



ماعت للسلام والتنمية وحقوق الإنسان
Maat For Peace, Development, and Human Rights

Limited Effectiveness

Evaluating Role of Human Rights Council Missions and Commissions of Inquiry



Study Issued by Maat for Peace, Development and Human Rights

Cover image from Office of United Nations High Commissioner for Human Rights Website

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Introduction

Independent international investigation missions and commissions are an important tool for documenting practices and gross violations of human rights in countries experiencing armed conflict, whether international or non-international. These investigative missions and committees aim to form a clear understanding of the human rights situation by interviewing witnesses, victims' families, and those targeted by arbitrary practices. The Human Rights Council's authorization decisions for these missions and committees urge the concerned states to fully cooperate, allowing them unrestricted access to the country and the ability to collect the necessary information to fulfill their mandate effectively. Since its establishment in 2006, the United Nations Human Rights Council has created 40 bodies to investigate alleged violations of international humanitarian law and human rights law, whether long-term or resulting from sudden events. These include missions and investigative committees in countries such as Sudan, Ethiopia, Belarus, Lebanon, Ukraine, Côte d'Ivoire, Libya, the occupied Palestinian territories, Syria, North Korea, Sri Lanka, the Central African Republic, and Nicaragua. The purpose is to collect evidence, document human rights violations, create a historical record, raise awareness, promote accountability, and make recommendations for corrective actions based on their findings.¹ Despite the important roles assigned to these commissions of inquiry and fact-finding missions, their effectiveness in implementing their tasks has been questioned, particularly in cases where they face significant obstacles in reaching the areas in question **due to governments' refusal to grant them access or cooperate with their work**. This limits the ability of these international investigative bodies to conduct field visits, use observational research, and collect direct evidence, as seen in the difficulties faced in Syria, Iran, and the occupied Palestinian territories. These committees also encounter a range of operational, logistical, and security challenges while carrying out their work.

This Study examines the effectiveness of the Human Rights Council's investigative committees and missions in achieving their established goals, particularly in cases where they face challenges related to the inability to access the areas of concern and the lack of cooperation from the governments involved. The Study seeks to answer the following main research question: **How Effective Are Investigative Committees and Missions of**

¹ Human Rights Council-mandated Investigative Bodies, United Nations Human Rights Council, link: <https://tinyt.io/B0yd>

Human Rights Council? This Study provides an overview of all the investigation committees currently carrying out their tasks, and it dedicates a section to focus specifically on six investigation committees that faced various obstacles during their work, including three missions and investigation committees that were represented on the agenda of the 56th session of the Human Rights Council, which took place from June 18 to July 12, 2024. This Study also does not cover fact-finding missions conducted by Human Rights Council special procedures (such as special rapporteurs and independent experts) - nor does it cover Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement Context due to its thematic nature, as this Study focuses on relevant missions and commissions of inquiry.

First: Objectives of Missions/Committees of Inquiry Affiliated with Human Rights Council

The term "International Investigative Bodies," including "International Commission of Inquiry" and "International Fact-Finding Mission" in the context of United Nations, is used to describe a variety of temporary bodies with non-judicial responsibility that investigate allegations of violations of international human rights, international humanitarian law, or international criminal law. These bodies provide recommendations for corrective action based on the factual and legal findings reached.² Since its establishment in 2006, the UN Human Rights Council has established over 40 missions, committees, and other investigative bodies to respond to cases of serious human rights violations and abuses, and to investigate alleged violations of international humanitarian law that have occurred in specific countries and regions, such as Darfur, Sudan, Ethiopia, Belarus, Lebanon, Ukraine, Côte d'Ivoire, Libya, occupied Palestinian territories, Syrian Arab Republic, Democratic People's Republic of Korea, Sri Lanka, Central African Republic, and Nicaragua.³

Commissions of inquiry, fact-finding missions, and other investigative bodies focus on monitoring, documenting, and establishing the facts and circumstances of serious violations of international human rights law and international humanitarian law, some of which may rise to the level of mass crimes and crimes against humanity. These mechanisms and bodies are responsible for collecting and analyzing evidence related to human rights violations, which can be used in international courts. They also identify patterns of violations and individuals who committed crimes, contributing to the creation of an accurate and unbiased historical record of events and providing extensive information about serious violations of human rights and international humanitarian law.⁴ These bodies also help ensure accountability for such violations by investigating and documenting them, thereby promoting justice and combating impunity, which is essential to deter future violations, enhance compliance with the law, and provide justice and redress for the victims.

