

Journal of

APF Command and Staff College

Role of Armed Police Force, Nepal in Promoting Good Governance through Border Security

Raju Aryal

rajuaryal140@gmail.com

Abstract

Article History

Received: 10 August, 2022

Accepted: 2 September, 2022

Keywords

Armed Police Force, Nepal,
border security, Human Rights,
accountability & transparency,
good governance,

Corresponding Editor

Ramesh Raj Kunwar
kunwar.dr@gmail.com

The Armed Police Force, Nepal was established for the protection of the life, property, and liberty of the people by maintaining peace and order in Nepal. Border security is a broad agenda of the national security and Armed Police Force, Nepal is a primary national security element on international border security of Nepal. The objective of the paper is to link the good governance and border management. The descriptive method is applied to draw the conclusion in this paper. The findings show that the Armed Police Force, Nepal has a major contribution in controlling trans-border crimes in coordination with other stakeholders and counterparts which directly contribute to promoting good governance in Nepal. Effective border management comply the most principles of the good governance: preparedness, participation, transparency, accountability and protection of human rights. Furthermore, it is found that border security has a significant positive relationship with good governance. Maintaining national integrity, safeguarding the independence and sovereignty of the nation, maintaining justice, and ethics, being free from corruption, and maintaining the rule of law are the primary independent indicators of promoting good governance through border security.

Introduction

Border security is a broad agenda of National Security (Manjarrez, 2015). Globally, security along countries' borders has become imperative because the relative security of every country to a large extent depends on its secured borders (Ejotubu & Jude, 2021). The concept of border governance comes along with broader border security. Ejotubu and Jude (2021) have further defined the border governance concept as an act of administering security along a state's borders through constitutionally mandated institutions/agencies with properly trained security personnel to provide the needed security to ensure legal migrants influx, genuine socio-economic transactions, and other related activities.

Government is one of the actors in governance. Other actors involved in governance vary depending on the level of government that is under discussion. Good governance has eight major characteristics (Börzel, Pamuk, & Stahn, 2008). It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law (United Nations Economic and Social Commission for Asia and the Pacific [UNESCAP], 2019). It assures that corruption is minimized, it is also responsive to the present and future needs of society (UNESCAP, 2019). Manjarrez (2015) has identified different indicators of good governance for such activities as maintaining the national integrity, independence, and sovereignty are the indicators of good governance which strongly depend on the degree of border security of the country. Furthermore, Reif (2000) emphasized on free market economic system, democratic government structures, and the rule of law. Kautilya has presented key pillars of the art of governance as: justice, ethics and anti-autocratic tendencies (Rizal, 2013). The functions of the Armed Police Force (APF), Nepal revolve around these indicators.

Promoting the good governance through the border management is the most important issue to be discussed. It is essential to understand more about how these elements of border security contribute to practicing and promoting good governance.

Most of the parameters of the good governance fall under the effective border management/security; national integrity, sovereignty and the status of independence are few but not all. The article aims to establish the relationship between border security, good governance, and the role of the APF, Nepal.

The researcher used a descriptive design for the research. Different secondary data have been collected from published sources and academic writings. The content analysis technique has been executed to analyze the data, text, and information gathered to draw a conclusion.

Literature review

The moral dimension of education, which emphasized the ethical rights and responsibilities of individuals, first found expression during the Greek era (Beqiraj, Fedeli, & Giuriato 2020). In addition, aesthetic education and education's role as an agent of acculturation and citizenship was first proposed by the Greeks. Above all, the moral philosophy viewed education as a vehicle for individual development and personal achievement and a means for developing and diversifying talents (Tangen, 2004). This moral philosophy is regarded as the root of good governance.

The issue of modern governance is quite different than the period of Kautilya as the issues of governance covers more horizons than that era. The key attributes of good governance are transparency; responsibility; accountability; participation and responsiveness (Edmunds, 2001; in Rosenau, 2000).

