation has improved since the signing of the CPA. The predominant security problems are related to disputes over land, access to water, petty crime and burglary. The majority of such cases are solved through community mechanisms which vary in their formality – see box below. The police are seen as a last resort because they can allegedly be brutal and because progress is slow, if indeed any action is taken at all. Reluctance to go to the police also stems from concerns about financial costs should a case be referred to the district HQ. Police behaviour has reportedly improved over the last year and an effort is being made to offer a helpful community service. However, there remains a substantial legacy of mistrust that will need to be overcome.

#### Indigenous Dispute Resolution Mechanisms in Kailali:

A study in Kailali (and four other districts) by Alert and Friends for Peace in 2006<sup>13</sup> outlined that, prior to the conflict, Tharu communities in Kailali used indigenous dispute resolution mechanisms to mete out justice. A democratically elected village chief, or *Bhalmansa*, was responsible for community cohesion, dispute resolution, general social work and the *Kyhala*. The *Kyhala* amongst other meanings was a forum for meeting and discussion to solve the practical problems of individuals and the community. The *Bhalmansa* was elected during an annual *Bakheri* assembly, which was open to all those residing in the village or settlement, and was only removed when his activities were found to be unsatisfactory. The *Bhalmansa* and the *Bakheri* were responsible for setting fines and punishments for those found breaking the rules and the *Bhalmansa* would mediate in disputes and mete out justice. With the increase in Maoist presence in Kailali, the *Bhalmansa* and *Kyhala* system was largely replaced by Maoist mechanisms, including their parallel justice systems.

While security in many areas of Nepal has improved, women across the country continue to be the victims of high levels of **Gender-Based Violence** (GBV), including rape. Women were targeted by both state and Maoist forces during the conflict and while the perpetrators may have changed since the signing of the CPA, many human rights and women's non-governmental organisations (NGOs) believe levels of violence against women have actually increased. They do acknowledge that the rise may be the result of an increase in the reporting of such incidents, but the fact remains that the peace process has not brought any improvement in security for a significant minority of women across the country.

<sup>12</sup> 'Tharuhat Liberation Army is formed', *NepalNews.com*, 4th November 2008. Available at <http://www.nepalnews.com/archive/2008/nov/nov04/news06.php>.

<sup>13</sup> N. Bharadwaj, R. Crozier and N. Hicks (2007). *Voices from the villages - People's agendas for peace*. Kathmandu, Nepal: International Alert/FFP. Available at [http://www.international-alert.org/pdf/Voices\\_from\\_the\\_villages.pdf](http://www.international-alert.org/pdf/Voices_from_the_villages.pdf).



**Domestic Violence in Jumla:**

As is the case across the country, in Jumla the Maoist parallel governance and justice structures that were established during the conflict have officially been dismantled. One of the alleged side effects of this has been a rise in domestic violence, because the Maoist-enforced “dry zones” have been abolished and alcohol is now freely available; and rates of domestic violence are believed to be on the increase.

In an attempt to curb the levels of public disorder, the Chief District Officer (CDO) has banned drinking in public places. However, this does not prevent alcohol abuse at home, something which the Womens Development Office acknowledges is a major factor in domestic violence.

## THE EXISTING SECURITY SECTOR

The provision of security in Nepal is a complex issue. Traditional and community-level organisations have always played a major role in service provision at the local level. Reliance on these organisations further increased during the conflict due to the attenuated powers of the security forces, and the high levels of mistrust felt towards them by the population. Additional mechanisms were also introduced at this time, most notably the Maoist court systems.

Key state security and justice providers, including the Nepal Police, APF, judges and lawyers at the local and national level, are on the frontline of service provision. It is imperative that they are included in the debate on SSR in order to mitigate the risk of their becoming spoilers and to clarify their roles within the security and justice system. In addition, consideration must be given to community organisations and political youth wings that are also involved in providing security in one form or another. For any change to be effective and to have the support of the population, these groups also need to be considered as part of a reform process.

