



Asamblea General

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CONSEJO DE DERECHOS HUMANOS
Segundo período de sesiones
Tema 2 del programa

**APLICACIÓN DE LA RESOLUCIÓN 60/251 DE LA ASAMBLEA
GENERAL, DE 15 DE MARZO DE 2006, TITULADA
"CONSEJO DE DERECHOS HUMANOS"**

**Carta de fecha 22 de septiembre de 2006 dirigida al Presidente del
Consejo de Derechos Humanos por los miembros de la
Comisión de Investigación sobre el Líbano**

Con referencia a nuestra carta de fecha 5 de septiembre de 2006^{*}, los miembros de la Comisión de Investigación establecida de conformidad con la resolución S-2/1 del Consejo de Derechos Humanos, de 11 de agosto de 2006, quisiéramos suministrar a usted y, por su conducto, al Consejo, información actualizada sobre los progresos realizados en el cumplimiento del mandato de la Comisión.

Tras el nombramiento oficial de los comisionados el 1º de septiembre de 2006, la Oficina del Alto Comisionado para los Derechos Humanos (ACNUDH) estableció una secretaría de la Comisión encabezada por un secretario e integrada por tres oficiales de derechos humanos y un analista militar, así como por personal administrativo, logístico y de seguridad. El ACNUDH adquirió asimismo todo el equipo y las instalaciones que hacían falta en Ginebra y en el Líbano. La Oficina de las Naciones Unidas en Ginebra facilitó la rápida contratación y los viajes de la Comisión y su personal y ofreció espacio de oficina en Ginebra.

^{*} Se reproduce en el anexo I como se presentó, en el idioma original únicamente.

El 11 de septiembre de 2006, los comisionados iniciaron su trabajo. El 15 de septiembre, los miembros de la Comisión se reunieron con el Presidente del Consejo de Derechos Humanos, y tres días después con la Alta Comisionada para los Derechos Humanos, Sra. Louise Arbour.

Durante el período comprendido entre el 11 y el 22 de septiembre, la Comisión realizó los preparativos necesarios para su visita al Líbano. La Comisión viajará al Líbano el 23 de septiembre de 2006 para efectuar una visita de dos semanas. La Comisión comenzó asimismo a reunir y examinar la documentación pertinente. Además, los comisionados se reunieron con las organizaciones, órganos y organismos competentes de las Naciones Unidas, a saber, el Servicio de las Naciones Unidas de Actividades Relativas a las Minas, la Oficina de Coordinación de Asuntos Humanitarios, la Oficina del Alto Comisionado de las Naciones Unidas para los Refugiados, la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura, la Organización Mundial de la Salud y el Programa de las Naciones Unidas para el Medio Ambiente, con el Comité Internacional de la Cruz Roja y con tres de los relatores especiales que han visitado el Líbano recientemente.

La Comisión acordó asimismo su mandato, del que se adjunta copia **.

La Comisión tiene la intención de presentar un informe sobre sus conclusiones al Consejo en un plazo de dos meses.

(Firmado): Dr. João Clemente BAENA SOARES
Juez Mohamed Chande OTHMAN
Profesor Stelios PERRAKIS

** Se reproduce en el anexo II como se recibió, en el idioma original únicamente.

NATIONS UNIES



UNITED NATIONS

COMMISSION OF INQUIRY OF THE HUMAN RIGHTS COUNCIL,
PURSUANT TO RESOLUTION S-2/1 (2006)

Tuesday, 5 September 2006

Dear Mr. President,

Upon our formal appointment, on 1 September 2006, to the Commission of Inquiry, established pursuant to Human Rights Council resolution S-2/1, we have consulted among ourselves and, in accordance with paragraph 10 of the resolution and as per your letter of 1 September 2006 to Council members, we wish to report to you, and through you the Council, on progress made toward fulfilment of the Commission's mandate.

Paragraph 7 of the resolution decides to "urgently establish and immediately dispatch a high-level commission of inquiry comprising of eminent experts on human rights law and international humanitarian law ..."

