



General Assembly

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Human Rights Council

Seventeenth session

Agenda item 10

Technical assistance and capacity-building

Nigeria (on behalf of the African Group): draft resolution

17/... Assistance to Côte d'Ivoire in the field of human rights*The Human Rights Council,**Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights and relevant human rights treaties,*Recalling* General Assembly resolution 60/251 of 15 March 2006,*Recalling also, its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,**Recalling further* Human Rights Council resolution S-14/1, adopted by the Council on 23 December 2010 at its special session on the situation of human rights in Côte d'Ivoire in relation to the conclusion of the 2010 presidential election, and Council resolution 16/25 of 25 March 2011, in which it decided to dispatch an independent, international commission of inquiry to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential election of 28 November 2010,*Reaffirming* that all States are bound to promote and protect all human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights and international human rights treaties to which they are party,*Reaffirming also* that it is the responsibility of States to promote and protect all human rights and fundamental freedoms, to investigate alleged violations of international law committed by all parties, including alleged

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resolutions 5/1 and 5/2 of 18 June 2007

violations of human rights law, and to bring to justice the perpetrators of such acts regardless of their political affiliation or military rank.

Welcoming the role played by the international community, in particular the African Union and the Economic Community of West African States, in efforts to put an end to violence, halt clashes and take action to strengthen the respect of democratic rules and the rule of law, and to improve the situation of human rights in Côte d'Ivoire,

Welcoming also the decision of the Ivorian authorities to invite the commission of inquiry to Côte d'Ivoire to investigate the facts and circumstances relevant to incidents that took place following the presidential election of 28 November 2010,

Noting the reports presented by the commission of inquiry¹ and by the United Nations High Commissioner for Human Rights² as a follow-up to Human Rights Council resolution 16/25,

Also noting that, while the situation of human rights and security in Côte d'Ivoire has substantially improved, significant challenges remain,

1. *Welcomes* the investiture on 21 May 2011 of Alassane Ouattara as President of Côte d'Ivoire, in accordance with the will of the Ivorian people as expressed at the presidential election of 28 November 2010 and as recognized by the international community;

2. *Calls for* an immediate end to violence in Côte d'Ivoire, including violence against women and the ongoing localized violence in some parts of the country, and for respect of all human rights and fundamental freedoms;

3. *Notes with concern* the humanitarian situation on the ground, and calls on United Nations agencies and other relevant actors to continue to cooperate with the Government of Côte d'Ivoire to provide human rights protection and to give appropriate support to refugees and internally displaced persons in order to facilitate their safe and voluntary return to their homes;

4. *Urges* the Government of Côte d'Ivoire to promote and protect human rights and fundamental freedoms for all, in particular by taking measures to end and address the underlying causes of human rights violations, such as arbitrary detention and violence against women and children, and to ensure that victims of sexual violence receive adequate medical and psychological assistance and redress and that the perpetrators of such violence are brought to justice;

5. *Takes note* of the recommendations of the international commission of inquiry established by the Human Rights Council and also

¹ A/HRC/17/48.

² A/HRC/17/49.

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the measures taken by Côte d'Ivoire, in a sovereign manner, relevant to the implementation of its recommendations, as follows:

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(a) The establishment of a dialogue, truth and reconciliation commission with full and equal participation of women to enhance peace for the people of Côte d'Ivoire;

(b) The opening of prosecutions of suspects by national judiciary and military tribunals;

(c) The acceptance by Cote d'Ivoire of the jurisdiction of the International Criminal Court and request by President OUATTARA to the Prosecutor of the International Criminal Court to conduct an investigation in the most serious crimes committed in Cote d'Ivoire;

Deleted: The referral of the situation in Côte d'Ivoire to the International Criminal Court

(d) The commitment of Côte d'Ivoire to ratify the Rome Statute of the International Criminal Court;

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6. *Welcomes* the work undertaken by the commission of inquiry in carrying out its mandate;

7. *Invites* the Government of Côte d'Ivoire to collaborate with the international community in improving the human rights situation and make efforts to implement the recommendations of the commission of inquiry;

8. *Decides* to transmit the reports of the commission of inquiry and of the United Nations High Commissioner for Human Rights to the General Assembly;

9. *Also decides* to recommend that the General Assembly transmit the reports of the commission of inquiry to all relevant bodies of the United Nations;

10. *Further decides* to establish the mandate of independent expert on the situation of human rights in Côte d'Ivoire for a period of one year, who will be responsible for assisting the Government of Côte d'Ivoire and relevant actors in the follow-up to the implementation of the recommendations of the international commission of inquiry and of the resolutions of the Human Rights Council, including the recommendations addressed to the international community, especially the Office of the High Commissioner Rights and relevant United Nations agencies;

11. *Requests* the independent expert to engage with the Ivorian authorities and the human rights sections of the Economic Community of West African States, the African Union and the United Nations Operation in Côte d'Ivoire, and to submit a report to the Human Rights Council for consideration at its nineteenth session;

12. *Requests* the High Commissioner to provide the independent expert with all the assistance necessary to discharge the mandate fully;

13. *Calls on* the High Commissioner to provide technical assistance for the establishment and functioning of the dialogue,

truth and reconciliation commission of Côte d'Ivoire and to work with the Government of Côte d'Ivoire and other actors, as needed, to identify additional areas of assistance to enable Côte d'Ivoire to fulfill its human rights obligations;

14. *Calls upon Members States* of the United Nations, in the framework of international cooperation, relevant United Nations agencies and international financial institutions to provide appropriate technical assistance and capacity-building to Côte d'Ivoire upon its request, in order to:

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(a) Promote respect for human rights, combating impunity, and reform security and justice sectors, including the achievement of the Millennium Development Goals;

(b) Support the Government's efforts relating to national reconstruction and reconciliation, and transitional justice mechanisms in particular;

(c) Support the national human rights commission to ensure its independency, in line with the Paris principles, with a view to protecting and promoting the fundamental rights of Ivoirians;

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15. *Requests* the Secretary-General to continue to provide support to the United Nations Operation in Côte d'Ivoire, in particular the relevant material and human resources to the human rights section to enhance its operational capacity;

17. *Requests* the High Commissioner to present an updated report on the situation of human rights in Côte d'Ivoire to the Human Rights Council for consideration at its eighteenth session;

Deleted: 16. *Requests* the High Commissioner to provide technical assistance and to work with the Government of Côte d'Ivoire and other actors, as needed, to identify additional areas of assistance to enable Côte d'Ivoire to fulfill its human rights obligations;

18. *Decides* to remain seized of the matter under agenda item 10.