

# Torture and Ill-Treatment

Perceptions, Experiences and Justice-seeking  
in Kathmandu's Squatter Communities



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Anish Bhandari | Dinesh Pathak | Ashim Bhattarai  
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Cover photographs by Ajaya Subedi show part of the squatter settlement at Thapathali, Kathmandu.

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## SUMMARY

While there has been no systematic study on torture and ill-treatment in Nepal, reports from human rights organisations suggest that torture has been an endemic phenomenon in Nepal. The periodic or standalone reports from human rights organisations offer useful insights although they largely draw evidence from detention monitoring or cases that come to human rights organisations seeking for support, and vary in terms of their reach and methodology used for documentation. There is a dearth of much-needed comprehensive and consistent data on the prevalence and trends of torture/ill-treatment in the general population before they make it to human rights organisations. The lack of systematic data on torture/ill-treatment makes it difficult to estimate prevalence, assess trends over the years, and introduce specific interventions to prevent the widespread practices of torture/ill-treatment or measures to protect survivors.

Based on a household survey carried out in some of the squatter settlements in Kathmandu in 2015, the purpose of this report is to highlight the perceptions and experiences of torture and ill treatment in low-income population groups. A household questionnaire that included questions on demographic background, perceptions of torture/ill-treatment and justice-seeking behaviour was administered in a total of 620 households. In addition, the survey served as a referral mechanism with questions asked about individuals within the household or in the community with experiences of torture/ill-treatment. Squatter settlements were chosen as the study population because of existing evidence that the residents' precariousness is a result of the absence of land rights in addition

to poorer access to basic amenities, and also because they are viewed by the middle class as a source of fear, anxiety and moral panic.

The findings from the survey clearly show that residents from squatter communities are at high risk of torture/ill-treatment. Almost half of the respondents mentioned that the source of vulnerability to torture/ill-treatment came from where they lived. Further, a significant number feel that they (18.2 per cent) and their family (25 per cent) are at risk of being subjected to torture/ill-treatment.

Notably, people who live in Riverine settlements have greater fears of being subjected to torture/ill-treatment than those living in non-Riverine settlements. This is directly related to the recent eviction drive in Riverine settlements that resulted in clashes between the residents of these settlements and the police and municipal officials. Related to this is the fact that the main source of perceived fear of torture/ill-treatment is the police and public authorities such as the municipal office, roads department, etc, that were directly engaged in the evictions.

The survey results show that the residents from squatter settlements fear the police, political actors/parties and associations/organisations as major sources of torture/ill-treatment. Paradoxically, they also tend to exhibit a high degree of reliance on public authorities for any form of recourse to justice as evidenced by the fact that even though a large proportion of them indicated that they would report any incident of torture/ill-treatment to their families and friends, a substantial percentage also mentioned that they would approach the police and local government officials.

Interestingly, a relatively low number of

respondents report such incidents to and seek the support of human rights organisations and NGOs. This is particularly significant in light of the finding that most respondents indicated that the main reasons for reporting an incident are legal action against the perpetrators, mediation/reconciliation, and some form of compensation, all of which would benefit from stronger civil society action. This also explains why residents in these settlements simultaneously fear public authorities the most and yet also rely almost exclusively on them for justice.

Findings from the survey also point to an apparent disjuncture between the number of people who say they would report an incident versus those who actually reported a case following an experience of torture/ill-treatment. Factors such as not knowing who to report

an incident to, a sense of hopelessness, lack of trust or confidence in justice mechanisms, perceived difficulty in providing evidence, and fear of intimidation and threats of reprisals, are issues that suggest that experiences of torture/ill-treatment in the squatter settlements perhaps go largely unnoticed and undocumented.

The vulnerability of squatter residents to torture and ill treatment is directly related to their specific precariousness caused by their lower socio-economic background and absence of land rights in the context of the expansion of road networks and similar beautification drives in Kathmandu. These findings suggest that the risk and experiences of torture/ill-treatment amongst the urban poor in Kathmandu need to be located within the overall context of the larger political and economic processes.





# 1. INTRODUCTION

## Background and Study Objectives

It can be surmised from publications put out by human rights organisations as well as journalistic accounts that violence in the form of torture and ill-treatment is common in at least three quarters of the world's countries.<sup>1</sup> The reports by human rights organisations show that Nepal is no exception to this state of affairs. There are as many as 17 human rights organisations involved in recording and documenting issues related to human rights violations, including torture/ill-treatment, in Nepal, and four of these focus explicitly on torture/ill-treatment. These groups publish periodic or standalone reports that dwell on information related to the prevalence, nature and trends of torture. Some examples are the Human Rights Yearbooks produced annually by the Informal Sector Service Centre (INSEC), *Torture in Nepal in 2014: More of the Same* (2015) by Advocacy Forum; *Continuing Extrajudicial Executions in the Terai* (2014) by Terai Human Rights Defenders (THRD) Alliance; *Situation of Access to Justice of Victims of Torture in Nepal: An Analysis* (2014) by Forum for Protection of People's Rights Nepal; and *Incredible Scars* (1994) by the Centre for Victims of Torture (CVICT). International institutions and networks such as World Organisation Against Torture (OMCT), Amnesty International and Asian Human Rights Commission (AHRC) also bring out various reports and urgent appeals on occasion, while torture/ill-treatment feature in media reports in Nepali- and English-language newspapers.

All these accounts provide valuable insights into the issue of torture/ill-treatment in Nepal

even though there are variations across organisations in terms of methodology employed for documentation. For instance, Advocacy Forum's reports on torture are based on its detention monitoring data and its *Torture in Nepal in 2014* is based on a random selection of detainees based on the lists provided by District Police Offices and Area Police Offices in a select number of districts.<sup>2</sup> On the other hand, THRD Alliance's report uses interviews with selected victims or their relatives and/or witnesses. More importantly though is the dearth of much-needed comprehensive and consistent data on the prevalence of torture/ill-treatment among the general population as such.<sup>3</sup>

The lack of systematic data makes it difficult to estimate the extent of prevalence, assess trends over the years, and put forward specific interventions to address the widespread practice of torture/ill-treatment in Nepal. In this context, the purpose of this report is to highlight the perceptions and experiences of torture and ill treatment in low-income population groups. Specifically, the study objectives were to:

- Identify population groups and forms of torture/ill-treatment not reached by current documentation practices;
- Understand the forms of structural and other kinds of violence experienced by residents of squatter settlements in Kathmandu Valley, and their perception of the same;
- Locate existing institutional and social support structures that deliver justice in instances of torture/ill-treatment to this highly vulnerable population group, and discuss their efficacy; and

- Highlight the methodological challenges of documenting these issues among the squatters of Kathmandu.

This report is part of a larger research project on torture/ill-treatment that explores the documentation practices of human rights organisations in low-income countries, including Nepal, with a specific focus on the gap between what human rights organisations are able to document and what is left out.<sup>4</sup> Under a DfID-ESRC-funded multi-country project, Social Science Baha (SSB) collaborated with the University of Edinburgh and DIGNITY: Danish Institute against Torture to carry out the survey that forms the basis of this report. Low-income squatter settlements located in the Kathmandu Valley were chosen as the study population because of existing evidence that the residents' precariousness results directly from the absence of land rights and poor access to basic amenities even as they are viewed by the general population with fear, anxiety and moral panic. Besides, the socio-economic background of this group, including education, age, gender, caste/ethnic background and economic activity, are likely to shape their vulnerability to torture/ill-treatment as well as their justice-seeking behaviour.

### **Squatter Settlements in Kathmandu: A Brief Background**

In popular discourse on urban development in Nepal, slums and squatters were generally not an issue meriting much attention in the past, particularly since that proportion of the urban population was very low.<sup>5</sup> However, since the early 1990s, with the unprecedented growth of informal urban settlements,<sup>6</sup> there has also been a concomitant recognition of their importance in the urban development agenda of Nepal.<sup>7</sup> Accordingly, the Government of Nepal has adopted the Habitat Agenda and expressed

its commitment to the goal of 'Shelter for All'.<sup>8</sup>

It should be pointed out here that there is a fundamental difference between slums and squatter settlements. Although there is no equivalent of 'slum' in the Nepali language, NGOs working on the urban poor (such as Lumanti) use the term to refer to the long-established and homogenous settlements within Kathmandu and the adjacent city of Lalitpur, occupied primarily by socially deprived indigenous Newars belonging to the lower castes. Slum residents have legal entitlement to their land. Urban squatters, on the other hand, are those who lack legal entitlement to their present habitations although they may have formal status as land-owners elsewhere in the country.<sup>9</sup> In describing the squatters of Nepal, there are two definitions that have been widely used: i) one who settles on land without right or permission, and ii) one who is involved in the encroachment of forest land.<sup>10</sup> In the context of Kathmandu Valley, squatters refer to the former. While inhabitants of both slums and squatter settlements face multiple deprivations, those dwelling in squatter settlements experience greater vulnerability and insecurity due to the absence of legal rights over the land they occupy.<sup>11</sup>

Precise information on the number of squatter settlements or of their present status is not available. For instance, in the early 1990s, it was believed that there were approximately 30 squatter settlements in Kathmandu, but these numbers soon increased and by 2001, an estimated 7 per cent of the city dwellers in the Valley were living in squatter settlements.<sup>12</sup> In 2008, Lumanti, an organisation working in slums and squatter settlements, had reported that there were 45 such communities in Kathmandu Valley, of which 40 were considered 'squatter settlements' because the dwellers do not possess land rights. The remaining five were considered 'slums' because of their status as 'permanent indigenous settlements'.<sup>13</sup> Some two thirds to four fifths of these communities are

located on the polluted banks of Kathmandu's major rivers, indicating the precariousness of even their physical situation.<sup>14</sup>

Many reasons have been attributed to the growth of squatter settlements in Kathmandu. First is the 'anarchic urbanisation' of the Valley, with very little planning by the government and municipal authorities, forcing the growing population of people to live in squatter settlements.<sup>15</sup> Related to the haphazard urbanisation are the rural dynamics underway in the country, particularly the physical degradation of productive land, failure of the land tenure system, increasing unemployment, and modernisation of the agrarian economy, all of which have led to the movement of people from the rural hinterlands to urban centres such as Kathmandu.<sup>16</sup> The third reason often mentioned for the emergence of squatter settlements is access to and growing contacts with Kathmandu following the opening of highways, giving people greater mobility to move to the capital for better livelihood opportunities.<sup>17</sup> Fourth, political factors such as the Maoist insurgency resulted in the valley being perceived as a safe haven for people across the country. Kathmandu Valley, thus, became a centre for almost everything—social, cultural and political.<sup>18</sup>

The last published estimate in 2012 suggests that there are more than 13,000 people from around 2850 households living in these slums and squatter settlements.<sup>19</sup> However, it became apparent during the study that this number is likely to have changed significantly in the years since given the high mobility rate in the settlements; while many residents of these settlements do travel abroad for employment opportunities, in-migration remains high due to the continued influx of people coming into the Kathmandu Valley in search of better livelihood opportunities.

Apart from lack of security of land tenure, squatter settlements do not have even the minimum levels of physical and social infrastructure

for 'human habitation' such as adequate housing, proper sanitary conditions, and economic and social opportunities.<sup>20</sup> Having said that, in recent years these settlements have also seen a gradual shift from setting up temporary structures to building semi-permanent residences. In fact, in the older communities settled over 20 years ago, there are even some permanent houses, schools, hospitals, businesses, and public offices. However, the precariousness caused by the absence of land rights persists even in these well-established squatter settlements. Most of the people from these communities are engaged in the informal sector economic activities (such as small businesses and wage labour) due to limited (if any) education, poor health, and inadequate skills compared to average city dwellers.<sup>21</sup> However, more recent studies do point to improvements in both slum neighbourhoods and squatter settlements, especially in the educational attainment of children.<sup>22</sup>

For the middle class in Kathmandu, squatter settlements are a source of fear, anxiety and panic.<sup>23</sup> These settlements are not only seen as polluting the 'beauty' and 'culture' of the city but the residents are also seen as involved in illegal and illicit activities, and, equally importantly, blindly supporting the extreme left, and easily mobilised by rhetoric and populist ideas.<sup>24</sup> Such a perception reflects the broader political economic context of the latent class conflict in Kathmandu.

It is partly for this reason that the extent of state violence on the urban poor in Kathmandu is largely unknown. Perhaps one of the most vivid forms of state violence on urban squatters in Kathmandu is in the form of evictions. For example, on 8 May 2012, officials from Kathmandu Metropolitan City and the Armed Police Force forcibly removed residents of squatter settlements along the Bagmati River to make way for an urban development project, leaving many of the evicted homeless and destitute. It was reported that the demolitions

destroyed 257 homes, rendering homeless 844 people, including 401 children.<sup>25</sup>

Recurrent threats of eviction make the relationship with state authorities and the middle class more antagonistic. NGOs and CBOs (community-based organisations) working in squatter communities focus mainly on community development activities and advocacy for basic amenities. For, beyond these eviction drives that attract media attention, everyday forms of human rights violations in general or torture/ill-treatment more specifically, have not become the focus of documentation by human rights organisations or journalists. For a country that has emerged recently from a decade-long Maoist conflict, the focus of human rights organisations has been mainly

around the Maoist insurgency and other forms of violence that have surfaced during the ongoing political transition, and everyday state violence among squatters has not been an explicit subject of documentation by Nepali human rights organisations.

But, as sociologists argue, there is more to life in squatter settlements besides physical and social deprivation; rather, 'it is a way of life, a subculture with a set of norms and values...deviant behaviour and characteristics, attributes of apathy and social isolation'.<sup>26</sup> It is within the context of this 'subculture' of squatter settlements that this research has been situated—to understand the perceptions and prevalence of torture/ill-treatment amongst the urban poor in Nepal.

## 2. OPERATIONAL DEFINITIONS AND RESEARCH METHODOLOGY

### Operational Definitions

Torture has existed throughout history even though its form, appearance and use have changed over time. And, while the prohibition of torture and other forms of ill-treatment has received special status in the arena of international protection of human rights and a standard definition has become increasingly accepted, people continue to have widely different understandings of torture and ill-treatment. Because of this, it was difficult to translate notions of ‘torture’, ‘ill-treatment’ and ‘violence’ into Nepali for the purpose of this research. This was further complicated by the fact that these complex, specialised, and, often value-laden, terms had to be transformed into everyday language and given a colloquial flavour without losing sight of the meaning they carry in legal as well as academic parlance.

The terminology used (in English and their Nepali translations) for this study are as follows:

**Torture** (*yatana* in Nepali): The literal translation of the word that represents the core theme of this research, i.e., ‘torture’, is *yatana*. To operationalise the concept of ‘torture’, the definition provided in Article (1) of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, was first tried out.<sup>27</sup> The legal definition contains three elements: the intentional infliction of severe mental or physical suffering; inflicted by a public official who is directly or indirectly involved; and carried out for a specific purpose. During the preparatory phase for this project, it was noted that this definition would not be able to capture

the everyday experiences of ‘torture’ in urban areas, especially the squatter settlements of the Kathmandu Valley.

First, the documented experiences of torture/ill-treatment in such settlements was found to be perpetrated by actors other than public officials and could include political parties, private security personnel, municipal staff, etc, making it necessary to expand the range of actors to be examined. Second, the colloquial use of the word ‘torture’ in its English rendition is also ordinary. For instance, people use ‘torture’ when they are frustrated in situations, such as ‘It was torture for me on the road because of the traffic jam today,’ etc. Finally, the specification that the act of torture be carried out for a ‘specific purpose’ does not always capture the ‘indiscriminate’ nature of violence, including that perpetrated by ‘public officials’, such as evictions or harassment of female restaurant workers.

Thus, instead of confining the scope of the research to the accepted but limiting definition of ‘torture’, ‘torture’ and ‘ill-treatment’ was used jointly as phrase, ‘torture/ill-treatment’, and in some instances, alternate terms such as ‘violence’ and ‘suffering’ were also adopted (see below for more elaborate discussion on these terms). Further, to avoid the colloquial interpretation of the word ‘torture’, in the informed consent taken during the survey, it was clarified that ‘torture/ill-treatment’ for the purposes of this research means acts initiated/directed by state and other institutions or individuals such as government organisations, municipal authorities, private security guards, political parties/actors, etc.

