



Evaluating Mechanisms to Investigate Attacks on Healthcare

Commissions of Inquiry established by
the Human Rights Council

HRC-Col

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ORIGINS AND SUMMARY

The UN Human Rights Council (HRC) can establish commissions of inquiry to investigate violations of international human rights law as part of its broad mandate to address situations of violations of human rights and to respond to human rights emergencies. Commissions of inquiry established by the Human Rights Council (HRC-Col)¹ are independent international investigative bodies supported by the Office of the High Commissioner for Human Rights (OHCHR).

HRC-Col are established on an ad hoc basis, and their mandates, investigative activities, and methodology vary from one commission to another. HRC-Col establish facts and the circumstances in which these facts occurred and assess them against relevant international law to establish whether they may amount to a violation and what party, entity, group, or individual is responsible. The primary purpose of HRC-Col is to report back to the HRC about alleged violations of international law to inform the council's actions. HRC-Col may also recommend measures to concerned states and other relevant actors to prevent future violations, to ensure that the perpetrators of violations are held accountable and brought to justice, and to ensure victims' right to an effective remedy. Their mandates are not solely fact-oriented—they have a strong legal dimension, as the goal is to identify and redress violations and provoke political action by the Human Rights Council, other UN organs, or member states.

While HRC-Col have never been specifically established with a mandate to investigate attacks against healthcare, to the extent such attacks amount to violations of international law, these have fallen within the purview of certain HRC-Col mandates and, as such, have been reported on and condemned in Col reports.

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LEGAL BASIS AND FRAMEWORK, RELEVANT GUIDELINES

Legal basis and framework

- The [constitutive resolution of the HRC](#) mandates it to “address situations of violations of human rights” and “respond promptly to human rights emergencies.” Establishing commissions of inquiry to investigate alleged violations of human rights to allow the HRC to address the situation and respond to emergencies is generally accepted to

¹ For the purposes of this document, the term HRC commissions of inquiry (HRC-Col) includes all mechanisms established by the council to investigate alleged violations of international law, regardless of what these mechanisms were named (e.g., international fact-finding missions, human rights missions). A full list of Col mandated by the HRC, and its predecessor the UN Commission on Human Rights, is available [here](#).

be part of that the HRC's mandate. Moreover, the HRC's constitutive resolution states that it will assume the mechanisms of its predecessor, the Commission on Human Rights (also a subsidiary organ of the UN General Assembly), which did have the power to establish commissions of inquiry.

- In light of the mandate of the HRC, HRC-Col assess whether the facts under investigation amount to violations of international human rights law (IHRL). However, as many HRC-Col have been established to investigate violations occurring in situations of armed conflict, they have also relied on international humanitarian law (IHL), based either on an explicit request to do so in the mandate or on the interpretation of the mandate by commissioners. Moreover, as many are mandated to ensure accountability for violations, HRC-Col also increasingly reference international criminal law to establish whether the violations they have investigated fulfill the definition of war crimes or crimes against humanity and, if so, to identify alleged perpetrators and foster or recommend avenues for accountability through targeted recommendations.

Relevant rules, guidelines, and methodology

- Office of the High Commissioner for Human Rights (OHCHR), [Commissions of Inquiry and Fact-Finding Missions on International Human Rights and Humanitarian Law: Guidance and Practice](#), 2015.

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SCOPE OF MANDATE AND INVESTIGATIVE ACTIVITIES

Substantive scope: type of incidents within purview of Res 2286 the mechanism can investigate

