

## Côte d'Ivoire: Act Swiftly on UN Inquiry

Human Rights Watch

Security Council Should Release 2004 Report on Grave Crimes JUNE 15, 2011 (...) (Dakar) - The Ivorian government should swiftly carry out the main recommendations of a new United Nations report and ensure fair, credible justice for grave crimes committed after the 2010 presidential elections, Human Rights Watch said today. The UN Commission of Inquiry report was presented before the UN Human Rights Council on June 15, 2011.

The commission, established by the Human Rights Council in late March, looked into the six months of violence that followed former President Laurent Gbagbo's refusal to step down after President Alassane Ouattara won the November 28 runoff vote. The commission documented serious violations of international law - including potential war crimes and crimes against humanity - by armed forces on both sides. Scores of women were raped during the post-election period, and the death toll is estimated to be at least 3,000.

"The UN Commission of Inquiry report highlights the political and ethnic killings and other heinous crimes by armed forces from both sides," said Corinne Dufka, senior West Africa researcher at Human Rights Watch. "If Côte d'Ivoire is to make the break from the past that President Ouattara has promised, impartial justice for the thousands of victims is essential."

Among its principal recommendations, the commission called on the Ouattara government to ratify the Rome Statute of the International Criminal Court; to address root causes of the conflict, including discrimination; and to help restore security by rapidly disarming thousands of men from groups that took part in the conflict who will not become part of the armed forces. (...)

(...) An annex to the commission's report identifies those most responsible for post-election crimes and recommends criminal investigations of these suspects. The commission has chosen to keep the list confidential. Human Rights Watch urged the commission either to publish the list within a specific time to contribute to efforts to provide truth and justice for victims or to explain why confidentiality is necessary. (...)

(...) Human Rights Watch also called on the Human Rights Council and UN Security Council to take note of the commission's recommendation and publish immediately the 2004 UN Commission of Inquiry report on crimes during the civil war in 2002 and 2003. The report has been kept secret because of some domestic and international concerns at the time that its findings would derail peace negotiations.

Because justice was sidelined, however, many leaders on both sides of the political and military divide remained in power and are again implicated in grave crimes against civilians, Human Rights Watch said. Publication of the 2004 report, including the annex that identified those most responsible for grave violations, would shed needed light on those crimes and help ensure that Côte d'Ivoire ends the complete absence of credible justice over the last decade. (...)

(...) On May 19, the International Criminal Court prosecutor said he would investigate crimes committed in Côte d'Ivoire. Human Rights Watch urged Ouattara and foreign governments, particularly Ghana, where several high-level Gbagbo allies implicated in abuses are rumored to have fled, to cooperate with the ICC if an investigation is opened.

Human Rights Watch also stressed the importance of holding fair domestic trials to ensure

justice for victims and to promote respect for the rule of law in the conflict-ravaged country. Scores of people alleged to have participated in or overseen abuses by the former Gbagbo forces have been in detention for over two months, but prosecutors have still not initiated formal charges. Human Rights Watch called on the government to end this legal limbo and to initiate proceedings swiftly against people in detention, in accordance with law, or release them. (...)

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