**Ill-treatment** (*durbyabahar* in Nepali): The



term ‘ill-treatment’, or *durbyabahar*, was used to factor in experiences of pain or suffering that does not necessarily involve a person acting in an official capacity. Additionally, methods of abuse prohibited by international law (e.g., inhumane, cruel, humiliating, and degrading treatment, outrages upon personal dignity, and physical or moral coercion) but not necessarily included in the UN definition of torture were also included. Hence, in order to capture the broad gamut of experiences/incidents, the formulation ‘torture/ill-treatment’ was used.

**Suffering** (*dukkha* in Nepali): The term ‘suffering’ rather than ‘torture/ill-treatment’ was used to ask questions on the experience-related sections of the questionnaire. Concerned individuals were asked whether they had experienced any kind of suffering, or *dukkha*, at the hands of state institutions, and also if the research participants felt they were in any kind of threat/danger of suffering. The specific experiences of suffering included in the questionnaire were: slapping, beating with hands, kicking, burning with electric shocks/hot objects, beating with stick or other blunt objects, beating with sharp objects, detention, threats, use of racial/ethnic abusive or discriminatory words, verbal abuse and ‘other’, with the respondents being asked to specify what they would include under ‘other’.

**Incident** (*ghatana* in Nepali): Any act or experience relating to the core theme of this research, i.e., torture/ill-treatment, is explained by the word ‘incident’, or *ghatana*. This term was primarily employed in the reporting/remedy section of the questionnaire. For example, respondents were asked if they reported the ‘incident’ of suffering or torture/ill-treatment to anyone.

**Injury** (*chotpatak* in Nepali): In the experience-related questions, a query about ‘injury’ was asked in the context of the consequences of suffering caused by representatives or institutions of the state. It was decided that injury

could be both physical and/or psychological. In particular, respondents were asked if they had sustained any injury (physical and/or psychological) as a result of the incident and the options provided included: cuts, bruises, burns, broken bones, severe body pain, mental pain (anxiety, depression, not able to sleep, flashbacks) and others. In order to evaluate the impact of these experiences, respondents were asked if such injuries had caused any interruptions/obstructions to their daily routine.

**Perpetrator** (*doshi* in Nepali): A person or group of people, associations/organisations, etc, responsible for the act of torture/ill-treatment, suffering and violence was captured by the word *doshi*. This term was used in the reporting/remedy and experience sections of the questionnaire. For example, in the ‘experience’ section of the questionnaire, respondents were asked who the main perpetrator of the incident was, and were allowed to choose from a range of actors albeit limited to ‘public figures’, including police (*prahari/pulis* in Nepali), security guards (*suraksha guard*), political actors/parties (*rajnaitik party*), associations/organisations (*sangh-sanstha*), public authorities (*sarkari adhikari*) and others (*anya*).<sup>28</sup>

## Research Methodology

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The research project carried out a household-based quantitative survey in the squatter settlements of the Kathmandu Valley in order to understand the perceptions and experiences of violence and ill-treatment in the everyday lives of the urban poor. The following methodology was employed in the selection of sites and households for the survey.

### Selection of Sites

A review of existing reports and documents on squatter communities, visits to the communities, discussions with community

organisations, and the initial scoping exercise in the settlements by the research team identified 44 such settlements in the Kathmandu Valley,<sup>29</sup> with a total of just over 4000 households. For the purposes of this study, these settlements were divided into two broad clusters: i) Riverine, and ii) non-Riverine. Besides the physical location, the significance of these groupings also lies in the fact that settlements along the rivers are highly vulnerable to natural disasters, namely, floods. Riverside settlements also face greater scrutiny from the security forces given the perception that these places harbour various types of illicit activities.<sup>30</sup> Further, in Riverine settlements, particularly along the Bagmati River, the possibility of evictions related to various government plans and attempts to build public parks and expand the road and sewage networks along the river corridors of the Valley,<sup>31</sup> incidents of violence and ill-treatment are higher compared to non-Riverine ones.<sup>32</sup>

The Riverine and non-Riverine settlements are home to 3327 and 713 households, respectively. In order to ensure that all the settlements are represented, each settlement was given equal weight and sub-clusters prepared within the two broad clusters based on the population size of the settlements. Hence, the settlements within the Riverine and non-Riverine groups were first divided into Small, Medium and Large categories as follows:

**TABLE 1**  
**Classification of Settlements**

	Riverine		Non-Riverine
Small	2 to 150 households	Small	6 to 40 households
Medium	151 to 257 households	Medium	41 to 129 households
Large	258 to 700 households	Large	130 and more households

As indicated in Annex 1, in the Riverine group, the total number of households in the Small cluster was 1,000; in the Medium cluster, 1107; and in the Large cluster, 1220, while the

corresponding figures in the non-Riverine category were 225, 253 and 235, respectively.

Subsequent to the categorisation and clustering, 10 settlements, representing the three largest from the Small, two largest from the Medium, and the largest from the Large clusters from the Riverine group, and the two largest from the Small, the largest from the Medium, and the largest from the Large cluster from the non-Riverine group were purposefully selected. Subsequently, a total of 750 households were randomly selected from these 10 settlements for the administration of the survey.

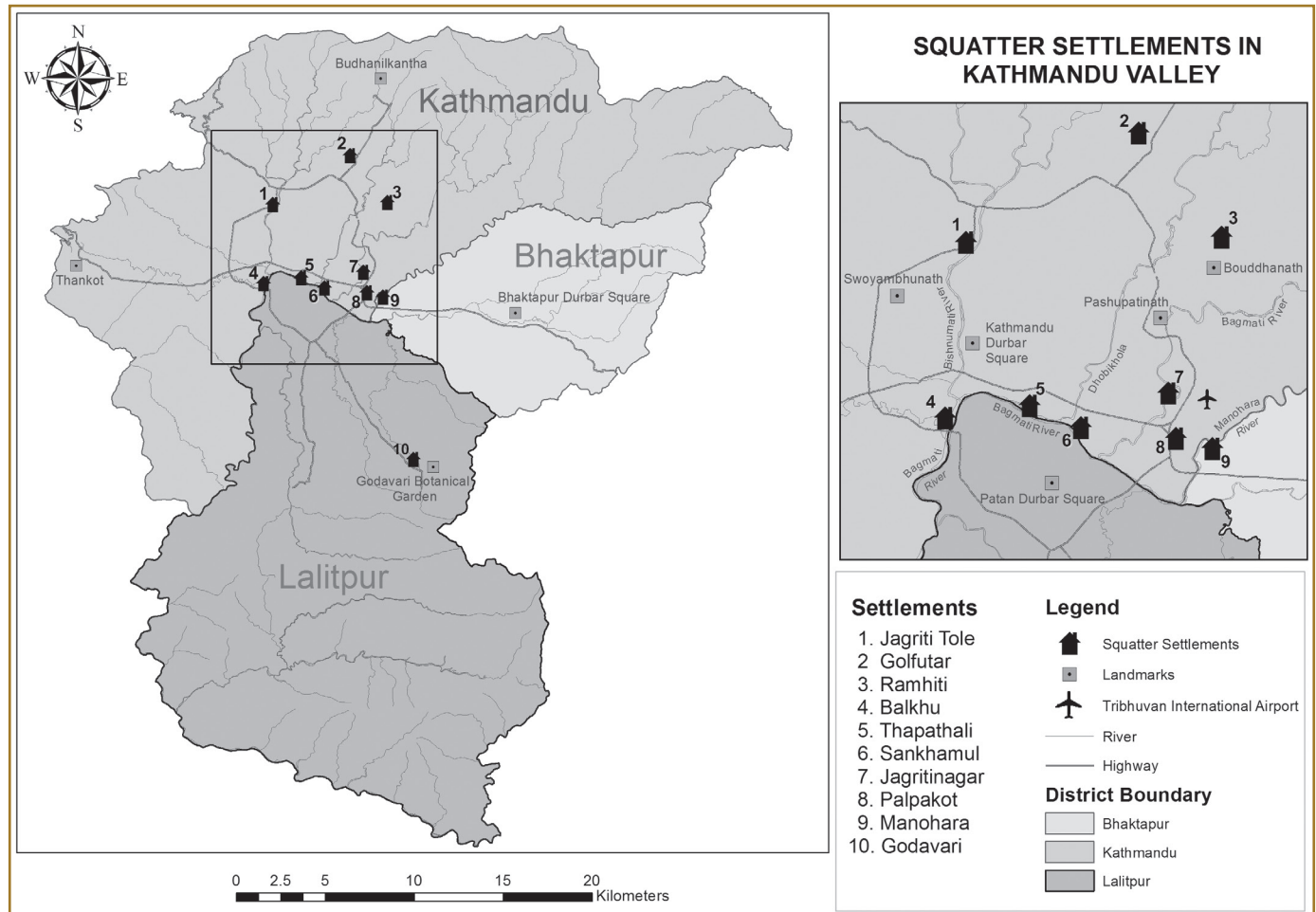
### **Mapping Settlements and Updating Maps**

Once the research sites were selected through the sampling method described above, an initial exercise of mapping the settlements and updating existing settlement maps prepared by organisations like Lumanti,<sup>33</sup> Basti Basobas Samrakshan Samaj,<sup>34</sup> and other local squatter settlement committees was undertaken. The mapping was important not only to develop a sampling frame but also to create a list of households where the survey was to be administered using the random sampling technique. The mapping was carried out using a GPS (Global Positioning System) device to obtain the coordinates of all the houses in the settlements and then overlay them onto a map with the technical assistance of experts from the Kathmandu-based organisation, Naxa.

### **Sampling the Households**

Once the mapping was completed, a sampling frame was developed by assigning a unique 'household number' to each house on the map to maintain confidentiality and privacy of the respondents. Thereafter, 750 households were randomly selected using a computer-assisted random number generating process in STATA.<sup>35</sup> A total of 750 households, a number higher than the previously envisaged 600, were selected after considering the likelihood

## MAP 1 Study Settlements



of absenteeism and a possible unwillingness to cooperate given the sensitive nature of the study. The strategy of over-sampling turned out to be important in obtaining the minimum target sample of 600 households since the household-based questionnaire could be administered only in 638 households. The main reason for this lower response rate was the obstacles faced by the survey team, particularly in the Thapathali, Balkhu and Manohara settlements. The research team had to negotiate time and again with different community leaders who consistently opposed any activity, including surveys, by outsiders in their settlements.<sup>36</sup> While the situation generally eased after discussions, the hurdles were always

omnipresent. In fact, in Thapathali, the survey had to be halted mid-way due to the threat of physical violence against the survey team.

It is possible that the halting of the data collection in Thapathali after completing 25 questionnaires as opposed to the originally planned 65 questionnaires has had an impact on the survey findings given that six out of 21 'positive' cases of torture/ill-treatment were from Thapathali (see Table 20 for details). Fortunately, since the survey was being conducted simultaneously in different settlements, enumeration was ended once an adequate number of households in each settlement was covered. Of the 638 households surveyed, 18 survey forms had missing information due to a number of reasons, namely,

the survey process being disrupted, as detailed further down, realisation during the interview that a household outside the sampling frame had been chosen, and reluctance by interviewees to continue with the survey after some of the information had been filled out. Such forms were discarded, and, hence, findings from a total of 620 households have been used in the analysis here.

### **Selection and Training of Enumerators**

During the initial mapping of organisations that work on squatter settlements, the research team made contact with Lumanti, a well-known Nepali NGO working on issues of urban poverty and shelter, and two local organisations based in squatter settlements, namely, the Mahila Ekta Samaj and Basti Basobas Samrakshan Samaj. During different rounds of consultations held with representatives of these organisations, it was suggested that the team hire individuals associated with these organisations to conduct the survey. This was adopted since such a strategy would not only facilitate entry into the field and assist in building trust with research participants, it would also help Social Science Baha and its partner organisations contribute to the capacity building of the youth from the settlements by training them and providing them with experience in survey work. As a result, 10 youths from these organisations were chosen to serve as enumerators based on mutually agreed upon criteria (i.e., education levels, previous work experience, etc).

An intensive two-and-a-half day training session was held for the enumerators, familiarising them with the objectives of the research, methodological issues, interview protocols, and ethical concerns related to the research. The training sessions also involved trainees trying out the questionnaire on each other so that they would get a better understanding on how to conduct fieldwork and administer the questionnaire. These exercises also provided the core research

team with feedback from residents of squatter settlements on the suitability of questions, choice of words, and framing of questions.

### **Pilot Tests**

On 5-6 April 2015, the survey instrument was tested on 35 households under the close supervision of researchers from Social Science Baha. The pilot tests revealed valuable insights into the research approach and theoretical and operational conditions as well as some of the presumptions of the researchers and supervisors. In particular, it enabled the core research team to obtain a more nuanced understanding of various factors such as respondents' understanding of the wording of questions and the flow of the questionnaire, the manner in which respondents answered the questions, the ability of respondents to answer accurately/effectively, the respondents' reactions and comments about the survey, the willingness or reluctance on the part of the respondents to participate in the survey, problems relating to community visits and with maps, the reasons why some of the respondents could drop out, an estimate of how long it would take to complete the survey, and an indication of challenges/difficulties that the survey could face. Subsequently, some revisions were made to the questionnaire before the actual survey began.

### **Household-Based Perception Survey and Individual Experiential Survey**

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The questionnaires were initially drafted in English and then translated into the Nepali language. It went through several rounds of revisions throughout the design phase.

### **Household-based Perception Surveys**

The questionnaire consisted of demographic and perception-related questions on torture/ill-treatment and justice-seeking behaviour. In addition,

the survey served as a referral mechanism with questions asked about individuals within the household or in the community with experience of torture/ill-treatment. The survey was administered to any available adult member of the household at the time of visit to the households, and if a third person in the household, usually someone older, was referred to, the survey was conducted with that individual. In some cases, when there were only minors in the household at the time of the visit, the households were revisited at a later date. If no adult was available on the second visit as well, the household was removed from the sampling frame.

To maintain confidentiality and privacy of the information generated through the survey, personal information (such as names of the household members or community members) gathered during the referral process was recorded by the enumerators in separate diaries. The diaries were shared with the core research team after completion of the surveys. Unfortunately, one of the enumerators lost his diary during the devastation caused by the earthquake that hit Nepal in April-May 2015. But since the reflections and experiences of all the enumerators had been recorded by the core research team while the survey was ongoing, not much was lost.

### **Individual Experiential Surveys**

In the referral section of the household survey, if it was ascertained that the respondent himself/herself has been subjected to torture/ill-treatment, the questionnaire dealing with experiences of violence/ill-treatment was administered with that person while also including him/her in the roster of possible respondents for in-depth interviews. However, if the person referred another member of the household who had undergone such an experience, the survey was conducted with that person, depending on his/her availability. If the individual was not present, the researchers revisited the household at a later

date to interview the said individual. In addition, the individual was also included in the roster for possible in-depth interviews, which would provide detailed information on the experiences and circumstances of torture/ill-treatment.

If the referral section of the household survey pointed to a member in the community (outside of the household) who had experienced torture/ill-treatment, the information about the individual was recorded in the notebook and included in the roster for individual surveys and/or for in-depth interviews at a later stage. Notably, only three individuals were identified through this referral process, indicating perhaps reluctance on the part of respondents to provide details about community members outside their own family.

Overall, both the household and individual surveys provided valuable information concerning the prevalence of everyday experiences of torture/ill-treatment in low-income neighbourhoods of the Kathmandu Valley; the causes, factors and actors involved in perpetrating violence; and effects on the victims.

### **In-depth Case Study Interviews**

In order to supplement the quantitative survey, 11 qualitative case study interviews were undertaken with those who had experienced torture/ill-treatment. These interviews provided detailed insights into the issue and assisted in the analysis of the quantitative data. Selected quotes from these interviews have been used in the relevant sections of this report.