<p style="text-align: center;">FULL</p> <p style="text-align: center;"><i>The mechanism can look into all incidents that Res2286 seeks to address</i></p>	<p>(✓)</p>	<p>HRC-Col are mandated to investigate alleged violations of IHRL, which includes violations of the right to life, the right to health, and the right to freedom of movement, all of which may be affected by incidents of violence against healthcare. HRC-Col mandated to investigate violations in a situation of armed conflict can also investigate incidents of violence against healthcare that amount to alleged violations of IHL. Some are explicitly mandated to do so (e.g., HRC-Col on Israel/Palestine in 2009, HRC-Col on Gaza in 2014) or do so because commissioners interpreted the mandated to include IHL as a relevant body of law in situations of armed conflict (e.g., HRC-Col on Syria in 2011, HRC-Col on Libya in 2011).</p> <p>Although the mandates of HRC-Col generally stipulate they are to investigate violations of international law, Col have the discretion to look into the wider context and, as such—if they indeed have a general mandate—can look into all incidents of violence against healthcare that fall within the purview of SCR</p>
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		2286, even those that do not qualify as violations of the law. Such examinations allow them to comment or report on broader trends noted over the course of an investigation, even when the evidence available prevents a particular incident from meeting the legal threshold of a violation of IHRL or IHL.
PARTIAL <i>The mechanism can only look into some but not all incidents that Res 2286 seeks to address</i>		N/A
CONDITIONAL <i>The mechanism can only look into incidents where a certain condition related to the mechanism's mandate is met</i>	(✓)	When a given HRC-Col is mandated to investigate a specific issue or a specific human rights violation or international crime (e.g., HRC-Col on Syria in 2011 , HRC-Col on North Korea in 2013 , mandated specifically to investigate crimes against humanity), it can only investigate incidents of violence against healthcare that fall within that specific mandate.
SINGLE INCIDENTS <i>The mechanism can be used to investigate single incidents within the purview of Res 2286</i>	✓	HRC-Col can and have been used to investigate single incidents that allegedly amount to a violation of IHRL or IHL (e.g., HRC-Col on the assault on Beit Hanoun in 2006 , HRC-Col on the flotilla incident in 2010). To be noted that even HRC-Col with a general mandate (such as those referred to above) have at times reported extensively on specific incidents, including attacks against healthcare (e.g., HRC-Col on Libya in 2011 , HRC-Col on Israel/Palestine in 2014).

Geographic scope

GLOBAL <i>The mechanism can be activated to look into incidents regardless of where these occurred</i>	✓	The HRC can establish a Col to investigate alleged violations of IHRL/IHL regardless of where these have occurred. In practice, Col established by the HRC have investigated incidents that occurred in a specific country or territory, but HRC-Col could also be established to cover a broader region or just a certain part of a country or territory (e.g., Col on HRC-Col on Darfur in 2006 , Col on HRC-Col on Israel/Palestine in 2014).
REGION-SPECIFIC <i>The mechanism can only be activated to look into incidents that have occurred in a specific region</i>		N/A
COUNTRY-SPECIFIC <i>The mechanism can only be activated to look into incidents that have occurred in a specific country</i>	✓	N/A

