




Harm Reduction Without Supportive Policing: Experiences of Drug Users in Nepal


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Abstract

This study explored the impact of drug criminalization and policing on harm reduction efforts in Nepal. In contexts marked by widespread corruption, drug criminalization often exacerbates the mistreatment by law enforcement of people who use drugs (PWUD), creating substantial barriers to their accessing harm reduction services. Utilizing a constructivist framework and a modified grounded theory approach, we conducted in-depth interviews with 20 PWUD to examine their experiences with drug use, interactions with police, and the consequent effects on harm reduction efforts. Three key themes emerged: the exploitation of PWUD as a significant source of income for corrupt police officers, the human rights of PWUD being violated by police, and police behaviors frequently contradicting harm reduction principles and practices. The findings of the study demonstrate how corrupt policing undermines harm reduction initiatives in Nepal. Policy reforms are urgently needed to equip law enforcement with harm reduction knowledge and skills, thus enabling PWUD to access essential services.

Keywords: *Nepal, corruption, police, illicit drug use, harm reduction, drug criminalization*

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Introduction

This study examined the impact of policing on harm reduction services in Nepal, focusing on the lived experiences of people who use drugs (PWUD). By exploring the general lack of support and challenges PWUD face from law enforcement, particularly patrolling police officers, this study aimed to provide a nuanced understanding of these experiences. Grounded in a constructivist philosophical paradigm, the research sought

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to uncover how PWUD create and navigate complex realities through their interactions with police (Dickson et al., 2016; Fathi, 2019).

Constructivism posits that individuals construct knowledge as they engage with the world, allowing for an exploration of how PWUD perceive and internalize their interactions with police officers. This perspective highlights the subjective nature of their experiences, wherein each individual constructs their own reality based on these encounters (Dickson et al., 2016; Fathi, 2019). Complementing this, an interpretivist perspective allows us to consider the meanings PWUD attach to their experiences, offering deeper insights into how they make sense of their encounters with law enforcement (Dickson et al., 2016).

The study employed modified grounded theory (MGT) to analyze the experiences of PWUD. MGT facilitated the emergence of themes directly from the data, avoiding preconceived notions and enabling a richer understanding of the interplay between policing and harm reduction services in Nepal (Charmaz, 2015). By uncovering the underlying processes and dynamics that shape the experiences of PWUD, this research aimed to provide actionable insights to inform public health strategies and interventions aimed at reducing harm and improving the well-being of PWUD.

People Who Use Drugs in the Spotlight

Before the HIV epidemic, drug addiction was not a prominent issue in public discourse, especially in developing countries. The emergence of HIV as a global health crisis drew greater attention to PWUD, particularly those who inject drugs (PWID), as a high-risk group (Rhodes, 1997). Many PWID were either unaware of HIV transmission risks or found it difficult to change drug administration practices, such as needle sharing, due to reliance on peers, lack of safe spaces, stigma, and the constant threat of police action (Vickerman et al., 2014). The criminalization of drug use, possession, and trafficking exacerbated these challenges (Mackey et al., 2014).

In response to the HIV crisis, harm reduction strategies were developed to address these issues. Initially, these strategies faced significant resistance, particularly from law enforcement, with critics arguing that providing clean needles would encourage drug use (Strathdee et al., 2015). Despite this opposition, harm reduction proved effective in containing HIV transmission and led to improvements in detoxification program attendance, healthcare access, and social reintegration (Csete et al., 2016). These positive outcomes prompted many countries to reconsider their drug policies and incorporate harm reduction into their public health frameworks (Wodak & McLeod, 2008).

In many developing countries, however, including Nepal, drug criminalization policies remained largely unchanged (Conner, 2015). Despite the formal adoption of harm reduction strategies, these policies did not significantly alter the attitudes and behaviors of street-level police officers, leaving PWUD vulnerable to arrest, confiscation of possessions, and even torture (Baker et al., 2020; Morrissey et al., 2022). This persistent conflict between harm reduction and drug criminalization underscored the need for further research into the lived experiences of PWUD as they navigate the complex and often hostile environment shaped by these conflicting policies.