## **Method for Analysis and Ethical Guidelines**

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### **Data Processing and Analysis**

The completed questionnaire was submitted by the enumerators usually on the date of the survey interview itself. Researchers from Social Science Baha then double-checked the



completed questionnaires to ensure that there was no missing information and consistency was maintained. In a few instances, the enumerators were asked to contact the surveyed households or individuals again to recheck the information provided. Simultaneously, an SPSS template was prepared for data entry, one for the household-based survey and another for the individual survey (for individual experiences), and the survey data entered accordingly by the researchers. The household survey data contained 620 respondents and the individual survey data 21 individuals. The actual analysis of the data was done using STATA.

### **Data Protection and Research Ethics**

While undertaking this study, a set of ethical guidelines and standards were developed (see Annex 2), drawing primarily from the guidelines Social Science Baha usually adopts for its other research projects and incorporating additional feedback/suggestions provided by collaborating researchers from the University of Edinburgh and Dignity. The enumerators engaged in the study were thoroughly briefed about these guidelines during the training workshop. The core research team at Social Science Baha was assured that the enumerators involved in the survey adhered to these standards in the qualitative research phase as well.

To protect the data collected as well as the confidentiality and privacy of the respondents, each respondent household was given a unique ID code to mask their identities. Only researchers involved in the study had access to the identifying information. Data gathered from the fieldwork are stored in password-protected computers. Similarly, individual questionnaires, transcripts and recordings are stored in a secure place within the premises of Social Science Baha. Similar protective measures were adopted while sharing information with Dignity, University of Edinburgh, and the participating community groups.

### **Methodological Challenges**

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The process of undertaking this survey was a challenging one, albeit providing a very good learning opportunity as well. A key challenge was to define the objective of the study and take decisions on where to focus the survey, what questions to ask, and how to explain the objectives of the study. One of the first difficulties was how to frame the survey and what words to use in the questions, i.e., whether to use the words 'torture' and 'ill-treatment' or keep the questions more broad to include other forms of violence such as domestic violence. After substantive deliberation, as discussed earlier in this report, the study team decided to make the survey specific to torture/ill-treatment and focus the survey questions on perceptions and experiences of torture/ill-treatment and justice-seeking behaviour. This was done to ensure that the study asked a standard set of questions to understand the prevalence and distribution of torture/ill-treatment and justice-seeking behaviour. Before beginning the survey, each time the following statement was read out: 'We would like to request you to answer a few questions on your perceptions and experiences of suffering from ill-treatment (*'dukkha'*) by state officials, political party workers, police, army, municipal officials and private security guards.'

While the detailed experiences, especially those related to negotiations, conflicts and cooperation, internal rifts among the leadership, drawing and claiming authority and legitimacy, and mediation mechanisms, etc, before and during the survey, is being developed as a separate paper, a few issues very relevant for this report are discussed below.

During the design phase of this project, the research team had felt very confident about the processes developed to arrive at scientifically robust data. The sampling protocol, mapping of households using a GPS device, sample selection of households based on carefully



developed household listing, negotiations with community-based organisations from the squatter settlements, training of enumerators drawn from the settlements, etc, were measures that the core research team at Social Science Baha had developed. However, the challenges the team experienced were many.

The initial strategy employed by the core team to approach the settlements and households had to be modified in some communities to ensure greater cooperation from the respondents as well as other community members. More specifically, in order to facilitate and legitimise the research process, Social Science Baha had partnered with a community organisation based in the squatter settlements. However, in two of the larger settlements, Balkhu and Thapathali, the administration of the survey was interrupted by community leaders/political party activists alleging that the researchers had not consulted/informed them about the survey beforehand, and because of multiple agencies and leadership in these communities, the process of negotiation and renegotiation took a long time and effort.

Despite the fact that the surveys were halted for several days, the enumerators were able to initiate the data collection process in these communities with the permission and consent of the leaders. After holding several meetings with the leaders who had prevented the study from being carried out, the researchers tried to build trust with community members. But, the survey was not allowed to move forward. As a result, the team ended the enumeration process once the milestone of surveying at least 600 households had been reached. It became evident during the survey (also reflected in the results of the survey analysis) that more cases of people with direct experiences of ill-treatment and violence could have been identified in Thapathali if the survey had been allowed to proceed to cover all sampled households. Only after the enumerators experienced

interruptions and were prevented from administering the surveys in some communities like Thapathali did the core research team realise that preparing for potential problems would have been possible if the pilot tests had been conducted in these communities.

Following the interruptions in Thapathali, the researchers also realised that it would be practically impossible to employ the previously designed methodology in the largest settlements (i.e., identifying the sampled households and then administering the surveys since the previously generated list of households only generated suspicion). As a result, the researchers were forced to change the research methodology for Thapathali, Manohara and Balkhu, and instead of administering the survey according to the computer-generated household listing, the team selected every other household for enumeration in these settlements, which still maintained randomness, albeit using a different procedure.

In almost all the research sites/settlements, a common difficulty the enumerators faced was in identifying the sampled households without inserting landmarks on the maps. The GPS device could only get the coordinates of all the houses, but transferring the landmarks from the maps to the computer became difficult, particularly in the case of the largest communities. Consequently, the researchers had to spend at least a day in one settlement to insert the landmarks and identify the sampled households, following which the surveys could be administered.

As a way of contributing to the community through capacity building of youths in research, and also building credibility of the research and facilitating the survey process, the core research team had trained youths from the squatter settlements to serve as enumerators. While administering the survey, the fieldworkers became more efficient as the survey progressed. However, the interview process

was not entirely clear of hurdles either. In several households, the respondents and their family members became somewhat uncomfortable during the survey because at first they thought the enumerators were collecting data for the expansion of the road which could result in their eviction. Later, though, the survey was able to proceed smoothly after the team explained to them the purpose of the study. In some cases, people would even stop whatever they were doing, but the enumerators had been trained to ask the respondents to finish their work and wait until they became free for the interview.

During the survey, people generally responded positively and willingly invited the enumerators into their homes. This was not the case all the time and so, the enumerators had to collect the data through the window or from the door. There were also instances where survey fatigue

amongst the respondents was apparent which would have affected the results. However, the option the enumerators provided about the possibility of withdrawing at any point, or not participating at all, helped in such situations.

Despite the hurdles the team experienced prior to and during the enumeration process, and given the sensitivity of the topic itself, the research was generally appreciated by community members. The fact that results from the research do not seem exaggerated even though the respondents had every reason to falsify the information—especially following the evictions and the outcry in the media and other circles about atrocities perpetuated against people in the community—suggests that the findings from the research are also reliable and would contribute to existing knowledge on torture/ill-treatment amongst the urban poor of Nepal.

### 3. RESEARCH FINDINGS AND ANALYSIS

The following sections of the report present analyses of both the household and individual surveys, together with providing information on the prevalence of everyday experiences of torture/ill-treatment as well as respondents' views about these experiences. The causes, factors and actors involved in the incidents of torture/ill-treatment and the effects on the victims, have been identified. The findings provide insights into justice-seeking mechanisms, by the types of reporting and compensation measures sought by the victims and/or their families after they experience torture/ill-treatment.

#### Basic Demographic Information

##### Description of the Settlements

As illustrated in the methodology section above, the survey was administered in 620 households in a total of 10 settlements (Table 1), of which 78.4 per cent were from Riverine settlements and the remaining 21.6 per cent

from non-Riverine settlements. The two largest settlements, Manohara and Balkhu, accounted for 58.4 per cent of the surveyed households. The sample size in these settlements is large because of the weighting provided for their size. The average household size of the settlements is 4.9<sup>37</sup> and the average duration of stay in the settlements is 183.4 months. Among the settlements surveyed, Balkhu and Manohara are relatively new, and there is also a higher turnover in these settlements compared to the others. Hence, the average duration of stay by residents in these settlements is lower (89.5 months and 96.5 months, respectively) compared to the other settlements.

##### Gender and Age of Respondents

Using the age classification employed by the Government of Nepal,<sup>38</sup> findings from the study (Table 3) indicate that more than half of the respondents (349 people) belong to the age group 20-39 years of age. Since, for the purpose of this study, the minimum age requirement

**TABLE 2**  
Distribution of Households by Settlement

Settlement	Category	Size of settlement	Number of Households	Per cent	Average duration of stay (months)	Average household size
Thapathali	Riverine	Medium	25	4.0	103.2	5.3
Jagritinagar	Riverine	Small	32	5.2	137.9	4.6
Sankhamul	Riverine	Small	33	5.3	399.8	4.9
Jagrititole	Riverine	Small	34	5.5	285.1	5.0
Balkhu	Riverine	Medium	140	22.6	89.5	4.9
Manohara	Riverine	Large	222	35.8	96.5	4.7
Palpakot	non-Riverine	Small	12	1.9	186.8	6.4
Golfutar	non-Riverine	Small	18	2.9	293.6	5.0
Ramhiti	non-Riverine	Medium	42	6.8	296.3	5.1
Godavari	non-Riverine	Large	62	10.0	482.9	4.7
<b>Total</b>			<b>620</b>	<b>100.0</b>	<b>183.4</b>	<b>4.9</b>

**TABLE 3**  
**Age and Gender Distribution of Respondents**

Age Group	Sampled Settlements				Kathmandu District (per cent)
	Gender		Total	Per cent	
	Male	Female			
00-15	0	0	0	0	23.8
15-19	14	27	41	6.6	11.6
20-24	20	72	92	14.8	13.4
25-29	20	58	78	12.6	11.6
30-34	12	69	81	13.1	9.3
35-39	27	71	98	15.8	7.9
40-44	12	51	63	10.2	6.1
45-49	14	24	38	6.1	4.5
50-54	17	23	40	6.5	3.5
55-59	13	10	23	3.7	2.5
60+	41	25	66	10.6	6.0
Total	190	430	620	100.0	100.0

was 18 years, the category 15-19 only contains respondents between 18 and 19 years of age. Of the 620 participants interviewed, 190 (30.6 per cent) were males and 430 (69.4 per cent) were females. The number of female respondents was higher than males because the survey was conducted during the daytime when most males are generally away for work or on other business. To address this bias, the research team

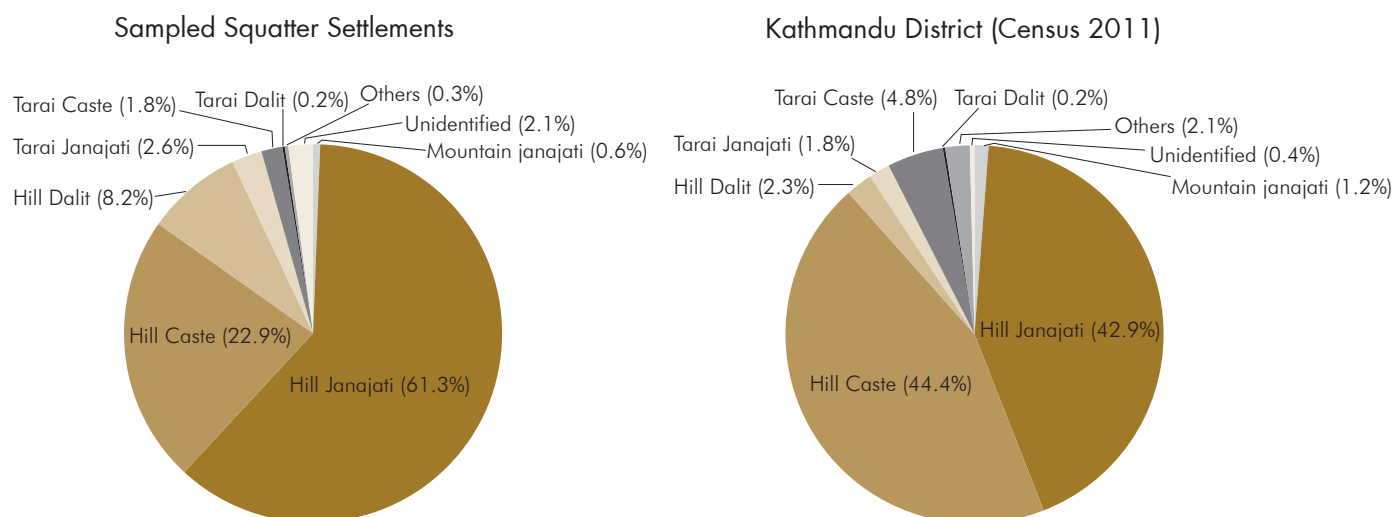
explored the possibility of conducting household visits during the night but were advised against it since people would be busy with their families after a long day's work, or having/preparing dinner, and also because many people tend to drink alcohol after their working hours, which could lead to possible altercations with the researchers.

### **Caste/Ethnicity<sup>39</sup> and Religion of Respondents**

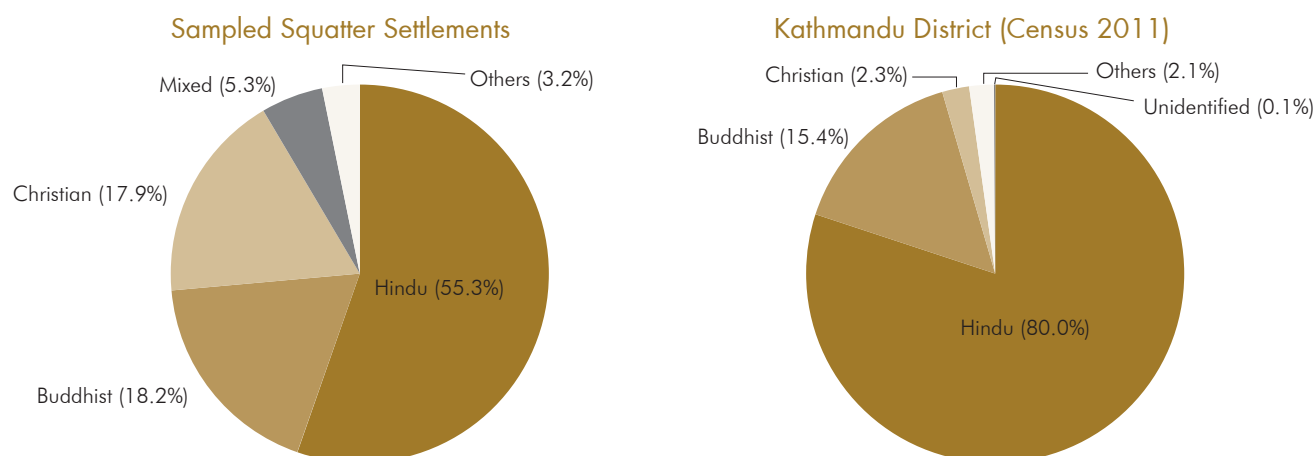
In the sampled squatter settlements, hill Janajatis<sup>40</sup> comprised the majority group (61.3 per cent). For the sake of comparison, as shown in Figure 1, the caste/ethnic distribution in Kathmandu District shows an almost equal proportion of hill Janajati and hill caste groups, while the percentage of hill Dalits is lower (2.3 per cent) compared to our sample of 8.2 per cent. Likewise, the Tarai<sup>41</sup>-origin population in Kathmandu District is 4.8 per cent while it is only 1.8 per cent in the squatter settlements.

In terms of religion, even though the majority of respondents in the sampled households identified themselves as Hindus, a significant proportion reported being Christian or Buddhist.

**FIGURE 1**  
**Caste/Ethnic Distribution of the Squatter Settlements and Kathmandu District<sup>42</sup>**



**FIGURE 2**  
Religious Distribution in Squatter Settlements and Kathmandu District



A small number (5.3 per cent) of respondents also identified themselves as practising more than one religion (in most cases Hinduism and Buddhism). It is noteworthy that the proportion of Christians in the squatter settlements is 17.9 per cent compared to only 2.3 per cent Christians in Kathmandu District.

