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Côte d'Ivoire

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. Background and framework

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	
ICERD	4 January 1973	None	Individual complaints (art. 14):	No
ICESCR	26 March 1992	None	-	
ICCPR	26 March 1992		Inter-State complaints (art. 41):	No
ICCPR-OP 1	5 March 1997	None	-	
CEDAW	18 December 1995	None	-	
CAT	18 December 1995		Inter-State complaints (art. 21):	No
			Individual complaints (art. 22):	No
			Inquiry procedure (art. 20):	No
CRC	4 February 1991	None	-	

Core treaties to which Côte d'Ivoire is not a party: OP-ICESCR³ ICCPR-OP 2, OP-CEDAW, OP-CAT, OP-CRC-AC, OP-CRC-SC, ICRMW, CRPD (signature only, 2007), CRPD-OP (signature only, 2007) and CED.

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	No
Palermo Protocol ⁴	No
Refugees and stateless persons ⁵	Yes, except 1954 and 1961 Conventions
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁶	Yes, except Additional Protocol III
ILO fundamental conventions ⁷	Yes
UNESCO Convention against Discrimination in Education	Yes

1. In 2001, the Committee on the Rights of the Child (CRC) encouraged Côte d'Ivoire to ratify and implement the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict.⁸ In 2003, the Committee on the Elimination of Racial Discrimination (CERD) urged Côte d'Ivoire to consider making the optional declaration under article 14 of the Convention.⁹

B. Constitutional and legislative framework

2. While recalling article 1, paragraph 3, of the Convention, CERD noted with concern in 2003 that the misuse for political ends of the 1961 Nationality Code Act as amended in 1972 has given rise to discriminatory practices. CERD recommended that the Nationality Code be implemented in conformity with the provisions of the Convention.¹⁰

3. In 2003, CERD also noted with concern that the implementation of the 1998 Rural Land Act created a sense of insecurity among foreigners of certain ethnic groups who owned land prior to its adoption and requested Côte d'Ivoire to continue its efforts to explain this text better to the populations concerned and to ensure better protection of acquired rights.¹¹

4. In May 2007, the Secretary-General reported that the Ouagadougou Political Agreement (OPA), signed on 4 March 2007 and seeking to solve the crisis was silent on promoting and monitoring human rights, which is crucial to the normalization of the political situation.¹²

C. Institutional and human rights infrastructure

5. In April 2009, the United Nations system team in Côte d'Ivoire (United Nations system) mentioned that the Statutes of the National Human Rights Commission established in 2005 failed to comply with the Paris Principles.¹³ As of 8 June 2009, Côte d'Ivoire did not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).¹⁴ In July 2009, the Secretary-General reported that the National Human Rights Commission submitted on 29 June its first annual report in which it made recommendations to the Government aimed at further strengthening its effectiveness, autonomy and independence, in conformity with the Paris Principles.¹⁵

D. Policy measures

6. In 2005, Côte d'Ivoire adopted the Plan of Action (2005–2009) for the World Programme for Human Rights Education (2005-ongoing).¹⁶ On 18 July 2006 the Government appointed the Legal Adviser to the Minister of Education as a focal point for the World Programme.¹⁷

7. In 2001, while noting the efforts undertaken under the State's Plan of Action to fight child trafficking, CRC remained deeply concerned at the large number of child victims of trafficking for the purpose of exploitation in the agricultural, mining and domestic service sectors and other forms of exploitation.¹⁸ In October 2007, the Secretary-General reported that, in May 2007, the Ministry of Family, Women and Social Affairs, the judicial police, the International Organization for Migration, and several national and international organizations adopted an anti-trafficking programme to reinforce national capacity to investigate and respond to cases and provide victims with legal protection,¹⁹ as recommended by CRC in 2001.²⁰

II. Promotion and protection of human rights on the ground

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body</i> ²¹	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2003	March 2003		Fifteenth to seventeenth and eighteenth reports overdue since 2006 and 2008 respectively
CESCR			-	Initial to third reports overdue since 1994, 1999 and 2004 respectively
HR Committee				Initial report overdue since 1993
CEDAW			-	Initial to third reports overdue since 1997, 2001 and 2005 respectively
CAT			-	Initial to third reports overdue since 1997, 2001 and 2005 respectively
CRC	2001	June 2001	-	Second to fourth reports overdue since 1998, 2003 and 2008 respectively