The following is an overview of some of the security service providers whose roles will need to be addressed in any SSR process.

**Nepal Army:** The Army consists of approximately 90,000 personnel, a figure that is approximately double the pre-conflict number, and has the official monopoly on military power. Under the Agreement on the Monitoring of the Management of Arms and Armies (AMMAA), personnel have been confined to barracks and are only permitted to carry out limited activities.<sup>14</sup>

Previously loyal to the King, the allegiance of the Army is now uncertain, despite numerous rumours. The Army largely represents state elite and is mainly concerned with maintaining power and influence (and therefore size) and protecting the *status quo*. A verbal commitment has been made to follow the wishes of the elected body and recognition is given to the need to rebuild trust between the Nepal Army and the people. The use of rhetoric and state sovereignty has, to date, been used to block the integration of the PLA, with Chief of Army staff General R. K. Katuwal stating that 'We strongly believe that in the name of democratisation the army's purity, sanctity and integrity should never be compromised'.

**Armed Police Force:** The APF was established on 24th October 2001 by the then NC-led government as a paramilitary force to "balance" the palace-controlled army and to crackdown on Maoist activities. The APF, with 40,000 personnel, now positions itself as the second line in the security "cordon", backing up the police when unrest or *bandhas* threaten security. However, it is largely seen as a "tool" of the dominant political parties and has been criticised for its disproportionate response to incidents in the Terai in 2007 (Gaur, Lahan) and accused of massive human rights abuses. The APF also suffers from weak internal unity with revolts in Banke and Parbat in 2008 which were fuelled by "bullying" of junior officers.

The APF have been very quiet publicly, but it is clear they have an interest in ensuring they maintain a role in the post-CA context.

**Nepal Police:** The Nepal Police, with 56,000 personnel across the country, are officially the first point of contact for providing security to the population. They recognise the need to build trust between the police and the

<sup>14</sup> These include participation in official ceremonies, provision of security for VIPs, vital government installations, and Nepal Rastra Bank funds, to provide relief work during natural and other disasters, and to execute development and construction tasks as directed by civilian authorities. Training activities in barracks and camps are also permitted.

population and, on the whole, are outspoken about the need for autonomy from political party influence. There is a need for the Nepal Police to strengthen its presence and capacities as the frontline in domestic security provision, filling the post-conflict vacuum left by the Nepal Army, without repeating the excessive politicisation of the 1990s (by NC and UML). However there is a long way to go before trust is rebuilt and internal unity is also weak, with revolts in Nepalgunj and Gorkha in July 2008.

While all police posts have officially now been re-established, police presence varies significantly across the country. In remote mountainous areas, police posts may be several days' walk from many Village Development Committees (VDC). In some Terai districts, such as Siraha and Saptari, the remit of the police is limited to the areas they can safely patrol without encroaching on the "territory" of local armed groups.

**Political Youth Wings:** The role played by youth wings across the country varies. However, it seems undeniable that their actions place them in the realm of non-state security actors and certainly as groups that will need to be considered and included in any measures to reform how security is provided in Nepal. The number of youth wings is increasing by the day, so the following is an overview of three of the key groups, whilst acknowledging that there are others that will also need to be taken into consideration.

**The YCL:** Affiliated to the CPN-M, the YCL was reformed subsequent to the signing of the CPA. Membership is claimed to be around half a million, with an aim of expanding this by an additional million during 2008. Of the existing members, some 450,000 are said to be ordinary members and around 50,000 are active cadre,<sup>15</sup> who allegedly include a large proportion of ex-PLA members and hardliners who did not want to go through the cantonment process or were disqualified during UNMIN verification.<sup>16</sup>

The CPN-M claim that the YCL are a democratic organisation seeking to tackle poverty and corruption, and provide security to the population. However, others believe that the YCL far more closely represents a paramilitary force and gives the CPN-M a convenient foothold in the valley, something they struggled to gain during the conflict. As a result, the YCL are seen as security providers or as contributing to the deterioration of law and order depending on ones' perspective. For many people, YCL activities have a negative impact, including extortion from individuals and businesses, kidnappings, and forcible donations of food and housing. However, their initiatives to tackle corruption, poverty and exclusion – particularly on a caste and gender basis – have won support in many rural areas.