Type of investigative activities

MONITORING AND REPORTING <i>Actively monitoring conflict to identify and report on trends/patterns of violations of IHL/IHRL</i>		(✓)	Depending on their mandate and the situation in-country when their investigation takes place, HRC-Col can also proactively monitor alleged violations of IHRL and IHL and report on trends or patterns to the HRC.
FACT-FINDING & INVESTIGATING	Identifying possible violations of international law <i>Establishing facts and circumstances of specific incidents or series of incidents and assess against relevant legal framework (IHL/IHRL)</i>	✓	HRC-Col are established primarily to establish facts and the circumstances in which such facts occur and to make a legal finding on whether violations of IHRL or IHL have allegedly occurred.
	Identifying those responsible <i>Identifying entities/persons responsible for or with influence over facts/circumstances</i>	(✓)	Some HRC-Col have also been mandated to identify those allegedly responsible for violations (e.g., HRC-Col on Israel/Palestine in 2014 , HRC-Col on Syria in 2011 , HRC-Col on Libya in 2011). Some HRC-Col have identified those allegedly responsible for violations despite not being specifically mandated to do so (e.g., HRC-Col on Eritrea in 2014).
	Identifying perpetrators of crimes <i>Identifying entities/persons allegedly responsible for war crimes or crimes against humanity</i>	(✓)	Some HRC-Col have been explicitly mandated to identify perpetrators of international crimes (e.g., HRC-Col on Burundi in 2016 , HRC-Col on Gaza in 2014 , HRC-Col on Syria in 2011 , Col on HRC-Col on Libya in 2011 , HRC-Col on Côte d'Ivoire in 2011) and—in the case of the HRC-Col on Syria in 2011—to support or assist accountability processes or mechanisms to ensure the persons they have identified are held accountable or that victims have avenues to seek justice (which can be a broad or narrow definition, potentially including restorative justice).
COLLECTING EVIDENCE OF ALLEGED CRIMES <i>Collecting (and corroborating) evidence of alleged war crimes or crimes against humanity</i>		(✓)	It is part of standard investigative practice for HRC-Col to collect and preserve evidence of violations of IHRL or IHL (witness statements, documents, audio-visual materials, etc., that can be used to prove a violation of the law has occurred). This being said, HRC-Col are not judicial bodies, and their standards of proof, in most cases, are not the same as those used by prosecutors in court or even for the purposes of indictment. Hence, much of the information and evidence HRC-Col collect and that could serve as evidence in criminal accountability processes would, if made available to investigating authorities or courts, need to be corroborated, complemented, or further developed to attain a criminal

		<p>standard of proof by the prosecuting authorities.</p> <p>Evidence provided by Col is therefore usually used by prosecutors as crime-based evidence or as a conflict map to help in formulating their strategic investigation plans or by judicial authorities as expert contextual information.</p>
	<p>ASSESSING VICTIMS' GRIEVANCES <i>Identifying direct/indirect consequences of attacks and assess need for reparations</i></p>	<p>(✓)</p> <p>The HRC-Col on Syria from 2011 to 2017 and HRC-Col on Myanmar in 2017 were specifically mandated to investigate with a view to ensuring justice for victims. Other HRC-Col may not specifically be mandated to assess victims' grievances and needs, but most of them do make findings related to victims' rights to truth and justice. Some HRC-Col have also assessed victims' needs that are not directly related to accountability for violations of international law (e.g., HRC-Col on Beit Hanoun in 2006, HRC-Col on Eritrea in 2014, HRC-Col on South Sudan in 2016).</p>
<p>RECOMMENDATIONS TO</p>	<p>Prevent future incidents <i>Identify/propose corrective measures to prevent future incidents</i></p>	<p>(✓)</p> <p>HRC-Col can make recommendations on how to prevent future incidents to all relevant stakeholders (parties to the conflict, other UN entities, the international community). A notable example is the HRC-Col on Israel/Palestine in 2014, which recommended ways to protect civilians. Other examples include recommendations for judicial and legal reform (e.g., HRC-Col on Eritrea in 2014, HRC-Col on North Korea in 2013, HRC-Col on Libya in 2011), political and institutional reform (e.g., HRC-Col on North Korea in 2013), security sector reform (e.g., HRC-Col on South Sudan in 2016), training of officials (e.g., HRC-Col on Libya in 2011), a review of policies governing military operations (e.g., HRC-Col on Israel/Palestine in 2014), and calls for compliance with the law (e.g., HRC-Col on Palestine/Israel in 2014, HRC-Col on Eritrea in 2014, HRC-Col on Syria in 2011, HRC-Col on Libya in 2011).</p>
	<p>Ensure accountability for violations of IHL/IHRL <i>Identify appropriate avenues and concrete actions to ensure accountability</i></p>	<p>(✓)</p> <p>HRC-Col reports increasingly include recommendations on ensuring accountability and, in particular, ensuring that international crimes are prosecuted (e.g., HRC-Col on Libya in 2011, HRC-Col on Côte d'Ivoire in 2011, HRC-Col on Syria in 2011, HRC-Col on North Korea in 2013, HRC-Col on Israel/Palestine in 2014, HRC-Col on Burundi in 2017).</p>
	<p>Ensure reparations and/or address other victims' other grievances</p>	<p>HRC-Col Reports regularly include recommendations regarding reparations and other forms of addressing victims' needs.</p>