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (9–21 Feb. 2004); ²² Special Rapporteur on the right to freedom of opinion and expression (28 Jan.–5 Feb. 2004); ²³ Representative of the Secretary-General on the human rights of internally displaced persons (17–24 Apr 2006); ²⁴ Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (3–8 Aug. 2008). ²⁵
<i>Visits agreed upon in principle</i>	Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.
<i>Visits requested and not yet agreed upon</i>	Working Group on the use of mercenaries as means of impeding the exercise of the right of peoples to self-determination.
<i>Facilitation/cooperation during missions</i>	The Representative of the Secretary-General on internally displaced persons expressed his deep gratitude to the Government for its invitation and for organizing the official part of the mission at very short notice. ²⁶
<i>Follow-up to visits</i>	-

Responses to letters of allegations and urgent appeals

During the period under review, 7 communications were sent concerning, inter alia, particular groups, 11 men and 1 woman. The Government replied to 3 communications, representing replies to 43 per cent of the communications sent.

Responses to questionnaires on thematic issues²⁷

Cote d'Ivoire has replied to none of the 15 questionnaires sent by special procedures mandate holders,²⁸ within the deadlines.

3. Cooperation with the Office of the High Commissioner for Human Rights

8. In February 2004, by its resolution 1528 (2004), the Security Council established the United Nations Operation in Côte d'Ivoire (UNOCI). As amended by Security Council resolution 1609 (2005), the Operation's mandate related to human rights is to contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violence committed against children and women; to monitor and help investigate human rights violations with a view to ending impunity; and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard.²⁹ OHCHR supports the UNOCI human rights component with its mandate to engage in training, advocacy, awareness-raising activities and technical assistance to address key human rights challenges, including impunity and the rights of women and children.³⁰ Thus, for instance, the UNOCI human rights component monitored daily the human rights situation and conducted special investigation missions into allegations of human rights violations.³¹ In January 2009, the Secretary-General indicated that UNOCI would continue to monitor and investigate human rights violations, with a view to helping the efforts to end impunity, with particular focus on violence against women and children, as well as any incidents that have an impact on the security of the electoral process.³²

9. The UNOCI human rights component also provides technical assistance and substantive support to the National Human Rights Commission³³ and carries out many training and awareness activities, notably for law enforcement officers, Government officials, teachers, students and civil society.³⁴ It further works with the Ministry of National Education on mainstreaming human rights into school curricula and by establishing and providing training and technical assistance to human rights clubs in schools and colleges.³⁵ The Secretary-General also indicated that UNOCI intensified its advocacy with the parties to the conflict to move forward the adoption of a national action plan for children in armed conflict.³⁶ In April 2009, the Secretary-General reported that UNOCI human rights officers continue to provide assistance to victims of violence, in collaboration with external partners.³⁷

B. Implementation of international human rights obligations

1. Equality and non-discrimination

10. In 2003, CERD expressed concern about information relating to the racial and xenophobic violence subsequent to which mass graves were found in various regions of the country, and encouraged Côte d'Ivoire to continue its efforts to prevent a repetition of such violence and to punish the persons responsible for it.³⁸ At the same time, CERD welcomed the Government's commitment to prosecute any media which would incite hatred or racial discrimination.³⁹ In April 2009, the United Nations system drew attention to the promulgation by the President of the Republic of the Act of August 2008 concerning the suppression of racism, xenophobia, tribalism and racial and religious discrimination pursuant to a recommendation by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression during his visit in 2004.⁴⁰

11. While noting that discrimination is prohibited under the Constitution, CRC expressed concern in 2001 at the occurrence of discrimination against non-citizen children, children with disabilities, children born out of wedlock, children from ethnic minorities, Muslim children and girls. Moreover, the Committee was concerned at the discrepancies in the enjoyment of rights by certain vulnerable groups of children.⁴¹ CRC recommended, *inter alia*, that Côte d'Ivoire make concerted efforts at all levels to address discrimination through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups; and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, where needed within the framework of international cooperation.⁴²