The **UML YF** was formed in June 2008 as a direct reaction to the activities of the YCL. Its purpose is, allegedly, to limit attacks on UML members as well as other people. While currently only active in urban areas, there are plans to extend its remit to to the District Development Committee (DDC) and VDC levels. The YF and YCL have been engaged in frequent clashes, including in Kalimati fruit and vegetable market in Kathmandu in August. In once recent case, however, they have allegedly joined forces to control bids for a tender at the Armed Police Training Centre in Nepalgunj, openly limiting access to a bid for supplying rations in order to benefit from commissions.<sup>17</sup>

**NC Tarun Dal** has been less visible in its activities than either the YCL or the more recently formed YF. However, given the political affiliations of these forces, it is unlikely that this will remain the case. The president of Tarun Dal has already warned of the possibility of the formation of new "troops" and in September, a youth wing called Tarun Dasta was established in Dolakha as a direct reaction to the activities of the YCL and YF. The group goes by the slogan 'Party-based security is today's necessity'.<sup>18</sup>

15 H.O. Skar, 'The Red Guard', *Himal South Asian*, September 2008. Available at [http://www.himalmag.com/The-Red-Guard-of-Nepal\\_nw1934.html](http://www.himalmag.com/The-Red-Guard-of-Nepal_nw1934.html).

16 The UN Office of the High Commissioner on Human Rights (OHCHR) in Nepal noted that 'Many of the 45-member YCL Central Committee appointed in early February are former PLA commanders and commissars who left the PLA and transferred to the YCL rather than assembling in the PLA cantonment sites subsequently set up as part of the peace agreement. In addition, YCL leaders at regional and district levels also include former PLA commanders or militia members'. See: OHCHR in Nepal (June 2007). *Allegations of Human Rights Abuses by the Young Communist League (YCL)*. Kathmandu, Nepal. p.2. Available at <http://nepal.ohchr.org/en/resources/Documents/English/reports/IR/Year2007/YCL.ENG.pdf>.

17 'YCL, YF bury hatchet for tender moolah', *The Kathmandu Post*, 17th November 2008.

18 L. Khadka, 'Political youth', *Naya Patrika*, 8th September 2008.

## SSR AND PUBLIC SECURITY IN NEPAL

SSR and public security are integrally linked. The end goal of SSR is essentially to ensure that security is provided in a democratic and accountable manner by the relevant institutions according to the rule of law, and that they fulfil a clearly defined mandate and cooperate with one another where appropriate. Achieving this goal contributes to a government's ability to ensure public security and the ability of the population to go about their daily lives, free from threats to their safety and livelihoods. Improving public security, however, also necessitates wider measures that fall outside the realm of SSR. Hence, while SSR and public safety are interlinked there are, necessarily, activities that are specific to one or the other.

Discussions about **SSR in Nepal** are in their early stages. Without reforms, continued heavy-handedness and impunity among security agencies and other groups risk entrenching divisions and sparking further conflict. Successful SSR is thus vital in ensuring the improvements to governance, without which further violent conflict in Nepal is inevitable. However, progress on SSR so far has been stalled by political wrangling over highly contentious questions relating to the size and structure of the Nepal Army, the integration of the PLA into the army, and how to engage with the increasing number of militant youth groups. There has been little discussion about how SSR processes can relate to, and be informed by, local-level realities and public security needs.

Engagement with state institutions is a vital part of any SSR programme. It is acknowledged that SSR is highly sensitive, and that political agreement and Nepali ownership are essential to success. However, it is also necessary to recognise that the much used adage of "local ownership" needs to stretch beyond ownership by the political elite, driven by their priorities and agendas, and include the wider population. The lack of attention that people perceive to have been directed at improving their security has done little to enhance faith in the government, the peace process or the ability to bring about change.