Although investigative mechanisms are not mandated to initiate criminal prosecutions of perpetrators of violations of international human rights law and

² COMMISSIONS OF INQUIRY AND FACT-FINDING MISSIONS ON INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW, United Nations, 2015, link: <https://tiny1.io/B18C>

³ Human Rights Council-mandated Investigative Bodies, United Nations Human Rights Council, link: <https://tiny1.io/B0yd>

⁴ Ibid

international humanitarian law, the public publication of reports issued by these mechanisms would alert potential perpetrators that their violations will be subject to international scrutiny and investigation, and will not go unpunished. This may serve as an important deterrent that prevents the possibility of committing further crimes.⁵

Depending on context, UNHRC investigative mechanisms and bodies may be tasked with covering entire countries, as in case of Burundi, Yemen, or Syria, or focusing only on specific regions within a country, as is the case with the International Team of Experts on Kasai Region in Democratic Republic of Congo.

Investigative bodies are sometimes assigned to cover specific events, as seen with the International Commission of Inquiry into the 2018 protests in the occupied Palestinian territories.⁶ Currently, 11 Human Rights Council committees and missions are actively covering ongoing situations, events, and violations in countries like Belarus, Sudan, Iran, Nicaragua, Ukraine, Venezuela, the occupied Palestinian territories, Israel, Myanmar, the Democratic Republic of the Congo, South Sudan, and Syria. An additional 29 committees and missions have completed their tasks since the Human Rights Council was established in 2006.

However, there are fundamental criticisms of the work of these investigative missions and committees. Some experts argue that the Human Rights Council deals with certain cases and violations in a cyclical manner. When the Council identifies increased violations in a particular country, the UN High Commissioner for Human Rights is tasked with submitting a report. This then leads to the creation of an investigation body or fact-finding committee, which is often not allowed to enter the country concerned. The Committee then submits a report to the Council,⁷ perpetuating this cycle of establishing bodies and submitting reports with little tangible impact. This circular approach has been criticized by some human rights theorists and international mechanisms.⁸ The former UN High Commissioner for Human Rights, Zeid bin Raad, suggested reducing these procedures to one or two measures at most. Some reports have linked this circular method to bureaucracy within the UN system as a whole, as well as the differing agendas of member states within the Human Rights Council, which make it difficult to achieve the necessary political alignment to overcome this approach.⁹

⁵ Human Rights Council Investigative Mechanisms and Mass Atrocity Prevention, Global Centre For the responsibility to protect, November 2019, link: <https://tinyt.io/B1BO>

⁶ Ibid

⁷ Human Rights Council strengthening conference, Page 5, <https://bit.ly/3ie8g1B>

⁸ Ibid

⁹ The Legalization and Bureaucratization of the UN Human Rights System: Progress or Peril? Page 6, <https://bit.ly/3QdPDqV>

Second: Challenges Facing Council Investigation Missions and Committees

UN Human Rights Council investigative bodies, including independent commissions of inquiry and fact-finding missions, play critical roles in monitoring, documenting, and reporting on human rights violations globally. However, they face numerous challenges that hinder their work, most prominently are the following:

1. Political and Security Challenges:

Establishing these committees and missions requires mobilizing significant political support and will from UN member states, and the renewal of their mandates is often controversial. Once established, they face obstacles in carrying out their work freely, including security risks and operating in dangerous, insecure environments where atrocities and crimes against humanity continue. Investigators and members of these bodies are vulnerable to ongoing violence, landmines, and targeted attacks by parties to the conflict, as seen in Yemen and South Sudan. These security risks can limit their ability to collect direct evidence.¹⁰

