

## The Highway Routes

### Small Arms Smuggling in Eastern Nepal

#### Introduction

Since the signing of the Comprehensive Peace Accord (CPA) in 2006, which ended the decade-long civil conflict,<sup>1</sup> Nepal has undergone a prolonged social and political transition. Despite some notable improvements, such as the fall in the number of armed groups and increased police presence (Bogati, Carapic, and Muggah, 2013), the country continues to be afflicted by crime and insecurity, fuelled in part by the proliferation of small arms (Racovita, Shrestha, and Pokhrel, 2013; Racovita, Murray, and Sharma, 2013).

It is estimated that there are around 440,000 civilian firearms in circulation, only 55,000 of which are legally registered (Karp, 2013, p. 1). The availability of firearms in Nepal is moderate

by international standards (Bogati, Carapic, and Muggah, 2013), but the concentration of small arms<sup>2</sup> in the hands of criminal groups poses a threat to law and order that has yet to be fully assessed and addressed. Reports of gun-related crimes abound, although the true magnitude of the phenomenon remains unknown. Media sources have suggested that the trafficking of small arms into the Kathmandu region has continued since 2006 (*Himalayan Times*, 2014a), although little is known of their production, circulation, or use.

This Issue Brief examines various dimensions of the illicit trade in small arms in eastern Nepal, an area that covers 14 districts of the Eastern Development Region and Central Development Region. It draws on fieldwork conducted between December 2013 and April 2014,

and covers five geographical areas around the cities: Birgunj, Biratnagar, Chitwan, Arniko Highway, and Kathmandu Valley. It focuses on the illicit trade in small arms, drawing on extensive primary sources and 112 interviews<sup>3</sup> with members of the Nepal Police, current and retired personnel at the Ministry of Home Affairs (MoHA), journalists specializing in crime and trafficking, members of the youth wings of political parties, former Maoist combatants, and members of criminal gangs that are involved in crime, such as coercion, extortion, and racketeering, generally referred to as *Gondas* (local strongmen) and *Dons* (leaders of criminal gangs).<sup>4</sup>

The Issue Brief analyses the sources of illicit small arms, the methods of smuggling and routes used, illicit trade and related activities, and the consumers and other actors involved, as well as relevant government policies. Its major findings include:

- Most firearms circulating in eastern Nepal are trafficked via the open border with India rather than the more heavily regulated frontier with China. They transit through towns and cities in the border areas to the main destinations of Kathmandu, Dharan, and Chitwan.
- The trafficking of small arms in Nepal is predominantly an 'ant trade', carried out by individuals or loosely organized groups.
- Criminal elements increasingly prefer to rent rather than own illicit firearms because it reduces the likelihood of arrest.



Individuals arrested by the Nepal police on charges of small arms smuggling, Parsa, July 2010. Photo courtesy of the author

- The illicit traffic in small firearms is dominated by craft (country-made) and counterfeit guns.
- The trafficking of small arms in Birgunj was reportedly linked with marijuana plantations, most of which have disappeared from the area since the adoption of the Special Security Plan (SSP) in 2009.
- Government and police efforts to curb the trafficking of small arms and ammunition have included a range of legal and policy responses, with mixed results. ‘Buy-and-bust’ sting operations have succeeded in arresting and disbanding a number of smuggling rings, although some maintain that it is generally the carriers who are arrested rather than the main organizers.



Maoists surrender their weapons to the United Nations Mission in Nepal as part of the Comprehensive Peace Accord, Chulachuli, April 2008. © Agnieszka Mikulska/UN Photo

## Historical origins and sources of small arms in Nepal

Small arms were reportedly introduced into Nepal in the 17<sup>th</sup> century, although the first modern arms and ammunition factory was established only during the later Rana rule<sup>5</sup> (Shrestha, 2006, p. 59). Before the start of the Maoist insurgency in 1996, only local political and economic elites, security forces, and retired British and Indian Army personnel possessed firearms (Shrestha, 2006, p. 60).<sup>6</sup> Criminal elements, largely based in the Terai region,<sup>7</sup> owned a

very limited number of firearms, as did some civilians for the purposes of self-protection (Shrestha, 2006, p. 60). Civilian-owned firearms were used in cultural ceremonies (to mark celebrations, such as marriages), for hunting, and as a symbol of prosperity and power (see Table 1). Although it is not known exactly how many firearms were circulating in Nepal in the pre-insurgency period, most were *bharuwas* (craft-produced long-barrel hunting rifles) and a very small number were factory-made firearms (Karp 2013, p. 3).

Firearms were first used in politically motivated violence in the anti-Rana revolution in the 1950s (Shrestha, 2006, p. 60). The largely peaceful *Jana Andolan I* (People’s Movement I) in 1990 ended absolute monarchical rule under the Panchayat regime.<sup>8</sup> The People’s Movement established a constitutional monarchy based on power sharing between the political parties and the monarchy. The subsequent splintering of the political parties and frequent changes of government deepened political instability. Following this, the Communist Party of Nepal-

Table 1 Overview of the origins and use of small arms

Origin of small arms	Principal types of small arms <sup>9</sup>	Main users	Provenance	Use
Traditional civilian ownership	<i>Bharuwa</i> (muzzle-loading factory-made hunting rifles) <i>Ek Nale Banduk</i> (single-barrel guns) <i>Due Nale Banduk</i> (double-barrel guns) Various pistols	Local and national elites; retired British and Indian Army personnel	Generally craft; some imported hunting rifles; military rifles	Hunting; cultural ceremonies (e.g. weddings, national and local festivals); symbols of prosperity and power; self-protection
Arms left over from the conflict	<i>Bharuwa</i> , <i>katuwa</i> (craft-made, single-use short-barrel handgun), 12-bore sixer, 9 mm, .303 rifles, Chinese and other imported pistols, M16s, light-machine guns, short machine guns, general-purpose machine guns, and AK-pattern rifles	PLA and other Maoist cadres; armed criminal groups	Traditional civilian ownership; local production; imported legally or illegally from China and India	Insurgency; in post-CPA period for political coercion. Grey zone of political motivations being used to conceal acts of extortion for personal gain.
Arms smuggled into Nepal post-conflict	<i>Katuwa</i> , sixer (revolver), Mungeri <sup>10</sup> 9 mm pistols, Chinese and other imported pistols	Clandestine and criminal groups	China and India, and a small number produced in Nepal	Extortion, kidnapping, gang wars and coercion, sometimes concealed as politically motivated acts



Crafting and loading craft-produced single-shot firearms, known as katuwa, Rautahat, December 2013. Photo courtesy of the author

Table 2 Overview of small arms commonly available in Nepal after 1996

	Name	Description	Production
Pistol	Katuwa	A craft-made single-use short-barrel gun	Craft
	Sixer revolver	Crude revolver with six rounds	Craft
	9 mm pistol	AA semi-automatic pistol	Counterfeit and factory-made
	Other pistols: 315 bore pistol, .22 calibre pistol, .38, .32 pistols	Pistols of various calibres, resembling factory-made pistols such as Colt or Beretta	Counterfeit and factory-made
Rifles	.303 rifle	Lee-Enfield .303 calibre carbines (generic term for bolt-action rifles using .303 cartridges)	Craft; counterfeit and factory-made
	Bharuwa banduk	Muzzle-loaded gun	Craft
	AK-pattern rifle	Generic description of assault rifles with AK features	Counterfeit and factory-made
	Magnum and Hornet rifle; shotgun	Rifles of various calibres	Counterfeit and factory-made
	Indian Small Arms System rifle	Indian Small Arms System 5.56 mm automatic rifle, designed in the 1980s for the Indian Army with AK-pattern design.	Factory-made
	Self-loading rifles (SLR)	Self-loading rifle, 5.56 mm, semi-automatic	Factory-made
	Sterling carbines	9 mm automatic submachine gun	Factory-made or counterfeit
Non-descript	Due Nale Banduk	Double-barrel guns (pistol or shotgun)	Craft
	Ek Nale Banduk	Single-barrel guns (pistol or shotgun)	Craft

Sources: Author interviews, 2014; Karp and Rajagopalan, 2014; Military Factory, n.d.; The Hindu, 2013.

Maoist (CPN-M) launched an insurgency on 13 February 1996 that sought to establish one-party rule and declared Nepal a 'People's Republic'.<sup>11</sup> This not only changed the political landscape of Nepal, but also altered social attitudes to the possession and use of firearms. The conflict broke the monopoly on the ownership and use of guns (Shrestha, 2006) and led to a rise in the number of firearms in circulation, making them more easily accessible.<sup>12</sup> The 2001 massacre, when the Crown Prince reportedly shot dead 13 members of the royal family before committing suicide, was described as a culmination of the 'misuse of small arms and light weapons in Nepal' (Shrestha, 2006, p. 60).