If SSR in Nepal is designed and implemented at the exclusion of local-level considerations, particularly in relation to access to services according to gender, ethnicity and caste, it is unlikely to have any impact upon public insecurity. If individuals and communities do not see an improvement in their day-to-day security then they are unlikely to back any national, Kathmandu-led initiatives. Furthermore, without adequate structures and mechanisms in place, small-scale disputes and conflicts may turn violent and escalate, particularly given the current volatile environment and high levels of frustration with the political process. Amidst the national-level discussions and programming in Kathmandu, there is a need to gain an understanding of the real security challenges and fears faced at the local level and, with the input and participation of those affected, develop programming targeted to address public security needs.

**Public security** in Nepal is, in a large part, dependent on the population having trust and confidence in the police and supporting them. It is the police who are, officially, the first point of contact for providing security to the population. Since early 2007 the police have gradually returned to districts (at DDC, municipality and VDC levels) and re-established the majority of the police posts abandoned during the conflict. However, there has not been any official/national effort to a) communicate the roles and responsibilities and mandate of the police to communities they are based in and b) understand the security needs and concerns of communities they are supposed to serve. This has meant that the mistrust that communities have historically felt towards the security forces has not been fully assuaged and interaction between communities and the police is minimal. Efforts to increase the level of community policing and community outreach are attempting to address this and recent surveys have shown that trust in the police is increasing although, significantly, respect is not.

A significant gap also exists in communication between local police, the HQ in Kathmandu and the relevant ministries. Little if any support has been offered to the police returning to districts, and the resources and capacity available to them is minimal. Many police posts do not even have a building to work from or adequate communications systems to maintain contact with each other or district headquarters. For many, working for the police force is now seen very much as just doing a job rather than providing a service.

#### **Policing in Jumla:<sup>19</sup>**

In Jumla there are currently nine police posts to cover all 30 VDCs. A request for two new posts and an appropriate increase in staffing was submitted to HQ in Kathmandu in early 2008, but in October 2008 a decision was still pending. Only one of the police posts owns a building and all the others are renting buildings from the community. Only three police posts are accessible by vehicle. Prior to the election, only two posts had radio communication equipment, but they were all equipped during the elections and have been permitted to keep the hardware. There are 219 police personnel in the district, 60 of which are based in HQ. Of these 219, only four are women. Roughly 10 to 15 of the police staff are from the district, but the police generally try not to have too many staff based in their home district due to concerns about impartiality. The Deputy Superintendent of Police (DSP) mentioned that there was a shortage of police and that basic recruitment criteria meant recruits must not be politically affiliated. In Jumla, unlike in many other districts in Nepal, police posts are not graded as 'A', 'B' or 'C' (according to the number and rank of personnel based there), but rather police staff are shared equally throughout the district. Police posts do not have the authority to mete out punishment, but can mediate at the VDC level before referring a matter to district HQ as a last resort. Because mountain districts are seen as hardship postings, Superintendent of Police (SP) and DSP posts are for one year only, compared to two-year positions in Terai districts. Serving in a hardship posting also earns the incumbent points toward a promotion. This system not only has the potential to affect the motivation of postholders, but also means that the regular turnover results in a lack of consistency and is not conducive to relationship-building at the community level.

While the police are the official first point of contact for providing security to the public, many turn to community mechanisms as a first recourse, as mentioned previously. Reliance on these mechanisms is due not only to a lack of trust in the police, but also to a lack of faith in the formal systems, from which marginalised groups and women in particular are often seen to be excluded, and which are seen to be ineffective and subject to political pressure. However, there is currently limited knowledge of the role played by indigenous dispute resolution mechanisms and community-based organisations at the local level. If SSR is to be effective and if public security is to be improved, there needs to be a better understanding of how these mechanisms function and interact with formal systems, and they need to be considered as part of any reform process.