2. Right to life, liberty and security of the person

12. In January 2009, the Secretary-General reported that Forces nouvelles elements had committed serious human rights violations against demobilized elements in Vavoua, Séguéla, Korhogo and Bouaké.⁴³ In April 2009, he reported that law enforcement officials continued to use disproportionate force against civilians⁴⁴ and indicated that in areas controlled by Forces nouvelles, frequent instances of torture and ill-treatment were reported.⁴⁵

13. In October 2007, the Secretary-General referred to the Forces nouvelles' commitment to implementing an action plan to end the use of child soldiers⁴⁶ and in July 2008, announced his decision to remove Forces nouvelles and pro-Government militia from the list of parties to armed conflict that recruited or used child soldiers.⁴⁷ In March 2009, he reported that there was no substantiated evidence of the use of child soldiers by armed forces or groups between September 2007 and December 2008.⁴⁸

14. In 2009, UNICEF indicated that 21 per cent of 2- to 14-year-old children experience severe physical punishments, while 39 per cent of the mothers or adults in charge consider that children must face corporal punishment to be educated. Domestic violence against children echoes socially accepted gender-based domestic violence.⁴⁹

15. Concerning sexual violence in general, in January 2009, the Security Council called upon all Ivoirian parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence.⁵⁰ In April 2009, the Secretary-General stated that violence against women and girls remained a serious cause of concern, particularly in the western part of the country and in the Vavoua region, noting that most perpetrators of violence against women enjoy impunity countrywide due to corruption and the failure of the judicial system to address the issue adequately,⁵¹ as well as to widely accepted traditional and cultural norms.⁵² He noted that this prevailing climate of impunity exists in particular for crimes against children.⁵³ The Secretary-General further stated that UNOCI welcomed an action plan submitted on 19 January 2009 by Forces nouvelles, in which they committed themselves to combating sexual violence in areas under their control. Meanwhile, militia groups in the west of the country expressed their willingness to join efforts to combat sexual violence.⁵⁴ In July 2009, the Secretary-General reported that a disturbing trend of abduction, rape and violence against girls and women persists, especially in the west and north of the country, where young children are reportedly raped by unidentified men.⁵⁵ He also reported that consultations are ongoing with the Government and other stakeholders to finalize a national action plan to combat sexual violence.⁵⁶

16. In 2001, CRC expressed concern at the incidence of abuse, including sexual abuse, and neglect of children, and that insufficient efforts have been made to protect children. CRC was also particularly concerned at the high level of domestic violence and at sexual abuse of girls in schools, which has led to a high rate of primary and secondary school dropout. In addition, it was concerned at the lack of appropriate financial and human resources and the lack of adequately trained personnel to prevent and combat physical and

sexual abuse.⁵⁷ CRC recommended that the Government adopt effective measures and policies and contribute to changing attitudes; properly investigate cases of domestic violence and sexual abuse at schools and sanction the perpetrators, with due regard for the rights of child witnesses and child victims; and take measures to prevent the criminalization and stigmatization of victims.⁵⁸

17. In July 2009, the Secretary-General reported that sexual violence against children remains prevalent throughout the country, in particular in areas where law enforcement is weak; most of those abuses occur in connection with serious criminal incidents.⁵⁹

18. In 2001, while welcoming the adoption in 1998 of a new law on female genital mutilation (FGM), CRC was concerned at the widespread nature of this practice,⁶⁰ and requested that efforts continue to end it, inter alia through enforcement of legislation and implementation of programmes sensitizing the population about its harmful effects.⁶¹ In 2009, UNICEF noted that FGM remains prevalent in Côte d'Ivoire.⁶² In July 2009, the Secretary-General reported on round tables organized by UNOCI on FGM following a series of awareness-raising sessions in schools; the round table explored legal, social and health-related implications of FGM with Government representatives and local stakeholders.⁶³

19. In 2001, CRC expressed concern at the extremely poor conditions of detention for children, amounting in many instances to cruel, inhuman and degrading treatment as spelled out in article 37 (a) of the Convention.⁶⁴ CRC urged Côte d'Ivoire to take all necessary measures to improve the conditions of detention of children in prisons and to ensure that each case of violence and abuse is duly investigated.⁶⁵