Drug Criminalization in Nepal

In Nepal, the consumption, possession, trafficking, and cultivation of marijuana and other illicit drugs (such as the coca plant, opium products, and precursor chemicals for amphetamine-type stimulants), as well as the use of unprescribed narcotic drugs, remain illegal under the Narcotics Control Act 1976 (Narcotic Control Bureau, 2015). Offenders face varying degrees of punishment depending on the type of illicit substance. For marijuana use, penalties include imprisonment for up to one month or a fine of 2000 Nepalese rupees. Imprisonment is longer and penalties are higher for those using hard illicit drugs (Jha & Donovan, 2013;

Narcotic Control Bureau, 2015). Despite these strict policies, the number of PWUD has continued to rise (Stowe et al., 2024). Meanwhile, Nepal's National Act of 1992 emphasized reducing illicit substance use, controlling HIV and other infections, promoting high-quality detoxification and rehabilitation centers, enhancing stakeholder partnerships, and improving the capacity of drug-related organizations (Ministry of Home Affairs, 2021).

Law enforcement plays a critical role in drug trafficking and control, requiring comprehensive monitoring at various levels, including the individual level and community level (Durieux et al., 2022; Zibbell et al., 2019). Despite criminalization, in contexts where harm reduction measures are permitted, police officers can support and facilitate access to harm reduction services for PWUD (Nordgren et al., 2022). However, in countries with high levels of corruption, research has shown the risk that informally negotiated harm reduction frameworks can be exploited for personal financial gain, as established laws often override agreements regarding harm reduction services (Shafiee et al., 2023). This issue is particularly relevant in Nepal, where institutionalized corruption is pervasive within police organizations (Mahdavi, 2024; Transparency International, 2023).

Law Enforcement and Institutionalized Corruption in Nepal

In 2014, Transparency International reported that corruption ratings for key institutions in Nepal, such as political parties (77%) and civil servants (66%), were higher than those for the police (58%), underscoring the pervasive nature of corruption in the country (Transparency International Nepal, 2014). In 2022, Nepal's Corruption Perception Index (CPI) score had improved slightly, to 34 out of 100, up from 27 in 2012. Nevertheless, Nepal's rank of 110 out of 180 countries reflected a significant ongoing corruption challenge (Transparency International, 2023). Police corruption in Nepal often involves violations of regulations against accepting gifts, presents, or donations. Contributing factors include a lack of transparency, institutional accountability, good governance, and political stability, as well as bureaucratic inefficiencies, all of which have fostered an environment conducive to corruption (Satyal, 2023).

Transparency International (2011) reported that 43% of Nepalese households perceived the police force as highly corrupt, with a corruption perception rating of 3.2 out of 5. A study by Ghimire (2018) found that 80% of the participants believed police officers engaged in corrupt activities, and numerous police chiefs were implicated in such practices. Evidence indicates that police officers routinely collect money for standard duties and use coercive tactics to extort bribes, while victims often avoid reporting these incidents due to fear of retaliation (United States Department of State, 2023; Gellner & Adhikari, 2020). Safeworld (2008) documented cases of police altering charges or dropping allegations after receiving bribes, further undermining public trust. These findings highlight the entrenched corruption within Nepal's policing system.

Theoretical Overview

The present study was anchored in a constructivist theoretical perspective, which asserts fundamentally that reality is not an objective given but is instead subjectively constructed through individuals' interactions with their social, cultural, and legal environments (Dickson et al., 2016; Fathi, 2019; Mills et al., 2006). Constructivism, with its relativist ontology, posits that multiple realities exist, each shaped by the unique perspectives, experiences, and contexts of individuals (Dickson et al., 2016). This ontological stance was crucial in understanding how PWUD in Nepal perceive their interactions with law enforcement agencies within a sociocultural and legal framework that criminalizes drug use, despite its deep cultural and religious roots, especially in the case of substances like marijuana, while other illicit drugs lack cultural acceptance or any connotations with local culture.

The constructivist paradigm emphasizes that knowledge is not merely discovered but actively constructed through continuous engagement with one's environment. This epistemological stance underscores the belief

that what is known is inseparable from the knower, situating knowledge within the context of lived experiences and social interactions (Dickson et al., 2016). In this research, the constructivist approach elucidated how the understanding of law enforcement held by PWUD has been shaped by their prior encounters, cultural background, and the social narratives circulating within their communities. These factors have coalesced to form a subjective reality unique to each individual yet shared within the broader context of Nepali society.