2. Operational Challenges

International investigative bodies and mechanisms often face significant obstacles and challenges that prevent them from collecting direct evidence. Although the approval of the government concerned is not required to establish an investigative mechanism, and these mechanisms are usually established without the consent of the governments involved, many countries view external investigations as a violation of their sovereignty. This leads them to refuse to cooperate with international investigative bodies and mechanisms, sometimes even denying the legitimacy of these bodies. Governments may systematically obstruct or prevent the work of experts and commissioners by denying them access to their territories, withholding information, restricting access to sites and witnesses, and directly threatening them. This severely restricts the ability of international investigative bodies to conduct field visits, use observational research, or employ other techniques essential to their work. This has been the case with the difficulties faced by such missions in accessing relevant areas in Syria, Iran, the occupied Palestinian territories, and Myanmar.¹¹

¹⁰ Ibid

¹¹ Ibid

Restrictions on access imposed on international investigative bodies are often used as a pretext to prevent their establishment or renewal, or to delegitimize their findings. While access to the countries or regions concerned is essential to ensure maximum impact and success, effective fact-finding is possible even without direct access. The practical experiences reviewed by Maat have shown that international investigative bodies can utilize alternative methods to collect evidence and achieve their objectives without physical access to the regions and countries involved. These bodies can collect information through interviews with victims and testimonies gathered in countries of asylum, as seen with the Myanmar fact-finding mission. They can also use high-resolution satellite imagery to document destruction, displacement, and other indicators of human rights violations, as done in investigations of Syria and Myanmar. Partnering with local non-governmental organizations that have access to the situation on the ground can also provide investigative bodies with reliable information and evidence, enhancing the quality and credibility of their investigations.¹²

3. Challenges in Verifying Evidence

Video and photographic evidence can provide investigators with clues to broader abuses and evidence of actual practices. However, this type of evidence also poses distinct challenges for investigation committees and missions. One of the key challenges is the difficulty of proving the authenticity of such evidence. Investigators may question whether the photos have been manipulated, whether the incident depicted actually occurred, and whether the individuals in the images were engaged in the practices mentioned in the visual content under analysis. Faced with these uncertainties, analysts may struggle to conclusively support some facts, even if they may have actually occurred.

4. Challenges Related to Armed Groups

The unpredictable security conditions can make it difficult for investigation committees and missions to conduct accurate risk assessments. Additionally, it may be challenging to collect accurate information about all the armed groups operating in an area to assess risks and identify alleged perpetrators. Different armed groups may operate in different areas without coordination, requiring separate negotiations with each group to gain access to various parts of the city or other villages. The prevailing security situation during the request for the commission's visit to the country could lead the government

¹² Ibid
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to deny the commission/mission access to the country or certain areas, or to insist on the need for it to be accompanied by its security forces, which may ultimately hinder the work of the investigative body.

5. Logistical Challenges

Investigation missions and committees often face logistical challenges, such as commercial flight cancellations to the country in question or between different regions within the same country. This may force members of the missions to undertake land trips, which can be risky due to the unpredictability of security. At times, they may be required to use United Nations aircraft.

6. Operational Obstacles

Investigation missions and committees require operational costs, but there is a lack of a unified model for a single budget. Sometimes, there may not be an assessment of resource needs, so the budget is determined based on the security situation in the country, the location of the investigation, the location of victims and witnesses, and other sources of information relevant to the mandate of the committee/mission.¹³ The budgets of these bodies must have sufficient flexibility to overcome any operational obstacles that may arise, often requiring the need to plan alternative approaches depending on political and security considerations.