The signing of the CPA, the election of the Constitutional Assembly I<sup>13</sup> (CA-I), and the integration of former combatants into the Nepalese Army, brought to an end the decade-long violent conflict. During the insurgency, both the government and the CPN-M played a role in increasing the number of firearms in circulation. In 2007, the Maoists' military wing, the People's Liberation Army (PLA), turned in 3,475 weapons to the United Nations as a part of the peace process, although it is assumed that this was not their entire inventory (Karp, 2013, p. 7). The number of firearms surrendered by the PLA is estimated to be far less than the number the Maoists seized from the security forces during the conflict (Basnet, 2007):<sup>14</sup> Maoists reportedly captured over 2,397 firearms from the police, yet during the peace process they only submitted around 2,025 small arms (*Nepal National Weekly*, 2012). The whereabouts of firearms acquired from other sources (such as on the Indian black market) remain largely unknown (Pathak, 2005). Moreover, the splintering of the CPN-M and the defection of Maoist cadres loosened control over former combatants and undeclared inventory, which in turn heightened security concerns. During the insurgency, government agencies formed *pratihar samiti* (retaliatory committees) and armed vigilantes to counter the Maoists. Again, the whereabouts of such firearms remains unknown.

In the early post-conflict years, the continued availability of small arms (see Table 2), persistent political grievances, and widespread armed crime led to the proliferation of armed groups, particularly in central Terai and the eastern hills (Rupantaran, 2012). This in turn fostered the demand for guns as communities began to take up arms for self-defence. In Birgunj, for instance, some community-based organizations (CBOs)—such as the Community Forest Management Committees and the School Management Committees—decided to use community funds to acquire illegal firearms as a means to protect themselves.<sup>15</sup> To combat the threat posed by the proliferation of groups involved in armed crime, in 2009 the Government of Nepal adopted the SSP, which fostered cooperation between the Nepal Police and the Armed Police Force (APF), a paramilitary counter-insurgency agency. This led to a successful sweep operation, chasing some groups from western and central Terai into Dhanusa district. It also led to the arrest of many individuals involved in armed groups and to the disbandment of these

groups.<sup>16</sup> Following the adoption of the SSP and direct negotiations with the government, the number of armed groups<sup>17</sup> has reportedly dropped from over 110 in 2009 to a dozen in 2013 (Bogati, Muggah, and Carapic, 2013). The disbanding of an armed group often includes the capture or surrender of its arsenal, but activists argue this is not always the case (*Madhesh News*, 2013).

Traditional ownership, the insurgency, and the subsequent proliferation of armed groups have led to an increased number of firearms in circulation (see Table 1). This Issue Brief does not address the provenance of firearms in traditional ownership and during the insurgency, but rather identifies and analyses the sources of firearms in the post-conflict period.

### Points of origin, transit routes, and destinations

In Nepal, as elsewhere, strict regulations and the underground nature of the arms trade make it increasingly difficult to trace the smuggling of weapons and associated activities. Interviews with senior officials and the

police suggest that the number of arms trafficked across Nepal's northern border with China increased during the insurgency (from 2000 to 2006 in particular), though the majority of illicit firearms continued to come from India.<sup>18</sup> This confirms previous Small Arms Survey findings that India is the primary source of small arms in Nepal, most of them entering the Terai region via its long unregulated border (Racovita, Murray, and Sharma, 2013, p. 59).

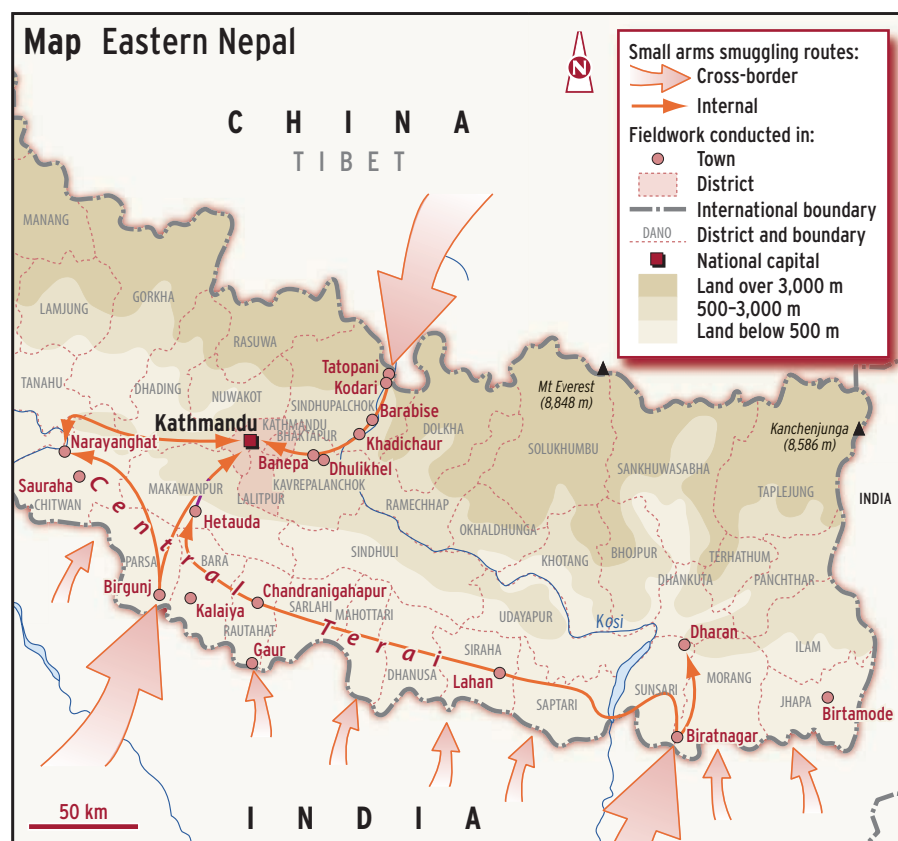
The open border to the south, and the ethnic, cultural, and linguistic similarities between the communities living on either side of it, make it easy to exchange information. In contrast, the closed northern border with China, the opaque nature of the country's government, and the distinct cultural and linguistic characteristics of the Chinese and Nepali border communities, make communication and access to information very difficult. Moreover, Nepal's border with China traverses the highest peaks of the Himalayas, where border crossings are arduous and restricted to only a few mountain passes. In contrast, the flat terrain surrounding Nepal's border with India facilitates cross-border movement. The research was therefore able to trace some points of origin in India (see Map 1) but not in China.

The towns bordering India in the south and China in the north, such as Birgunj, Biratnagar, and Tatopani, have become transit points for small arms smuggling. The main onward destinations are in the Kathmandu Valley, Narayanghat, and Dharan, although the distinction is not very clear-cut as there are also criminal gangs that use illicit firearms in cities such as Biratnagar and Birgunj. The cities in the Kathmandu Valley and Dharan are also transit points for the surrounding districts.

### Points of entry for illicit small arms from India and China

#### *Birgunj area*

Birgunj is Nepal's largest entry point for goods and people, and a gateway



to Kathmandu and other parts of the country. The border custom post is a major revenue-collection centre (Republica, 2014). The districts in this area, with the exception of Makawanpur, were under high SSP alert (SSP, 2009) and are also believed to be major corridors for smuggling goods ranging from marijuana and other drugs to small arms, timber, and counterfeit Indian currency.<sup>19</sup> Nepal's largest marijuana plantations used to be based in the Bara, Parsa, and Rautahat districts,<sup>20</sup> from where the drug was smuggled primarily to India. This illicit economy fuelled crime and violence in central and eastern Terai, which in turn stimulated the demand for small arms. Some farmers procured illicit firearms to protect their plantations from the authorities as well as from robbers.<sup>21</sup> The police also reportedly allowed the business community in Birgunj to keep unlicensed small arms.<sup>22</sup> With this new demand for firearms, actors such as *dhouwas* (carriers of illegal goods) and *blakias* (dealers on the black market) became notorious. In this poor region, the farmers could afford only low-quality craft firearms fabricated in India, particularly *katuwas* (handguns), the cost of which range from INR 5,000 to INR 8,000 (USD 80–130).<sup>23</sup>

This trade resulted in a lucrative illicit economy that included smuggling, robberies, kidnappings, and extortion of the local population and business community in particular. In an effort to curb such crime, the authorities took steps to destroy the plantations. In response to the heightened insecurity, people living in border towns such as Badka, Bishrampur, Gadi, Jayamangalapur, Khalwatol, Khosraha, Mirjapur, Sabaithuwa, Sedwa, Shikta, Thori, and Vishuwa began to arm themselves.<sup>24</sup>

The key informants from the area, who included *blakias*, *dhouwas*, representatives of civil society, journalists, business owners, and security agents, agreed that the illicit marijuana plantations have all but disappeared since the adoption of the SSP in 2009. The effort has significantly reduced the illicit economy, reflected in the declining demand for small arms in the area.