		(✓)	Beyond general calls for reparations (e.g., HRC-Col on Gaza in 2014 , HRC-Col on Eritrea in 2014), these can include provision of psychosocial support (e.g., HRC-Col on South Sudan in 2016), establishment of a compensation and reparations authority (e.g., HRC-Col on South Sudan in 2016), and provision of information on the fate of the missing/disappeared (e.g., HRC-Col on Eritrea in 2014 , HRC-Col on North Korea in 2013).
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4 INVESTIGATIVE TEAM MEMBERS AND IMPACT ON INDEPENDENCE AND IMPARTIALITY

Membership	Election/appointment	Guarantees of independence & impartiality
Most HRC-Col are composed of three to five independent experts with the appropriate qualifications (knowledge and experience in relevant branches of international law; experience in the field; personal integrity and high moral standing, including a proven record of independence and impartiality). The chair of the Col is appointed by the president of the HRC or elected by the other members of the Col if the HRC president has not designated a chair.	Commissioners are selected and appointed by the president of the HRC as representatives of the mandating authority. The president of the HRC generally seeks the views of states, NGOs, and the OHCHR regarding possible candidates. OHCHR reviews candidates based on the requirements of each Col and submits recommendations for selection to the president of the HRC. The final decision rests with the president of the HRC.	<p>HRC-Col members sign a declaration of independence and impartiality.</p> <p>They are not remunerated and are not UN staff. However, they do enjoy privileges and immunities as UN experts on mission that allow them to carry out their functions independently.</p> <p>Col function independently from the HRC, member states, UN agencies, funds, and programs, including OHCHR, and any other actors.</p>

Activator/Creator	Authorization/Enabler	Duration to activate/create
<p>HRC-Col are ad hoc investigative mechanisms. They are established by an HRC resolution adopted by a simple majority of the council members present and voting. The resolution must be tabled by one or more member states. Other actors, including the high commissioner for human rights or NGOs, can and have encouraged member states to table a resolution to establish a Col.</p>	<p>The HRC can establish a Col without the consent of the concerned states or any other parties to a conflict.</p>	<p>Once the resolution is adopted, the president of the HRC, with the support of OHCHR, proceeds with the selection and appointment of commissioners and the establishment of a secretariat. Appointment of members and securing their availability may stretch over weeks or even months.</p> <p>It has been general practice for the Col secretariat to be set up before the Col convenes for the first time.</p>

	Pre-existing	To be established when activated/created
<p>Human resources</p>	<p>OHCHR maintains a list of well-qualified high-level persons who may be considered for being Col members.</p>	<p>Each HCR-Col is supported by a dedicated secretariat provided by OHCHR. The size of the secretariat depends on (and should be commensurate with) its mandate. It may include a coordinator, an investigative team leader, human rights investigators, a legal adviser, analysts, a witness/source protection officer, assistants, interpreters, researchers, forensic experts, military advisers, and gender and child protection advisers. Secretariat staff are appointed or recruited by OHCHR. They can be OHCHR staff, staff seconded by other UN entities, or externally hired staff.</p> <p>Best practices as regards to staffing of HRC-Col seem to indicate that support staff requiring specific expertise or with particularly specialized</p>

		skills are better selected through external job openings, Justice Rapid Response , or secondment from specialized agencies, rather than through the existing OHCHR roster process.
Financial resources	HRC-Col are funded by the HRC out of the UN regular budget.	<p>The budget of each specific HRC-Col has to be approved by the HRC financial controller and subsequently by the General Assembly's Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee. It depends on (and should be commensurate with) the mandate of the HRC-Col. Budgets generally range between \$2 and \$5 million (M. Cherif Bassiouni and Christina Abraham, eds., <i>Siracusa Guidelines for International, Regional and National Fact-Finding Bodies</i>, 2013, p. 6).</p> <p>There is no template approach to budgets, but they need to take into account the expenses of HRC-Col members, the remuneration of HRC-Col secretariat staff, and operational expenses required to carry out investigations.</p>