¹³ Mission-based Police Planning in Peace Operations, https://police.un.org/sites/default/files/sgf-manual-mbpbp_july.pdf

Third: Case Studies of some Missions and Commissions of Inquiry Affiliated with Human Rights Council

This section presents six investigative bodies established by the Human Rights Council, explaining the mandate and the obstacles faced by each investigative body. The first three cases cover the commissions and investigative missions that conducted interactive dialogues during the 56th session of the Human Rights Council. The six cases also include two investigation committees whose mandate has now expired, namely the investigation Committee for Burundi and Eritrea.

1. Independent International Fact-Finding Mission in Sudan

Human Rights Council held an interactive dialogue on 18 June 2024 with international fact-finding mission in Sudan, during which the mission provided an oral update. The mission was established in accordance with the resolution contained in document (A/HRC/RES/54/2) issued on October 11, 2023 by the United Nations Human Rights Council and was entrusted with a wide range of tasks to ensure the comprehensive and effective investigation of violations and abuses related to human rights and international humanitarian law in Sudan. These tasks include the following:

- Investigate all alleged violations and abuses of human rights and international humanitarian law, including those committed against refugees, and crimes linked to the ongoing armed conflict since 15 April 2023 between the Sudanese Armed Forces, the Rapid Support Forces, and other warring parties.
- Identify the facts, circumstances, and root causes of these violations and abuses.
- Collect, consolidate, and analyze evidence of these violations and abuses, with a focus on women and children, and record and preserve all information, documents, and evidence including interviews, witness statements, and forensic materials in accordance with international best practices.
- Document and verify relevant information and evidence, including through field participation and cooperation with the judiciary and other agencies as appropriate.
- Identify individuals and entities responsible for violations or abuses of human rights, international humanitarian law, or other relevant crimes in Sudan to ensure that they are held accountable.

- Provide recommendations on accountability measures with the aim of ending impunity, addressing its root causes, and ensuring accountability including individual criminal responsibility and access to justice for victims.
- Provide an oral update on its work to the Human Rights Council at its fifty-sixth session, and a comprehensive report at its fifty-seventh session, with an interactive dialogue including the United Nations High Commissioner for Human Rights, representatives of the African Union, and the Special Adviser of the Secretary-General on the Prevention of Genocide. This report will also be submitted to the General Assembly at its seventy-ninth session.
- Collaborate and share best practices with other international, regional, and local accountability initiatives as they are established.
- Focus on the human rights and humanitarian situation in areas of greatest concern, such as Khartoum and the Darfur region in Sudan. Through these missions, the mission seeks to promote justice and accountability and ensure the realization of the human rights of those affected by the conflict in Sudan.

However, the Committee remained unable to communicate with some witnesses and families of the victims due to the circumstances of the war. At the beginning of its formation, Committee also faced objection from Sudanese government and Sudanese permanent mission in Geneva, as they rejected the draft resolution according to which the mission was established, which was presented by United Kingdom with a group of other countries including United States and Norway. Sudan demanded that these missions establishment be with approval of concerned countries.

2. Independent International Commission of Inquiry into the Syrian Arab Republic

Human Rights Council held an interactive dialogue on 3 July 2024 with Independent Commission of Inquiry on the Syrian Arab Republic on the Commission's oral update. The Commission was established pursuant to Resolution No. S-17/1 issued by the United Nations Human Rights Council on 9/22/2011, and the Commission's mandate was extended again pursuant to Resolution A/HRC/RES/55/22 on 4/4/2024. Independent Commission of Inquiry on Syria was established in August 2011 by the Human Rights Council to investigate all alleged violations of international human rights law since March

2011. Commission's mandate has been extended several times to ensure its continued efforts to report on violations and identify those responsible.

- ☛ Independent International Commission of Inquiry on the Syrian Arab Republic collects evidence and testimonies about various violations of international human rights law.
- ☛ Commission issues periodic and comprehensive reports to the Human Rights Council on situation in Syria and provides recommendations to international community.
- ☛ Commission works to identify individuals and groups involved in committing violations with the aim of holding them accountable.
- ☛ Establishing a foundation for missing persons, clarifying the fate and whereabouts of missing persons, and providing support to victims, survivors and their families.