The existing weapons have not been surrendered, however, but are—according to a local crime reporter—'hidden like snakes in winter [because of strict policing]'.<sup>25</sup> Moreover, although these plantations were largely destroyed in Parsa, some have since appeared in districts such as Dhading, Makawanpur, and some parts of Chitwan (Gorkhapatra Online, 2014; author interviews). This shift has in turn fuelled the demand for small arms in Chitwan, Dhading, and Makwanpur area.

Birgunj remains a transit point for the smuggling of small arms to towns in the north of the country. Criminal gangs operating in the Kathmandu Valley and Chitwan continue to have their own suppliers in Birgunj.<sup>26</sup> The towns in northern India are ideal places to obtain firearms because the unregulated open border facilitates transit. The Indian cities of Bagaha, Bhrampuri, Champia, Faduwa, Ghodasan, Motihari, and Rajpur are known for their illicit markets for small arms.<sup>27</sup> In addition to arms introduced illegally, there are a few local workshops in Nepal that manufacture *katuwas*. According to local journalists and the police, local ironsmiths can easily produce *katuwas* from scrap metal, a skill they had acquired from their forefathers long before the conflict.<sup>28</sup> In a village in the Parsa district, a few weeks before the CA-II elections the police raided a warehouse and arrested two individuals who had a *katuwa* and other items used to make guns, such as GI pipes (iron pipes used in plumbing that are employed to make gun barrels) and springs (used in various types of water pump and used to build a trigger mechanism).<sup>29</sup> Security sources say that villages in the Parsa district, such as Bajwanna, Bhauratar, Jagannathpur, Khalwatola, Lakhanpur, Lakhanpur, Narkatuwa, Sabaithawa, Sirsiya, and Sonbarsa, all have a number of 'skilled workers' who can manufacture firearms and explosives.

### **Biratnagar area**

The city of Biratnagar is notorious for arms-related violence and as a hub of

small arms trafficking (*Himalayan Times*, 2014b). In 2011 the city made national headlines when the Morang District Court witnessed an attempt to shoot a prisoner, who was under arrest on a charge of murder (*Himalayan Times*, 2011).<sup>30</sup> Nepal's two most infamous criminal gangs are based in the city, as are networks suspected of small arms trafficking. On 27 February 2014, the Morang police arrested six Indian nationals in Biratnagar and seized arms and ammunition. A police officer involved in the investigation said it was possible that the suspects were professional arms smugglers as the police recovered five loaded pistols, nine magazines, and 58 rounds of bullets. In the preceding two months, the Morang police had captured over a dozen small arms smugglers in Biratnagar and subsequently arrested five Indians and two Nepali nationals (*Himalayan Times*, 2014b).

There are 48 border points in the eastern region where it is easy to enter India to obtain small arms.<sup>31</sup> The towns of Bardanga, Bathana, Birpur, Chokarwa, Darbhanga, Farbisgunj, Galgaliha, Jogbani, Kisangunj, Madhubani, Nirauwa Tapu, Nirpur, Sonapur, and Supoul are known for the easy availability of small arms.<sup>32</sup> Most are manufactured locally, although it is also possible to obtain counterfeit *mungeri* pistols, which are of better quality and hence more expensive. (Since most of these come from Munger in Bihar, they are colloquially referred to as *mungeri*, which has become synonymous with a counterfeit gun.) Some smugglers prefer the Laliya border, particularly Rangeli and Sikti.<sup>33</sup> *Katuwas* are also made in some remote areas of Nepal, such as Dhanusa, Jhapa, Morang, Saptari Siraha, and Sunsari,<sup>34</sup> although strict policing has discouraged this. The city is a transit point for all kinds of illegal trade, particularly drugs from Jogbani, as well as small arms. The key informants reported that the urban areas in Terai are transit points for destinations such as Dhankuta, Dharan, and Kathmandu.<sup>35</sup>

## The Arniko Highway area

Unlike its border with India, Nepal's border with China is heavily regulated. Tatopani is Nepal's largest trade corridor with China. Border security is stricter on both sides, which makes cross-border smuggling more difficult than it is in the southern border area. This said, the Arniko Highway is known to be a route for smuggling wildlife and various goods to and from China. Such goods include *rakta chandan* (the endangered red sandalwood),<sup>36</sup> *satuwva* (a medicinal herb),<sup>37</sup> *sunakhari* (a type of orchid), *jadibuti* (medicinal herbs), and seahorses, as well as many other forms of wildlife in which trade is prohibited under the Convention on International Trade of Wild Fauna and Fauna (CITES) (*Kathmandu Post*, 2013). China is also a destination for smuggled US dollars,<sup>38</sup> marijuana, hashish, and other narcotics. In early 2014, the route hit the national headlines for the smuggling of gold from China to India (*Himalayan Times*, 2014c). The particularly lucrative illicit trade in red sandalwood spawned smaller criminal gangs that operate along the Arniko Highway. These groups tend to use Chinese pistols, thus increasing the demand for firearms smuggled over the northern border.<sup>39</sup>

During the last five years of the conflict, Maoist combatants increasingly used Chinese weaponry.<sup>40</sup> Since 2006, however, no small arms smugglers have been apprehended on this route, although the Nepal Police do not deny their existence.<sup>41</sup> The large number of Chinese pistols seized by the police in the Kathmandu Valley confirms the claims made by retired high-level MoHA officers, police officers, and members of criminal gangs that, since the CPA, Chinese weapons account for the largest share of illicit weapons and dominate the illegal market for factory-made pistols. Criminal gangs consider that Chinese pistols are more reliable than the Indian counterfeits.<sup>42</sup>

Some key informants in the area, including authorities working along the Kodari route and individuals involved in clandestine activities,

claim that there are many ungoverned routes to China through hill forests in Dolakha, Rasuwa, and Sindhupalchok. Some suspected smuggling routes originate in the village of Bigu in Dolakha district and go to Alampur, Chyasa, and on to Tibet, while others start at the Laftang on the Nepal–China border and lead to various Nepalese towns such as Ramche village in Sindhupalchok, Barabise, and parts of the Dolakha district, such as Chakhu.<sup>43</sup> These smuggling routes are mushrooming because it is so hard to patrol the mountainous terrain. There is a lack of physical infrastructure, and local security agencies have only limited financial and human resources. The nearest police posts are between a six-hour and a three-day walk from the ungoverned routes, and sometimes the number of police officers present does not always match the number approved by the authorities. Some key informants also suggested that collusion between smugglers and high-profile local political figures facilitates clandestine activities in the area.<sup>44</sup>

## Main destinations for smuggled firearms

After being smuggled into Nepal from India and China, small arms often make their way to markets in Dhankuta, Dharan, Kathmandu, and other hill destinations.

### Dharan

Dharan is one of the major cities in eastern Nepal, a trading centre located in the Sunsari district, between the hills and the edge of the Terai plain. The city was also a recruitment centre for the British Gurkha Force, which closed in the early 1990s. As a result, the city's population includes a number of relatively wealthy former British Gurkhas and trading families. It is one of the country's most prosperous cities, with an estimated poverty rate of about three per cent, as opposed to the 25 per cent national average (CBS, 2013, pp. 7, 19). In recent years the city has also become infamous for the level of gang violence and high drug use

among young people (IRIN News, 2011). A number of criminal gangs are based in Dharan, and in 2010 clashes among local gangs resulted in gunshot wounds (Acharya, 2010).

The existence of criminal gangs makes the city a lucrative destination for the trade in illicit drugs and small arms, which are reportedly more expensive than in other parts of the country. Small arms such as *mungeri* pistols that cost around NPR 25,000 (USD 250) in the border city of Biratnagar fetch twice as much or more in Dharan.<sup>45</sup> Key informant interviews suggested that most firearms destined for Dharan and other hill areas are smuggled through Jhapa, following the highway from the south and then from Damak Lalbatti to Itari. Arms smuggled through Morang follow two major routes: from Joghani, to Biratnagar, Dubahi, and finally to Itahari; or from Shahebgunj to Harinagar and then on to Inaruwa or Itahari. The latter appears to be the convergence point for small arms from Jhapa, Morang, and Sunsari.