However, ***improving public security goes beyond SSR and addressing the role of service providers.***

While many factors are at play, one of the key areas that contributes to public insecurity is the growing number of disillusioned, frustrated and angry youth. Youth make up over 30 percent<sup>20</sup> of the population. The decade-long conflict has had a profound effect on their future and their outlook on society. They made up a large proportion of combatants on both sides during the conflict and were significantly represented in the first and second *Jana Andolans* (People's Movements). Failure to reap any significant peace dividends and increasing frustration at the lack of educational and economic opportunities have left a fertile recruiting ground for new and emerging radicalised groups. As the section on 'The Current Security Situation in Nepal' illustrates, youth political wings are fundamental players in the current security context and parties see increasing the level of recruitment as a key to success. Previous research also suggests that it is often difficult to differentiate between the ever-increasing number of political factions and criminal gangs.<sup>21</sup> If youth continue to feel excluded from the political process and do not see the potential for making a legitimate way of living, then

<sup>19</sup> Based on Alert's research in Jumla in January 2007, April 2008 and October 2008.

<sup>20</sup> According to the National Census of 2001 (latest figures available), the total population of youths within the 15-29 year-old age bracket constitutes 25.9 percent, in the 15-34 year-old age bracket 31.3 percent, and in the 15-39 year-old age bracket 38 percent. Most independent youth organisations define youths as persons between the ages of 15-29 years; the National Census, however, defines 'youths' as persons between the ages of 15-39 years.

<sup>21</sup> See: International Alert (2008). Op. cit.

they are liable to increasingly play a negative role in relation to public security and risk derailing any higher-level SSR discussions.

If the security situation in Nepal is to be improved, then both SSR priorities and public security priorities and activities need to be planned in tandem. However, given the sensitivities conjured up in Nepal by the very mention of SSR, it is worth considering what can be done to address public security in the short term, while preparing the ground for longer-term initiatives and a broader SSR process. Ensuring that there is widespread consultation and understanding of what SSR is and why it is important for Nepal is key to the sustainability of such an approach, as is ensuring that any decisions and reforms taken are based on the situation across the country. Nothing has currently been done to achieve either. In the meantime, tackling wider public security concerns, including relationships with the police and how to mitigate the risk of youth recruitment into militant and criminal gangs, should be seen as an immediate priority.

## INTERNATIONAL ENGAGEMENT ON PUBLIC SECURITY AND SSR – THE EU AND BEYOND

Specific support for SSR is yet to be given because donors across the board are waiting for political agreement at the national level. It is generally agreed that little can be done until the work of the AISC is complete and the issue of integration is resolved. However, in the interim there is potential for support to activities that would target public security concerns and which could pave the way for longer-term SSR. One of the lessons from other countries that have undergone SSR is that early planning and needs assessments are key.

**Denmark, Germany, France, Finland and the UK** are the EU Member States that are represented in Nepal and provide donor support across a broad range of sectors. As yet, however, engagement on SSR has largely consisted of planning future activities and establishing a line of communication with Nepali political stakeholders. An informal donor working group on SSR has been established, consisting of representatives from Denmark, Finland and the UK as well as Norway and Switzerland, in a bid to coordinate SSR-related work, although meetings have not been held on a consistent basis. Currently the only activity supported by the group has been an assessment by the Geneva Centre for the Democratic Control of Armed Forces (DCAF) on potential support to SSR but, to date, little concrete progress has been made. The assessment has been funded by Switzerland and initial outputs are to include: an almanac of security providers, including non-state actors, and a legal compendium of all relevant security- and justice-related documents and legislation. It is hoped that these will be completed in the first half of 2009.

Additional *bilateral support* from EU Member States and other donor countries for security-related work is, to a large extent, pledged through the NPTF with additional funding going to a separate, smaller, UN Peace Fund. The NPTF supports five key areas:

- Management of camps and reintegration of former combatants;
- Rehabilitation of internally displaced people (IDPs);
- Preparation for the election of the CA;
- Strengthening of law and order and police administration; and
- Support to the peace process.