#### Primary Language Spoken

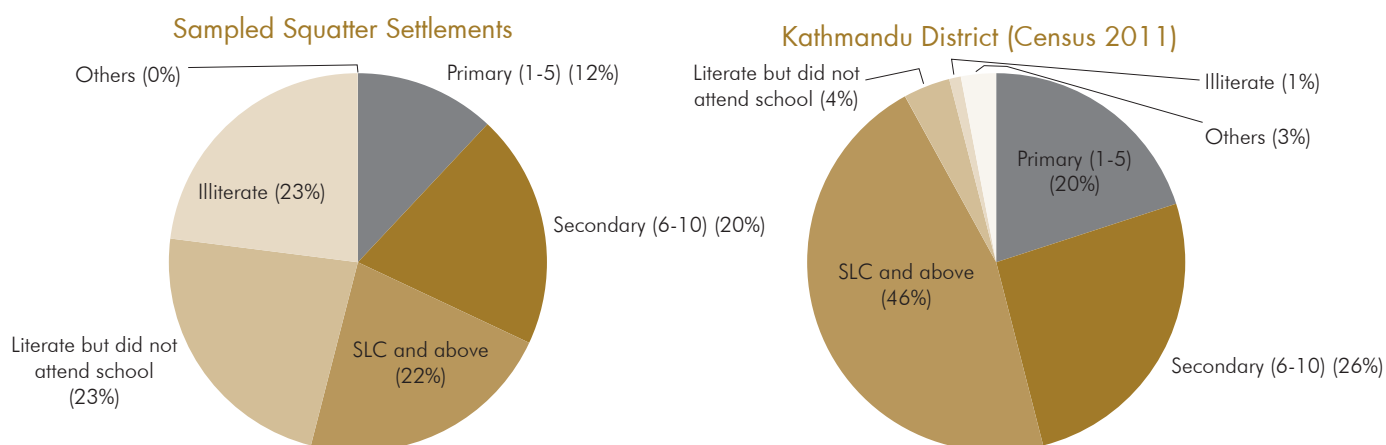
More than 85 per cent of respondents stated that they speak Nepali in their homes. In terms of other languages, 6.9 per cent indicated

Tamang, which is to be expected since 24.7 per cent of the respondents were Tamang (a hill Janajati concentrated in the hills all around the Kathmandu Valley).

#### Education Level of Respondents

The majority of the participants (77 per cent) were literate and 22 per cent had completed 10 years of schooling (School Leaving Certificate, SLC) and above. However, among those who identified themselves as being 'literate', 23 per cent said that while they were literate, they had

**FIGURE 3**  
Educational Status in Squatter Settlements and Kathmandu District



**TABLE 4**  
Education Level of Respondents by Gender

Education	All		Male		Female	
	No	%	No	%	No	%
Primary (1 to 5)	74	11.9	27	14.2	47	10.9
Secondary (6 to 10)	123	19.8	42	22.1	81	18.8
SLC and above	135	21.8	57	30.0	78	18.1
Literate but did not attend school	143	23.1	38	20.0	105	24.4
Illiterate	145	23.4	26	13.7	119	27.7
Total	620	100	190	100	430	100

not attended any school. While these results show a better educational status in the squatter settlements compared to national figures,<sup>43</sup> it is much lower compared to Kathmandu District. As can be gleaned from Figure 3, there is a significantly higher percentage of literate population in Kathmandu District (96 per cent) and the percentage of people who have completed SLC and above is also much higher at 46 per cent compared to only 22 per cent in the squatter settlements.

The illiteracy rate among females, at 27.7 per cent, is higher than among male respondents (see Table 4). This is also consistent with the fact that illiteracy among women is generally higher in the national population (see Endnote 43).

## Occupation of Respondents

With regard to occupation, as shown in Table 5, 20.0 per cent of the respondents were working as wage labourers, while 18.4 per cent said they were engaged in small business/trade. Employment in the agricultural sector was found to be insignificant (1.9 per cent). Survey results also indicated that more male respondents have small businesses/trade or are involved in wage labour than women, for whom working at home is the most common activity.

## Perceptions of Ill-treatment and Violence

The following section provides information on individual perceptions of torture/ill-treatment based on the survey questions about respondents' own perception of being subjected to torture or ill-treatment.

### Perceptions of Torture/Ill-treatment to Self

The survey showed that a significant percentage (18.2 per cent) believe that they are at risk of being subjected to torture/ill-treatment. The perception of fear is almost two-fold among the

**TABLE 5**  
Occupation by Gender and Education Level

Occupation	All		Male		Female		Illiterate		Literate	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Service worker/Employee	51	8.2	23	12.1	28	6.5	1	0.7	50	10.5
Agriculture	12	1.9	6	3.2	6	1.4	5	3.4	7	1.5
Small business/trade	114	18.4	44	23.2	70	16.3	26	17.9	88	18.5
Wage labour	124	20.0	44	23.2	80	18.6	40	27.6	84	17.7
Student	62	10.0	26	13.7	36	8.4	2	1.4	60	12.6
Unemployed	38	6.1	23	12.1	15	3.5	11	7.6	27	5.7
Household work/own work at home	173	27.9	8	4.2	165	38.4	50	34.5	123	25.9
Own other work	14	2.3	5	2.6	9	2.1	3	2.1	11	2.3
Others	7	1.1	5	2.6	2	0.5	3	2.1	4	0.8
Mixed	25	4.4	6	3.2	19	4.4	4	2.80	21	4.4
Total	620	100	190	100	430	100	145	100	475	100



**TABLE 6**  
Perceived Risk of Being Subjected to Torture/  
Ill-treatment

Settlement	No. of Respondents	Respondents who feel fear	Per cent
TOTAL	620	113	18.2
Riverine (Total)	486	99	20.4
Large	222	44	44.4
Medium	165	38	38.4
Small	99	17	17.2
non-Riverine (Total)	134	14	10.5
Large	62	10	16.1
Medium	42	3	7.1
Small	29	1	3.5

respondents in Riverine settlements (20.4 per cent) compared to those in non-Riverine ones (10.5 per cent, Table 6).

In order to examine whether there is any significant variance on perception of fear based on different individual traits or environmental factors, a logit regression analysis was conducted (see Annex 3). The results, statistically significant at the 99 per cent confidence level, suggest that there is a positive association between perceptions of fear for the self and i) living in a Riverine settlement, and ii) living in Thapathali or Godavari (Godawari), meaning that residents of these areas are more likely to perceive

this fear. On the other hand, there is negative association between perception of fear for oneself (meaning a lower likelihood of having this fear) and i) speaking Nepali at home, and ii) performing household work/own work at home and being involved in 'other' occupation compared to the baseline category of respondents who are wage workers or employees.

As shown in Table 7, the results demonstrate that the average marginal effect of being a resident of a Riverine settlement on perceptions of fear is about 0.1406, which means that on average, residents from Riverine settlements were about 14.1 percentage points more likely to have perceived 'fear' relative to comparable respondents from non-Riverine settlements.

Further, high levels of fear are also discernible in certain settlements like Thapathali and Godavari. On an average, individuals from Thapathali are 46.4 percentage points more likely to have felt fear compared to respondents from other settlements, while in the case of Godavari, the figures are 18.7 percentage points higher.

Likewise, individuals who speak Nepali as the main language at home are on average about 6.0 percentage points less likely to have perceived fear compared to respondents whose main language is not Nepali. Similarly, it is to be expected that perception of fear is less likely when work is limited to their own homes than when venturing outside as wage/salaried workers.

These findings indicate that the prevalence and experience of fear among people living in the squatter settlements is likely to depend on the specific context and characteristic of the settlements.<sup>44</sup> One of the major reasons for a higher perception of fear in the Riverine settlements can be associated with the fear of eviction. During the entire study period, including settlement mapping, survey and qualitative interviews, it was evident that the May 2012 eviction drive in the Thapathali settlement<sup>45</sup>

**TABLE 7**  
Average Marginal Effects of Select Variables on  
Perceptions of Fear

Average marginal effects		Number of obs		=	607	
Model VCE : Robust						
Expression : Pr(fear), predict()						
dy/dx w.r.t. : 1.riverine 1.thapathali 1.godawari 1.nepaliathome						
	Delta-method					
	dy/dx	Std. Err.	z	P> z	[95% Conf. Interval]	
1.riverine	.1406359	.0444441	3.16	0.002	.0535271	.2277447
1.thapathali	.4643073	.0614772	7.55	0.000	.3438142	.5848004
1.godawari	.1867979	.0711357	2.63	0.009	.0473745	.3262213
1.nepaliathome	-.0595867	.019138	-3.11	0.002	-.0970965	-.022077
Note: dy/dx for factor levels is the discrete change from the base level.						

Note: dy/dx for factor levels is the discrete change from the base level.

had triggered a collective fear among the people living in squatter settlements everywhere. The fear of eviction along Riverine settlements has remained a constant and was even enhanced due to the road construction work that has been underway along the rivers. During the multiple visits to Balkhu and Thapathali, both Riverine settlements, it was clear that residents there were under persistent threat of eviction as the construction of embankments along the river was approaching closer to their home. In Balkhu, around five houses along the Bagmati River towards the back of the settlements had already been demolished and people living along the embankment construction site were extremely worried about their own fate.<sup>46</sup>

Compared to Riverine settlements, the lower levels of perceived fear among the residents of non-Riverine settlements is understandable—the non-Riverine settlements have not experienced any form of eviction drives for a long time. Further, the residents as well as local leaders from these settlements seem to have established a good relationship with government authorities overtime. In fact, during the study period, it was even found that

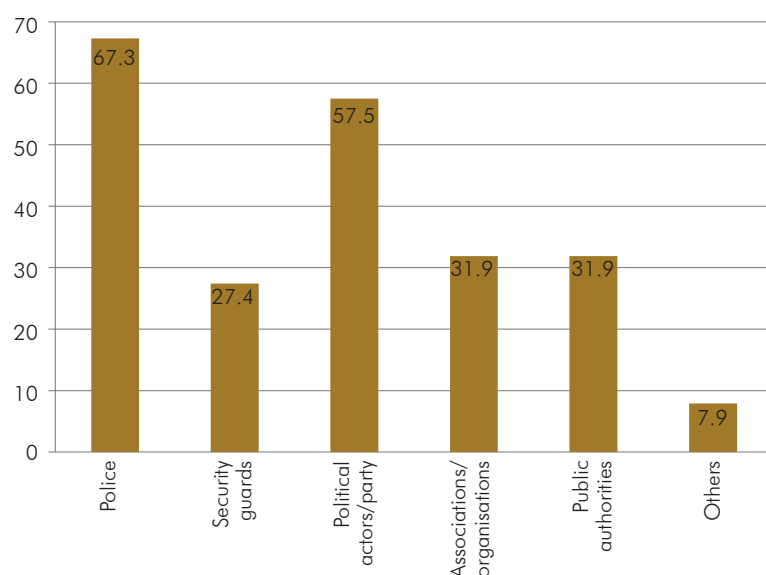
the local public authority had been supporting residents in non-Riverine settlements, such as Golfutar and Ramhiti, with electricity and water supply as well as financial support to build public buildings.<sup>47</sup> Further, in Golfutar, an informal conversation with a social activist who showed evidence of a blueprint of her house located in the settlement suggested that her family was already in the process of getting the land ownership certificate attested by a local public authority, the VDC Secretary.<sup>48</sup> Further, the activist reiterated that residents of the settlement were capable of managing and dealing with any issue related to their settlement because of the working relationship they share with public authorities and political party leaders.

### Perceptions of Fear from Different Actors

One of the major objectives of the study was to identify the actors that residents in the squatter settlements fear the most. The survey found that of the total 620 respondents, fewer than 20 per cent (113) said that they feel they are in danger of being subjected torture/ill-treatment. Of these, nearly 90 per cent (99) were from Riverine settlements, and the remaining (14) from non-Riverine settlements. Among the 113 who said they perceive some form of fear of being ill-treated/tortured, 67.3 per cent named the police, followed by political actor/party (57.5 per cent), associations/organisations (31.9 per cent), public authorities such as the municipal office, Department of Roads and Bagmati Drainage Promotion Board (31.9 per cent), security guards (27.4 per cent) and others (7.9 per cent) (Figure 4).

As shown in Table 8, the prevalence of fear from any actor is nil, among residents in the small non-Riverine settlements such as Ramhiti, Golfutar and Palpakot. These settlements being better off in terms of housing and other facilities are also quite old, politically better organised, and have been the space for

**FIGURE 4**  
Different Actors That Cause Fear for Self (n=113)



**TABLE 8**  
**Percentage of Respondents Who Fear Various Actors**

Settlement	Percentage of respondents who fear...					
	Police	Security Guards	Political Actors/ Party	Associations/ Organisations	Public Authorities	Others*
TOTAL	67.3	27.4	57.5	31.9	31.9	8.0
Riverine (Total)	69.7	28.3	57.6	33.3	33.3	8.1
Large	61.3	22.7	68.2	27.3	27.3	0
Medium	81.6	36.8	50.0	47.4	34.2	5.3
Small	64.7	23.5	47.06	17.6	29.4	35.3
non-Riverine (Total)	50.0	21.4	57.1	21.4	21.4	7.1
Large	50.0	25	50.0	10.0	60.0	0
Medium	66.6	33.3	100.0	66.6	0	0
Small	0	0	0	0	0	0

\* Information in this category needs to be treated with caution since there were only nine out of 113 people who mentioned 'others' when asked about groups/people they fear the most.

interventions by international and national NGOs. Residents from these settlements tend to be more aware of their rights and, hence, less fearful.

Notably, the perception of fear from the police was found to be higher (69.7 per cent) among respondents from Riverine settlements compared to those from non-Riverine settlements (50.0 per cent). Residents from medium-sized settlements in the Riverine category seemed the most likely to perceive fear in general and also particularly from the police. In addition to the fear created by the violent eviction attempt in Thapathali in May 2012<sup>49</sup> and dam and/or road construction along the settlements, higher levels of perceived fear of the police can also be attributed to the reportedly higher levels of illicit and unlawful activities in these settlements along the river, which paradoxically means more arbitrary police action.<sup>50</sup>

A middle-aged resident in Balkhu said,

The police and other government authorities have a lot of prejudice against people living in squatter settlements. They view women as

prostitutes and men as criminals. If there is some problem in the squatter settlements and if we go to complain to the police, they do not listen to us and say that these things happen in squatter settlements. The police do not take us seriously and sometimes do not even register our complaints. (Arjun Lama, male, interviewed on 9 September, 2015)

In another incident, a woman from Sankhamul said,

My brother had an affair with a girl next door. Later he found out that the girl was cheating on him and had a fight with her. At around 10 pm she called the police. My brother did not come home that night but the police interrogated me in a bad way. We did not know about the incident, so I also quarrelled with them. (Laxmi Ale, female, Sankhamul, interviewed on 5 October, 2015)

As shown in Table 8, interestingly, residents in large settlement such as Godavari in the non-Riverine category indicated higher levels of

fear from public authorities (60 per cent) compared to those living in the small settlements. In-depth interviews and participant observations conducted in this settlement indicated that one of the reasons for this strong perception of fear from public authorities among residents of large non-Riverine settlements is the possibility of eviction following a notice issued by the Department of Roads to the residents in connection with the road expansion project just a few days prior to the administration of the survey. In fact, one question consistently asked by the residents to the research team was whether the entire settlement was going to be cleared and the residents evicted.<sup>51</sup> Likewise, in Riverine settlements, fear of eviction by public authorities can also be associated with actual incidents of eviction and road expansion activities.

The analysis of the survey also indicates that of those respondents who said that they perceive fear of torture/ill-treatment from someone (totalling 113), 27.4 per cent said their source of fear were 'security guards'. Given the absence of security guards, in general, in and around most of the settlements included in this study,<sup>52</sup> it is possible that some of the respondents were conflating 'security guards' with the police<sup>53</sup> (although it is possible that they were recounting their experiences of encounters with security guards in their everyday lives), and so it is likely that the actual level of fear from the police is much higher.