### Chitwan

The city of Chitwan, which in 2007 the Maoists proposed as the capital of Nepal, is also increasingly known as a transit point for a number of illicit activities such as human trafficking, the drugs trade, prostitution, wildlife poaching, and trading in timber.<sup>46</sup> The district has witnessed incidents of armed gang violence, including shoot-outs and killings,<sup>47</sup> and it is alleged that former PLA combatants in Shaktikhor have also been involved in various incidents of armed crime. This suggests that criminals increasingly make use of firearms.<sup>48</sup> Poachers in the Chitwan National Park usually use long-barrel craft *bharuwas* but, according to a conservationist working in Sauraha, bullets of .303 rifles and SLRs were also found hidden in the carcass of a rhino.<sup>49</sup> The *bharuwas* are manufactured in villages such as Korak, Madhauri, Manhari, Partapur, Sidhi, and Shaktikhor. These firearms, which are not usually for sale, are manufactured from GI pipes and scrap materials, and cost NPR 500–10,000 (USD 5–100) to produce.<sup>50</sup>

Chitwan is a destination for Chinese pistols smuggled via Kathmandu, while Indian weapons come mainly from Birgunj.<sup>51</sup>

### Kathmandu Valley

The Kathmandu Valley, Nepal's political and financial capital, has a booming market in illicit goods and activities. It is the largest destination for small arms smuggled from China and India and is on the transit route to the surrounding districts. The two main smuggling routes are from Birgunj via Patlaiya, Hetauda, Manohari, Bharatpur, and Mugling to Kathmandu; and from Birgunj via Patlaiya, Hetauda, Bhaise, Bhimpheedi, Kulekhani, Dakshin Kali, and Pharping to Kathmandu. The former is also used to smuggle Chinese pistols from Kathmandu to Narayanghat.<sup>52</sup> Smugglers generally prefer the second route, however, as there is less security presence.<sup>53</sup> Small arms smuggled in from Bara, Dhanusa, Jhapa, Morang, Parsa, Rautahat, Saptari, Shiraha, and Sunsari follow the East–West Highway and then from Hetauda follow the two routes mentioned above. According to a senior police officer, Birgunj is the main transit point for small arms smuggled to Kathmandu and surrounding areas.<sup>54</sup> Members of criminal gangs interviewed in Kathmandu and Chitwan confirmed this.<sup>55</sup> From the northern border, small arms destined

for the Kathmandu Valley are smuggled in mainly via the Arniko Highway. Although the police claim that over 90 per cent of small arms are smuggled in from India, it is unclear how many of the illegal firearms circulating in the Kathmandu Valley are locally produced or were smuggled across the southern border.

There are some areas in the Kathmandu Valley that have a relatively high level of illicit activities, including small arms smuggling. These include Boudha, Chakarapath, Jhamsikhel, Kalanki, New Baneshwor, New Bus Park, and Thamel. According to police sources, there are 32 *sukumbasi basti* (shanty towns illegally settled on public land) in the Kathmandu Valley, which can also be used as hideouts by local Dons and criminals. These shanty towns are characterized by poverty and high unemployment, and are also reported to serve as recruitment bases for criminal gangs.<sup>56</sup>

The number of illicit firearms seized in the sporadic police operations is small in view of the estimated figure of around 15,000 circulating in the capital.<sup>57</sup> According to a retired MoHA official, only two or three per cent of the total is seized each year, although between 2009 and 2013 the police broke up several arms-trafficking rings. One of the largest was on 17 March 2009, when the Tinku Singh group was found to be in possession of two SMGs, one

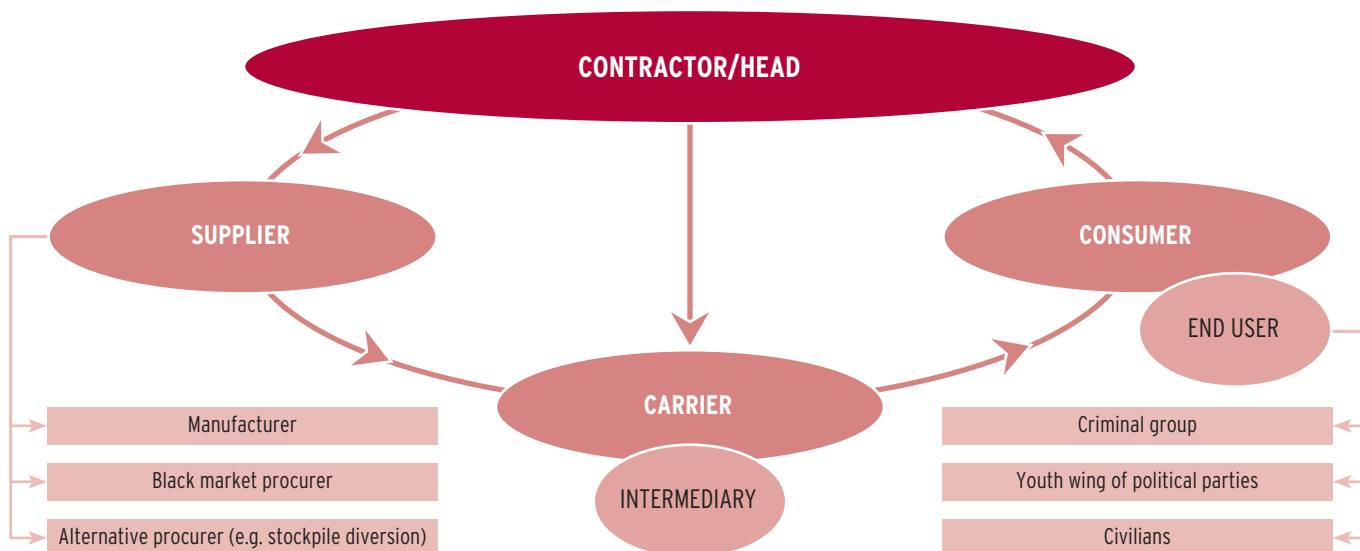
silencer pistol, and three factory-made pistols (Khanal, 2009). The group was allegedly involved in trafficking illicit arms from India to Nepal, and had been active from the time when racketeering in red sandalwood was rife (Khanal, 2009). Between 2009 and 2013, it had reportedly supplied weapons to a range of clients, including major criminal gangs that moved sandalwood through the Valley, individuals from political youth wings, and members of the business community.<sup>58</sup>

## Actors and methods used in smuggling illicit firearms

### Methods used in smuggling

Small arms are smuggled into Nepal in a variety of ways. For instance, *blakias* may keep one or two short-barrel arms under the motorbike seat when they cross the southern border. The weapons are then passed on to Nepali intermediaries who deliver them to their contacts or to the end user (see Figure 1).<sup>59</sup> Other smugglers disguise guns as packages of food, fertilizer, or even fruit. Interviewees described the method of scooping out a watermelon and hiding pistols inside it. Others mentioned hiding weapons under rickshaw seats, wrapping them in plastic and concealing them in a *matka*, a mud vessel used to make and keep yogurt, or transporting them in *tangas* (horse-drawn carts).

Figure 1 Principal elements of smuggling networks in Nepal (based on key informant interviews)



For larger and more regular demands, small arms are hidden in large consignments trucked in from India—often concealed in fake partitions in the cargo or fuel tank or disguised as engine parts. The trucks enter Nepal through official custom posts and follow the principal routes to their destinations. There are very few chances of catching them without the necessary scanning equipment. Based on tip-offs, the border police have apprehended a few consignments of illegal arms but, with an average of 200 trucks crossing the border each day, manual searches are difficult and most illegal cargos get through. During the insurgency, Maoists smuggled arms and ammunition in trucks covered with hay and used bribes to facilitate passage.<sup>60</sup> In interviews, the Nepal Police underlined the need for scanning equipment at border posts to enable them to detect firearms concealed in loaded trucks.<sup>61</sup>

Smugglers also take advantage of security gaps. For instance, the police seldom check vehicles bearing flags and banners for political rallies. Some individuals affiliated with the youth wings of political parties have used this as an opportunity to transport illicit small arms from Biratnagar to Kathmandu.<sup>62</sup> There are reports that during the CA-II elections political parties used the same strategy.<sup>63</sup> According to a former deputy commander of a PLA division, the division imported 60 Kalashnikov-class rifles (AK-47) from India to western Nepal during the insurgency.<sup>64</sup>

Police records and interviews with individuals involved in illicit activities suggest that at most five small arms and related ammunition are smuggled into Nepal at a time. Although larger consignments have been reported, these are not the norm. This supports the characterization of such smuggling as an 'ant trade'.