7 OUTCOME AND FOLLOW-UP

Confidential reporting to and dialogue with parties to the conflict		N/A
Public reporting to UN and/or other international organizations	✓	<p>HRC-Col report to the HRC, so as to inform the council's action. It is also general practice for their reports to be publicly available on the OHCHR's website. However, some HRC-Col reports have confidential annexes, including those that list names of alleged perpetrators. Disclosure of these annexes cannot be compelled because, as UN documents, they are protected by UN evidentiary privileges. The UN secretary-general may, if he or she deems it appropriate and in line with UN policy and practice on the release of confidential documents, decide to waive that privilege.</p> <p>Presentations of HRC-Col reports in the HRC are followed by an interactive dialogue in the council, which is also open to the public. In most instances, the HRC will adopt a resolution endorsing either all the report's conclusions and recommendations or aspects of it and call for them to be implemented accordingly.</p>

		<p>HRC-Col are also able to issue special thematic conference room papers outside of the mandated reporting timeframe. These public reports have no set length or limitation as to topics that can be covered. For example, the HRC-Col on Syria, to date, has published eight such papers on issues ranging from deaths in places of detention to attacks on healthcare.</p> <p>The General Assembly also considers the work of the HRC, including that of HRC-Col. The annual report of the HRC is considered by the General Assembly plenary and its Third Committee, which considers and acts on recommendations from the HRC to the assembly. The Security Council has held Arria formula meetings to hear directly from the HR-Col on Syria.</p>
<p>Transmissibility to judicial mechanisms</p>	<p>✓</p>	<p>As they are publicly available, HRC-Col reports can and have been used as a source of information by both national and international judicial and other accountability mechanisms. Some HRC-Col have been explicitly mandated to preserve the information gathered and eventually transfer it for use in subsequent criminal investigations (e.g., HRC-Col on Syria).²</p> <p>As many HRC-Col are strongly geared toward ensuring accountability and bringing perpetrators of war crimes and crimes against humanity to justice, their investigations have at times taken on a quasi-judicial nature. While their standard of proof is generally lower than that required for criminal prosecution (see also above), they tend to collect information and evidence for the purpose of informing and assisting prosecution and increasingly collect information and evidence to identify and list alleged perpetrators of crimes. Such lists are not generally included in public reports. They may, however, be shared with judicial bodies upon request (Al-Haq, "Briefing Note V: An Unprecedented Mandate for Accountability—The UNHRC Commission of Inquiry into Violations of International Law Committed since 13 June 2014," August 14, 2014). The procedure for the release of confidential UN documents mentioned above applies (Convention on the Privileges and Immunities of the United Nations, Section 21; applicable Secretariat guidelines).</p> <p>It should be noted that there is regular, but ad hoc, interaction between the prosecutor of the International</p>

² On that basis, the HRC-Col on Syria has made it a policy to share information in its database directly with prosecutors and judicial authorities undertaking criminal investigations and who make specific requests for relevant data regarding a specific alleged perpetrator or incident. It has received over 200 discrete requests, and at least three prosecutions have been concluded successfully in requesting national jurisdictions. Any such information sharing between the Col and national judicial or prosecutorial authorities is dependent upon the consent of the victims or eye witnesses who provided the information.