An equal proportion of respondents in Riverine (57.6 per cent) and non-Riverine (57.1 per cent) settlements also mentioned that they fear 'political actors/party'. This response is surprising since there is strong political mobilisation/politicisation and control of the settlements by the political parties and social activists (affiliated to different political parties of Nepal) acting as 'protectors'. Interviews showed that the trust level of political parties and party activists is, in fact, very low, especially in some

of the settlements like Balkhu, Thapathali, Sankhamul and Manohara.<sup>54</sup> To the extent that even to carry out this study in these settlements, multiple consultations and negotiations had to be held with political leaders and/or influential settlement leaders representing various political parties. Conducting the study became impossible without the consent of leaders of every political force and, in Thapathali, it was not even possible to complete the targeted number of surveys even though the residents themselves were more cooperative. The local political leaders were important gatekeepers. During interviews and participant observations, it was clear that political parties/activists had managed to secure and protect residents of the squatter settlements in the past by distributing 'land certificates', providing public service facilities like electricity connections, drinking water, etc, and coming to their rescue during the eviction drives. But fragmentation of the leadership along political party lines, the tendency of local leaders to promote their own interests instead of those of community members, the use of residents only as vote banks during election, and experience of being cheated and mistreated by political party activists on various occasions, are among the main reasons for community members' disenchantment with the parties.<sup>55</sup> The following are some of the representative views of political parties and politicians:

Even the committees and political parties do not care about the welfare of the settlement and it is only during the election time that they come to ask for votes. (Durga Thakuri, female, Sankhamul, interviewed on 1 October, 2015)

I used to be a member of a trade union affiliated with the CPN-UML.<sup>56</sup> The leaders would only talk and do not let others raise their voices or express their opinions. In one such instance, I had a dispute with the treasurer, so I

left the trade union. They are corrupt and there is no use in following them. (Rudra KC, male, Manohara, interviewed on 9 September, 2015)

### Perceptions of Torture/Ill-treatment to Family Members

As shown in Table 9, of the 620 respondents, 155 indicated feeling that their family members are at risk/danger of being subjected to torture/ill-treatment. Compared to fear for oneself, the perception of fear for family members appears to be higher (25 per cent for family members compared to 18.2 per cent<sup>57</sup> for self). This finding seems plausible as the literature on fear of crime also indicates that individuals are more

likely to fear for their family's safety than their own.<sup>58</sup>

In order to examine if there is any significant variance on perception of fear for family and different individual traits and environmental factors, a logit regression analysis was conducted (Annex 3). The results of the analysis, statistically significant at 99 per cent confidence level, suggests that there is a positive association between perceptions of fear for the family and location of the settlement—specifically, residents from Thapathali and Godavari had higher probabilities of reporting perceived fear for their family members. In fact, as shown in Table 10, the average marginal effect of Thapathali and Godavari on perceptions of fear for family is 0.385 and 0.152, respectively, which means that, on average, individuals from Thapathali and Godavari are about 38.5 and 15.1 percentage points more likely to perceive fear for family members compared to comparable respondents from other settlements. There is also a negative relationship between perceptions of fear for the family and the respondent being a student, meaning students had a lower probability of reporting fear that their family members were at risk of being ill-treated/tortured compared to the baseline category (i.e., respondents who are wage workers or employees).

As shown in Table 11 below, among those 155 respondents who felt that their family members are at risk/danger, a high proportion (52.9 per cent) said that their family members are at risk/danger from the 'police'. As with individual respondents, the perceived risk/danger to family members from the police was higher in Riverine settlements (56.6 per cent) compared to non-Riverine settlements (39.4 per cent). The higher figure in Riverine settlements seems attributable to, as discussed above, the incident of eviction in Thapathali and embankment and/or road construction along the Riverine settlements, especially in

**TABLE 9**  
Respondents Who Reported Family Members at Risk/Danger

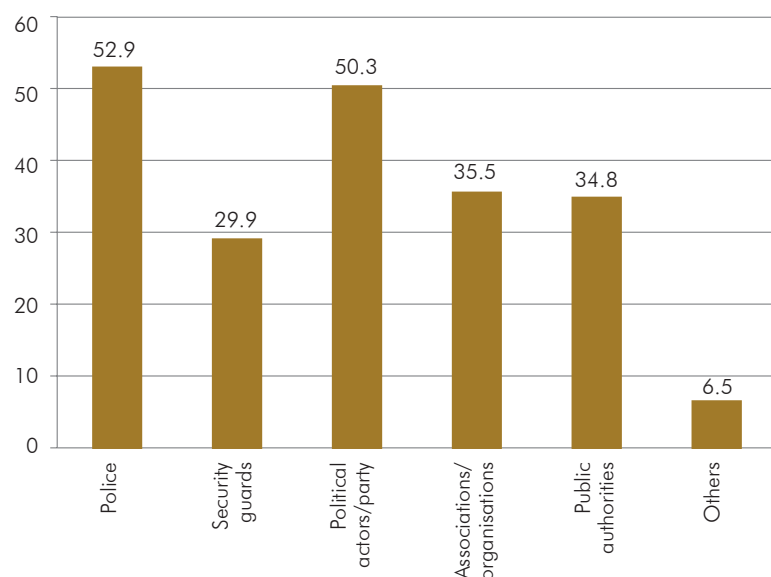
Settlement	Total number of respondents	Respondents who feel fear	Per cent
TOTAL	620	155	25.0
Riverine (Total)	486	122	25.1
Large	222	54	24.3
Medium	165	54	32.7
Small	99	14	14.1
non-Riverine (Total)	134	33	24.6
Large	62	20	32.3
Medium	42	8	19.1
Small	30	5	16.7

**TABLE 10**  
Average Marginal Effects of Select Variables on Perceptions of Fear for Family

Average marginal effects			Number of obs = 607		
Model VCE : Robust					
Expression : Pr(fearfamily), predict()					
dy/dx w.r.t. : 1.thapathali 1.godawari					
	Delta-method				
	dy/dx	Std. Err.	z	P> z	[95% Conf. Interval]
1.thapathali	.3856026	.0597211	6.46	0.000	.2685515 .5026538
1.godawari	.1517161	.0381212	3.98	0.000	.0769999 .2264324

Note: dy/dx for factor levels is the discrete change from the base level.

**FIGURE 5**  
Fear of Different Actors for Family Members



Thapathali, Sankhamul and Balkhu. Likewise, qualitative information indicates that, as was the case in terms of individuals' fear of torture/ill-treatment for themselves, it is also likely that the choice of 'security guards' as a source of fear could be due to conflation with a broader understanding of 'security forces', implying that the figures for the police would perhaps be higher.

A significant number of respondents (34.8 per cent) mentioned that their family members were at risk/danger from 'public authority'

figures, and of those 34.8 per cent respondents, more than double (60.6 per cent) were found to be from the non-Riverine settlements (see Table 11). As discussed in the case of individuals above, this high association was probably influenced by the fear of eviction in the large settlement (Godavari) during the study period.

Findings on the perceptions of fear of violence/ill-treatment for the family also indicate that residents in the squatter settlements have low trust in political actors/parties. Of those who mentioned that their family members were at risk/danger from someone, a high number (50.3 per cent) named the source as political actors/parties, which is close to the percentage perceiving risk/danger from the police (52.9 per cent). Further, the analysis indicates that the perception of the family members of respondents being at the risk/danger from political parties was higher (17.6 per cent) in medium-sized Riverine than in the large (14.0 per cent) or small (3.0 per cent) Riverine settlements. Likewise, a considerable number of respondents (35.5 per cent) said that their family members were at risk/danger of being subjected to torture/ill-treatment from 'associations/organisations'; such a perception was higher in Riverine settlements (37.7 per cent) compared to the non-Riverine (27.3 per cent) ones.

**TABLE 11**  
Source of Risk/Danger to Family Members of Respondents

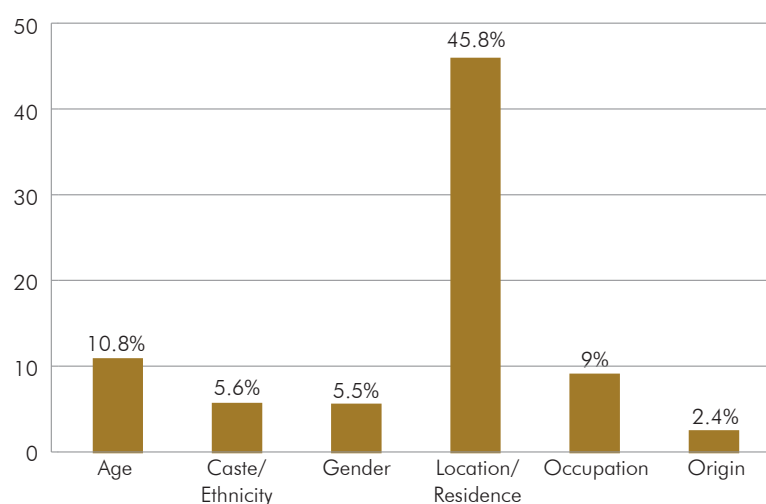
Settlement	Police	Security Guards	Political Actors/Party	Associations/Organisations	Public Authorities	Others
TOTAL	52.9	29.0	50.3	35.5	34.8	6.5
Riverine (Total)	56.6	29.5	51.6	37.7	27.9	8.2
Large	12.6	6.3	14.0	7.7	7.7	0.9
Medium	20.6	11.5	17.6	16.4	9.1	0.6
Small	7.1	3.0	3.0	2.0	2.0	7.1
non-Riverine (Total)	39.4	27.3	45.5	27.3	60.6	0
Large	11.3	6.5	12.9	4.8	25.8	0
Medium	7.1	7.1	9.5	7.1	4.8	0
Small	11.1	6.7	10.0	10.0	6.7	0



### Perceived Associations between Torture/ Ill-treatment and Structural Factors

One of the survey questions also directly asked respondents if they felt that there was any association between the perception of being at risk/danger of being subjected to torture/

**FIGURE 6**  
Factors Affecting Perceptions of Risks of Torture/ Ill-treatment



ill-treatment and factors such as location/residence, age, gender, occupation, caste/ethnicity and district of origin. Analysis of the results

suggests an overwhelming number of respondents believed that the location/residence (i.e., urban squatter settlements) had a higher bearing than other personal or environmental factors (see Figure 6).

More precisely, as shown in Table 12, nearly half (45.8 per cent) of the respondents believed that they were at risk/danger of being subjected to torture/ill-treatment because of where they live, and this figure was higher (48.7 per cent) among residents of Riverine settlements than those of non-Riverine (35.1 per cent) settlements. This finding corroborates the analysis presented in the previous sections that fear of being ill-treated/tortured in the context of urban poverty in Nepal is determined to a large extent by locational factors.

### Reporting Patterns and Decisions

This section of the report deals with views on reporting, particularly around whether or not the respondents would report incidents (*ghatana*) of torture/ill-treatment, violence or suffering to anyone, to whom they would report it, and why they would report it or not.

**TABLE 12**  
Factors Affecting Perception of Risk/Danger

Settlement	Age		Caste/Ethnicity		Gender		Location/Residence		Occupation		Origin	
	No.	per cent	No.	per cent	No.	per cent	No.	per cent	No.	per cent	No.	per cent
TOTAL	67	10.8	35	5.6	34	5.5	284	45.8	56	9	15	2.4
Riverine (Total)	52	10.7	33	6.8	28	15.1	237	48.7	47	9.9	13	2.7
Large	30	13.5	17	6.3	18	8.1	119	53.6	24	10.8	7	3.2
Medium	20	12.1	12	7.3	8	4.9	80	48.5	17	11.5	5	3.0
Small	2	2.0	4	4.0	2	2.0	38	38.4	6	6.1	1	1.0
non-Riverine (Total)	15	11.2	2	1.5	6	4.5	47	35.1	9	6.7	2	1.5
Large	3	4.8	0	0.0	3	4.8	39	62.9	2	3.2	1	1.6
Medium	9	21.4	0	0.0	0	0.0	4	9.5	5	11.9	1	2.4
Small	3	10	2	6.7	3	10	4	13.3	2	6.7	0	0.0

## Reporting Patterns

As mentioned at the outset of this report, the study also aimed to unpack the patterns and practices of (non-)reporting of incidents of

**TABLE 13**  
Respondents Stating Reporting of Incident

Settlement	Total number of respondents	No. of respondents who would report the incident to someone	Per cent
TOTAL	620	580	93.5
Riverine (Total)	486	452	93.0
Large	222	203	91.4
Medium	165	154	93.3
Small	99	95	96.0
non-Riverine (Total)	134	128	95.5
Large	62	57	91.9
Medium	42	42	100.0
Small	30	29	96.7

torture/ill-treatment in squatter settlements. A significant majority, 580 respondents (93.5 per cent), said that they would report an incident of torture/ill-treatment to someone if it happened to them, with a minor variance between Riverine (93.0 per cent) and non-Riverine settlements (95.5 per cent) (see Table 13). Using a logit regression analysis, it was found that, at the 99 per cent confidence level, reporting behaviour is negatively associated with certain locations

**TABLE 14**  
Average Marginal Effects of Select Variables on Reporting Behaviour

Average marginal effects		Number of obs = 600	
Model VCE : Robust			
Expression : Pr(report), predict()			
dy/dx w.r.t. : 1.thapathali 1.sankhamul			
	Delta-method		
	dy/dx	Std. Err.	z
1.thapathali	-.1717002	.0590327	-2.91
1.sankhamul	-.1123945	.0468303	-2.40
			P> z
			[95% Conf. Interval]
1.thapathali			-.2874021
1.sankhamul			-.0559983
			-.2041801
			-.0206088

Note: dy/dx for factor levels is the discrete change from the base level.

(primarily, Thapathali and Sankhamul), population size of the settlements and occupation (people engaged in mixed occupations or in own work at home have lower tendencies of reporting compared to the baseline category of wage workers/employees) (see Annex 3).

In fact, on average, individuals from Thapathali and Sankhamul are about 17.1 and 11.2 percentage points less likely, respectively, to report an incident compared to respondents from other settlements (see Table 14).

## Actors/Institutions and Reporting Behaviour

Respondents were asked to select multiple responses, if applicable, on who they would report the incident to—the police (*prahari*), local government authorities (*sthaniya sarkari adhikariharu*), political party (*rajnaitik party*), associations/organisations (*sangh-sanstha*), lawyers (*wakeel*), human rights groups (*manav adhikarbaadi sanstaharu*), NGOs/CBOs (*gairsarkari/samudayik sanstaharu*), family/friends/relatives (*pariwar/sathiharu/chime-kiharu*), and others (*anya*)—so that degrees of confidence/trust in different actors could be examined. As depicted in Table 16, most of the respondents (74.5 per cent) stated that they would report it to ‘family, friends or relatives’, followed by a significant 70 per cent who mentioned the ‘police’. This particular finding about the high likelihood of reporting to the police stands in contrast with the high degree of fear respondents feel about the police (see Tables 6, 8 and 9 as well as figure 4). Such a dichotomy can be explained by the role the police play in the lives of people in these settlements. First, fear of the police appears to have been primarily due to the eviction drives, especially in the Riverine areas, for which the police are mobilised. Second, police presence in the settlements also makes them the main representative of the state, leaving the residents with little choice but to approach the

police for any kind of judicial remedy.

The survey also indicates that very few respondents (14.7 per cent) would report such incidents to human rights organisations (Table

**TABLE 15**  
**Reporting to Human Rights Organisation**

Average marginal effects				Number of obs		=	570
Model VCE : Robust							
Expression : Pr(report_hrngo), predict()							
dy/dx w.r.t. : 1.sankhamul 1.nepaliathome							
	Delta-method						
	dy/dx	Std. Err.	z	P> z	[95% Conf. Interval]		
1.sankhamul	.3841304	.1873967	2.05	0.040	.0168397	.7514212	
1.nepaliathome	.0799786	.0340108	2.35	0.019	.0133186	.1466386	
Note: dy/dx for factor levels is the discrete change from the base level.							