Interpretivism, a closely related paradigm, complemented this constructivist framework by focusing on the meanings individuals ascribed to their experiences. Interpretivism operates under the assumption that human actions are best understood through the subjective interpretations individuals hold, interpretations that are inherently shaped by cultural, social, and legal contexts (McChesney & Aldridge, 2019; Mills et al., 2006). In the case of PWUD in Nepal, the interpretivist lens was crucial for uncovering the nuanced, context-dependent meanings that these individuals attached to their encounters with law enforcement. This is where the methodological implications of constructivism became evident: Using in-depth interviews as the primary data collection method enabled the researcher to explore subjective experiences, capturing the rich, individualized narratives central to constructivist inquiry.

The epistemological stance of constructivism, emphasizing the co-construction of knowledge, aligns with qualitative methodologies that prioritize depth over breadth and context over generalization (Dickson et al., 2016; Uzun, 2016). This stance reflects a commitment to understanding the complex, multilayered realities of PWUD as they navigated the legal and social landscapes of Nepal. The research process, guided by constructivist principles, was inherently reflexive, acknowledging the researcher's role in knowledge construction while striving to minimize bias through continuous self-reflection. The approach facilitated the development of a roadmap for modified grounded theory to explore the nuances of interactions between PWUD and law enforcement agencies in Nepal.

Modified Grounded Theory

The constructivist approach not only informed the research design but also set the stage for a modified grounded theory methodology (Charmaz, 2015; Mills et al., 2006). Grounded theory, with its iterative and emergent nature, was well-suited to constructivism, as it allowed for the development of theory (Charmaz, 2006, 2015; Strauss & Corbin, 1990). In this study, in-depth interviews and grounded theory facilitated a comprehensive exploration of how PWUD's experiences with law enforcement were constructed, interpreted, and understood within Nepal's specific socio-cultural and legal contexts. This approach ensured that the resultant theories were not only contextually relevant but also reflective of the participants' subjective realities.

Participants, Data Collection, and Analysis

The study included 20 participants (15 males, 5 females) from the Kathmandu and Pokhara Valleys in Nepal, recruited via purposive and snowball sampling through drug-related organizations. Eligible participants were over 18, provided informed consent, and had no severe mental illnesses or cognitive impairments.

In-depth interviews, lasting 1–2 hours, were conducted in Nepali to explore participants' experiences with police officers (Minichiello et al., 1995). Key questions included:

1. Can you describe your interactions with the police in the past?
2. What were the positive and negative aspects of these interactions?
3. Have you faced any issues with the police?
4. How did you address these issues?

As interviews progressed, additional questions were posed to clarify participants' perspectives. A theoretical frame was employed to verify and refine emerging themes from earlier transcripts, guiding subsequent interviews to capture a range of perspectives, including contradictory views (Charmaz, 2006; Strauss & Corbin, 1990).

The data analysis employed a modified grounded theory approach, systematically coding transcripts to identify and compare emerging themes. This iterative process ensured that the findings were deeply rooted in participants' lived experiences, offering a nuanced understanding of PWUD and their interactions with police officers (Charmaz, 2015; Strauss & Corbin, 1990). The open, axial, and selective codes are illustrated in the Appendix.

Results

The participants were predominantly from the Newar and Chhetri ethnic groups, with a mean age of 31.35 years, and over half were married. The primary drug of choice among them was raw heroin, with an average use duration of 15.65 years. On average, participants had undergone detoxification 4.3 times and had been incarcerated 1.9 times. All participants in this study reported their interactions with policemen, exclusively. None of the participants mentioned any encounters with policewomen.

Emergence of Themes

The study identified three primary themes: drug dealers and PWUD as a source of illegal income for corrupt police, police behaviors violating the human rights of PWUD, and corrupt policing as counterproductive to harm reduction efforts.

Theme 1: Drug Dealers and PWUD as a Source of Illegal Income for Corrupt Police

The findings revealed that police have employed abusive and manipulative tactics to exploit PWUD and drug dealers for personal financial gain. Many participants recounted severe physical assault, extortion, and threats of arrest. These actions represent a blatant violation of ethical and professional standards. A contradiction was observed in the behavior of certain police who, while tasked with controlling illicit drugs, instead protected and facilitated drug dealers in exchange for bribes.