The United Nations Office at Geneva has promised expedited recruitment and we plan to travel to Geneva as soon as possible, hopefully by Monday 11 September 2006, to formally convene and start our work. We will seek to agree, as rapidly as possible, on the terms of reference of our work, as well as on our programme of work. We will conduct a mission to Lebanon as early as circumstances permit.

In the meantime, the Office of the High Commissioner for Human Rights (OHCHR) has undertaken a number of measures designed to enable the Commission to begin its substantive work as quickly as possible. OHCHR has identified funding to cover the start-up of the Commission's work. The Office is recruiting a Secretariat team composed of four very experienced substantive human rights officers, one military and humanitarian law analyst, three interpreters, three security officers and two secretarial staff, to assist us in our work. This team is expected to be in place by 11 September. OHCHR is also proceeding with logistical preparations and has identified offices (in both Geneva and Lebanon), computer and telecommunications equipment and appropriate vehicles for our mission. An advance OHCHR security team was deployed to Beirut on Sunday 3 September to ensure that our conditions of work in Lebanon will be carried out in compliance with UNSECORD regulations.

We will do our utmost to further report to the Council in a timely manner, pursuant to the provisions of Resolution S-2/1.

Accept, Mr. President, the assurances of our highest consideration.

A handwritten signature in black ink, reading "Maggie Nicholson".

Mr. Joao Clemente Baena Soares
Judge Mohamed Chande Othman
Professor Stelios Perrakis

(signed on behalf of the Commissioners by Ms. Maggie Nicholson,
Secretary to the Commission)

Luis Alfonso de Alba
President of the Human Rights Council
Secretariat of the Human Rights Council
Palais Wilson

NATIONS UNIES



UNITED NATIONS

HUMAN RIGHTS COUNCIL
COMMISSION OF INQUIRY ON LEBANON

TERMS OF REFERENCE

1. On 11 August 2006, the Human Rights Council adopted resolution S-2/1 at its second special session. In paragraph 7 of the resolution the Council decided to “urgently establish and immediately dispatch a high-level commission of inquiry”.
2. On 1 September, the President of the Human Rights Council appointed three persons to the Commission on the basis of their expertise in human rights law and international humanitarian law, as well as their integrity, impartiality and independence. The Commission began its work on 11 September and will report to the Council within two months.
3. According to paragraph 7 of resolution S-2/1 of the Human Rights Council, the mandate of the Commission includes the following actions:
 - “(a) to investigate the systematic targeting and killings of civilians by Israel in Lebanon;
 - (b) to examine the types of weapons used by Israel and their conformity with international law; and
 - (c) to assess the extent and deadly impact of Israeli attacks on human life, property, critical infrastructure and the environment.”

The Commission will implement its mandate through the prism of international law, international humanitarian law and international human rights law.

The Commission will take due account of relevant activities within the United Nations system, including the work of UN special procedures.

4. The Commission is provided, by the Secretary-General and the High Commissioner for Human Rights, with the administrative, technical and logistical assistance required to fulfil its mandate promptly and efficiently, including through a Secretariat.
5. The Commission should enjoy the full cooperation of all States Members of the United Nations. It may also seek the cooperation of international institutions and other relevant actors, as appropriate.
6. In order to enable the Commission to discharge its mandate, the following facilities should in particular be provided:

- a. Freedom of movement throughout the territory of Lebanon, including facilities of transport.
 - b. Unhindered access to all places and establishments, and freedom to meet and interview representatives of Governmental and local authorities, military authorities, community leaders, non-governmental organizations and other institutions, and any such person whose testimony is considered necessary for the fulfilment of its mandate.
 - c. Unhindered access for individuals and organizations wishing to meet with the Commission.
 - d. Free access to all sources of information, including documentary material and physical evidence.
 - e. Security arrangements for the personnel and documents of the Commission to be provided in accordance with the United Nations Host Country Agreements.
 - f. Protection of victims and witnesses and all those who are in contact with the Commission in connection with the inquiry; no such person shall, as a result of such contact, suffer harassment, threats, acts of intimidation, ill-treatment or reprisals.
7. In particular, the Commission Members and staff shall enjoy the privileges and immunities accorded to experts on missions and officials under the 1946 Convention on the Privileges and Immunities of the United Nations.