The components of good governance are widely considered as participation, rule of law, effectiveness, efficiency, accountability, transparency, openness, predictability, responsiveness, equity, and inclusiveness as the central aspect of good governance (Prabakaran, 2005). The goal of governance was changing from the well-being of the citizens to the maintenance of world order (Beqiraj et al., 2020; Börzel et al., 2008; Schöler, 1989; Wilson, 1999). The constitution of Nepal has encapsulated the essence of good governance in the preamble as the constitution is promulgated to fulfill the aspirations for sustainable peace, good governance, development and prosperity through the federal, democratic, republican, system of governance (Beardwell & Holden, 2001). It clearly shows that one of the must practising behaviour of government is, good governance. The most cited definition has come from the United Nations which deems it to have eight major characteristics: participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and follows the rule of law (Banerji, 2016). The triangle of good governance as explained by Beardwell & Holden (2001) deals with effectiveness, affordability/efficiency. and legitimacy (Kayhan & Hartog, 2013).

In the same way, the Constitution of Nepal has stated the essential elements of good government as equal and easy access of the people to the services and facilities delivered by the state, while making public administration fair, competent, impartial, transparent, free from corruption, accountable and participatory (Constitution of Nepal, 2015). The constitution has outlined the indicators of good governance as equality, fairness, competent government system, transparency, accountability, participatory, corruption free, and accessibility to government services.

Border security systems are to protect the state and mitigate threats, illegal migration and drug abuse, cultural globalization, and economic interdependence to its stability (Farzanegan & Markwardt, 2020) and the lives and properties of its

citizens have become important items on the global security agenda (Caparini & Marenin, 2012). The essential components of the border security system described by Caparini and Marenin are very much parallel to the concept of good governance described by Prabakaran. It gives the generalizable statement that border security is as important as other components described above for the achievement of good governance. Reif (2000) focused on good governance a free market economic system can be developed where democratic government structures such as legislative, executive/administrative, and judicial branches can be reformed and the rule of law can be strengthened (Reif, 2000).

Marenin (2006) noted that the advancement of technology allows anyone to leapfrog, via cyberspace, existing borders and evade state controls on the transmission of information and ideas, and illegal trans-border trafficking in goods, people, and capital which has raised the level of a national security threat, so to deter this type of threat safe border is essential (Marenin, 2006).

McConachie, Ho, and Kyed (2022) in their special issue focused on Myanmar, where “political governance is deeply entangled with ethnicity, territory, borders, and bordering processes and the borders, borderlands, and border populations shape governance and administration”. It means that in Myanmar the overall governance system is based on border security or border governance (McConnachie et al., 2022). This article left an issue for scholarly debates in three primary areas: Borders, territoriality, and bordering processes; plural governance and everyday bordering; peacebuilding and the borders of transition.

Nadalutti (2014) has focused on the importance of border governance and said the change that is occurring within the concept of governance cannot be fully grasped without considering the emergence and importance of networks, the impact that cross-border movements and relationships have on the livelihoods (Nadalutti, 2014) and everyday trades of the local border communities. It shows the importance of border security for good governance (Schöler, 1989; Tangen, 2004).

The Armed Police Force, Nepal is established for the protection of life, property, and liberty of the people by maintaining peace and order in Nepal (APF Act, 2058), to deliver good governance to the citizens, Armed Police Force, Nepal plays an important role to execute the decision made by the government to maintain peace and security being one of the security organizations to implement rule of law. Security forces are obliged to protect democracy, APF, Nepal is seen to be fully committed to preserving and protecting democracy with transparency and accountability. Deploying its officers covering the entire nation with different permanent and temporary units, it is also manning Nepal’s international border (APF, 2016). Thus, this research has strategic significance and it fulfills the conceptual gap in the field of border and good governance of Nepal.