		Criminal Court (ICC) and HRC-Col. Information and evidence collected by HRC-Col has been used by the ICC prosecutor in the preliminary investigations phase to inform a decision on whether or not to open a formal investigation.
Follow-up mechanisms	(✓)	<p>As the mandating authority, the HRC can take action to follow up on the findings and recommendations of HRC-Col. Such action can include:</p> <ul style="list-style-type: none"> • Briefing members of the Security Council and General Assembly (e.g., HRC-Col on North Korea in 2013, HRC-Col on Syria on nine different occasions since 2012); • Issuing follow-up reports by the UN secretary-general or OHCHR to the General Assembly (e.g., Col on Israel/Palestine in 2009 and 2014) or to the HRC (e.g., HRC-Col on Libya in 2011); • Establishing a follow-up Col (e.g., HRC-Col on Israel/Palestine in 2010 following the HRC-Col on Gaza in 2009); • Appointing an HRC special rapporteur tasked with securing implementation of HRC-Col recommendations (e.g. HRC-Col on North Korea in 2013) or of HRC-mandated independent experts to continue monitoring the human rights situation (e.g. HRC-Col on Syria in 2011, HRC-Col on Côte d'Ivoire in 2011); • Asking HRC-Col commissioners to assume post-reporting obligations to follow up on and communicate the findings of the report (e.g., HRC-Col on North Korea in 2013); • Monitoring and assisting in the implementation of recommendations by the HRC, international bodies, or regional bodies (e.g., HRC-Col on Libya in 2011 and 2012); and • Asking OHCHR to follow up on recommendations with relevant authorities and actors (e.g., HRC-Col on Eritrea in 2014).
Available enforcement measures for follow-up	(✓)	<p>The HRC itself cannot enforce cooperation with, or implementation of the recommendations of, HRC-Col. However, the Security Council, based on the findings and recommendations of HRC-Col, could:</p> <ul style="list-style-type: none"> • Refer the situation to the ICC (as recommended by the HRC-Col on North Korea in 2013 and HRC-Col on Syria in 2011); • Include alleged perpetrators of IHL/IHRL violations in existing sanctions regimes (as recommended by the HRC-Col on North Korea in 2013);

		<ul style="list-style-type: none"> Place the situation on its regular agenda (the Security Council placed the human rights situation in North Korea on its regular agenda following the HRC-Col on North Korea's 2013 report, despite objections from some permanent members); Establish an ad hoc tribunal; or Request an advisory opinion by the International Court of Justice on a particular issue in an HRC-Col's findings. <p>Aside from placing North Korea on its regular agenda following a recommendation from the HRC-Col on North Korea, the Security Council has taken no concrete enforcement measures as a result of HRC-Col findings or recommendations.</p>
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8 PRECEDENT OF USE FOR ATTACKS ON HEALTHCARE

The HRC has so far established [34 commissions of inquiry](#). The table below lists those that have investigated violations of IHL or have reported on alleged attacks on healthcare. Among those that investigated IHL violations, 10 have reported on attacks on healthcare, some just mentioning the issue and others reporting more extensively on specific incidents. The HRC-Col on South Sudan in 2016 did not investigate violations of IHL but nonetheless briefly mentioned attacks on healthcare.

Commission of Inquiry	Investigated alleged violations of IHL		Investigate alleged attacks on healthcare	
Lebanon (2006)	✓	Mandated to investigate violations of IHL by Israel during the conflict in southern Lebanon in 2006, including assessing the extent and impact on human life and critical infrastructure.	✓	The HRC-Col reported on attacks on medical facilities and medical personnel (pp. 42–47). It made no specific recommendations to prevent or address attacks on healthcare.
Beit Hanoun (2006)	✓	Not mandated to investigate IHL violations, but the HRC-Col decided to extend its mandate to such violations.	✓	The HRC-Col construed its mandate taking into account IHL applicable to medical personnel (p. 3). It reported on restricted access to hospitals (pp. 8, 17), obstacles to emergency treatment (pp. 10–11), delays in evacuation (p. 17), and obstacles to follow-up