Since start of conflict in Syria in 2011, Syrian government's cooperation with independent international investigative missions and commissions has been very limited. Syrian government has repeatedly refused to allow these committees to enter the country to conduct field investigations. Instead, these committees have relied on gathering information from testimonies and evidence provided by Syrian refugees and citizens abroad, as well as on photos and open-source evidence. Representatives of the committees have confirmed in their reports to the Human Rights Council that the Syrian government did not allow them entry to conduct direct field investigations. Commission has relied on interviews with eyewitnesses, analysis of physical evidence and videos, and information provided by non-governmental organizations and member states. Reports have also indicated that Syria has been refusing to cooperate with any international mechanism that it considers threatening its national sovereignty, which has further complicated the committees' task of documenting violations and identifying those responsible for them. In its final report submitted in February 2024 to Human Rights Council, Committee stated that its investigations are still restricted due to the refusal to allow it to enter Syrian territory, which is one of the various obstacles facing the Committee during its work.¹⁴

¹⁴ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/A_HRC_55_64_EN.pdf

3. Commission of Inquiry into Occupied Palestinian Territories, including East Jerusalem and Israel

Human Rights Council conducted an interactive dialogue with Commission of Inquiry on Occupied Palestinian Territories, including East Jerusalem and Israel, at the 56th session on June 19, 2024. Commission was established pursuant to Resolution No. A/HRC/RES/S-30/1 on 5/27/2021 issued by the United Nations Human Rights Council. The Investigation into the Occupied Palestinian Territories, including East Jerusalem and Israel, established in May 2021, is charged with several key tasks. These include:

- ☛ Investigating violations of human rights and international humanitarian law by all parties involved in conflict.
- ☛ Conducting interviews with witnesses and victims inside and outside occupied territories, including refugees.
- ☛ Analyzing documents and evidence such as medical reports, photos, and videos of crimes and violations, whether by Israeli forces or Palestinian armed groups.
- ☛ Committee makes recommendations to the United Nations and international community on how to address and prevent future violations.

Israel did not cooperate with the Independent International Commission of Inquiry regarding the occupied Palestinian territories, including East Jerusalem, and Israel. Israeli authorities prevented the Commission from entering Israel and the occupied Palestinian territories, obstructing investigations into serious violations of human rights and international humanitarian law. The Committee based its investigations on interviews conducted remotely and with victims and witnesses in Turkey and Egypt, in addition to analysis of open evidence and multiple sources, including satellite images and forensic medical reports. Independent International Commission of Inquiry has confirmed that Israel has not responded to the commission's annual requests since its establishment in 1968, and has not allowed members of the commission to enter the occupied territories. In its 2024 report submitted to the Human Rights Council, the Committee presented clear evidence of Israeli policies that systematically violate the human rights of Palestinians, which several speakers described as akin to apartheid. Committee sent six requests for information and access to the Government of Israel, and one request for information to the State of Palestine. While the State of Palestine provided extensive comments, Committee did not receive any responses from Israel. In fact, some Israeli

government institutions urged doctors not to cooperate with the Committee. Committee faced several challenges in its investigations, particularly in Gaza, where its ability to communicate with victims and witnesses was limited due to ongoing fighting and a significant communications outage.