It is the act of using instituted border security agencies like APF to provide the needed, effective and efficient security operations along state borders to prevent criminalities and illegal activities for creating peace, security, and development in the state. These are the components of good governance that can be achieved through border governance.

It has demonstrated a strong presence of the state in control of possible criminal activities in the bordering areas, cooperating with the security persons deployed by neighboring countries, controlling illegal movements of people, Illegal trade of goods, smuggling of small arms, human trafficking, smuggling of narcotic drugs and encroachment of borders, and significant achievements have been made in these issues after the presence of the APF Nepal in the bordering area.

These articles have given the point to establish the relationship between Border Security with good governance. Being a major border security entity of Nepal, APF has been directly and indirectly contributing to maintaining and promoting good governance in Nepal.

Activites of APF, Nepal on border security

To make border security further effective and efficient, it is necessary to control cross-border crimes and make borders more secure. For continued coordination and information exchange between the two security agencies of Nepal and India, APF, Nepal has established a formal relationship with its Indian counterpart Sasastra Seema Bal (SSB). A regular meeting between IG, APF, Nepal, and DG, SSB has been organized in each country. Till now, six IG-DG level bilateral meetings were organized. As the outcome of such a meeting, the task of setting up help desks at the border points is very much effective for the citizens residing along border areas. A total number of one hundred and fifteen help desks is in operation till October 2022 (Operation and Border Department, Armed Police Force, Nepal [OBSD], 2022).

Marenin (2006) focused that the dynamics of globalization and the rise of new threats and security ideologies will continue to demand new ways of managing border security, of dealing with economic opportunities arising within the context of a global free market while simultaneously protecting the territorial integrity, cultural identity, security of citizens, and the political stability of the state. Both legal and illegal flows of people and goods cross borders and have to be sorted out in a way that is effective and legitimate in the eyes of entrepreneurs, the public, and elites.

APF Command and Staff College (2021) in the panel discussion the security experts have revealed that there is significant control in trans-border looting on the southern border of Nepal. That signifies that the people of bordering areas have realized the presence of security forces and rule of law. The bordering population

has been able to live their life with a sense of security (APF Command and Staff College [APFCSC], 2021).

During the last five years, APF, Nepal has apprehended a total of 157 human traffickers and prevented a total of 231 persons from being victims of human trafficking (OBSD, 2022). This reflects the effort of the APF, Nepal in preventing human trafficking and being accountable for executing good governance. Similarly, within the three years APF, Nepal has been able to seize a significant amount (more than 1.5 million) of Nepali and Indian counterfeit currencies along the border area. In addition to that, in the last 5 years APF, Nepal seized Rs. 21,48,78,217 illegal money (OBSD, 2022). This signifies that APF Nepal is deploying troops in the border area more effectively and efficiently. This is a reflection of responsibility and accountability of APF, Nepal towards its citizen and country, a contributing character of good governance.

Robles, Calderon, and Magaloni (2013) evaluates the economic costs of drug-related violence. The increase in the number of drug trafficking organizations (DTOs) fighting over control of territory and trafficking routes has resulted in a substantial increase in the rates of homicides and other types of crimes (Kayhan & Hartog, 2013). It is evident that abuse of drugs and alcohol is costly for our society and, left untreated, places a burden on our workplace, our healthcare system, and our communities. So, the trafficking of a drug is becoming a virus in our society (Held & McGrew, 2003; Manjarrez, 2015; Tanzi, 1980). Due to the involvement of youths in the consumption of drugs, it is becoming more challenging for society and government which directly undermines the principles of good governance. APF, Nepal arrested 250 drug smugglers with a significant number of various types of drugs from the border area till October 2022. Usually, Marijuana and Hashish are smuggled to India whereas Brown Sugar and other psychotropic drugs are smuggled to Nepal.

These above-mentioned activities are only the representative activities of the APF, Nepal in border areas. These activities are examples of the rule of law, transparency, accountability of security forces towards the general public, and participation of civilians in security activities. Above all, the deployment of the APF, in Nepal has left a great remark to safeguard the national integrity and sovereignty of the country.

