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Situation of human rights in Côte d'Ivoire

16th Session of the Human Rights Council

The Human Rights Council

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and the other relevant human rights treaties,

Recalling General Assembly resolution 60/251 of 15 March 2006 and resolution 13/21 of 26 March 2010,

Recalling also Council resolutions 5/1 and 5/2 of 18 June 2007,

Recalling further resolution S-14/1, adopted on 23 December 2010 at the conclusion of the Special Session of the Council devoted to the situation of human rights in Côte d'Ivoire in relation to the conclusion of the 2010 presidential elections,

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, international human rights treaties and other relevant human rights instruments to which they are party,

Reaffirming also its conviction that the post-electoral crisis in Côte d'Ivoire requires an overall political solution that preserves democracy and peace, and promotes lasting reconciliation among all Ivorians;

Noting 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, to halt the clashes, to work towards a peaceful solution to the ongoing crisis and to take action so as to strengthen the rule of law and to improve the situation of human rights in Côte d'Ivoire,

Reaffirming that it is the responsibility of Côte d'Ivoire to promote and protect all human rights and fundamental freedoms, to investigate violations of human rights and international law, and to bring to national and international justice, within its international judicial obligations, the perpetrators of such acts, who are answerable for their deeds before the judicial process,

Noting the report presented by the United Nations High Commissioner for Human Rights, in application of resolution HRC/S-14/L.1,

1. *Commends* the efforts made by the Economic Community of West African States and the African Union, in particular the decision adopted by the Peace and Security Council of the African Union at its 259th Session held on 28 January 2011, to establish, under the auspices of the African Union, a high-level group for the settlement of the crisis in conditions respecting peace and democracy;
2. *Welcomes* the decision of the high-level group, endorsed by the Peace and Security Council in its meeting on March 10, 2011, recognising the election of **His Excellency Mr. Alassane Ouattara as the President of the Republic of Côte d'Ivoire**;

3. *Expresses concern* by the seriousness and extent of the abuses and violations of international human rights law and international humanitarian law;
4. *Reiterates* its firm condemnation of all atrocities and other violations of human rights, threats and acts of intimidation, as well as acts of obstruction directed at the operations of the United Nations Operation in Côte d'Ivoire (UNOCI), and *deeply regrets* the loss of life and destruction of property that occurred in parts of Côte d'Ivoire;
5. *Urges also* all media outlets to refrain from inciting violence, hostility and the propaganda of hate speech and calls for an end to the restriction on media sources;
6. *Calls for* the immediate end to the violence, including violence against women, and the respect of all human rights and fundamental freedoms;
7. *Notes with concern* the deteriorating and humanitarian situation on the ground, and calls on all Ivorian parties to cooperate fully with United Nations agencies and other actors working to assist refugees and internally displaced persons;
8. *Calls upon* States Members of the United Nations, relevant United Nations agencies and international financial institutions to provide technical assistance and capacity-building to Côte d'Ivoire, upon its request;
9. *Acknowledges* the permanent invitation issued by President Ouattara to all United Nations special procedures mandate holders on thematic issues, including the Working Group on Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, and encourages them to respond favourably to this invitation,
10. *Decides* to dispatch an independent international commission of inquiry, to be appointed by the President of the Council, 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 elections of 28 November 2010 and to present its findings to the Council at its seventeenth session and *calls upon* all Ivorian parties to fully cooperate with the commission of inquiry,
11. *Requests* the High Commissioner for Human Rights to provide the full administrative, technical and logistical support needed to enable the commission of inquiry to carry out its mandate;
12. *Decides* that the Report on the situation of human rights in Côte d'Ivoire presented by the High Commissioner be transmitted to the General Assembly of the United Nations;
13. *Requests* that the High Commissioner for Human Rights present a report on the situation of human rights at its 17th Session;
14. *Decides* to remain seized of the matter.