4. Independent International Fact-Finding Mission on Myanmar

United Nations Human Rights Council established the Independent International Fact-Finding Mission on Myanmar in March 2017. The mission's mandate was to determine the facts and circumstances relating to alleged human rights violations and abuses committed by Myanmar's military and security forces, particularly in Rakhine State, against the Rohingya Muslim minority. This includes allegations of arbitrary detention, torture and inhuman treatment, rape and other forms of sexual violence, extrajudicial killing, summary or arbitrary killing, enforced disappearance, forced displacement, and unlawful destruction of property, in order to ensure full accountability for perpetrators and justice for victims.¹⁵ The mission faced major challenges, as the Myanmar government did not allow mission members to access the areas in question to collect evidence, and refused to fully cooperate with the mission despite numerous appeals. These challenges prompted the mission to use alternative methods and techniques for collecting evidence, such as interviewing victims and witnesses and collecting evidence from refugees fleeing violence in neighboring Bangladesh. Despite these challenges, the mission was able to achieve its goals and objectives. It issued several reports based on interviews with fleeing witnesses from the violence in Bangladesh, which revealed human rights violations committed by the military and security forces in Myanmar against the Rohingya Muslim minority. The mission's mandate ended in early September 2019, after it handed over its evidence about human rights violations in Myanmar to the Independent Investigative Mechanism in Myanmar, which has been operating since August 30, 2019 to collect evidence on the most serious international crimes and violations of international law in Myanmar, and prepare files to ensure criminal prosecution and bring perpetrators of serious international crimes in Myanmar to justice.¹⁶

¹⁵ Independent International Fact-Finding Mission on Myanmar, link: <https://tinyt.io/B1u9>

¹⁶ Fact Sheet: Basic Facts About the UN Independent International Fact-Finding Mission on Myanmar, UN HRC, 16 Sep 2019, link: <https://tinyt.io/B1u4>

5. Commission of Inquiry on Burundi

Human Rights Council established the Commission of Inquiry on Burundi in September 2016 to independently investigate serious human rights violations committed in the context of the political and security crisis that has occurred in Burundi since April 2015, following the re-election of the late President Nkurunziza for an unconstitutional third term. Commission's responsibility is to conduct comprehensive and independent investigations into human rights violations and abuses committed in Burundi, including violations related to extrajudicial killings, enforced disappearances, arbitrary arrest and detention, torture, sexual violence, and restrictions on freedom of expression, assembly, and association. Commission is also tasked with identifying alleged perpetrators to ensure full accountability.¹⁷

Commission of Inquiry in Burundi faced significant challenges due to lack of cooperation from the government. The authorities rejected Commission's repeated attempts to establish dialogue and request information. They did not allow Commission's members to access relevant areas in Burundi to collect evidence, and they threatened victims and witnesses who intended to provide testimony about human rights violations. These factors made it difficult for the Committee members to document the human rights violations that occurred in the country or to conduct comprehensive investigations. However, Commission was able to overcome these challenges by adopting alternative methods to collect evidence and document violations. This was achieved by holding several interviews with more than 500 Burundian witnesses living abroad as refugees. Based on these interviews, the Commission was able to issue several reports, concluding that serious human rights violations and abuses had been committed in Burundi since April 2015. The documented violations included arbitrary arrests and detention, acts of torture, cruel, inhuman or degrading treatment, extrajudicial executions, enforced disappearances, rape, and other forms of sexual violence.¹⁸ Commission identified several alleged perpetrators, including high-ranking officials of National Intelligence Service, National Police Force, military officials, and members of the Youth League of ruling party, to ensure their prosecution and accountability.¹⁹

¹⁷ Commission of Inquiry on Burundi, United Nations Human Rights Council, link: <https://tinyl.io/B251>

¹⁸ Commission calls on Burundian government to put an end to serious human rights violations, , OHCHR, 29 September 2017, link: <https://tinyl.io/B1vH>

¹⁹ Burundi: Commission of inquiry calls on the International Criminal Court to investigate possible crimes against humanity, OHCHR, 4 September 2017, link: <https://tinyl.io/B1vE>

6. Independent International Commission of Inquiry on Eritrea

Independent International Commission of Inquiry on Eritrea was established by the United Nations Human Rights Council in June 2014 to investigate all systematic, widespread, and gross human rights violations that have occurred in Eritrea since its independence in 1991. These violations include extrajudicial killings, enforced disappearances, arbitrary arrest and detention, torture and inhumane prison conditions, violations of freedom of expression, opinion, association, assembly, religion, belief, and movement, as well as forced military conscription. Commission was also tasked with investigating whether these violations may amount to crimes against humanity and identifying alleged perpetrators.²⁰