The management of the NPTF has recently moved from the Ministry of Finance to the MoPR, and it is hoped that this will lead to a renewed sense of purpose in tackling the core issues, although significant political will and progress is necessary to ensure its potential is achieved.

The UN Peace Fund for Nepal is actively supported by the UN, the international community and the government. The UN Peace Fund for Nepal is designed specifically to:

- Deliver focused, time-limited support for urgent peace process tasks;
- Complement the NPTF and other existing mechanisms;
- Promote rapid, flexible responses sensitive to the unique needs of Nepal's transitional environment; and
- Enhance UN and donor coordination in the interest of more efficient transparent support to Nepal.

The potential for the **UN** to engage in and influence SSR and public security-related activities is yet to be really determined. UNMIN's mandate does not extend to this area and is currently due to end in January 2009. However,



in recent months UNMIN has, amongst other things: been asked to support the AISC; coordinates meetings of donors and international partners; is expecting an SSR mission from New York to do a needs assessment and establish where UNMIN can play a role; and is developing a matrix of donor support to integration. In addition, the UN Development Programme (UNDP) and UN Children's Fund (UNICEF) have been involved in discussions about reintegration of ex-combatants and, in the case of UNICEF, reintegration of children, but not on wider public security issues.

Of current donors in Nepal, **the UK** is widely acknowledged to be the actor with the most security expertise, including specifically on SSR, and the potential to lead donor engagement. Joint activities supported by the tripartite conflict prevention pool (CPP)<sup>22</sup> enable engagement at the military, political and development levels. To date, the UK Department for International Development (DfID) has been most engaged on security-related activities on the ground. Of the £55 million committed by DfID for 2007–2008, 20 percent was targeted at supporting implementation of the CPA, including re-establishing law and order, improving respect for human rights, providing transitional justice and managing arms and armies. There has been limited support to improving civilian control of the security services and an indication of support for a public security programme, focusing on community policing and alternative prison sentencing, once the political situation has stabilised. Additional support to the Ministry of Defence (MoD) is likely from the Security Sector Development Advisory Team (SSDAT) in 2009.

**The EC** has recently approved the 2007-2013 Nepal Country Strategy Paper (CSP) with a budget of €120 million (with an additional €30 million available dependent on absorption capacity); 30 percent of the budget is allocated to Stability and Peacebuilding, with the rest being allocated to Education (60 percent) and Trade Facilitation and Economic Capacity-Building (10 percent).

To date, the EC has contributed to the NPTF rather than engaging directly in supporting security-related activities. €5 million has been allocated to the NPTF through the Stability Instrument, with the potential for an additional contribution of €22 million pending an ongoing EC assessment of the NPTF. However, with the CSP recently approved and with the EC concept on SSR stating that, 'for the EC, security is not limited to the territorial security of the state or to the security of a particular regime; it includes both the external and internal security of a state and its people. Thus, it focuses on human security, [...] putting the security of citizens at the centre and thus complementing state security',<sup>23</sup> the time might be ripe for greater EC engagement in this area.

The Commission's Concept on SSR is part of a wider EU Security Sector Reform Strategy.<sup>24</sup> This Strategy builds on past experience of engaging in SSR-related activities in partner countries and regions around the world and in a range of policy areas. It is worth noting the emphasis, and ultimately the joint endorsement, by the EC and EU Council in these documents of some guiding principles for SSR, first agreed within the OECD-DAC in 2004.<sup>25</sup> These state that SSR should be:

- 'People-centred, locally owned and based on democratic norms and human rights principles and the rule of law, seeking to provide freedom from fear and measurable reductions in armed violence and crime;
- Seen as a framework to address diverse security challenges facing states and their populations, through more integrated development and security policies and through greater civilian involvement and oversight;
- Founded on activities with multi-sectoral strategies, based upon a broad assessment of the range of security and justice needs of the people and the state;
- Developed adhering to basic governance principles such as transparency and accountability; [and]

22 The CPP consists of the Foreign and Commonwealth Office (FCO), Ministry of Defence (MoD) and the Department for International Development (DfID). It brings together expertise across the three areas of development, diplomacy and defence and is a source of funding to help meet the UK government's aims for preventing and managing international conflict.