20. In 2007, the ILO Committee of Experts in its comments under the ILO Worst Forms of Child Labour Convention (No. 182), referred to allegations of trafficking of children for economic exploitation and to a widespread practice under which migrant workers, including children, are forced to work in plantations (particularly cocoa plantations) against their will.⁶⁶ In 2009, UNICEF indicated that due to its relatively strong economic base in western Africa, Côte d'Ivoire is one of the main destinations for child trafficking in the subregion.⁶⁷ In April 2009, the United Nations system noted that, in the area of child protection, the Government had begun work on a preliminary draft law (2006) banning child trafficking and the worst forms of child labour. A decree listing types of work that were hazardous for children had been issued in 2005.⁶⁸

3. Administration of justice, including impunity, and the rule of law

21. In 2001, while recognizing efforts, CRC remained concerned at the limited progress achieved in establishing a functioning system of juvenile justice and recommended that additional steps be taken to reform it.⁶⁹ In 2009, UNICEF noted that out of 22 prisons in the country, only 8 have a special section for male minors, and reported that female minors are systemically held with adult inmates. There is no budget for food and health care for minors in detention and there is no special department for juvenile justice, except in Abidjan.⁷⁰

22. In May 2008, the Deputy High Commissioner for Human Rights expressed concern about the 2007 Amnesty Ordinance, which appeared not to be fully in line with the amnesty provisions in OPA and the 2003 Amnesty Law. She recalled that, in fighting impunity, there should be no amnesty for war crimes, crimes against humanity and other serious violations of human rights, and encouraged the Government to review the 2007 Amnesty Ordinance to bring it into line with international standards.⁷¹

23. In October 2008, the Secretary-General reported that Forces nouvelles elements frequently extorted money from victims and their family members for the release of arbitrarily detained persons.⁷² In addition, he indicated in April 2009 that, in Forces

nouvelles-controlled areas, frequent instances of arbitrary arrest and unlawful detention are reported.⁷³

24. Also in October 2008, the Secretary-General reported that the failure of law enforcement officials to arrest or identify the perpetrators of human rights violations have exacerbated the fragile relationships within ethnically mixed communities, leading to inter-community clashes characterized by attacks and retaliatory counter-attacks.⁷⁴ In April 2009, the Secretary-General made similar comments regarding the north of the country, where the situation remains marked by the persistence of impunity, given the absence of a functioning justice system,⁷⁵ including the insufficient presence of police and gendarmerie forces, poorly equipped or secured court premises and the need to rehabilitate court buildings.⁷⁶ In July 2009, he stated that the lack of progress in redeploying judicial police and corrections officers continues to adversely affect efforts to restore the rule of law throughout the country.⁷⁷ He underlined that UNOCI efforts to prevent and address impunity and violence against girls and women continues with limited progress, including because of the delays in this effective redeployment.⁷⁸

25. Also in July 2009, the Secretary-General reported that acts of violence by members of the Fédération étudiante et scolaire de Côte d'Ivoire and other student groups provoked disruptions in the education sector and caused the death and injury of several persons, as well as the destruction of public and private property. He mentioned that those abuses very often go unpunished.⁷⁹

4. Right to privacy, marriage and family life

26. In 2001, CRC expressed concern at the difference between the minimum legal age for marriage of boys (20 years) and that of girls (18 years),⁸⁰ and recommended that Côte d'Ivoire review its legislation in this regard.⁸¹

5. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

27. In 2003, CERD noted with concern that the misinterpretation of election laws has given rise to tensions between ethnic and religious groups and recommended that these laws be reviewed in light of the provisions of the Convention relating to the right of all citizens to take part in political life.⁸²

28. In January 2008, the Secretary-General reported on concern about the erosion of the authority of regulatory bodies that monitor media coverage of the activities of political parties.⁸³ In spite of the adoption in May 2008 of guidelines on media coverage of the elections and declarations on freedom of political speech, on freedom of expression within the media and against hate speech,⁸⁴ the Secretary General noted in July 2009 that a number of private media continue to relay provocative statements, and coverage of the activities of political groups by State audiovisual media remain imbalanced. UNOCI held consultations with key Ivorian institutions in charge of monitoring the media to establish an early warning and prevention mechanism.⁸⁵