Border security and good governance

Good governance is upholding the sovereignty of the state (Prabakaran, 2005), equal and easy access of the people to the services and facilities delivered by the state, while making public administration fair, competent, impartial, transparent, free from corruption, accountable and participatory (Constitution of Nepal, 2015) and the border security systems play a major role on protecting the state and

mitigating the threats (Caparini & Marenin, 2012). There is a direct relationship between border security and good governance. Myanmar is another example to justify the significance of border security in maintaining good governance. It states that, political governance is deeply entangled with ethnicity, territory, borders, and bordering processes, and the borders, borderlands, and border populations shape governance and administration (Mcconnachie, et al., 2022).

Baldwin (1995) has spotlighted the international practice of the development of inland security and international border security measures. He explained that the aftermath of the cold war the necessity of internal security was perceived and the countries have given their concern on internal security.

Border security is a vast and sensitive issue that also implies crucial responsibility. The broader responsibility of securing the border of Nepal is delegated to APF, Nepal by the government. The department of border security inside the Armed Police Force, Nepal was established on December 22, 2007, which is responsible for formulating plans and directives for the deployment of APF in the border area.

It's been playing a contributive role in national security through the border security mandate. Its main task is to protect the border and the border pillars. Border Out Posts (BOPs) have been established along the India and China international border as per the government's decision to secure the international border and border pillars, prevent and control border crimes, control smuggling of goods along with many other tasks given to these units. Department of Border Security monitors, controls, and directs for effective functioning of those offices and units (OBSD, 2022). APF, Nepal has enhanced the control at the borders by keeping records of the border pillars more scientifically and practically which shows that border security of Nepal has heightened the need and accordingly proved its necessity in the history of APF, Nepal.

The control of national borders is a key element of national sovereignty. Illegal immigration and the spectra of terrorism transformed the problem of border control into an acute national security issue (Kirchner & Sperling, 2007). Threats can no longer be simply disaggregated into the capabilities and intentions of states; primacy can no longer be attributed to the state as either agent or object (Schöler, 1989). There is growing consensus that the content of security is changing and that security threats since the end of the Cold War have become more complex and far-reaching (Cottey & Averre, 2002; in Kirchner & Sperling, 2007).

All borders are porous, but the ease with which goods and people move across borders varies by country and context. And all countries have the same basic goals regarding national borders: to ensure that the beneficial movement of legal goods, tourists, students, business people, and some migrants are allowed while keeping unwanted goods and people out of the country. All countries also face a

similar set of border enforcement goals and challenges. They must prevent cross-border terrorism, illegal migration, human smuggling and trafficking, and other criminal activity such as drug trafficking. In adopting policies and practices to combat these activities, countries face a basic dilemma: policies in any one area have perverse, regrettable, and often unintended, consequences and feedback. As states implement extensive border controls and apply a wide variety of deterrence measures such as visas and carrier sanctions to prevent illegal migration, they indirectly push unauthorized migrants into the hands of smugglers and traffickers who promise to evade these controls (Hansen & Papademetrius, 2014).

In the Nepalese context, border security is not only the security of the border areas and border pillars. It goes beyond that. The common constituents of border security are the security of border pillars and *No Man's Land*, the security of people and civilians, controlling smuggling and trans-border crimes, and the security of civilian's cross border movements. The APF, Nepal accomplishes these tasks through the deployment of the forces.

Nepal's socio-cultural linkages and similarities expands across its international boundary. Because of uninterrupted exchange of religion, culture, and relationship, the border security dimension has become more complex and it needs multidimensional understanding of the above-mentioned social elements. Furthermore, the open border has created an open pavement for the ripple effect of security activities to come inside Nepal from the outside world. Thus, this is one of the major and alarming issues of Border Security in Nepal.