15). This probably accounts for why many incidents of human rights violations, including those relating to torture/ill-treatment, go unnoticed or do not get recorded and reported by human rights organisations. It is worth noting that residents of small settlements in the Riverine category are more likely (32.3 per cent) to report incidents of torture/ill-treatment to human rights organisations than those from other settlements. Results from the logit regression, statistically significant at the 95 per cent confidence level, indicate a strong positive correlation between the respondent originating from the Sankhamul settlement and levels of reporting to human rights organisations. As seen in Table 15, on average, residents from

**TABLE 16**  
**Reporting to Different Actors**

Settlement	Police		Local govt. officials		Political Actors/ Parties		Lawyers		HR NGOs		Other NGOs/ CBOs		Associations/ Organisations		Family/ Friends/ Relatives		Others	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
TOTAL	434	70.0	148	23.9	27	4.4	47	7.6	91	14.7	112	18.1	72	11.6	462	74.5	14	2.3
Riverine (Total)	338	69.5	116	23.9	23	4.7	38	6.1	79	16.3	93	19.1	63	13	354	72.8	9	1.9
Large	148	66.7	47	21.2	2	0.9	7	3.2	27	12.2	41	18.5	19	8.6	165	74.3	5	2.3
Medium	108	65.5	49	29.7	7	4.2	10	6.1	20	12.1	11	6.7	14	8.5	119	72.1	3	1.8
Small	82	82.8	20	20.2	14	14.1	21	21.2	32	32.3	41	41.4	30	30.3	87	87.9	1	1.0
non-Riverine (Total)	96	15.5	32	23.9	4	3	9	0.5	12	9	19	14.2	9	6.7	108	80.6	5	3.7
Large	41	66.1	21	33.9	1	1.6	2	3.2	3	4.8	9	14.5	1	1.6	50	80.6	4	6.5
Medium	29	69.0	5	11.9	0	0.0	1	2.4	0	0.0	1	2.4	3	7.1	32	76.2	1	2.4
Small	26	86.7	8	26.7	3	10	6	20	9	30	9	30	5	16.7	26	86.7	0	0.00

**TABLE 17**  
**Motivation for Reporting Cases**

Settlement	Compensation		Legal action against perpetrators		Other forms of punishment		Mediation/ Reconciliation		Medical assistance		Collective action		Other reasons	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
TOTAL	222	35.8	431	69.5	53	8.5	310	50	112	18.1	109	17.6	17	2.7
Riverine (Total)	181	37.2	346	71.2	31	6.4	240	49.4	95	19.5	88	18.1	14	2.9
Large	58	26.1	156	70.3	8	3.6	91	41	25	11.3	30	13.5	6	2.7
Medium	55	33.3	107	64.8	12	7.3	83	50.3	21	12.7	23	13.9	4	2.4
Small	68	68.7	83	83.8	11	11.1	66	66.7	49	49.5	35	35.4	4	4.0
non-Riverine (Total)	41	30.6	85	63.4	22	16.4	70	52.2	17	12.7	21	15.7	3	2.2
Large	19	30.6	38	61.3	10	16.1	36	58.1	5	8.1	9	14.5	3	4.8
Medium	4	9.5	22	52.4	9	21.4	21	50	0	0	1	2.4	0	0.0
Small	18	60	25	83.3	3	10	13	43.3	12	40	11	36.7	0	0.0

Sankhamul are found to be more likely (by 38.4 per cent) to respond that they would report an incident to such organisation compared to those from other settlements.<sup>59</sup> In-depth interviews and participant observations conducted during the study indicate that residents from small settlements would choose human rights organisations because, compared to other settlements, the smaller settlements, especially Sankhamul, have been the site of interventions by many I/NGOs and the settlement leaders have long been working with human rights organisations.<sup>60</sup>

Likewise, results presented in Table 16 also support the earlier discussion about the low trust in political actors and organisations as only a marginal number of residents (4.4 per cent) out of the total mentioned that they would report incidents of torture/ill-treatment to political actors/parties.

## Reasons for Reporting

In order to understand the motivation/rationale for reporting, respondents were asked what their possible reasons for reporting such incidents would be. A significant number (69.5 per cent) said that they would report it expecting legal action against the perpetrators, followed by almost half indicating that they would do so

to invite mediation and/or reconciliation (see Table 17). While these findings help explain why people chose the police as one of the actors/institutions they would report the incident to, they also seem to contradict the fact that almost three quarters of the respondents (74.5 per cent) had indicated that they would report the incident to their ‘family, friend or relatives’ (which does not lead directly to any legal redress although these could also only be a case of who it was reported to first). Subsequent interviews indicate that most incidents are a result of personal conflict in which the police are not directly involved as perpetrators, though they might be drawn into the conflict/problem at a later stage. In contrast, 35.8 per cent of the respondents mentioned that they would report the incidents to seek ‘compensation’—which largely reflects the overriding concern related to loss of houses and/or land arising due to evictions.

On the issue of ‘compensation’, results from the regression analysis suggest a notable difference between residents of Riverine and non-Riverine settlements. Specifically, those from Riverine settlements are 25.2 per cent points more likely, on average, to report an incident for ‘compensation’ compared to their non-Riverine counterparts (see Table 18). Further, residents from the larger settlements are also less likely to report an incident for ‘compensation’,<sup>61</sup> which can be explained by the fact that in large areas, residents might be more confident about the power of collective action.

Finally, as shown in Table 19, when the 40 respondents (or 6.5 per cent) who said they would not report an incident of torture/ill-treatment to anyone were asked why, the most common responses were lack of trust in the concerned authorities (23 individuals), lack of information about where to report an incident (15 individuals), and a sense that it would not be worth the while reporting the incident (14 individuals). These reasons provide important

**TABLE 18**  
**Average Marginal Effects on Motivations for Reporting**

Average marginal effects			Number of obs		=	570	
Model VCE : Robust							
Expression : Pr(report_comp), predict()							
dy/dx w.r.t. : 1.riverine 1.sankhamul							
	Delta-method						
	dy/dx	Std. Err.	z	P> z	[95% Conf. Interval]		
1.riverine	.2521997	.0609746	4.14	0.000	.1326916	.3717078	
1.sankhamul	.2030502	.0698924	2.91	0.004	.0660635	.3400369	
Note: dy/dx for factor levels is the discrete change from the base level.							

insights for individuals and institutions working to improve access to justice and rule of law in these settlements. The response from one of the interviewees from the Sankhamul settlement who did not want to report to anyone believing that it would be fruitless clearly indicates how some residents feel regarding the quest for justice.

It was the police who had beaten us during the demonstration. So, to whom should we report?  
(Laxmi Ale, female, Sankhamul, interviewed on 5 October, 2015)

### Experience of Ill-treatment and Violence by Family Members

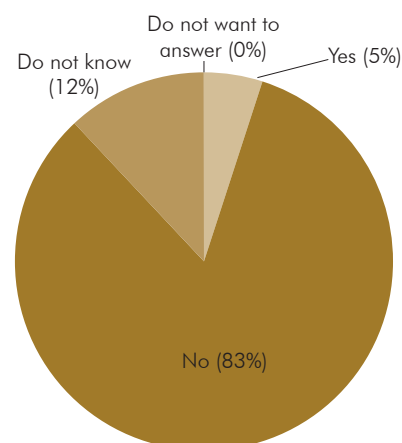
#### Knowledge of Household Members' Experience of Torture/Ill-treatment

The survey asked respondents if their family members had had any experience of torture/ill-treatment-related incidents. While 25.0 per cent of the respondents perceived risk to their family members, only 5 per cent reported knowing about their family members being subjected to torture/ill-treatment, while 83 per cent replied in the negative and another 12 per cent reported that they did not know.

#### Knowledge of Community Members' Experience of Torture/Ill-treatment

Asked about others in their community with direct experience of torture/ill-treatment, only 2 per cent of the respondents responded in the

**FIGURE 7**  
Household Members' Experience of Torture/Ill-treatment

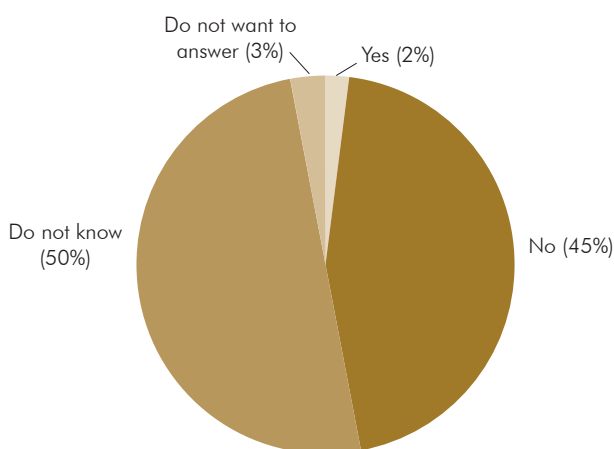


affirmative, 45 per cent indicated a 'No' and another 50 per cent said that they did not know (see Figure 8). The reason for not knowing about others in the community is probably because of the dynamic nature of the settlements, whether small or large. It was observed that mobility was high among residents of squatter

**TABLE 19**  
Reasons for Not Reporting

Settlement	Do not know where to go to	Would not be relevant or worthwhile	No trust or confidence with concerned actors	Difficulty in providing evidence	Possibility of reprisal	No time	Other reasons
	No.	No.	No.	No.	No.	No.	No.
TOTAL	15	14	23	1	4	1	8
Riverine (Total)	15	14	22	1	4	0	4
Large	6	9	14	0	3	0	1
Medium	8	3	5	0	1	0	1
Small	1	2	3	1	0	0	0
non-Riverine (Total)	0	0	1	0	0	1	4
Large	0	5	1	0	0	1	3
Medium	0	0	0	0	0	0	0
Small	0	1	0	0	0	0	1

**FIGURE 8**  
Community Members' Experience of Torture/  
Ill-treatment



settlements. For example, in one, some people who had been covered by the mapping exercise had already left by the time the enumerators went to administer the survey a couple of weeks or so later. Moreover, in large settlements, it was evident that people did not know those living on the other side of the settlement. In fact, in some cases, the respondents reported that they did not even know their neighbours. A crucial factor for the respondents' reluctance to say anything about the experience of others was the fear of any negative repercussions of providing such information.<sup>62</sup>

#### Cases of Torture/Ill-treatment

A total of 28 cases (in the family) and 11 cases (in the community) relating to experiences of

torture/ill-treatment were identified through the referral questions included in the survey. Of these cases, the researchers were only able to positively identify 22 individual cases because of reasons such as individuals having moved out, researchers not being able to meet the concerned individual, or their not being willing to talk to the researchers, and so on. Unfortunately, because the diary of one enumerator, containing information on one individual case was also lost during the April 2015 earthquake, information has been collected for 21 individual cases presented below (see Table 20). As can be expected, most of these cases were in large settlements like Manohara or in Thapathali, which had had recent experiences of eviction.

Of the total 21 individual cases reported, 12 were male and 9 were female with their ages ranging from 22 to 72. They were also a mixed group, representing the different castes and ethnicities living in the settlements, with the largest group belonging to Hill Janajatis followed by the Hill Castes. In terms of occupation, of the 21 individuals, seven are wage labourers, five work at home, four individuals are service workers/employees, three are engaged in small business/trade, and two are unemployed.

The researchers asked each individual about the identity of the actors involved in inflicting the suffering. Sixteen of the 21 individuals mentioned the police, followed by 'others' (5 individuals), political actors (4 individuals), and public authorities (4 individuals). The highest number of respondents who mentioned experiencing torture/ill-treatment were from the Thapathali settlement. It became obvious to the researchers that the quite-recent attempt at forceful eviction by the state with the use of police force had influenced the result (see Figure 9).<sup>63</sup>

Asked about where the incident had taken place, 15 individuals mentioned 'at home' and 12 stated in the community of residence, followed

**TABLE 20**  
Incidence of Torture/Ill-treatment (by settlement)

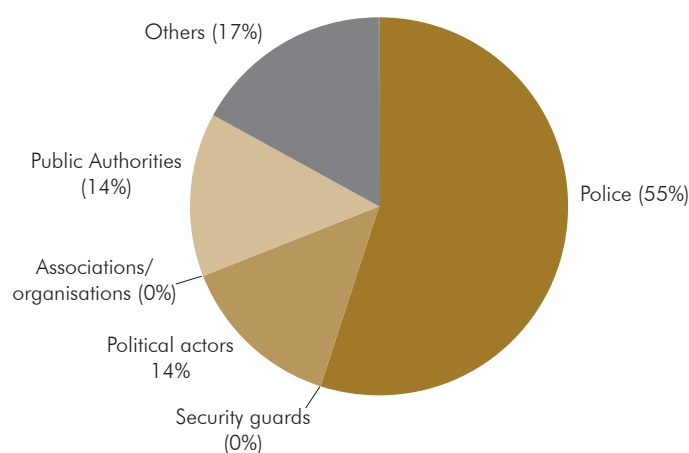
	Settlements	Total respondents	Number of individual cases
Riverine	Balkhu	140	2
	Jagrititole	34	1
	Manohara	222	6
	Sankhamul	33	3
	Thapathali	25	6
non-Riverine	Golfutar	18	2
	Palpakot	12	1
	Total	620	21



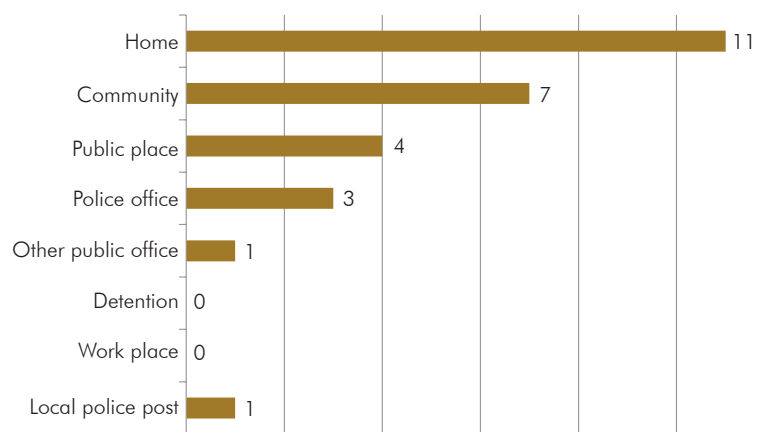
**TABLE 21**  
Incidence of Torture/Ill-treatment (by Caste/  
Ethnicity)

Caste/Ethnicity	Victims of torture/ ill-treatment		Share of group in sample (%)
	Number	Percentage	
Hill Janajati	7	33.3	61.3
Hill Caste	5	23.8	22.9
Newar	4	19.0	6.4
Dalit	2	9.5	8.4
Tarai Janajati	1	4.8	2.6
Other	1	4.8	0.3

**FIGURE 9**  
Community Members' Experience of Torture/  
Ill-treatment



**FIGURE 10**  
Place Where Incident Took Place



by public place (5 individuals), police office (3 individuals), other public office (1 individual), and local police post (1 individual). Cross-tabulation of the 'perpetrator' and the place of the incident indicates that most incidents, whether by the police, political actors or other government authorities, occurred mostly in the individuals' homes and community while in the case of the police, some did occur in a public place and in the police office as well (see Table 22).

Even though some respondents mentioned that the incidents occurred at home or in the community, there were instances where it was found that they had actually experienced torture/ill-treatment at places like the police office or in detention. For example, one of the interviewees who had mentioned experiencing the incident of torture/ill-treatment in the community also elaborated in a follow up conversation that he had experienced it in police detention as well.

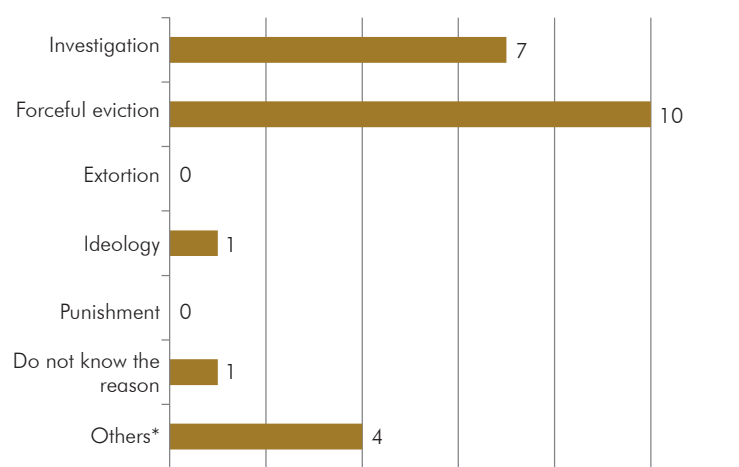
The 21 individuals who had experienced torture/ill-treatment-related incidents were also asked to identify the reason(s) for such treatment. Most, 10 and 7 individuals respectively, answered that forced eviction and investigation were the main cause.

