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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED "HUMAN RIGHTS COUNCIL"**

**Letter dated 11 December 2006 from Archbishop Desmond Tutu,
Head of Delegation of the High-Level Fact-Finding Mission established under
Human Rights Council resolution S-3/1, addressed to the President of the Council**

I am writing to inform you of developments in implementing Human Rights Council resolution S-3/1, under which you appointed me to lead the High-Level Fact-Finding Mission to Beit Hanoun in the Palestinian territory of Gaza.

Following my appointment, I arrived in Geneva on 1 December and was briefed by the Secretariat team assembled by the High Commissioner for Human Rights. On 4 December, I met with Mr. Itzhak Levanon, Permanent Representative of Israel to the Office of the United Nations and the Specialized Institutions in Geneva. During this meeting I stressed my desire to meet with both Palestinian and Israeli officials and with non-governmental organizations, with a view to hearing the views of all. The Permanent Representative made it clear that, while the position of his Government at that time was not to cooperate with the Mission, the members of the Mission would not be barred from entering Gaza via Israel. This position was reiterated in a number of comments to the media by Israeli officials.

On this basis, travel to Israel and Gaza was planned for 10 to 15 December 2006. As I have made clear to all concerned, I must return to Cape Town by 16 December at the latest, in view of previous commitments. A later departure would not allow for the Mission to be completed appropriately. Following the meeting with Mr. Levanon, visas to enter Israel were sought (for those needing them) on 5 December, indicating that the arrival date of the Mission in Israel would be 10 December.

You appointed Prof. Christine Chinkin to the Mission on 6 December and she travelled immediately to Geneva on 7 December. Since that time, the Mission has held a number of meetings in Geneva in preparation for departure to Beit Hanoun. In addition to meetings with Mr. Levanon, meetings were held with the Permanent Representative of Egypt, the Representative of the Palestinian Authority, the High Commissioner for Human Rights, as well as with you. Briefings were provided by the World Health Organization, the United Nations Conference on Trade and Development, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Office for the Coordination of Humanitarian Affairs, staff of the Office of the High Commissioner for Human Rights, United Nations Security and Safety Section colleagues, and human rights organizations working in the region. A comprehensive programme of meetings in Gaza and Israel was arranged.

As of today, 11 December 2006, no formal response to the Mission's request for visas has been received from Israeli authorities. On 8 December, I indicated to Mr. Levanon that, should visas not be received (or confirmation that visas would be issued) by 4 p.m. that day, the Mission would not be able to travel on 10 December, and that the Mission would assume that visas had been denied by the Government of Israel. I have had no communication with the Permanent Representative or any Israeli authorities since that time, and must conclude that visas have been denied.

The Mission has considered other means of fulfilling the mandate entrusted to it by the Council. One option considered was to travel to Beit Hanoun via Egypt. However, this option would not have allowed the Mission to meet with Israeli individuals and organizations which, as I have said, would be central to a comprehensive consideration of the context in general and the events in Beit Hanoun in particular.

In the circumstances, I would like to inform you that the work of the Mission has been frustrated by the failure of Israel to grant the necessary visas. In the light of the fact that the core mandate of the Mission was "to travel to Beit Hanoun", I regret to inform you that the Mission is unable to fulfil its mandate and will not be able to present a report to the Human Rights Council as requested. I would appreciate your drawing the attention of members of the Council to the contents of this letter.

Please accept the assurances of my highest consideration.

God bless you.

(Signed)

Desmond Tutu
Archbishop Emeritus of Cape Town, Head of
Delegation of the Fact-Finding Mission
established under Council resolution S-3/1