According to the participants, both police officers and drug smugglers are primary beneficiaries of the drug trade, as illustrated by one participant's statement: "A limited number of people are earning money from the drug business and enjoying it here. They are either the policemen or drug smugglers" (38-year-old male). This highlights how the illegal drug trade is perpetuated by the involvement of police at the street level. The pursuit of financial gain creates a corrupt alliance between police, drug dealers, and PWUD, sustaining the illicit drug business.

Participants reported that drug dealers often secured their release from custody by offering bribes. This "give and take" arrangement is prevalent in the illicit drug trade, with drug dealers risking imprisonment and media exposure if they fail to meet the police demands:

When a drug dealer is arrested, they are released by giving money to the cops. If there is a large amount of drugs, they ask for more money. If the drug dealers do not have money, their arrest will be published in the newspapers, and the policemen will make a case to prosecute the dealer. (29-year-old female, 15 years of drug use)

When PWUD or drug dealers are arrested, they are initially detained at local police stations, but they can be released if a bribe is paid. Failure to pay often results in transfer to the central police station for prosecution:

When they are arrested, they are taken to the Kalimati police station. If the drug dealer agrees to pay the amount demanded by the cops, then he is released from there; otherwise, he is forwarded to Hanuman Dhoka, and a case is filed against him. (30-year-old female, 12 years of drug use)

Participants criticized the government's failure to prevent the entry of drugs into Nepal and the subsequent rise in drug addiction among youths:

The main question is how drugs enter the country and why youths fall into drug use. If an attempt is made to prevent the entry of drugs into the country, then we won't be able to use drugs. If drugs are not available, there is no point in using them. (41-year-old male, 21 years of drug use)

This narrative suggests that the influx of drugs, facilitated by police corruption, has led to a compromised law enforcement system, where professional and ethical integrity is undermined by the acceptance of bribes:

They take an oath that they will work in favor of the truth. Have they fulfilled this oath? If I am paying 1000 rupees to cops, he can see me selling tidigesic [buprenorphine], but he will not do anything. Is that the duty and responsibility of the police force? If I sell in large amounts, the policemen won't do anything to me. (35-year-old male, 18 years of drug use)

This account reveals how bribery establishes rapport and favoritism with the police, creating an environment where PWUD risk torture and confiscation of their money and belongings if they fail to offer bribes.

The study also found that some PWUD receive protection from the police by paying regular bribes:

Around the Teku area, 20 cops visit to collect hapta [weekly money] from the addicts. These cops collect around 400 to 600 rupees from those who sell drugs. They don't do anything to those who sell drugs because they receive money from them. (36-year-old male, 19 years of drug use)

These findings underscore how PWUD have become a lucrative source of income for corrupt police, who both seize money from PWUD and receive bribes from drug dealers. Such behavior not only fails to control the drug trade but in fact actively facilitates it.

Theme 2: Police Behaviors Violating the Human Rights of PWUD

The study found that police employed various strategies to extort money from PWUD, including torture, extortion, confiscation of belongings and drugs, and threats of arrest. The institutional acceptance of bribery has not only encouraged drug use and dealing but also funneled more money into the hands of corrupt officers.

At the street level, police behavior appears inconsistent rather than effectively controlling drug trafficking and sales, some officers are more motivated by the opportunity to profit from illicit drugs and PWUD. One participant described this dynamic:

Policemen hide somewhere and just seize money, goods, and drugs from drug addicts. After seizing drugs, they sell them to drug dealers. Addicts pay the policemen, because they are afraid of them. If addicts are arrested and a case is filed, it would be a big problem for them. Arrested PWUD are kept in custody for up to 25 days before being taken to court. Staying in police custody for three months would be very difficult due to withdrawal and other issues. That's why we have to pay money to the policemen to avoid arrest in any case. Police officers are not sincere. Due to the police officers, the drug problem is getting worse day by day. (38-year-old male, 23 years of drug use)

This narrative illustrates how some police are involved in the illegal drug trade by seizing drugs from PWUD and selling them to dealers. Despite their awareness of police corruption, PWUD often feel powerless to take

action, due to fear of retribution. Such cases show how the actions of corrupt officers exacerbate the drug problem rather than mitigate it.