In order to understand if there was any association between the perpetrator and the nature of violence, a simple cross-tabulation was carried out. The results indicate that the reasons for police action include investigation and forceful eviction but also personal conflicts or conflicts with neighbours as well as involvement in illicit activities that eventually bring in the police. And, in the case of political actors, it is again eviction and investigation; for public authorities, it is forced eviction; and for 'others,' it is investigation and forced eviction. It should be noted that the term 'investigation' (*kerkar/sodhpuch* in Nepali) denotes 'questioning' as well as actual 'investigation', which would explain why government officials would engage in such an activity. The reasons for torture/ill-treatment related to forceful eviction were

**TABLE 22**  
Perpetrator and Place of Incident<sup>64</sup>

Actors	Home	Community	Public place/ street	Police office	Other public office (municipality)	Others (local police post)	Total
Police	7	5	4	3	0	1	20
Security Guards	0	0	0	0	0	0	0
Political Actors	4	2	0	0	0	0	6
Associations/ Organisations	0	0	0	0	0	0	0
Public Authority	1	3	0	0	1	0	5
Others (government, municipality)	3	2	1	0	0	0	6

**FIGURE 11**  
Reasons for Incident



discovered particularly in the two settlements of Thapathali and Balkhu, where residents had experienced heightened fear due to the eviction drive and the embankment and/or road

expansion activities. Some of the interviewees also mentioned 'other' reasons they were subjected to the incident of torture/ill-treatment, namely, 'corruption related'; because they were 'weak'; simple 'misuse of power' by the perpetrators; and the fact that torture/ill-treatment towards them is considered normal.<sup>65</sup>

Asked to elaborate on the type of torture/ill-treatment, 12 mentioned verbal abuse while 8 mentioned threats, 7 said slapping, and 5 said beating with hands and stick, followed by kicking (3 individuals), detention (4 individuals), and discriminatory behaviour (2 individuals). During the survey as well as in-depth interviews, some of the respondents even showed marks on their body to indicate their injuries, and those had mainly occurred during detention by the security forces.

Some of the forms of torture/ill-treatment were very severe. For instance, one of the

**TABLE 23**  
Perpetrator and Nature of Incident

Actors	Investigation	Forceful Eviction	Extortion	Ideology	Punishment	Do not know the reason	Others*	Total
Police	6	6	0	1	0	1	3	17
Security Guards	0	0	0	0	0	0	0	0
Political Actors	1	3	0	0	0	0	0	4
Associations/ Organisations	0	0	0	0	0	0	0	0
Public Authority	0	3	0	0	0	0	1	4
Others(government bodies, municipality)	2	4	0	0	0	0	0	6

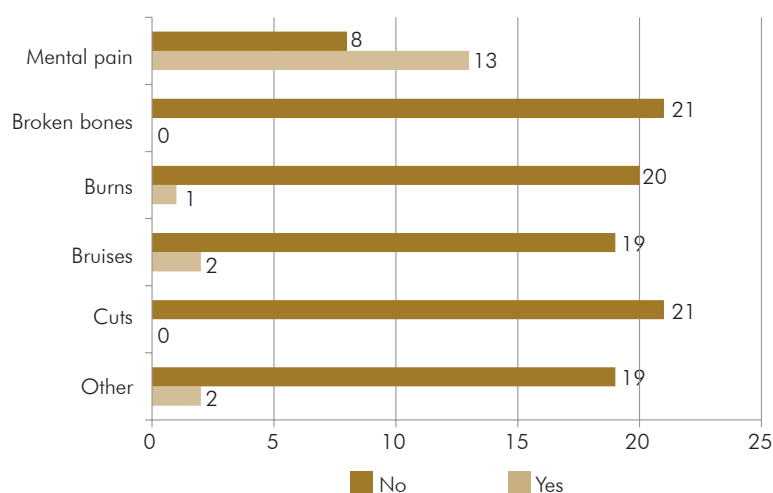
**TABLE 24**  
**Form of Violence/Ill-treatment**

Types	Yes	No
Slapping	7	14
Beating with hands	5	16
Kicking	3	18
Electric shock	0	21
Beating with stick	5	16
Use of sharp objects	0	21
Detention	4	17
Threats	8	13
Discriminatory behaviour	2	19
Verbal abuse	12	9
Others	5	16

interviewees from Godavari mentioned that he had experienced torture/ill-treatment from the security forces for (allegedly) cooperating with a political group during a general strike (*banda*). He reflected on the incident and described the nature of torture/ill-treatment in the following words:

The Armed Police Force came to me in the evening and took me to an unidentifiable detention location. My hands were tied behind but eyes were unfolded. They took off my shirt. I was

**FIGURE 12**  
**Nature of Injury**



\* 'Other' harm mentioned were 'swelling of limbs'.

slapped on the cheeks and beaten with plastic water pipes. They asked me whether it hurts or not? When I replied 'Yes', I was further slapped and beaten for saying that it hurts. I was hurt so much and tortured that my legs were swollen. I was accused of misleading society and getting involved in other illegal activities. When that incident happened, my wife was eight months pregnant. (Surya Lama, male, Godavari, interviewed on 10 September, 2015)

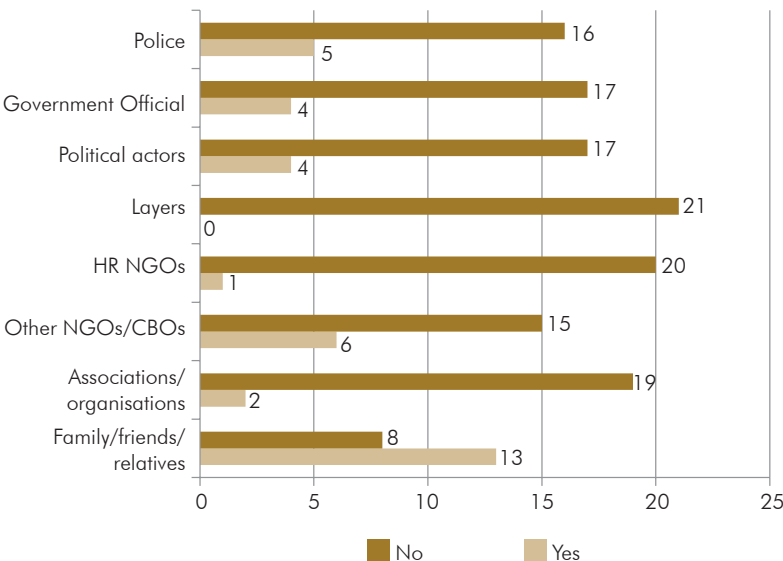
The study also asked respondents who experienced ill-treatment if they were able to support their family following the incident. Out of the 21 individuals, 4 respondents answered in the affirmative while the remaining 17 respondents mentioned their inability to do so.

Of the total respondents (21) who had stated that they had been subjected to ill-treatment/torture, only 13 replied that they had reported the incidents of ill-treatment/torture to individuals and institutions. As for who they reported the incident to, it was found that all 13 had turned to family/friends/relatives while a smaller number had also approached the police, government officials or political actors/parties (see Figure 13). This finding was supported by qualitative interviews during which people did mention talking about it with family/friends/relatives. And, it is in sharp contrast to the hypothetical question the survey had asked all household members in the settlements about whether or not they would report the incident to anyone if they were to experience any form of torture/ill-treatment, a large proportion had not only mentioned that they would but even pointed out particular state institutions/representatives they would report it to.

Very few mentioned human rights groups and no one mentioned lawyers. The NGOs and CBOS mentioned were found to be local community organisations.

Finally, the researchers asked the respondents why they had reported the incident to

**FIGURE 13**  
**Actor/Institution to Whom Incident Was Reported**



the different actors or institutions. The main reasons cited were expectation of legal action (5 respondents), mediation/reconciliation (3 respondents), compensation (4), medical assistance (3), and collective action (3). Only two respondents said that were seeking punishment and five gave 'other'<sup>66</sup> reasons. Among those who said they were seeking mediation or reconciliation, the incident of torture/ill-treatment was not directly related to the state and had more to do with personal issues. Asked if they received what they had expected while reporting the incident, only one respondent mentioned that she got what she had hoped for. Hence, the level of satisfaction amongst the respondents regarding the kind of support they had sought is very low.

## KEY FINDINGS AND CONCLUSION

In terms of social composition, the squatter settlements of Kathmandu Valley are different from the general population of the Valley in that there is a larger population of marginalised groups (Janajatis, Dalits and religious minorities) living in the settlements. As a result, it is not surprising that the socio-economic condition of people from these settlements is also low in terms of education, livelihood opportunities, etc.

Against this backdrop, a significant number of people from these communities (18.2 per cent) feel they are at risk of being subjected to torture/ill-treatment. Compared to fear for oneself, perception of fear for family members appears to be higher at 25 per cent. Almost half the respondents in the household survey mentioned that the source of vulnerability to torture/ill-treatment came from where they lived. Notably, people who live in Riverine settlements have greater fears of being subjected to torture/ill-treatment than those from non-Riverine settlements. This is to be expected because of recent eviction drives in some of the Riverine settlements, like Thapathali, which had resulted in clashes between the residents and government authorities. Related to this is the fact that the perceived fear of torture/ill-treatment is greater from the police and public agencies such as the municipal office, Department of Roads, etc., which were directly engaged in the evictions. The linkage between residence and risk of violence and ill-treatment is also borne by the fact that the majority of the respondents in the survey mentioned that the 'place of residence' is the most important factor in determining their experience of violence and ill-treatment. The vulnerability of

residents from squatter settlements to torture/ill treatment is directly related to their specific precariousness caused by their lower socio-economic background and absence of land rights in the context of the road expansion and other beautification drives in Kathmandu. Hence, these findings suggest that particular experiences of torture/ill-treatment amongst the urban poor in Kathmandu need to be located within the overall context of the larger political and economic processes.

Even though the variables representing education and occupation are statistically significant (for instance, higher the education, higher the perception of fear; and those who work at home have higher perception of fear), they are not included as part of the broader explanation of the perception of fear (towards the self) since the survey data has limitations in examining such relationships. Meanwhile, other variables, like age, are not included in the broader explanation since they are not statistically significant in the model (see Annex 3).

The survey results show that the residents from squatters fear the police, political actors/parties and associations/organisations as major sources of torture/ill-treatment. Again, the fear from these actors was higher among residents from Riverine than non-Riverine settlements. Interestingly, despite the antagonism towards government authorities, residents of squatter settlements also tend to exhibit a high degree of reliance on them for any form of recourse to justice as evidenced by the fact that even though a large proportion of them indicated that they would report any incident of torture/ill-treatment to their families and friends, a

substantial proportion also mentioned that they would report the incident to the police, local government officials, etc.

The relatively low number of respondents mentioning civil society organisations such as human rights organisations as a source of support indicates the limited interaction these organisations have had with people living in these settlements. This is particularly significant in light of the fact that most respondents reported that the main rationale for reporting an incident are legal action against the perpetrators, mediation/reconciliation, and some form of compensation, all of which would benefit from stronger civil society action. Instead, there is a discernible vacuum in the squatter settlements which perhaps helps explain why individuals in these settlements simultaneously fear public authorities the most and yet also rely almost exclusively on them for justice.

Findings from the research also points to an apparent disjuncture between the number of people who say that they would report an incident versus those who actually reported a case, following an actual experience of torture/ill-treatment. While it is the case that the former is based on a larger sample (620 respondents) and the latter on only 21 cases and, hence, not necessarily comparable, the reasons

for not reporting an incident deserve careful consideration. Factors such as not knowing who to report an incident to, a sense of hopelessness, lack of trust or confidence in justice mechanisms, perceived difficulty in providing evidence, and fear of intimidation and threats of reprisals, are issues that suggest that experiences of torture/ill-treatment in squatter settlements perhaps go largely unnoticed and undocumented.

This survey has attempted to understand the perception of people living in squatter settlements in various parts of the Kathmandu Valley concerning their experiences with incidents of torture/ill-treatment. In particular, the study attempted to understand the factors that triggered such incidents, the source of such treatment, and the reasons such incidents occur. Ten squatter settlements were sampled from the existing 44 in the Valley, and a total of 620 households surveyed in the 10 settlements.

The survey highlighted that the residents in the squatter communities are highly vulnerable to torture/ill treatment due to their socio-economic background and their lack of entitlement to land rights. Vulnerability is higher for those who live in Riverine settlements than those who live in non-Riverine settlements.



# ENDNOTES

- 1 See, 'Torture in 2014: 30 Years of Broken Promises', available at: <http://www.amnestyusa.org/sites/default/files/act400042014en.pdf>
- 2 The 2014 report published by Advocacy Forum involved interviews with 1916 detainees in government detention centres in 15 districts of Nepal, namely, Kathmandu, Morang, Banke, Kaski, Kanchanpur, Udayapur, Rupandehi, Dhanusha, Baglung, Myagdi, Parbat, Ramechhap, Dolakha, Jhapa and Siraha.
- 3 To cite an example, the report produced by THRD Alliance includes information only from the Tarai region of Nepal. Available at: <http://www.taraihumanrights.org/publication.php?allid=1>.
- 4 For details on this project, see: <https://torturedocumentationproject.wordpress.com>.
- 5 UN Habitat, 'Slum Upgrading Strategies and Investment Programme,' Available at <http://mirror.unhabitat.org/content.asp?cid=7815&catid=54&type id=13>; Kamal Devkota, 'Dynamics of Urbanisation in Nepal: The Role and Response of Local Government,' Policy Discussion Paper-6/2012, Alliance for Social Dialogue, December 2012.
- 6 It is estimated that the population of city dwellers increased three fold in the 10-year period from 1991 to 2001. See, Little 2012.
- 7 For instance, as early as February 2-4, 1990, a seminar entitled 'The Issues of Squatter Settlements in Nepal' was organised in Kathmandu to provide a forum for dialogue on issues concerning squatter settlements in Nepal, and also identify projects and programmes to improve the quality of life of the squatters as well as provide inputs to the Eighth Five-Year Plan, which was directed towards introducing shelter-related policies in Nepal.
- 8 UN Habitat, *Country Activities Report, 2009*, United Nations Human Settlements Programme, 2009.
- 9 Tanaka 2009; Toffin 2010.
- 10 Gurung 1990.
- 11 Little 2012.
- 12 Lumanti 2001.
- 13 Lumanti 2008. Other estimates suggest a higher number of slums and squatter settlements, including as many as 63 settlements. See, Sengupta and Sharma 2006.
- 14 Lumanti 2008.
- 15 Toffin 2010.
- 16 Gallagher 1992.
- 17 Pradhan 1990.
- 18 Toffin 2010.
- 19 Little 2012. He gives a precise figure of 13,243 people and 2,844 households.
- 20 Acharya 2010. In his sample of 553, Acharya's study showed that 53 per cent work as labourers, 17 per cent in services, 15 per cent are involved in small businesses, and the remaining 15 per cent engaged in irregular work.
- 21 Acharya 2010.
- 22 Little 2012.
- 23 Toffin 2010.
- 24 Ibid.
- 25 For details, see: <https://www.hrw.org/news/2012/05/10/nepal-halt-evictions-kathmandu>.
- 26 Acharya 2010.
- 27 The UN Convention defines torture as 'any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity'.
- 28 The respondents were asked to specify 'public authorities' and 'others'.
- 29 Note that this figure of 44 squatter settlements is lower than the figure of 45 reported by Lumanti in 2008.
- 30 Research by the UN has shown that some conditions common to squatter settlements—overcrowding and poor ventilation as well as urban poverty—are all linked to increased crime (UN 2013). For an indication of the impression of people living outside the squatter settlements, see Kokila KC, 'Public-police curb criminal acts in Imadol', 19 April 2009, *The Himalayan Times*, <http://thehimalayantimes.com/kathmandu/public-police-curb-criminal-acts-in-imadol>.
- 31 A major attempt was made to remove the squatter settlement from Thapathali in May 2012. Over 250 houses, including a school building, were destroyed during the eviction drive. Following resistance from the community, the police retaliated with rubber bullets and teargas, leading to a clash, following which