## Actors involved in smuggling small arms

The actors involved in small arms smuggling can be categorized into four main types: contractors, suppliers,

carriers (transporters), and consumers, who may or may not be the end-users.<sup>65</sup> In this Issue Brief these terms refer only to clandestine operators, not to licensed firearms.

Police and government sources suggest that networks involved in trafficking small arms are highly compartmentalized so that nobody knows the entire group and can thus deny any involvement if they are arrested. Carriers are the most common and the most vulnerable element in such a network, and have little knowledge of the overall picture. When they are arrested, carriers tend to claim that they do not know anyone, including the leader of the network and the end-user, that they have only a pick-up and drop-off location, and were involved only for the money.<sup>66</sup> An intermediary provides a code word in order to identify the contact at the point of receipt and delivery. The carrying fee ranges from NPR 2,000 to NPR 25,000 (USD 20–260). The fee depends on the type of arms to be conveyed, and on the distance, number of checkpoints, and final destination. A senior police officer says there may be up to five different carriers used for one delivery.<sup>67</sup> Most of those arrested on charges of small arms trafficking are carriers. According to the police officers involved in investigations, a carrier might know or be

completely unaware of the nature of their cargo. According to the Nepal Police data on arrests made between 2008 and 2013 indicates that 90 per cent of the carriers were men, and women constitute the remaining 10 per cent (Nepal Police, 2014).

The second category is that of the contractors. These take orders from various customers and arrange the cross-border trafficking of small arms, identify and mobilize the carriers, and ensure delivery. Some contractors make a 'setting', or establish links with individuals in key positions, sometimes providing bribes to facilitate passage through the checkpoints. Others use various intermediaries to serve as contacts for the carriers, or to act as facilitators—thus expanding the network, and making it more difficult for activities to be traced back to them. Some contractors also use agents to collect payments. These are often members of clandestine or criminal groups. A contractor may head a network or manage it on behalf of a head who, although not directly involved in the transactions, receives part of the profit. The usual mode of payment is in cash and generally made in advance, but the details depend on the specific deal between buyer and seller.

The third category is that of the suppliers. These are not necessarily

### Box 1 Small arms for rent—a relatively new phenomenon

Police sources suggest that, rather than purchasing them, an increasing number of people rent illicit firearms. Just before the CA-II elections, the Morang police seized three mungeri counterfeit pistols when they arrested a group of youths associated with a political party. The pistols had been hired from dealers for NPR 10,000 (USD 100) a day.<sup>68</sup> The Kathmandu police also arrested an individual who had a mungeri revolver, which he was suspected of using for the purposes of extortion. Under questioning the accused admitted he had rented the revolver from a former Maoist combatant for NPR 20,000 (USD 200) a day.<sup>69</sup>

In Kathmandu the police are conducting sting operations in which a ghumuwa (plainclothes officer) infiltrates criminal gangs. In one such operation, a ghumuwa offered a suspected an advance of NPR 20,000 (USD 200) for the hire of a pistol to use in burgling a wealthy private residence in the Kirtipur area. The suspect agreed to provide a mau (pistol)<sup>70</sup> with bacha (ammunition)<sup>71</sup> in exchange for a 20 per cent share of the loot, estimated to be worth around NPR 200,000 (USD 2,000). The police arrested the suspect the following day in possession of the pistol in question.<sup>72</sup> This is but one example of a wider trend in clandestine and criminal activities, as confirmed by members of criminal gangs. The rental price depends on the personal relationship between the two parties, and for how long and why the gun is hired.<sup>73</sup> Hiring firearms is increasingly preferred to purchasing them, since it is quite easy to do so, it does not entail a large investment, and the likelihood of arrest is lower. Buying a Chinese pistol in good condition costs NPR 150,000–200,000 (USD 1,500–2,000), but it can be hired for only NPR 20,000 (USD 200) a day.



the manufacturers of illicit arms (such as craft producers), but can occupy various positions as agents (such as *blakias*) in the black market. They may also be members of armed groups that have captured firearms from army or police stockpiles.

The fourth category is the customer—the individual or group that placed the order. The customer may or may not be the end-user of the weapon. Customers contact contractors or intermediaries and request a particular type and number of weapons, and arrange for the delivery. When the customer is a group, the weapon may be destined for use by its members. A customer may subsequently sell the weapon or offer it to a third party. One of the Dons from Biratnagar is well known for making gifts of small arms to his colleagues in Kathmandu. There are also reports that during the CA-II elections, members of political parties bought illicit firearms (Dahal, 2013). In Nepal, criminal gangs are thought to be

among the largest purchasers of illicit small arms, and are involved in all kinds of criminal activities, ranging from theft to extortion and contract killings. Before the conflict these groups mainly used *khudas* (heavy knives) and *khukuri* (bladed weapons), but as firearms became more available in the post-CPA period they started to use them instead. Traditional weapons lost their coercive effect, which in turn made it essential to have small arms in order to maintain dominance and territorial control. The success of the illegal trade in red sandalwood, a kilo of which costs INR 400 (USD 7) on the Indian border, but almost NPR 5,000 (USD 52) on the Tibetan border,<sup>74</sup> helped fuel the reliance on more sophisticated and lethal weaponry.

Most key informants reported that the ‘crime–politics nexus’ in Nepal is a key facilitating factor in the trafficking of firearms. Corruption, the abuse of authority, and political protection prevent the capture and prosecution of

individuals involved in smuggling and dealing in illicit small arms (Zipperer, 2013). Members of criminal gangs use the term ‘setting’ or ‘lining’ to describe bribing the authorities to turn a blind eye to smuggling goods across the Nepal–India border. According to one report, bribes of border guards can range from less than NPR 500 to as much as NPR 10,000 (USD 5–USD 100) (Zipperer, 2013). Some key informants claimed that bribes are essential in order to conduct certain illicit activities.<sup>75</sup> One widely reported case was that of Deputy Superintendent of Police Roop Kumar Neupane, who was demoted and eventually dismissed for colluding with criminal gangs and armed groups in the Dhanusa district (*Kathmandu Post*, 2011). Other cases of police officers involved in various crimes have been reported (INSEC, 2011, p. 6) and key informants referred to plain-clothes police,<sup>76</sup> having been involved in various forms of extortion and selling or carrying arms for criminal gangs.<sup>77</sup>

Table 3 Price and profit margins of selected illicit firearms at entry point and destination

Type of firearm	Entry/transit point and price (NPR)		Destination and price (NPR)		Estimated gross profit (NPR) inc carrying charge
Katuwa	Biratnagar	10,000	Dharan	20,000	10,000
Sixer (revolver)	Biratnagar/Jhapa	25,000	Dharan	50,000	25,000
Mungeri pistol	Biratnagar	50,000	Dharan	100,000	50,000
Chinese pistol	Tatopani	35,000	Kathmandu	100,000 to 150,000	65,000 to 115,000
Katuwa	Birgunj/Biratnagar	10,000	Kathmandu	25,000	15,000
Sixer (revolver)	Biratnagar/Jhapa	25,000	Dharan	50,000	25,000
Mungeri pistol	Biratnagar	50,000	Kathmandu	100,000	50,000
Mungeri pistol	Birgunj	25,000	Kathmandu	50,000 to 100,000	25,000 to 50,000
US/Italian/ German factory-made pistol	Birgunj/Biratnagar	160,000	Kathmandu	200,000 to 300,000	40,000 to 140,000
Chinese factory-made pistol	Tatopani/Kathmandu	35,000	Chitwan	160,000 to 230,000	125,000 to 185,000 <sup>79</sup>
US/Italian/ German factory-made pistol			Chitwan	200,000 to 300,000	40,000 to 150,000

Note: The figures are based on the modes (most frequent value) of the lowest and highest prices reported by key informants in the five areas.

Source: Author interviews, December 2013–April 2014.

## The illicit small arms economy

According to a retired police officer with a career in the MoHA and the Ministry of Defence, the trade in small arms accounts for a very small share of Nepal’s illicit economy, although it is hard to establish its magnitude due to the lack of data on the number of illegal firearms in the country and the difficulty of monitoring their prices.<sup>78</sup> Table 3 presents a snapshot of the prices fetched for illicit firearms. It shows that direct profits made from selling a firearm can range from a few thousand rupees to some NPR 150,000 (USD 1,500).

On average, prices range from NPR 20,000 to in excess of NPR 250,000 (USD 200–2,500) depending on the type and quality of the firearm. In Kathmandu Valley, a home-made *katuwa* costs around NPR 20,000 (USD 200), a *mungeri* pistol costs NPR 50,000–100,000 (USD 500–1,000), while factory-made Chinese pistols fetch around NPR 150,000 (USD 1,550), and first-hand automatic US

and Italian pistols cost around NPR 250,000 (USD 2,500).