In another instance, a participant recounted how a policeman coerced a PWUD into selling drugs on his behalf:

I came here for drugs. This place is where either policemen or junkies come. Another important thing is the policemen are thieves. I have seen with my own eyes a policeman seize drugs, around 10 to 20 grams, along with all the money from a junkie. Then he went a few hundred yards away and found another junkie who had no money. The policeman asked him to sell those drugs for him. I can't say all police force are like that, but there are some policemen doing such things. (28-year-old male, 12 years of drug use)

This account further supports the argument that corrupt police officers are complicit in the drug trade, facilitating the sale and trafficking of drugs.

The study also revealed that police have developed clear strategies for profiting from the exploitation of PWUD, which raises serious questions about their adherence to professional codes of conduct, moral standards, and ethical principles. The antagonistic relationship between police and PWUD often leads to escalating conflicts, as evidenced by one participant's account:

Though I haven't personally come in contact with a policeman, I have seen some policemen seizing drugs and then giving those drugs to others to sell on their behalf. While doing that, one policeman was murdered in Teku last year. Around four months ago, when I arrived at rehab, I heard that a PWUD killed a policeman in Teku. PWUD face several difficulties in making money to afford drugs. In such cases, the policemen seize drugs and give them to other PWUD to sell. (37-year-old female, 19 years of drug use)

In this case, the attempt to earn money illegally led the police officer to visit the PWUD hotspot alone, and violence against him intensified, resulting in his death at the hands of PWUD.

The study found that PWUD who are unable to provide bribes are at increased risk of imprisonment. Participants believed that police often fabricate allegations, labeling individuals as drug dealers, which can lead to imprisonment. During this process, the fundamental human rights of PWUD are violated, as they are often forced to sign false allegations, without being informed of their rights:

At that time, they force us to sign a paper without allowing us to read the statements on the paper. At that stage, we are sick and can hardly understand anything, yet we are forced to sign the paper. In court, they use this paper to make a case, claiming that we have given such and such statements. They write the statements themselves and do not allow us to read them, forcing us to sign. They beat us severely and make us say "yes." (37-year-old male, 23 years of drug use)

This account highlights the physical and mental torture PWUD face when they resist signing false statements.

Despite the need for the protection of women, the study found that female PWUD were particularly vulnerable to abuse by corrupt police. Arrested female PWUD were coerced into depositing their money into donation boxes, which participants believed were used by police for personal gain:

Drug use has been a profitable field for them. A few days ago, two young women arrived in the Teku area looking for drugs. Policemen from the community police station were watching these girls. They arrested them and brought them to the community police station. Instead of sending them to the [regional] police station for prosecution, they kept them there for a while and asked how much money

they had. One of them said 200 rupees, and the other said 150 rupees. The cops asked them to put their money in the donation box, and then they were released. As the girls left, the policeman opened the box and took the money. (22-year-old male, 8 years of drug use)

This account raises questions about the legitimacy of the arrest and the ethical conduct of the police involved.

Female participants also reported experiencing verbal and sexual abuse while in custody:

They use such foul language as if they don't have any sisters, mothers, or women in their own families. This behavior is not limited to me but extends to all women, including policewomen. Even male policemen touch our bodies inappropriately. They behave very poorly. (22-year-old female, 9 years of drug use)

This narrative clearly indicates the high level of mistreatment and sexual harassment faced by female PWUD, as well as female staff members in the police station.

Theme 3: Corrupt Policing as Counterproductive to Harm Reduction Efforts

This theme highlights the detrimental impact of corrupt policing on harm reduction efforts. Despite the participants' desire to detoxify and seek help for their drug use, they faced abuse, extortion, and arrest from the police, instead of receiving support. These behaviors undermine harm reduction strategies and contribute to the continuation of drug-related harms.

The need to satisfy drug cravings often drives PWUD to sell their valuables and engage in criminal activities, such as theft, to afford drugs. The police specifically target PWUD, extorting money and valuables for personal gain. This approach does not help PWUD quit drugs; instead, it pushes them further into criminal behavior to sustain their drug use:

In the course of drug use, beating, harassment, seizure of money, and mistreatment are common occurrences. Sometimes, I didn't have any money left in my pocket because the cops had taken it all. I had to sell my clothes a couple of times to afford drugs. (45-year-old male, 31 years of drug use)

To avoid withdrawal symptoms, PWUD prioritize obtaining drugs, viewing illicit drug use as therapeutic for their physical, mental, and psychological needs.