- people were taken into custody. The detainees were, however, released the next day. See, 'Evicted Once, Nepali Squatters Living in Ruins of a Razed River Settlement Fear a Recurring Nightmare', available at: <http://www.globalpressjournal.com/asia/nepal/evicted-once-nepali-squatters-living-ruins-razed-river-settlement-fear-recurring>.
- 32 Recent indications, however, are that with increasing urbanisation in the Valley, even non-Riverine areas have witnessed forced evictions by the government in order to make way for urban development projects in the valley.
  - 33 Lumanti is an NGO working in the urban and poor communities in Kathmandu. It advocates and works for settlement rights of the poor and improvement of their shelters, sanitation, secure tenure system and socio-economic condition.
  - 34 Basti Basobas Samrakshan Samaj is an umbrella organisation working for the welfare of landless people in Nepal.
  - 35 The sampling procedure went as follows: i) All the households in Riverine and non-Riverine settlements were listed in two different Excel files. The list included the settlement names and the household numbers; ii) Based on the total number of the households, a decision was made to select proportionately a total of 582 households from the Riverine settlements and 168 from the non-Riverine settlements, making a total sample size of 750; 3) The Excel files were imported into STATA; 4) Seed was set to 1841 (total household number); 5) Using a random number generator, uniform random numbers were generated for each household (a total of 1429 Riverine households and 412 non-Riverine households); 6) The households were sorted by random number; and 7) The first 582 Riverine households and 168 non-Riverine households were then identified for the survey.
  - 36 As was done in other settlements, the research team entered these areas with the Basti Basobas Samrakshan Samaj, but this strategy seemed to backfire since the settlement leaders appeared to be unhappy with the work done by the organisation.
  - 37 The average household size of 4.9 in the surveyed households is very close to the national average household size of 4.88, though slightly higher than the average of in the Kathmandu Valley (CBS 2011, p. 40).
  - 38 The age groups used in this study are consistent with the national census as well as the Nepal Living Standards Survey, which present age-related information in 5-year intervals as reflected in Table 2.
  - 39 The main social divisions in Nepal are based on caste and ethnicity. Ethnic groups, also called Janajati, are those that do not fall within the Hindu caste hierarchy even though many among them practice Hinduism. The caste groups include Dalits but which are treated here separately while the 'upper castes' have simply been called hill Caste or Tarai Caste, depending on their origin. Dalits and Janajatis also have the disaggregated based on their geographic origin.
  - 40 Hill Janajati here includes the group indigenous to Kathmandu Valley, the Newars, as well. There were 40 Newar households in the survey.
  - 41 The Tarai consists of the plains that run across the southern part of Nepal.
  - 42 Except for the Godavari and Manohara settlements, all the other settlements lie in Kathmandu district.
  - 43 The national-level education status shows that 65.94 per cent (5+ years of the population) are literate. The gendered division shows that within the female population, 57.4 per cent are literate, and the corresponding figure for males is 75.1 per cent. See, 'Nepal Education in Figures 2014 At-A-Glance', available at: [http://www.moe.gov.np/SoftAdmin/content/Nepal\\_Education\\_Figure\\_2014.pdf](http://www.moe.gov.np/SoftAdmin/content/Nepal_Education_Figure_2014.pdf).
  - 44 The qualitative information collected during the in-depth interviews helps explain the higher perceptions of fear among people living in Riverine settlements and specific locations such as Thapathali and Godavari. However, similar explanations to help triangulate the quantitative results relating to language spoken at home and occupations are not available.
  - 45 'Evicted Once, Nepali Squatters Living in the Ruins of a Razed River Settlement Fear a Recurring Nightmare'. <http://globalpressjournal.com/asia/nepal/evicted-once-nepali-squatters-living-ruins-razed-river-settlement-fear-recurring#sthash.ZPmFicaX.dpuf>.
  - 46 Based on field observations (5-23 April 2015).
  - 47 Based on observations and informal conversations with leaders and residents in the settlements (5-23 April 2015).
  - 48 Field visits (5-23 April 2015).
  - 49 'Nepal: Squatter Settlements Bulldozed – Police Fire Teargas and Rubber Bullets'. <https://southasiarev.wordpress.com/2012/05/18/nepal-squatter-settlements-bulldozed-police-fire-teargas-and-rubber-bullets>.
  - 50 Based on informal conversation with the residents as well as follow-up qualitative interviews in both the settlements.
  - 51 Based on observation and experiences during the mapping and administration of survey (5-23 April 2015).
  - 52 Security guards were present only around the

- Thapathali settlement, particularly posted at the near-  
by Norvic International Hospital and the Maternity  
Hospital.
- 53 Observations of researchers in the settlements (5-23  
April 2015) as well as informal conversations with  
leaders and residents in the settlement during the  
study period further verified this assumption.
- 54 One of the clearer examples of how politicised and  
mobilised residents in the settlements are also became  
evident when every respondent in the Sankhamul  
settlement said that they have been living there since  
Bikram Sambat 2030 in the Nepali calendar (c. 1972)  
when asked how long had they been living in the  
settlement.
- 55 Based on informal conversations with residents across  
the settlements as well as information gathered dur-  
ing follow-up qualitative interviews in Manohara,  
Godavari, Balkhu and Sankhamul settlements.
- 56 The Communist Party of Nepal (Unified Marxist-  
Leninist), one of the major parties of Nepal which  
has been in and out of government since 1994.
- 57 See Table 5 above.
- 58 Ditton and Chadee 2006; Hanson et al 2000.
- 59 Excluding Thapathali since a dummy is included for  
it in the regression.
- 60 Based on field visits (5-23 April 2015). Also, see  
the result of the significance test later for whether  
the higher percentage of reporting is driven by the  
Sankhamul settlement or not.
- 61 The probability of reporting for compensation  
decreases, on average, from about 0.59 in the 10th  
percentile of settlement size (size=103) to about 0.23  
at the 90th percentile (size =543).
- 62 Based on field observations during the survey (5-23  
April 2015), mainly during the period the survey was  
administered in various settlements.
- 63 Based on field observations (5-23 April 2015).
- 64 The total incidence of cases is higher than 21 since  
some of the incidents could have occurred in multiple  
places, and the same individual could have experi-  
enced torture/ill-treatment from multiple actors.
- 65 Based on field observations (5-23 April 2015) and  
conversations with interview subjects.
- 66 \*‘Other’ reasons include factors such as ‘to save the  
community’, ‘to get out of detention’, etc.

## ANNEX 1

### Basic information about the total 44 squatter settlements

The sampled settlements have been colour-coded as follows:

	Small
	Medium
	Large

#### Riverine settlements

SN	Settlement	District	Number of Households
1	Sifal	Kathmandu	2
2	Kalopul	Kathmandu	5
3	Mahabir Galli	Kathmandu	15
4	Kalimatidole	Kathmandu	17
5	Kimalphant	Kathmandu	19
6	Dhikuri Chauki	Kathmandu	23
7	Ranibari	Kathmandu	24
8	Gairigaun, Mahankal	Kathmandu	24
9	Pragati Tole	Kathmandu	28
10	Narayan Tole	Kathmandu	33
11	Shantibinayak	Kathmandu	36
12	Sangam Tole	Kathmandu	37
13	Devinagar	Kathmandu	42
14	Gairigaon	Kathmandu	44
15	Chadani Tole	Kathmandu	56
16	Dirgayu Tole	Kathmandu	60
17	Buddha Jyoti Tole	Kathmandu	75
18	Bijayanagar	Kathmandu	85
19	Buddha Marg, Sankhamul	Kathmandu	110
20	Jagritinagar	Kathmandu	115
21	Jagriti Tole	Kathmandu	150
22	Khadipakha	Kathmandu	160
23	Bansi Ghat	Kathmandu	163
24	Pathivara	Kathmandu	165
25	Thapathali (including Kuriyagaun)	Kathmandu	258
26	Balkhu	Kathmandu	361
27	Shantinagar	Kathmandu	520
28	Manohara	Bhaktapur	700
Total			3327

## Non-Riverine settlements

SN	Settlement	District	Number of Households
1	Dhumbarahi	Kathmandu	6
2	Hattigauda	Kathmandu	7
3	Kumarigal	Kathmandu	11
4	Chandole	Kathmandu	13
5	Mulpani	Kathmandu	15
6	Kapandhungen	Kathmandu	17
7	Radhakrishna Chowk	Kathmandu	18
8	Anamnagar	Kathmandu	18
9	Mahankal	Kathmandu	19
10	Maijubahal	Kathmandu	26
11	Golfutar	Kathmandu	35
12	Palpakot	Kathmandu	40
13	Subigaun	Kathmandu	42
14	Mandikhatar	Kathmandu	82
15	Ramhiti	Kathmandu	129
16	Godavari	Lalitpur	235
Total			713

Source: Bal Bikas Yuwa Sanjal/Child Development Youth Network (CDYN) and Nepal Mahila Ekta Samaj (2014)

## ANNEX 2

### Ethical Guidelines and Standards

- Prior to beginning the actual surveys/interviews, respondents and interview subjects were informed about time, procedures and the purpose of the research.
- Researchers received informed consent from the respondents/interview subjects for participating in the survey/interviews. If there was a need, researchers received consent from other members of the family as well.
- The researchers let the participants withdraw their consent at any stage during the interview process. Researchers respected a participant's right to maintain silence or unwillingness to respond.
- Researchers ensured that the participation of respondents/interview subjects for surveys and interviews were purely voluntary and the researchers did not in any case coerce or force the respondents/interview subjects to participate in the research.
- Researchers were also mindful of how interested a prospective respondent/interview subject were in participating in the survey and respected their time/priority.
- Researchers neither paid nor made any false remuneration-related promises to individuals for participating in the research which was contrary to the practice followed by other institutions. Instead, community-level support such as waste bins, library books, use of our GPS device, were agreed upon as a form of support to the entire community. These initiatives helped build trust with the participants and other interlocutors.
- For the study, participation in the research was entirely voluntary and provisions for participants to opt out anytime during the course of the interview helped them feel safe and in control during the interviews.
- Researchers tried to avoid power relations between respondents/subjects and the researcher and instead respected partisan and coloured interests. Researchers also avoided judging people and/or their views and beliefs.
- A referral mechanism was developed to assist any respondent or participant if they were to become psychologically distressed while disclosing their experiences of torture. More specifically, it was determined that the researchers would immediately discontinue the survey/interview and refer them to Centre for Victims of Torture (CVICT)<sup>1</sup> or Transcultural Psychosocial Organisation Nepal (TPO Nepal)<sup>2</sup> for psychological support and to Forum for Protection of People's Rights, Nepal (PPR Nepal)<sup>3</sup> for legal support, if needed.
- At the end of the survey/interviews, researchers appreciated and thanked the respondents for providing their time.

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1 CVICT is an NGO that has been working for the last 23 years on the rehabilitation of victims of torture, and advocating for the eradication of torture and the promotion of human rights in Nepal. By employing a rights-based integrated model, it provides professional medical, psychosocial and legal services to victims of torture and trauma associated with torture or inhumane treatment. It also provides training to employees of governmental and non-governmental organisations on psychosocial issues.

2 TPO Nepal works on the promotion of psychosocial well-being and mental health of children and families in conflict, violence and poverty-affected and other vulnerable communities. It has had extensive experience in providing community-based psychosocial support in diverse cultural settings.

3 Established in 2002, PPR Nepal is run by lawyers, human rights activists, health professionals, peace workers and sociologists. Its major focus is advocacy and the protection of human rights and access to justice (especially for poor and marginalised people), and peace building. In order to achieve these ends, PPR employs strategies such as lobbying, campaigning, capacity building and research activities.



## ANNEX 3

### Logit Regression Output

	Fear (self)	Fear (family)	Report	Report to HR-NGO	Report for Compensation	Report for Legal Action
Riverine	1.310 (2.61)**	-0.051 (0.14)	0.767 (1.33)	0.705 (0.69)	1.449 (3.26)**	0.747 (1.55)
Thapathali	2.344 (7.43)**	1.768 (5.86)**	-1.723 (4.05)**	0.549 (0.82)	-0.360 (1.40)	-0.635 (1.42)
Godavari	1.133 (2.96)**	0.771 (4.54)**				
Sankhamul			-1.300 (3.27)**	2.054 (2.38)*	0.944 (3.03)**	1.112 (2.19)*
Female	-0.306 (1.44)	-0.367 (1.34)	0.488 (1.01)	-0.010 (0.06)	0.103 (0.72)	0.036 (0.18)
Education	0.070 (2.10)*	0.025 (0.40)	-0.082 (0.48)	-0.016 (0.22)	-0.037 (0.70)	0.055 (1.39)
Age	0.013 (1.67)	0.008 (0.92)	-0.021 (1.57)	0.003 (0.27)	0.024 (2.70)**	0.002 (0.37)
Nepali at Home	-0.412 (3.24)**	0.092 (0.33)	-0.219 (0.53)	0.862 (2.16)*	-0.214 (1.12)	-0.015 (0.06)
Settlement Pop.	0.001 (0.93)	0.001 (1.85)	-0.004 (4.70)**	-0.001 (0.70)	-0.004 (5.03)**	-0.001 (0.94)
Hill Caste	0.418 (1.83)	0.132 (0.55)	0.212 (0.47)	-0.048 (0.17)	0.211 (1.06)	-0.122 (0.81)
Self employed	-0.081 (0.48)	-0.453 (2.21)*	0.145 (0.35)	-0.427 (1.63)	-0.511 (1.92)	-0.653 (2.06)*
Student	-0.587 (1.76)	-0.720 (3.33)**	0.064 (0.22)	-0.347 (0.97)	-0.769 (2.16)*	-0.614 (1.92)
Unemployed	-0.487 (0.76)	-1.079 (1.79)	-1.404 (1.57)	-1.149 (1.48)	-0.736 (1.63)	-0.858 (1.27)
Mixed Occupation	0.206 (0.32)	-0.694 (1.47)	-1.498 (2.71)**	0.089 (0.14)	0.512 (0.81)	-0.562 (1.39)
HH work/ Own work at home	-0.671 (3.63)**	-0.632 (1.57)	-0.693 (3.46)**	-0.245 (0.93)	-0.330 (0.81)	-0.531 (1.50)
Other Occupation	-0.786 (3.48)**	-1.349 (0.93)		0.021 (0.09)	-0.536 (0.94)	0.320 (0.24)
_cons	-3.143 (5.83)**	-1.566 (4.79)**	5.181 (6.15)**	-2.603 (2.55)*	-0.751 (1.06)	1.121 (1.35)
N	607	607	600	570	570	570

z-statistics in parenthesis; \* p<0.05; \*\* p<0.01

Note: In terms of occupation dummies, wage workers/employees form the baseline category (i.e., 'Service worker/Employee' and 'Wage labour'). Standard errors are cluster-robust at the settlement level.

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The poor are vulnerable to violence. They lack the resources necessary to report violations and seek justice. Based on a household survey carried out in squatter communities in Kathmandu, this report highlights the perceptions and experiences of torture and ill treatment among low-income population groups as well as the way in which they seek justice. The findings suggest that the vulnerability of residents from squatter settlements to torture and ill-treatment is directly linked to their specific precariousness resulting both from their lower socio-economic background and lack of land rights. The survey shows that this group of people view the police, political actors and formal organisations as major sources of torture and ill-treatment. Paradoxically, they also tend to exhibit a high degree of reliance on the same group of institutions and individuals for any form of recourse to justice, and a relatively low number seek the support of human rights organisations and other NGOs.