Eritrean government did not grant the Commission of Inquiry access to the country, refused to cooperate fully, and ignored the Commission repeated requests for direct access and information, making it difficult for the Commission members to conduct investigations on the ground. These challenges prompted the Commission to devise alternative means of collecting evidence. Committee traveled to eight other countries and conducted about 550 confidential interviews with Eritrean witnesses residing in third countries. They also received 160 written accounts from Eritrean refugees in the diaspora. Despite the obstacles and challenges, including the Eritrean government's refusal of access and the fear of revenge among witnesses residing outside Eritrea, the Commission was able to collect evidence and access the required information. The Commission concluded that the Government of Eritrea is responsible for systematic, widespread, and gross human rights violations, some of which constitute crimes against humanity, including extrajudicial executions, torture, forced military conscription, and forced labor. Commission identified a number of alleged perpetrators, including the Eritrean President and his office, the Eritrean Defense Forces (particularly Eritrean Army), National Security Bureau, Eritrean Police Forces, Ministry of Information, Ministry of Justice, and Popular Front for Democracy and Justice.²¹

²⁰ Commission of Inquiry on Human Rights in Eritrea, United Nations Human Rights Council, link: <https://tiny1.io/B25S>

²¹ Report of the commission of inquiry on human rights in Eritrea (A/HRC/29/42), UN HRC, 8 Jun 2015, link: <https://tiny1.io/B26J>

Results & Recommendations:

International investigative bodies, such as the investigation committees and missions of the Human Rights Council, play an effective and important role in investigating allegations of violations of international human rights, international humanitarian law, or international criminal law. They make recommendations for corrective measures and identify alleged perpetrators in preparation for prosecution. However, these committees and missions may face challenges that hinder their work, such as inability to reach the areas concerned and lack of cooperation from governments involved. These challenges can undermine their ability to fully carry out their assigned roles. The lack of approval from the concerned state regarding the decision to establish the investigation body is an additional factor that makes it difficult for the Committee to enter state lands. Despite these challenges, the Study reached the following conclusions:

1. International investigative bodies play an important and indispensable role in investigating allegations of violations and making recommendations for corrective measures.
2. The effectiveness of these bodies is not significantly affected by the challenges they may face, including the inability to reach the areas concerned and the lack of cooperation from governments.
3. Access to countries or regions concerned is necessary to ensure maximum impact and success, but effective fact-finding is possible without direct access.
4. It is necessary to remove any obstacles to the presence of victims or witnesses and provide protection against any acts of violence, intimidation, threats, reprisals, or discrimination due to their cooperation with the committee.
5. International investigative bodies can use alternative methods to collect evidence and achieve their goals, even without having direct access to regions and countries concerned.

Based on these findings, Maat for Peace, Development and Human Rights recommends that the Human Rights Council continue to rely on international investigative bodies as International Commission of Inquiry and International Fact-Finding Mission as an effective and indispensable tool in investigating all allegations of human rights violations, international humanitarian law, or international criminal law even in cases where these bodies may face challenges related to inability to reach areas in question and lack of cooperation with governments. Maat also urges member states to cooperate fully with international investigators and grant them unrestricted access.