The experiences shared by participants revealed that PWUD who failed to pay bribes often endured torture, violence, and imprisonment. Some police officers falsely accused PWUD of drug dealing, leading to unjust incarceration and further mistreatment. These practices undermine opportunities for harm reduction services, which could help minimize harms and support individuals in addressing their recovery goals. As the narratives echo:

We were users; we kept saying that persistently. But the policemen beat us badly and made us sign a paper stating that we were selling drugs. Then we were imprisoned for 12 months. (24-year-old male, 5 years of drug use)

Despite the illegality of drug use, some PWUD argue they should be immune to police actions, as they fund their drug use through legitimate means, such as salaries or businesses, and do not resort to criminal activities to obtain drugs. They view themselves as non-offending civilians and believe they should not be treated the same as PWUD who engage in crimes to sustain their drug habits. This perception fuels their criticism of police behaviors, including torture, extortion, and unwarranted arrests:

Sometimes, we [PWUD] argue with the policemen when they try to beat us. If I haven't committed any crime, why should they want to beat me? I can't tolerate that. I tell them I am an addict and if

they can help me get out of addiction, please do. If they can send me to rehab, I would appreciate it, or if they want to send me to jail, they can do it. But don't beat me. I can't tolerate that. (37-year-old male, 22 years of drug use)

In this scenario, the individual expresses a desire to quit drugs and seeks possible treatment options. A referral to a service provider could have been helpful, whereas the current approach of harassment is not constructive.

Arresting all PWUD is not feasible due to their large numbers, which highlights the need to review current law enforcement strategies. Some police recognize that arresting and imprisoning PWUD is ineffective in addressing addiction issues. They believe that focusing on prosecuting drug dealers rather than PWUD would be more beneficial:

There is a policeman in charge. If a PWUD is brought to him, he releases the person, because he understands the problem. But if someone is involved in drug dealing, he pursues the case. It's better to prosecute the drug dealers rather than the PWUD. (26-year-old male, 12 years of drug use)

This perception suggests a changing mindset among some police, potentially acknowledging substance dependence as a health issue rather than solely a criminal matter.

To avoid torture and incarceration, some PWUD hide their drug use and maintain a low profile, which can have negative consequences, particularly when accessing harm reduction and other health services is necessary:

We stay indoors, watch television, read magazines ... if we go outside, policemen chase us. As soon as they see me, they say, "He's here!" I run away [to] a distance. We fear that they might take us. They are completely wrong. They take everything they find. Never trust the policemen. Even if my father was a policeman, I wouldn't trust him. (23-year-old male, 8 years of drug use)

The study found that some police perceive PWUD as a source of illegal income, engaging in extortion and believing that the more PWUD there are, the greater their chances of making money. PWUD who do not agree to bribes for the police risk arrest and prosecution, leading some to maintain a hidden profile.

Discussion

This study, utilizing modified grounded theory within a constructivist framework, explored the impact of law enforcement on Nepalese PWUD, with a focus on the intersection of drug use, criminality, and policing. The findings led to the development of the theory that, for drug users in Nepal, harm reduction is a double-edged sword without supportive policing. This theory emerged from three key themes: PWUD as a source of illegal income for corrupt police, human rights violations of PWUD, and corrupt police practices that contradict harm reduction efforts. The theory underscores how police corruption, particularly targeting PWUD, severely undermines harm reduction initiatives by fostering an environment of fear and mistrust. This highlights the urgent need to address police corruption and reform law enforcement practices to ensure the effectiveness of harm reduction strategies and to protect the human rights of PWUD.

The narratives provided by participants revealed the extent to which corrupt police exploit PWUD for financial gain. This finding aligns with international research, such as studies conducted in Afghanistan, where police involvement in bribery and extortion has been documented as a significant issue (Singh, 2022). Similar patterns have been observed globally, where the high cost of drug use often forces PWUD into criminal activities, making them vulnerable to exploitation by law enforcement. In Mexico, for instance,

individuals have been arrested for possessing syringes, even without drugs, leading to detention and further exploitation (Miller et al., 2008).