				treatment (p. 17). It also reported on violations of the right to physical and mental health (pp. 16–18).
Darfur (2006)	✓	Not mandated to investigate IHL violations, but the HRC-Col decided to extend its mandate to such violations.		The HRC-Col briefly mentioned the devastating impact of the conflict on access to healthcare (p. 15).
Israel/Palestine (2009)	✓	Mandated to investigate violations of IHL by Israel in the Occupied Palestinian Territories.	✓	The HRC-Col reported on violations of the prohibition of attacks on civilian hospitals (p. 19) and on the impact of attacks on healthcare (p. 25). It made no specific recommendations to prevent or address attacks on healthcare.
Israel/Palestine (Flotilla) (2010)	✓	Mandated to investigate violations of international law, including IHL and IHRL, resulting from Israeli attacks on the flotilla of ships carrying humanitarian assistance.		The HRC-Col reported on allegations of mistreatment of patients in Israeli hospitals by police and soldiers (pp. 44–45), delays in medical treatment of the wounded (p. 31), delayed and denied medical treatment (pp. 32, 37, 48), and attacks on medical personnel (p. 44).
Israel/Palestine (2010)	✓	Following the 2009 fact-finding mission, mandated to monitor and assess any domestic, legal, or other proceedings undertaken by both the government of Israel and the Palestinians.		The HRC-Col did not report on attacks on healthcare facilities.
Libya (2011)	✓	Not mandated to investigate IHL violations, but HRC-Col decided to extend its mandate to such violations.	✓	The HRC-Col reported on hospital raids (p. 23), disappearances of medical personnel (p. 31), abductions from hospitals (p. 35), violations of the right to adequate standard of health (p. 36), and attacks on hospitals (pp. 47, 62). It made no specific recommendations to prevent or address attacks on healthcare.

<p>Syria (August 2011)</p>	<p>✓</p>	<p>Not mandated to investigate IHL violations, but HRC-Col decided to extend its mandate to such violations.</p>	<p>✓</p> <p>As early as 2012, the HRC-Col has focused quite a bit of its work on attacks on healthcare, even looking at the broader implications and impact on violations of the right to health.</p> <p>In its 2016 report on Aleppo, the HRC-Col reported on attacks on healthcare facilities (pp. 8–10); concluded that pro-government forces may have committed war crimes by intentionally targeting protected objects, medical personnel, and transport (p. 19); and recommended that all warring parties “end all attacks against aid workers and humanitarian facilities, including medical personnel, hospitals and transport” (p. 21).</p> <p>In its latest report (2017), the HRC-Col reported on the use of sieges characterized by the denial of health items and deliberate and indiscriminate attacks against hospitals (p. 5), and on many other attacks against medical facilities and personnel (pp. 13-14). It recommends:</p> <ul style="list-style-type: none"> - To all parties to “immediately lift all sieges and cease strategies aimed at compelling surrender that primarily affect civilians, including starvation and denial of access to humanitarian aid, food, water and medicine” (p. 17) - To the government of Syria “In accordance with its obligations under customary international humanitarian law and Security Council resolution 2286 (2016), cease attacks on medical facilities, personnel and transport;”
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Syria (April 2011)	✓	Not mandated to investigate IHL violations but HRC-Col decided to extend its mandate to such violations.		This HRC-Col produced only one report. While it did not report on incidents of violence against healthcare, the HRC-Col recommended the Syrian Government "take immediate measures to ensure full and unhindered access for humanitarian workers to provide aid and assistance to those in need" (p.25).
Israeli settlements in Occupied Palestinian Territory (2012)	✓	Not mandated to investigate IHL violations, but HRC-Col decided to extend its mandate to such violations.		The HRC-Col did not report on attacks on healthcare facilities.
Mali (2013)	✓	Not mandated to investigate IHL violations, but HRC-Col decided to extend its mandate to such violations.		The HRC-FFM reported on the impediment of the effective delivery and distribution of humanitarian aid in the north of the country, without specific reference however to medical aid (p. 17). It made the following recommendations (p. 18): <ul style="list-style-type: none"> - <i>To the Government of Mali:</i> "ensure that all security forces receive training on the principles of international law, human rights law, and humanitarian law" <p><i>To the international community:</i> "Strengthen the capacity of the United Nations system in Mali in the following areas: (iii) a human rights-based approach in the planning and implementation of the humanitarian response.</p>
Central African Republic (2013)	✓	Mandated to report on the human rights situation in the Central African Republic and a report evaluating the needs for technical	✓	The HRC-Col reported on attacks and hospitals which were looted, ransacked or occupied by armed groups (p. 15), and made the following recommendations: <ul style="list-style-type: none"> - <i>To the transitional Government:</i> "Facilitate