Nepal was already home to Bhutanese refugees and other asylum seekers and that is recently managed with great effort. Again, there is an issue of Rohingya which are "approximately 300 in the number living in Kathmandu, specifically in the Kapan area; and reports state that around 600 more are scattered all over Nepal (Mahat, 2020)". This is a perfect example to justify the socio-security complexity of the border security of Nepal.

A report published by the US Department of State (2021) highlights the prominent example that signifies the importance of border security in maintaining good governance through national peace and security. The report says that the non-Nepali international terrorist groups using Nepal as a transit/staging point. Though there are no international/ national terrorist activities reported inside Nepal, the statement signifies and pokes for the forthcoming possible national security threats and at the same time also urges for the strengthening of the APF, Nepal on the border in terms of number and technology.

Prabakaran (2005) further says:

“... the ability of the government apparatus in upholding the sovereignty of the state among the states in the world is a sign of good governance and its inability to do so is bad governance.”

This statement exactly fits in the Nepalese context. The maintenance of good governance to assure peace and security and the maintenance of the rule of laws could be challenged by these rightly discussed issues. Thus, the APF personnel on the border should be more skeptical and more vibrant in border vigilance duty. It shows how important the border of Nepal is regarding the maintenance of good governance in Nepal and it also signifies the role of the APF, Nepal in border security.

Apart from security in general, orientation and training, security of border pillars, coordination with stakeholders and counterparts, and assisting in revenue collection, APF, Nepal has been conducting various activities to prevent trans-border crimes border as of cross border coordination, preventing illegal entry, transaction of illegal and counterfeit currency and drug trafficking to affirm good governance in line with international human rights standard (OBSD, 2022).

As participation is one of the key attributes of good governance, Armed Police Force Nepal has formed the Border Surveillance Group (BSG) at every local government level in coordination with the representatives from the local governments to assure effective border security (OBSD, 2022), and also perform the vital role in contributing to the good governance including other stakeholders and agencies. This is strong evidence that border security and good governance have strong associations.

Zero tolerance policies in APF, Nepal

Good governance and human rights are mutually reinforcing. Human rights principles provide a set of values to guide the work of governments and other political and social actors. They also provide a set of performance standards against which these actors can be held accountable. The fundamental rights of citizens provisioned in the constitution are fully obliged as far as APF, Nepal is concerned in the deployment of APF Personnel. Zero tolerance policies against sexual exploitation, sexual violence, corruption, and on human rights violations strictly comply in APF, Nepal. The organization has considered the human rights violation under zero tolerance issue. The punitive measures to control the mode of the human rights violation are being implemented. It shows transparency, corruption-free service, and respect for human dignity.

Conclusion

Good governance is not only about the proper use of the government's power in a

transparent and participative ways, it also requires a good and faithful exercise of power. Good governance norms are necessary to prevent maladministration and corruption. Enforcement of the principles of the good governance as cited in the paper can be carried out by way of the different modes of enforcement in the laws. In essence, it concerns the fulfilment of the three elementary tasks of government: to guarantee the security of persons and society; to manage an effective and accountable framework for the public sector; and to promote the economic and social aims of the country in accordance with the wishes of the population.

APF, Nepal has been playing a crucial role in implementing all elementary tasks of the good governances. The security of person and the society has been guaranteed since its deployment in the border areas; establishment and expansion of BOPs can be taken as the example of it. The data presented in the paper shows that APF, Nepal has performed the duties in accountable and transparent way. Regulating the economic activities through the border is another parameter to measure the good governance effort the APF, Nepal is complying. The zero tolerance policies on human rights violation presents the importance given to promote and protect the human rights of the individual.