The study also exposed a double standard culture within the Nepalese police force, where corruption is normalized and perpetuated by a lack of accountability. This culture is not unique to Nepal; similar issues have been reported in other countries, such as Kenya, where some police officers continue to enforce punitive measures despite the presence of harm reduction programs (Ludwig-Barron et al., 2021). The pursuit of financial gain often leads to the extortion of PWUD, with police officers opting to release or avoid arresting drug dealers in exchange for bribes, thereby entrenching corruption (Rabade & Garcia, 2015; Stinson et al., 2013).

Moreover, the study revealed that police are acutely aware of the withdrawal symptoms experienced by PWUD and that they use this knowledge to exploit this vulnerability. This tactic has been observed in other contexts, such as Australia, where methadone users shifted their drug use to private settings to avoid police harassment, inadvertently undermining harm reduction efforts (Fitzgerald, 2013). In Nepal, some PWUD from higher socioeconomic backgrounds manage to conceal their drug use in private settings, thereby limiting their exposure to bribery by police. This behavior mirrors global patterns where PWUD in more affluent regions employ similar strategies to avoid police interactions.

The study also revealed troubling practices, such as police seizing heroin from PWUD and redistributing it to others to sell on their behalf. Such actions raise serious concerns about the recognition and protection of basic human rights for PWUD. These findings resonate with research conducted in Canada and other developed countries, where extensive surveillance and policing of PWUD often contradict their rights and deter them from accessing harm reduction services (Michaud et al., 2023).

Threats of arrest and imprisonment are frequently used by police as tools to extract bribes from PWUD. Those who can pay are often released before formal processing, while those who cannot are subjected to severe torture and are falsely accused of being drug dealers. This pattern of human rights violations, particularly the coercion of PWUD to sign affidavits without being informed of their rights, is a significant issue in Nepal. Female PWUD were found to be particularly vulnerable, reporting instances of sexual harassment while in police custody. This reflects a broader issue of police brutality against women accused of drug-related crimes, mirroring cases reported in other countries (Hesselinka & Häefelea, 2015).

The global literature on harm reduction stresses that punitive policing approaches, such as those seen in Nepal, are a major barrier to effective harm reduction. In contrast, countries such as Canada have shown positive outcomes when law enforcement has been trained and integrated into harm reduction strategies. In the United States, the Law Enforcement Assisted Diversion program addresses the root causes of drug use by providing treatment and housing instead of incarceration (McGough et al., 2022). The lack of such progressive approaches in Nepal continues to undermine harm reduction efforts.

Pharmacotherapies such as methadone and buprenorphine have been proven effective in reducing the harms associated with heroin use (Stöver et al., 2019). In Nepal, however, legal barriers and corrupt policing practices deter PWUD from seeking these services, leading to increased risk of mortality and morbidity, as well as other health complications (Nguyen et al., 2023). The absence of supervised injecting facilities (SIFs) in Nepal further limits access to harm reduction services. While similar services were briefly available through drop-in centers in the late 1990s, fear of arrest and community opposition led to their closure, a fate not unlike that seen in other countries where harm reduction services have struggled to gain acceptance (Burrows et al., 2001).

Engagement with treatment and rehabilitation services has been shown to reduce risky behaviors and improve overall health outcomes among PWUD (Liu et al., 2022). The reluctance of PWUD to seek these services, due to legal and policing concerns, significantly impedes their access to necessary care. The lack of

SIFs in Nepal exacerbates the risk of HIV and other blood-borne infections among PWUD, as is seen in other regions where similar services are absent (Hood et al., 2019).

Conclusion and Recommendations

While extensive research has been conducted on various aspects of substance use and HIV, there has been a significant gap in studies examining the relationship between policing practices and illicit drug use in Nepal. To our knowledge, this is the first study to explore the impact of drug criminalization and law enforcement on harm reduction efforts in the country.

The findings demonstrate that legal barriers and corrupt policing practices associated with drug abuse in Nepal pose significant harm to the health and well-being of PWUD. Imprisoning a large number of PWUD is not feasible, due to limited resources. Although current laws allow for the conviction of PWUD for drug possession, such arrests and subsequent imprisonment do not resolve the problem of addiction, as most will relapse after release. The recognition of addiction as a health issue by some police, along with reforms in the National Drug Control Strategy that support the National HIV/AIDS Strategy, represent positive developments. These changes highlight the need to educate police officers on the principles and benefits of harm reduction.