		assistance and capacity-building in the Central African Republic, but also looked into violations of IHL.		humanitarian access to all people (...)" (p. 18) - <i>To the Human Rights Council</i> : "The High Commissioner recommends that the Human Rights Council appoint a special procedure on the situation of human rights in the Central African Republic to ensure accountability for serious crimes, by means of referral to justice, possibly to the International Criminal Court". (p. 19)
Israel/Palestine (2014)	✓	Mandated to investigate violations of IHL.	✓	The HRC-Col reported on attacks on healthcare facilities, ambulances, incidents of preventing the evacuation of the wounded, and failure to provide medical assistance to wounded persons. It recommended that investigations by the military advocate general pay particular attention to allegations relating to attacks on health personnel and ambulances (pp. 93–94, 97, 98, 86–88, 121–124, 158) and found that some of the incidents constituted violations of the prohibition of attacks on medical transports and may amount to war crimes (para. 464).
Sri Lanka (2014)	✓	Mandated to investigate and report on alleged serious violations and abuses of human rights and related crimes during the armed conflict in Sri Lanka, but also looked into violations of IHL.		The HRC-Col found considerable restrictions on freedom of movement of humanitarian personnel and on humanitarian activities, without specifically referencing medical personnel or activities.
Iraq (2014)	✓	Mandated to investigate alleged allegations and abuses of international human rights law (...) and to establish the facts and		While it did not report on incidents of violence against healthcare, one of the recommendations made by the HRC-Col to the Iraqi government is to:

		circumstances of such abuses and violations, with a view to avoiding impunity and ensuring full accountability", also looked into violations of IHL.		"Ensure that all Iraqis currently displaced have access to essential services and fundamental rights, such as access to adequate health care (...), establish non-discriminatory procedures for access to safe-zones, taking into consideration the humanitarian imperative (...)" (p. 17)
Libya (2015)	✓	Mandated to investigate violations and abuses of international human rights law committed in Libya since the beginning of 2014, and to establish the facts and circumstances of such abuses and violations with a view to avoiding impunity and ensuring full accountability; but also looked into violations of IHL with the context of non-international armed conflict.	✓	The HRC-Col investigated and reported on attacks against or impacting "persons and objects given special protection under international humanitarian law, in particular ambulances, health facilities and workers and humanitarian workers" (p. 31) and recommended that all parties to the conflict: <ul style="list-style-type: none"> - "Desist immediately from all violations of international human rights law and international humanitarian law and abuses of human rights (...)" (p. 85) - "Ensure prompt, thorough and effective investigation by independent and impartial bodies of allegations of violations and abuses and that those responsible are held accountable" (p. 85).
Boko Haram (2015)	✓	Mandated to investigate abuses and violations of human rights and international humanitarian law committed by Boko Haram for the period when the conflict became regionalized, from December 2013 until July 2015.	✓	The HRC-Col reported on attacks against health centers in Nigeria and Cameroon (p.10), but made no recommendations as to the prevention of these attacks.
South Sudan (2016)		Not mandated to investigate violations of IHL.	✓	The HRC-Col mentioned attacks on hospitals (p. 8) without further information on specific incidents or recommendations to prevent or address attacks on healthcare.