Appendix (1): List of Investigative Bodies Assigned by Human Rights Council

| # | Investigation Commission | Mandate Date |
|----|--|------------------------------------|
| 1 | Group of Independent Experts on the Situation of Human Rights in Belarus | April 4, 2024 to present |
| 2 | Independent International Fact-Finding Mission in Sudan | October 11, 2023 to date |
| 3 | Independent International Fact-Finding Mission on the Islamic Republic of Iran | November 24 to present |
| 4 | Group of Human Rights Experts on Nicaragua | March 31, 2022 to date |
| 5 | Independent International Commission of Inquiry into Ukraine | March 4, 2022 to present |
| 6 | International Commission of Human Rights Experts on Ethiopia | December 21, 2021 to October 2023 |
| 7 | The Independent International Commission of Inquiry into the Occupied Palestinian Territory and Israel | May 27, 2021 to present |
| 8 | Experts on the human rights situation in Belarus | March 2021 to April 2024 |
| 9 | Independent Fact-Finding Mission on Libya | June 22, 2020 to April 2023 |
| 10 | independent international fact-finding mission on the Bolivarian Republic of Venezuela | September 24, 2019 to date |
| 11 | Independent Investigative Mechanism in Myanmar | September 25, 2018 to date |
| 12 | International Group of Experts on the Democratic Republic of the Congo | July 6, 2018 to present |
| 13 | Commission of Inquiry into the protests in the occupied Palestinian territories in 2018 | May 18, 2018 to March 2019 |
| 14 | Group of Eminent Experts on the Human Rights Situation in Yemen | September 29, 2017 to October 2021 |

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| 15 | OHCHR mission on the human rights situation in Burundi | September 29, 2017 to September 2018 |
| 16 | International Group of Experts on the Kasai Region in the Democratic Republic of the Congo | June 23, 2017 to June 2018 |
| 17 | Independent International Fact-Finding Mission on Myanmar | March 24, 2017 to October 2019 |
| 18 | Commission of Inquiry on Burundi | September 30, 2016 to October 2021 |
| 19 | South Sudan Human Rights Commission | March 23, 2016 to date |
| 20 | UN Independent Commission of Inquiry on Burundi | December 17, 2015 to September 2016 |
| 21 | OHCHR monitoring mission in South Sudan | July 2, 2015 to March 2016 |
| 22 | Fact-finding mission of the United Nations High Commissioner for Support in Libya | March 27, 2015 to March 2016 |
| 23 | The investigative mission of the United Nations High Commissioner for Human Rights to Iraq (ISIS) | September 1, 2014 to March 2015 |
| 24 | The United Nations Independent International Commission of Inquiry into the 2014 Gaza Conflict | July 23, 2014 to June 2015 |
| 25 | Independent International Commission of Inquiry on Eritrea | June 27, 2014 to June 2016 |
| 26 | OHCHR Commission of Inquiry on Sri Lanka | March 27, 2014 to September 2015 |
| 27 | UN High Commissioner fact-finding mission to the Central African Republic | June 13, 2013 to September 2013 |
| 28 | Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea | March 21, 2013 to March 2014 |
| 29 | Independent international fact-finding mission to investigate the effects of Israeli settlements on the civil, political, economic, social and cultural rights of | March 22, 2012 to March 2013 |

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| | the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem | |
| 30 | The Independent International Commission of Inquiry on the Syrian Arab Republic | August 23, 2011 to date |
| 31 | OHCHR fact-finding mission to the Syrian Arab Republic | April 29, 2011 to September 2011 |
| 32 | Independent International Commission of Inquiry on Côte d'Ivoire | March 25, 2011 to June 2011 |
| 33 | International Commission of Inquiry on Libya | February 25, 2011 to March 2012 |
| 34 | International fact-finding mission to investigate violations of international law, including international humanitarian law and human rights law, resulting from Israeli attacks on a flotilla of ships carrying humanitarian aid | June 2, 2010 to September 2010 |
| 35 | A committee of independent experts to monitor and evaluate any local, legal or other measures taken by both the Government of Israel and the Palestinian side | March 25, 2010 to May 2011 |
| 36 | United Nations Fact-Finding Mission on the Gaza Conflict | January 12, 2009 to September 2010 |
| 37 | High-level mission on the human rights situation in Darfur | December 13, 2006 to November 28, 2007 |
| 38 | High-level fact-finding mission to Beit Hanoun (North Gaza) | November 15, 2006 to September 2008 |
| 39 | Commission of Inquiry on Lebanon | August 11, 2006 to November 2006 |
| 40 | Fact-finding mission on the human rights situation in the Palestinian territory occupied since 1967 | July 6, 2006 to (not implemented) |