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## الجمعية العامة



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ARABIC  
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مجلس حقوق الإنسان  
الدورة الثانية  
البند ٢ من جدول الأعمال

تنفيذ قرار الجمعية العامة ٢٥١/٦٠ المؤرخ ١٥ آذار/مارس ٢٠٠٦  
المعنون "مجلس حقوق الإنسان"

رسالة مؤرخة ٢٢ أيلول/سبتمبر ٢٠٠٦ من أعضاء لجنة التحقيق  
بشأن لبنان إلى رئيس مجلس حقوق الإنسان

تبعاً لرسالتنا المؤرخة ٥ أيلول/سبتمبر ٢٠٠٦\*، يود أعضاء لجنة التحقيق المنشأة بموجب قرار مجلس حقوق الإنسان د-١٢/١ المؤرخ ١١ آب/أغسطس ٢٠٠٦ أن يطلعوكم، والمجلس من خلالكم، على ما استجد من تقدم بشأن إنجاز اللجنة لولايتها.

بعد التعيين الرسمي للمفوضين في ١ أيلول/سبتمبر ٢٠٠٦، أنشأت المفوضية السامية لحقوق الإنسان أمانة للجنة يرأسها أمين وتضم ثلاثة موظفين في شؤون حقوق الإنسان ومحللاً عسكرياً، إضافة إلى موظفين في المجال الأمني واللوجستي والإداري. واقتنت المفوضية السامية لحقوق الإنسان أيضاً جميع المعدات والمرافق اللازمة في جنيف ولبنان، حسب المطلوب. وقد قام مكتب الأمم المتحدة في جنيف بتيسير عملية التوظيف والسفر للجنة وموظفيها على وجه السرعة وقدم حيز المكاتب في جنيف.

وفي ١١ أيلول/سبتمبر ٢٠٠٦، بدأ المفوضون عملهم. وفي ١٥ أيلول/سبتمبر، التقى أعضاء اللجنة برئيس مجلس حقوق الإنسان وبالمفوضة السامية لحقوق الإنسان، السيدة لويز آر بور بعد ذلك بثلاثة أيام.

\* ينشر نص الوثيقة في المرفق الأول كما ورد، باللغة التي قدم بها فحسب.

وخلال الفترة من ١١ إلى ٢٢ أيلول/سبتمبر قامت اللجنة بالاستعدادات اللازمة لزيارتها إلى لبنان. وستسافر اللجنة إلى لبنان يوم ٢٣ أيلول/سبتمبر ٢٠٠٦ في زيارة تستغرق أسبوعين. وبدأت اللجنة أيضاً في جمع المواد الكتابية ذات الصلة وفي دراستها. وعلاوة على ذلك، التقى المفوضون مع الجهات المعنية في الأمم المتحدة من مؤسسات وهيئات ووكالات، وهي دائرة الأمم المتحدة للأعمال المتعلقة بالألغام، ومكتب تنسيق الشؤون الإنسانية، ومفوضية الأمم المتحدة السامية لشؤون اللاجئين، ومنظمة الأمم المتحدة للتربية والعلم والثقافة، ومنظمة الصحة العالمية وبرنامج الأمم المتحدة للبيئة، واللجنة الدولية للصليب الأحمر، إضافة إلى اجتماعهم مع ثلاثة من المقررين الخاصين الذين زاروا لبنان مؤخراً.

واتفقت اللجنة أيضاً على اختصاصاتها، حيث ترد نسخة منها مرفقة بهذه الرسالة\*\*.

وتعتزم اللجنة أن تقدم تقريراً عن استنتاجاتها إلى المجلس في غضون شهرين.

(توقيع):  
الدكتور جوان كليمينتي باينا سواريس  
القاضي محمد شند عثمان  
البروفيسور ستيلبيوس بيراكيس

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UNITED NATIONS

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

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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

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HUMAN RIGHTS COUNCIL  
COMMISSION OF INQUIRY ON LEBANON

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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.