The best approach for police officers would be to refer PWUD to service providers, enabling them to minimize risky behaviors and engage in health promotion, including drug detoxification and rehabilitation. Current policies, however, act as structural barriers, discouraging PWUD from seeking services. Introducing some flexibility in the criminality of drug use, such as limiting the prosecution of drug possession solely for personal use, could encourage PWUD to engage with service providers.

It is important to note that many PWUD also deal in drugs to sustain their own drug use, which could potentially lead to more extensive drug dealing if not properly monitored. To prevent this, it would be worthwhile to consider establishing SIFs, as seen in Europe, Australia, and Canada. Other studies suggest that the establishment of SIFs does not increase drug use, supply, or dealing (Freeman et al., 2005; Wood et al., 2006). SIFs would provide PWUD with access to educational, health, and harm reduction support while discouraging public drug use. This could be further augmented by developing databases of registered PWUD, like those in some U.S. states, to minimize the potential for abuse of legal medical marijuana. Registration and SIFs would also help prevent overdoses, reduce needle sharing, provide comprehensive health and psychosocial services, and monitor the health and well-being of PWUD. Such measures would treat PWUD as legitimate patients and safeguard their human rights.

In addition to these measures, law enforcement training on overdose prevention, including naloxone promotion, distribution, education, and referrals, would complement health promotion efforts for PWUD. However, it remains critical to intensify law enforcement efforts against drug traffickers and dealers, enhancing the capacity of police officers to target these groups effectively.

Limitations of the Study

The findings of this study cannot be generalized beyond the specific sample and context in which the data were collected. The qualitative research design limits the ability to draw broad conclusions applicable to all PWUD, or to all police interactions in Nepal, or to other countries.

There may have been potential selection bias in the study, as participants were not specifically chosen based on their negative experiences with the police, but many ended up relating such experiences, likely influenced by snowball sampling or their friends' participation. This could skew the results, as it may not fully represent

the spectrum of experiences of PWUD, potentially overlooking more positive interactions. Including police perspectives could provide a more balanced understanding and help validate the findings.

While adherence to research ethics and protocol minimized the influence of implicit biases, collaboration with other researchers and verification with former PWUD and Nepalese NGOs strengthened the reliability of the data.

Further Research

Future research should explore how police officers perceive their interactions with PWUD and their views on the issues highlighted in this study. This could provide a more balanced and comprehensive understanding of the dynamics between PWUD and law enforcement.

Conducting similar studies in other regions of Nepal and comparing the perceptions of PWUD regarding their interactions with police officers across different cultural contexts may reveal commonalities and differences. These insights could inform strategies to improve public health and safety.

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Appendix

The Open, Axial, and Selective Codes

Selective Code: Drug dealers and PWUD as a source of illegal income for corrupt police	
Axial codes	Open codes generated from interview transcripts
Drug trafficking routes and police corruption	<ul style="list-style-type: none"> • Accessibility of drugs in border towns • Police complicity in drug transportation • Drug smuggling across borders with police officers' knowledge • Economic advantage of sourcing drugs from specific locations • Risk factors associated with transporting drugs
Fluctuating drug prices and police exploitation	<ul style="list-style-type: none"> • Instability of drug prices due to market demand • Police manipulation of drug prices for personal gain • Financial exploitation of PWUD by corrupt officers • Pressure on drug users to meet fluctuating costs • Economic vulnerabilities of drug users in the market
Violence and intimidation by police	<ul style="list-style-type: none"> • Threat of physical harm from police • Use of a syringe as a defensive weapon by PWUD • Instances of police brutality to drug users • Police leveraging fear to extract money or drugs • Police retaliation against drug users who resist
Police custody and drug access	<ul style="list-style-type: none"> • Availability of drugs within police stations • Corrupt practices involving police officers selling seized drugs • Ease of obtaining drugs in familiar police custody • Police as suppliers within detention facilities • Psychological impact of being in custody on drug users
Corruption networks and police-drug dealer relationships	<ul style="list-style-type: none"> • Collaboration between police and drug dealers • Distribution of drugs through police intermediaries • Police enabling the continuation of drug markets • Profits shared between police and drug dealers • Trust and betrayal within police-drug dealer networks



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