23 European Commission (2006). *A Concept for European Community Support for Security Sector Reform*. Communication from the Commission to the Council and the European Parliament, COM(2006). Brussels, Belgium. Available at [http://ec.europa.eu/prelex/detail\\_dossier\\_real.cfm?CL=en&DosId=194249](http://ec.europa.eu/prelex/detail_dossier_real.cfm?CL=en&DosId=194249).

24 Based on the following documents: Council of the EU (2005). *EU Concept for ESDP support to Security Sector Reform*. Brussels, Belgium. Available at [http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/dv/sede211107esdpsupportssr/\\_sede211107esdpsupportssr\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/sede211107esdpsupportssr/_sede211107esdpsupportssr_en.pdf); European Commission (2006). *Op. cit.*; Council of the EU (2006). *Council Conclusions on a Policy Framework for Security Sector Reform*. 2736th General Affairs Council meeting, Luxembourg 12th June 2006. Available at [http://www.peacecenter.sciences-po.fr/pdf/French\\_cycle/Sem\\_8/2\\_EU\\_SecuritySectorReform.pdf](http://www.peacecenter.sciences-po.fr/pdf/French_cycle/Sem_8/2_EU_SecuritySectorReform.pdf).

25 See: OECD (2007). *Op. cit.*



- Implemented through clear processes and policies that aim to enhance the institutional and human capacity needed for security policy to function effectively and for justice to be delivered equitably'.

If a similar approach that gives space, amongst other things, to the diverse security issues facing populations and multi-sectoral approaches was adopted in Nepal, it could represent a significant opportunity to provide a framework for drawing together EC and EU Member States' engagement, and tackling both public security and SSR in a coordinated manner. However, for progress to be made, there is a need to develop a common understanding and voice amongst bilateral and multilateral actors about what is actually meant by public security and SSR, and what the priorities are. It is apparent that there is currently no such understanding amongst donors and international actors, and certainly not amongst national stakeholders. Working to achieve this would provide an opportunity to move beyond technicalities and engage the government in substantive debates on the public security challenges and ways to address them.

## CONCLUSIONS AND RECOMMENDATIONS

In the current context in Nepal, any activities related to SSR are essentially going to be stalled until the AISC has completed its task of resolving the issue of integration of the PLA into the Nepal Army. However, political wrangling on this issue could stall progress for the foreseeable future. At the same time, the public security situation is at risk of deteriorating and increased impatience at the lack of progress in Kathmandu may fuel the establishment of more armed or agitating groups seeking to achieve their aims in a tangible manner. The growing number and power of political youth wings and their impact on the security situation is also of immediate concern, with numbers swelled by increasingly frustrated, unemployed young people.

The EU and Member States are committed to supporting SSR in Nepal as part of ensuring the transition to sustainable peace. While the situation is not currently conducive to implementing concrete activities under the banner of SSR, there is much that can be done in the lead up to a formal SSR process and as a way to improve public security.

The EC, Member States and the wider donor community should:

- **Support the development of a realistic system for local-level consultation on security issues.** It is widely recognised by the government and the majority of donors at HQ and country level that consultation and participation is key to gaining local support and ensuring sustainability. However, it is far harder to put this into practice when travel and movement to some of the most affected districts in Nepal may be difficult or impossible for either donors or central or local government officials. Trust also needs to be built in order for people to be willing to participate and believe what they say will be taken seriously and acted upon, and this takes time. Ensuring a realistic time frame and working through local NGOs and actors in the districts may facilitate this process and help ensure local buy-in and support for any nationally-driven process.
- **Build the will and capacity of stakeholders to engage in consultation processes.** Consultation is a two-way process and stakeholders need to have the capacity and will to engage constructively. In order to do this, understanding of SSR and public security needs to be increased at the local, regional and national levels. This could include support for training and media discussions.
- **Develop increased understanding of existing local dispute resolution mechanisms and community organisations** in order to establish how they could be supported and/or support the work of Local Peace Councils. An understanding of how these non-state mechanisms work and interact with formal state providers such as the police, is key for ensuring public safety. This will also be vital for informing future SSR activities, particularly any police reform and recruitment initiatives. Understanding could be increased through community-level dialogue and consultations on traditional, non-state mechanisms and how capacities can be shared and jointly planned with state actors engaged in provision of security.
- **Support information sharing between Kathmandu and districts, and *vice versa*, through media and communications channels.** Frustration at the lack of progress made is often because people in districts have little or no knowledge of what is happening in Kathmandu. In addition, decisions made in Kathmandu are often based on minimal – at best – information about local needs and concerns. This lack of transparency and knowledge fuels misperceptions and misunderstandings that can raise or shatter expectations. While access to information is not a panacea, keeping people up-to-date with relevant national-level debates and discussions, and generating an understanding of the local-level context can help temper the frustrations.

- **Establish a public security forum, to develop a common understanding of the issues and approaches.** Initially amongst the wider donor group, perhaps as an expanded version of the existing informal working group on SSR. Such a forum would provide a space to discuss the wider issues impacting on public security and develop a common understanding and voice amongst bilateral and multilateral actors about what is actually meant by public security and SSR, and what the priorities are. Currently no such forum exists, and it is evident that there are varying approaches and understandings of SSR and public security priorities and challenges. Working to achieve this would provide an opportunity to speak with a common voice and work with the government to move beyond technicalities and engage in substantive debates on the public security challenges and ways to address them. As a result, it could significantly improve the impact and effectiveness of bilateral and multilateral support.
- **Ensure consideration is given to how aid and development funds can impact on security at the local level.** Access to the benefits of local development and the allocation of DDC and VDC funds can reinforce societal divisions and fuel frustrations. In many cases, including the District Development planning process, marginalised groups feel that their needs are not prioritised. This, in turn, can leave people disillusioned and vulnerable to manipulation on an identity basis and open to pursuing more radical action in the hope of bettering their opportunities. This essentially means taking a conflict-sensitive approach to public security and SSR.
- **Support the development of capacity within the MoPR to effectively coordinate and implement NPTF priorities.** Newly responsible for the NPTF, the MoPR has the opportunity to ensure effective coordination and activities under the NPTF, as well as to clarify a joint understanding of what the five key priority areas of the NPTF actually cover. However, this is a major challenge and will require: capacity-building support to be given to the MoPR in order to ensure security-related activities are conflict-sensitive; and wider discussion about how to define areas that fall under the NPTF priorities and what aspects of security are covered.
- **Ensure support to the NPTF is balanced with support to initiatives that address wider public security challenges.** There is a need to ensure that activities that could mitigate public security challenges but may fall outside the current understanding of the remit of the NPTF are not stalled. Hence, if a flexible, adaptable approach is to be ensured, technical and financial support to security-related activities should, in addition, be given independently from NPTF contributions. This may involve taking a multi-sectoral approach to supporting security-related activities in Nepal which addresses the diverse public security issues in the short term, while waiting for political agreement on the longer-term agenda for a broad SSR process.
- **When assessing public security priorities, establish how to link this to or establish approaches that ensure that youth play a positive role** in the ongoing political discussions, rather than youth feeling disenfranchised and contributing to a deterioration in public security. For example, this may require the nuancing of plans related to offering education, training and/or employment opportunities in order to take into account the public security context and to mitigate the risk of youth recruitment into militant or criminal groups. It may also involve supporting the work of the Youth Ministry and ensuring that youth voices are included in policy-making, from the grass-roots level to the negotiating table. Bringing young people and businesses together to discuss these issues may also help combat some of the suspicion and reluctance amongst businesses to hire youth.

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