For a contractor, the net profit from the trafficking and sale of illicit firearms is often accumulated as the difference between the manufacturing price or the price registered at the entry point and the price demanded at the destination, minus the carrier and intermediary fees. This does not take into account indirect profits, for instance when the firearm is rented out repeatedly.

In central and eastern Nepal (including the Kathmandu Valley), the *katuwa* is the most widely available firearm and is far cheaper than a factory-made weapon (the average cost is NPR 5,000–15,000 (USD 50–150)), but is less accurate and less reliable than a single-shot craft gun. For this reason, the *mungeri* counterfeit revolvers and pistols now dominate the illicit market in Nepal. A *mungeri* automatic pistol in good working order can be purchased for NPR 25,000–150,000 (USD 250–1,500) depending on the deal, and the place and quality of the weapon. Original factory-made US or Italian pistols cost around NPR 250,000 (USD 2,500), a price that tends to put them beyond reach. Most of the counterfeit automatic and semi-automatic pistols and revolvers are made in illegal factories in the Indian states of Bihar (mainly Munger, which explains the generic term *mungeri* for counterfeit guns) and Uttar Pradesh. Illicit factories in India are also present in Aasapur, Betiya, Gadarpur, Ghodasahan, Jhola Sakinia, Laskar, Motihari, and Muzaffarnagar (Bhowmick, 2012; Saxena, 2014). Producers copy factory-made US, Italian, German, and even Chinese pistols, reproducing the markings, including the place of fabrication. The quality of these counterfeits varies widely, and some can be easily identified through misspellings (see Image 1).

## Tackling firearms smuggling

Nepal is a signatory of the United Nations Programme of Action on Small Arms and of the Arms Trade Treaty (ATT), with proposed ratification of the

Image 1 Handguns seized by the Nepal Police: a US-manufactured 7.6mm pistol, a counterfeit (*mungeri*) pistol marked as US-made, and a selection of craft-produced single shot firearms (*katuwa*)



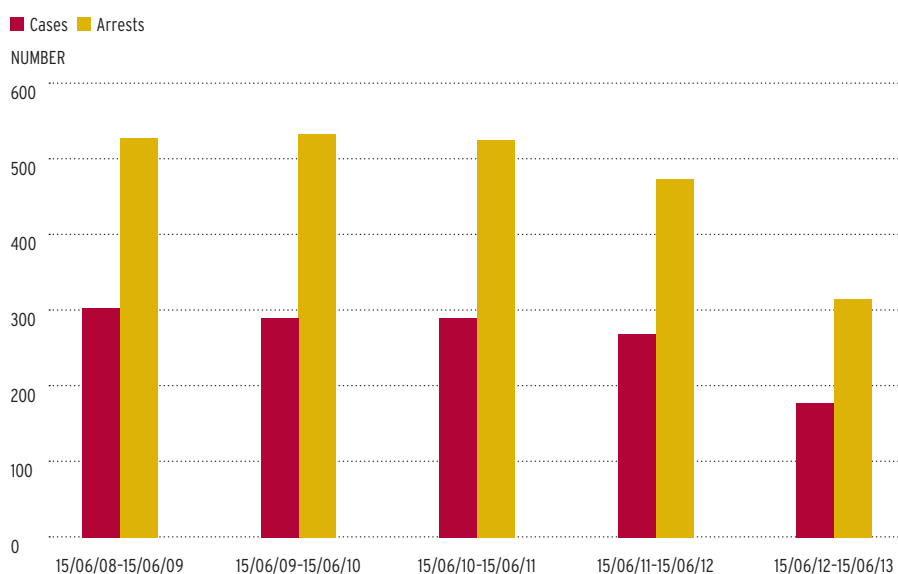
Photos courtesy of the District Police Offices of Kathmandu and Rautahat, March 2014. © Lekh Nath Paudel

ATT tabled in June 2014 (*Himalayan Times*, 2014d). The ownership, possession, manufacturing, transfer, and acquisition of arms and ammunition in Nepal are regulated by the 1962 Arms and Ammunitions Act and its subsequent amendments (Government of Nepal, 1962). Current legislation imposes up to five years imprisonment and fines of up to NPR 100,000 (USD 1,000) for the illegal possession of firearms and ammunition (*Himalayan Times*, 2013). An individual may own a total of three registered firearms and a family up to six in any combination, in addition to one air gun. The law also allows an individual to obtain a licence for a 12-, 16-, 20-, or 410-bore shotgun, a musket, an air gun, and a .22-bore rifle for security or hunting purposes.

A 2007 amendment to the 1962 Arms and Ammunition Act also prohibited the manufacture or adaptation of firearms or ammunition, in an attempt to curb craft production (*Kathmandu Post*, 2014). Additional amendments stipulate that, in order to prevent electoral violence, during election periods only security officers may carry arms. In April 2013, ahead of the constitutional assembly elections, the government issued a 30-day amnesty for illegal firearms to be surrendered to the authorities. The initiative met with limited success, however, with only 6,700 weapons surrendered (*Xinhua*, 2013).

In accordance with legislation, government agencies have taken bold steps to stop smuggling and illicit activities involving firearms. These include a combination of stringent policing strategies and policy reforms. Working in collaboration with the Indian border guards, the Nepal Police have arrested about a dozen criminal gangs and smuggling rings. In some 1,300 cases between June 2008 and June 2013, over 2,300 arrests were made on charges of firearms smuggling (see Figure 2). According to the annual police records on cases brought under the Arms and Ammunition Act, there was a 41 per cent drop in the number of cases of

Figure 2 Number of cases and persons arrested by the Nepal Police on charges of small arms smuggling, June 2008–June 2013



Source: Nepal Police, 2014 (based on annual records on the cases brought under Arms and Ammunition Act from 2008 to 2013).

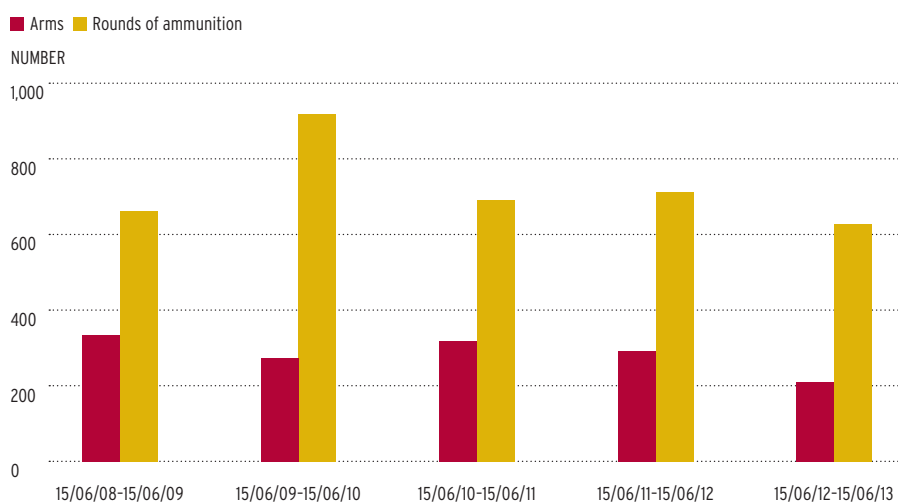
small arms smuggling between 2008 and 2013, from 304 to 178 (Nepal Police, 2014). It is unclear whether this is due to successful policing, or because smugglers have managed to avoid detection and capture.

According to police data, most of those arrested were men, with women carriers accounting for around 10 per cent of cases. The number of arrests made in a single operation varies, but is generally between one and six members of the same ring. In a noteworthy instance, the Birgunj police arrested an arms dealer who had a *katuwa*, and successfully traced the weapon back to the

craft manufacturer, the owner of a warehouse where the guns were being made.<sup>80</sup> Police officers have also noted that those arrested were seldom professional arms dealers but tended to be individuals hoping to make easy money.<sup>81</sup>

Police records indicate that from 2009 to 2013 they seized more than 1,400 firearms and over 3,600 rounds of ammunition. Of these, the largest captures of ammunition were in 2010 and 2012, while the largest number of illicit firearms was seized in 2009 and 2011. There was a notable reduction in the number of cases in 2013 (see Figure 3). Once seized, the firearms

Figure 3 Illicit firearms and ammunition confiscated by the Nepal Police, 2009–2013



Note: The years are displayed according to the Nepali calendar, from 15 June to 15 June the following year. The data is taken from the Nepal Police annual records on the cases brought under Arms and Ammunition Act 1962.

