



**UNITED NATIONS  
OFFICE OF THE HIGH COMMISSIONER  
FOR HUMAN RIGHTS IN NEPAL**



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**OHCHR Writes to Chairman of the Inquiry Commission on the Nagarkot Killings**

The Office of the UN High Commissioner for Human Rights in Nepal has written to Justice Top Bahadur Singh, the Chairman of the Inquiry Commission on the Nagarkot killings of 14 December 2005, welcoming the establishment of the Commission and highlighting international standards as benchmarks for the Commission in investigating the shootings and formulating its recommendations on how such incidents might be prevented.

“We hope the establishment of the Commission signals the commitment of His Majesty’s Government to ensure a thorough, prompt and impartial investigation into the shootings,” wrote Mr. Ian Martin, the Representative of the UN High Commissioner in Nepal.

The Office of the High Commissioner for Human Rights is mandated by agreement with His Majesty’s Government to monitor and report on the situation of human rights and observance of international humanitarian law in Nepal and engage all relevant actors for the purpose of ensuring the observance of relevant international human rights and humanitarian law.

In his letter to Justice Top Bahadur Singh, Mr. Martin noted that OHCHR has closely followed developments, and that:

“We have been particularly concerned that all evidence, including the scene of the shootings, was apparently not properly conserved, which will make a thorough investigation by the Commission more difficult.”

Mr. Martin highlighted the importance of the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions which contain relevant international standards to guide the Commission’s work. These include the impartiality and independence of members of the Commission, and that the Commission have the authority to obtain all information necessary to the inquiry.

The letter highlighted six further Principles, including that complainants, witnesses and those conducting the investigation shall be protected from violence or any other form of intimidation, and that families of the deceased and their legal representatives shall be informed of and have access to any hearing as well as to all information relevant to the investigation, and shall be entitled to present other evidence. The Principles also set out that the investigation should determine, among other things, any pattern or practice which may have brought about the deaths, and that the Government shall, within a reasonable period of time, either reply to the report of the investigation, or indicate the steps to be taken in response to it.

Mr. Martin concluded:

“OHCHR will remain actively engaged in monitoring the course of the investigations and is ready to provide assistance to the Commission regarding applicable international human rights standards and practice as well as in regard to the Commission’s need for adequate forensics and other technical resources.”