References

- Armed Police Force, Nepal. (2016). APF day special publication [Special Publication].
- APF Command and Staff College [APFCSC]. (2021). Border management and security [Panel Discussion].
- Banerji, A. (2016). Global and national leadership in good governance. United Nations.
- Beardwell, I., & Holden, L. (2001). Human resource management: A contemporary approach. Pearson Education Limited.
- Beqiraj, E., Fedeli, S., & Giuriato, L. (2020). Policy tolerance of economic crime? An empirical analysis of the effect of counterfeiting on Italian trade. *European Journal of Political Economy*, 65(5). <https://doi.org/101933>
- Börzel, T. A., Pamuk, Y., & Stahn, A. (2008). Good governance in the European Union. Oxford University Press.
- Caparini, M., & Marenin, O. (2012). Border security. Cornell.
- Ejotubu, O. H., & Jude, O. (2021). Border security governance and the challenges of effective security in the Nigerian state. *International Journal of Management, Social Science, Peace and Conflict Studies*, 5(7).
- Farzanegan, M. R., & Markwardt, G. (2020). The effects of oil price shocks on the Iranian economy. *Energy Economics*, 31(1), 134–151.

Constitution of Nepal, (2015).

Hansen, R., & Papademetrius, D. G. (2014). *Securing borders: The intended, unintended, and perverse consequences*. Macmillan.

Held, D., & McGrew, A. (2003). *The global transformation readers: An introduction to the globalization debate*. Cambridge.

Kayhan, M., & Hartog, M. (2013). Promoting good governance in the security sector: Principles and challenges. *The Centre For European Security Studies*, 56(2), 124–136.

Mahat, P. (2020). The Rohingya in Nepal. *Annapurna Post*.

Manjarrez, V. M. (2015). Border security: Defining it is the real challenge. *Journal of Homeland Security & Emergency Management*, 21(4), 212–220.

Marenin, O. (2006). *Democratic oversight and border management: Principles, complexity and agency interest*. Oxford University Press.

McConnachie, K., Ho, E. L.-E., & Kyed, H. M. (2022). *Border governance: Reframing political transition in Myanmar*. Cambridge University Press.

Nadalutti, E. (2014). What kind of governance does emerge in EU cross-border regions and Southeast Asia growth triangles? Italy-Slovenia and Indonesia-Malaysia-Singapore border zones revisited. *Asia Europe Journal*, 51(2).

Operation and Border Department, Armed Police Force, Nepal [OBSD]. (2022). *Monthly Activities*. OBSD.

Prabakaran, M. (2005). What is good governance? *The Trade Union Journal*, 5(6).

Reif, L. C. (2000). Building democratic institutions: The role of national human rights institutions in good governance and human rights protection. *Human Rights Journals*, 13(1).

Rizal, D. (2013). Untangling conceptual issues: Contemporary governance, challenges and the United Nations peace building in conflict and post conflict societies. *Journal of Conflict and Peace*, 15(1).

Robles, G., Calderon, G., & Magaloni, B. (2013). *The economic consequences of drug trafficking violence in Mexico*. Poverty and Governance Series.

Rosenau, J. N. (2000). *Governance in a new global order*. Oxford.

Schöler, K. (1989). Risk and illegal trade. *Metro Economica*, 40(1), 87–97.

Tangen, S. (2004). Performance measurement: From philosophy to practice. *International Journal of Productivity and Performance Management*, 53(8), 726–737. <https://doi.org/10.1108/17410400410569134>

Tanzi, V. (1980). The underground economy in the United States: Estimates and implications (Quarterly Review No. 33; PSL). PSL.

United Nations Economic and Social Commission for Asia and the Pacific [UNESCAP]. (2019). What is good governance? UNESCAP. <https://repository.unescap.org/bitstream/handle/20.500.12870/3794/ESCAP-2009-PB-what-good-governance.pdf?sequence=1&isAllowed=y>

US Department of State [USDS]. (2021). *Country report on terrorism 2020: Nepal*. US Department of State.

Wilson, J. P. (1999). Learning and training for individuals and organizations. *Human Resource Development*, 21(1).