Source: Nepal Police, 2014.

and ammunition are sealed and supposed to be kept in the custody of the Chief District Officer (CDO) as stipulated in the Arms and Ammunition Act 1962 and subsequent amendments, but in practice they are kept in the relevant District Police Office.<sup>82</sup>

*Katuwas* account for more than half of the illicit firearms seized by the police between 2009 and 2013, followed by pistols, LG rifles, and *baruwas*. Despite the lack of information on the precise circumstances of the arrests and seizures, a comparison with the number of cases registered shows that in general only one or two weapons were smuggled at the same time, and that large consignments are rare.

In the absence of expensive equipment to scan trucks, the government has opted to bolster police operations. Sting 'buy-and-bust' operations involve plainclothes police and informants seeking to catch smugglers in the act. The police order a weapon and pay the advance, then follow the agents and arrest them when the requested firearm is brought to the delivery point. In 2012, this strategy enabled the police to seize a SMG in Kathmandu, which had been smuggled from Birgunj, via Hetauda, Narayanghat, and Mugling.<sup>83</sup> Plainclothes police in Kathmandu have recently caught a number of arms dealers, after having paid around NPR 50,000 (USD 500) to

acquire a smuggled *mungeri* pistol, and an advance of NPR 20,000 (USD 200) to hire a sixer. The police subsequently arrested the carrier. In February 2014 the Biratnagar police arrested a dozen individuals involved in arms dealing, using the same strategy to break up a six-person ring. The provisions of the current legislation allow for a financial incentive to police informants who help to break up small arms trafficking rings: the informants can receive up to 25 per cent of the fine paid by the offender, or up to 50 per cent if the informants are private individuals (Government of Nepal, Arms and Ammunition Act 1962, 2007 amendment). Most of those who



Police display seized weapons including (from left) Sterling Carbines and craft-produced *katuwa* and *baruwa*, Birgunj, December 2013. Photo courtesy of the Parsa District Police Office. © Lekh Nath Paudel

were interviewed consider that the 'buy-and-bust' strategy has been successful in cracking down on smuggling and illicit trade in small arms, although it has also been criticized as being heavy-handed on some occasions. For instance, it is alleged that two individuals arrested on smuggling charges were subjected to police violence while they were held in custody (AHRC, 2013).

Besides tackling the supply of firearms through its 'buy-and-bust' strategy, the Nepal Police has also tried to target *Gondas*, assumed to be the main customers of smuggled weaponry. The police have also exploited internal rifts in criminal gangs in order to bust them, a process that depends on very close collaboration with their informants. In interviews, a number of Nepal Police officers said that gang violence limits their ability to tackle such groups and seize their arsenals.

Various NGOs and law-enforcement agencies have called for legislation on the possession and acquisition of small arms to be strengthened, in order to prevent the misuse of licensed firearms or their diversion to non-authorized users. The argument for tighter licensing has not met with universal approval, however; some maintain that a tougher regime may push some people to obtain firearms illicitly. Some key informants also argued for administrative reform in the prosecution of offences involving small arms, and for eliminating all forms of corruption that may impede a fair or speedy trial. At present the CDO has quasi-judicial powers to detain persons suspected of having infringed small arms legislation for up to three months without charge. Human rights bodies have criticized these extended powers, introduced to allow for speedy trials, for prolonging detention without trial (Bogati, Muggah, and Carapic, 2013).

## Conclusion

Nepal, in common with other post-conflict societies, still faces security challenges. This Issue Brief focuses on

small arms smuggling into eastern Nepal, and on the routes and means used and the policies in place to address the problem. Most illicit firearms that enter eastern Nepal come through the open border with India, although there is a need for more research in order to gauge the level of trafficking across the border with China. The Issue Brief also finds that most firearms in circulation in eastern Nepal are craft or counterfeit guns, and identifies the relatively new phenomenon of renting illicit firearms.

The Issue Brief reviews the historical background of small arms trafficking and its links to the smuggling of other illicit goods, including drugs, precious metals, and sandalwood. The CPA, the integration of former Maoist combatants into the Nepalese Army, and the overall reduction in the number of armed groups in the country have contributed to the reduction in the demand for small arms since the insurgency period. The proliferation of criminal groups has, however, maintained a demand for illicit firearms.

To curb this phenomenon, the Nepali authorities have targeted both the supply of and demand for small arms, using legislative measures and 'buy-and-bust' strategies to identify and break up trafficking rings. The results of these efforts have been mixed. Some call for a tighter firearms regime, and others for better prosecution and less corruption, or for serious investment in training and equipment for border police. Last but not least, there is a need for tighter regulation of the Nepal-India border, the principal entry point for smuggled firearms and ammunition, in order to achieve tangible results in the fight against the proliferation of illicit small arms. ■

## Online annexe

The online annexe on methods and key informant interviews is available at: <http://www.smallarmssurvey.org/publications/by-type/issue-briefs.html>

## Notes

- 1 The Comprehensive Peace Accord (CPA) was signed on 21 November 2006 by the Seven Party Alliance (SPA) and Communist Party of Nepal (Maoist) (CPN (Maoist)).
- 2 Since there is no universally accepted definition of a 'small arm' or 'light weapon', the Small Arms Survey adopts the proposal put forward by the 1997 UN Panel of Experts, which considers portability to be the defining characteristic. Although this definition applies to revolvers, pistols, rifles, and carbines as well as sub-machine guns (Small Arms Survey, n.d), this Issue Brief focuses on short-barrel firearms that can be easily concealed, unless otherwise stated.
- 3 For further information on the methodology used, see the online annexe, available at [www.nepal-ava.org](http://www.nepal-ava.org) and <http://www.smallarmssurvey.org/publications/by-type/issue-briefs.html>.
- 4 See Figure 1 in the online annexe, available at [www.nepal-ava.org](http://www.nepal-ava.org) and <http://www.smallarmssurvey.org/publications/by-type/issue-briefs.html>.
- 5 The 'Rana Rule' is the period between 1846 and 1953 when the Rana dynasty ruled the Kingdom of Nepal.
- 6 Author interviews with a senior police officer and a retired senior MoHA official in Kathmandu, 9 February 2014 and 16 March 2014.
- 7 Author interviews with a senior police officer in Kathmandu, 9 February 2014, and a former Don turned businessman in Birgunj, 16 December 2013.
- 8 The Panchayat Regime was a period of absolute monarchical rule in Nepal from 1960 to 1990. In 1960 King Mahendra used emergency powers to overthrow the democratic government. The regime subsequently banned political parties and prohibited party elections in the *Rastriya Panchayat* (National Panchayat) and *Gau Panchayat* (village Panchayat). Restricted political rights included freedom of speech and the right to form organizations.
- 9 Information compiled from author interviews conducted between 1 December 2013 and 7 May 2014.
- 10 Mungeri is a generic term for factory-made counterfeit pistols made in Munger in the Begusaraya districts of the Indian state of Bihar. They replicate US, Italian, or other genuine factory-made pistols and label them as having been manufactured in the USA, Italy, or China (*The Hindu*, 2013). The term includes other types of counterfeit small arms made in illicit factories in Bihar and Uttar Pradesh.
- 11 Maoist Declaration of 13 February 1996.

- 12 Author interviews with a respected sociologist, police officials, and a retired senior MoHA official in Kathmandu, 9 February 2014 and 13 March 2014.
- 13 The first Constitutional Assembly (CA) elected in 2007 failed to deliver a constitution and a second Constitutional Assembly was elected in November 2013. The 2007 CA is therefore referred to as CA-I.
- 14 In one incident, known as the 'Beni attack' on Royal Nepalese Army barracks, Maoists captured around 265 units, including '2 SLRs (self-loading rifles), 65 .303 rifles, 14 INSAS rifles, one M-16, 7 pistols, 3 LMG (light machine guns), one 2-inch mortar, 50,000 bullets, and 10 mortar rounds' (Ogura, 2004, p. 115).
- 15 Author interviews with a senior police officer in Birgunj, 17 December 2013, and a senior journalist in Birgunj, 19 December 2013.
- 16 Author interview with a retired senior MoHA official in Kathmandu, 16 March 2014.
- 17 Armed groups tend to be transient, volatile, and highly individualized, which can make it difficult to separate their political and criminal objectives.
- 18 Author interviews with retired senior officials and police officers in Kathmandu, 9 February 2014 and 13 March 2014.
- 19 Author interviews with police officers and journalists in Birgunj, 16–25 December 2013.
- 20 A view expressed by all key informants in author interviews in Birgunj, 16–26 December 2013.
- 21 Author interviews with police officers and journalists, 16–26 December 2013.
- 22 Author interviews with police officers, journalists, and members of the business community in Birgunj, 16–26 December 2013.
- 23 Based on the mode values obtained in author interviews with police officers, journalists, and members of the business community in Birgunj, 16–26 December 2013.
- 24 The names are compiled from author interviews with police officers, journalists, and representatives of civil society in Birgunj, 16–26 December 2013.
- 25 Author interview with journalist in Birgunj, 23 December 2013.
- 26 Author interviews with police, journalists, and representatives of civil society in Birgunj, 16–26 December 2013.
- 27 These areas are hubs for underground small arms dealings rather than open air markets. Compilations from author interviews in Birgunj, 16–26 December 2013.
- 28 Author interview with the owner of warehouse producing small arms and an arms trader in Birgunj jail, 23 December 2013.
- 29 Author interview with the police officials involved in the raid and persons detained in Birgunj jail, 20–23 December 2013.
- 30 A team of 12–14 people led by Mukesh Budathoki attacked Abhishek Giri, a detainee being held in Jhumka jail in Biratnagar, in a dispute over a construction contract in the District Development Committee. This was not based on personal rivalry but a fight between two criminal gangs.
- 31 Author interview with a senior police officer in Biratnagar, 31 December 2013.
- 32 Compilation from author interviews in Biratnagar, 29 December 2013–8 January 2014.
- 33 Author interview with an individual involved in clandestine activities, Biratnagar, 29 December 2013.
- 34 Author interview with senior police officer in Jhapa, 7 January 2014.
- 35 Author interviews with senior police officers and policy planners in Birgunj, Biratnagar, and Kathmandu, 17 and 31 December 2013 and 16 March 2014.
- 36 An endangered species of *Pterocarpus santalinus*, commonly known as red sandalwood, is smuggled mainly to China for the purposes of making furniture and cosmetics.
- 37 *Paris polyphylla* Sm.
- 38 Authentic US dollars are smuggled from Nepal to China to avoid legal requirements, taxes, and regulations regarding financial transfers.
- 39 Author interviews with carriers of red sandalwood and police officers in Khadi Chaur, 4 February 2014, and in Kathmandu, 9 February–15 March 2014.
- 40 Author interview with the most senior retired security officer in Kathmandu, 9 February 2014.
- 41 Author interview with the police officers and carriers of red sandalwood along this route, 1–6 February 2014.
- 42 Author interviews with police officers at a post situated on the Araniko Highway and members of criminal gangs in Barabise and Khadi Chaur, 3–4 February 2014.
- 43 Author interviews with police officers at a post situated on the Araniko Highway on 1–6 February 2014.
- 44 Author interviews with police officers at a post situated on the Araniko Highway, and members of criminal gangs in Barabise and Khadi Chaur, 3–4 February 2014; and with a senior police officer in Kathmandu, 15 March 2014.
- 45 Author interviews with individuals involved in clandestine activities and with a senior police officer in Biratnagar and Dharan, 1 and 8 January 2014.
- 46 Author interview with a MoHA official in Narayanghat, 28 January 2014.
- 47 A notorious incident at Chitwan jail on 6 December 2012 involved clashes between two rival criminal gangs, which led to the death of Shiva Poudel, the leader of a gang called K-boys. Members of the C-boys who were detained at the same prison had attacked Poudel and other inmates in order to settle scores. Poudel was in custody charged with the murder of Sanjay Lam, a member of the C-boys. The incident was politicized as members of these gangs were affiliated to the youth wings of the Nepali Congress (NC) and the Communist Party of Nepal–Unified Marxist-Leninist (CPN–UML), although the incident was a case of gang warfare rather than being politically motivated.
- 48 Author interviews with members of criminal gangs and political youth-wing leaders in Narayanghat, 25–28 January 2014.
- 49 Author interview with conservationist in Sauraha, 25 January 2014.
- 50 Author interview with conservationist in Sauraha, 25 January 2014.
- 51 Author interview with a member of a clandestine group from Chitwan in Narayanghat, 26 January 2014.
- 52 Author interviews with police officers and with a clandestine group in Kathmandu and Chitwan, 25 January–18 March 2014.
- 53 Author interviews with senior police officers and policy planners in Birgunj, Biratnagar, and Kathmandu, 17 and 31 December 2013, and 16 March 2014.
- 54 Author interview with a senior police officer in Birgunj, 17 March 2014.
- 55 Author interviews with individuals involved in clandestine activities in Chitwan and Kathmandu, 26 January and 25 February 2014.
- 56 Author interviews with a senior police officer and with members of criminal gangs in Kathmandu, 7 January 2014, and 27 February–11 March 2014.
- 57 Author interview with a leading police officer dealing with gang violence in Kathmandu, 7 April 2014.
- 58 Author interview with the police officers and carriers of red sandalwood along this route, 1–6 February 2014.
- 59 Author interview with arrested arms dealers in Birgunj jail, 23 December 2013.
- 60 Author interview with a well-placed policy planner in Kathmandu on 16 March 2014.
- 61 Author interviews with all police officers, between 16 December 2013 and 7 May 2014.
- 62 Author interview with a youth-wing leader of one of the major political parties in Biratnagar, 8 January 2014.
- 63 Author interview with a senior police officer in Biratnagar, 30 December 2013.
- 64 Author interview with a former PLA combatant in Kathmandu, 18 March 2014.

- 65 An opinion shared by retired Home Secretaries and officers above DSP in author interviews, between 1 December 2013 and 7 April 2014.
- 66 Author interview with a high-ranking MoHA official and the police in Kathmandu, 16 February and 13 March 2014.
- 67 Author interview with a police officer in Kathmandu, 7 January 2014.
- 68 Author interview with a senior police officer in Biratnagar, 30 December 2014.
- 69 Author interview with a senior police officer, 7 April 2014.
- 70 *Mau* means mother in Nepali and is also a code word for short-barrel weapons.
- 71 *Bacha* means child in Nepali and is also a code word for bullets.
- 72 Author interview with a plainclothes police officer (*Ghummua*) in Kathmandu, 18 January 2014.
- 73 Author interviews with members of a clandestine group in Kathmandu, 5–11 March 2014.
- 74 Author interview.
- 75 Author interviews with a MoHA official, an intelligence officer, and members of a clandestine group in Chitwan and Kathmandu, 25–28 January 2014.
- 76 The role of these plainclothes police officers is to obtain information without arousing suspicion. For this reason they do not wear uniform, have regulation haircuts, or observe regular duty hours.
- 77 Author interviews with well-placed personnel at the MoHA office in Kathmandu, 13 and 16 March 2014.
- 78 Author interview with retired senior MoHA officer, 13 March 2014.
- 79 The profit varies depending on whether they come from Tatopani or Kathmandu.
- 80 Author interviews with the Birgunj police and with arms dealers detained in Birgunj jail, 17–26 December 2013.
- 81 Author interviews with a senior police officer in Jhapa and Kathmandu, 7 January and 15 March 2014.
- 82 Author interview with a senior official from MoHA in Narayanghat, 28 January 2014
- 83 Author interview with a senior police officer in Biratnagar, 31 December 2013.
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## About the Nepal Armed Violence Assessment

The Nepal Armed Violence Assessment (NAVA) is a project of the Small Arms Survey. It serves as an independent research resource for Nepalese officials, civil society groups, and international partners. The NAVA combines primary and secondary data sources, but focuses on generating original data and analysis through field research. Methods include in-depth interviews with key informants, archival media research, focus groups, and population-based surveys.

The NAVA explores the following key themes:

- Small arms transfers, trafficking, availability, and control;
- The types and characteristics of armed actors;
- The distribution and scale of armed violence and victimization;
- Perceptions of armed violence and their economic impacts;
- Media depictions and representations of armed violence.

NAVA publications, which include Working Papers and Issue Briefs, summarize research findings and insight into issues related to violence, its impact, perpetrators and victims, and strategies for prevention and reduction.

NAVA publications are available in English and Nepali.

They can be downloaded at <http://www.nepal-ava.org/>.

Print copies are available from the Small Arms Survey.

## Credits

*Author:* Lekh Nath Paudel

*Series editor:* Mihaela Racovita

*Proofreader:* Donald Strachan

*Design and layout:* Rick Jones ([rick@studioexile.com](mailto:rick@studioexile.com))

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## Contact details

### Small Arms Survey

47 Avenue Blanc  
1202 Geneva, Switzerland

**t** +41 22 908 5777

**f** +41 22 732 2738

**e** [info@smallarmssurvey.org](mailto:info@smallarmssurvey.org)