29. In October 2008,⁸⁶ and again in January 2009,⁸⁷ the Secretary-General reported on disruptions of the identification of the population and voter registration operations, and indicated that, in consultation with the leadership of the Defence and Security Forces and Forces nouvelles, UNOCI had developed a security plan for the elections.⁸⁸ In July 2009, he indicated that although the final consolidated official figures were yet to be released, as of 1 July, some 6.4 million Ivoirians had been identified and registered as voters countrywide in spite of financial problems and technical delays, and that identification and voter registration operations were officially completed on 30 June.⁸⁹ He also stated that he was encouraged that Ivorian parties had reaffirmed and formalized their commitment, made in

the context of the Pretoria negotiations of 2005, that all signatories to the Linas-Marcoussis Peace Agreement (2003) were eligible to stand as candidates in the presidential elections, which is crucial for the credibility and transparency of the electoral process.⁹⁰

30. In May 2009, the Security Council welcomed the communiqué of the OPA Permanent Consultative Framework, which provided a comprehensive electoral time frame leading to the first round of the presidential election in Côte d'Ivoire on 29 November 2009, and underlined that the way it will be implemented would reflect the level of political commitment by Ivorian political actors towards the holding of free, fair, open and transparent elections in a secure environment.⁹¹ In July 2009, the Secretary-General urged Ivorian parties to respect the presidential elections date and to ensure that the elections are open, free and transparent.⁹²

6. Right to work and to just and favourable conditions of work

31. In 2007, the ILO Committee of Experts expressed concern in respect of the application of the ILO Freedom of Association and Protection of the Right to Organize Convention (No. 87) and, in particular, of the political situation in the country, which undoubtedly has a negative impact on trade union rights and compliance with collective agreements.⁹³

7. Right to social security and to an adequate standard of living

32. In July 2009, the Secretary-General indicated that recurrent conflicts in the north of the country between farmers and cattle-breeders over the destruction of the former's crops by the latter's cattle threaten social cohesion in several villages.⁹⁴

33. In 2009, UNICEF noted that the rising cost of living continues to affect living conditions.⁹⁵ UNICEF also indicated that maternal health remains a major concern and that the high maternal mortality rate is mostly due to insufficient health services and lack of access during pregnancy.⁹⁶

34. In April 2009, the Secretary-General reported that strikes in several public service branches, including education, civil administration and health services, have disrupted the effective functioning of State administration and delivery of basic services.⁹⁷

35. In 2009, the ILO Committee of Experts noted that, according to the information contained in the Epidemiological Fact Sheet of the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization (WHO), there are about 310,000 HIV/AIDS orphans in Côte d'Ivoire. The Committee observed that HIV/AIDS has an impact on orphans, who are at greater risk of engaging in the worst forms of child labour.⁹⁸

36. During his official visit in 2008, the Special Rapporteur on toxic waste noted that toxic waste is dumped in a total of 18 points across seven sites in Abidjan and its suburbs. After almost two years, these sites have still not been decontaminated and continue to threaten the lives and health of tens of thousands of residents, across different social spectrums, in Abidjan. Another issue of great concern is compensation. The Government has attempted to take steps in the registration of victims; those who registered at the health centres received free medical treatment in the wake of the crisis. However, much more needs to be done, according to the Special Rapporteur.⁹⁹

37. In April 2009, the Group of Experts on Côte d'Ivoire established pursuant to Security Council resolutions 1572 (2004) and 1584 (2005) reported that in the north of the country, quasi-private militias maintain control over natural resources and continue to extract rents from local businesses and the civilian population.¹⁰⁰

8. Right to education

38. In 2009, UNICEF noted that according to recent statistics, 45 per cent of school-age children do not attend school; the disparity between rural and urban areas is, respectively, 52 and 33 per cent, and between poor and non-poor groups, 65 and 19 per cent. If this trend continues, UNICEF stresses that Côte d'Ivoire's objective of universal primary education for all by 2015 will not be achieved.¹⁰¹ In 2009, the ILO Committee of Experts mentioned that the country will probably not achieve parity between the sexes in primary and secondary education by 2015.¹⁰²

39. In July 2009, the Secretary-General noted that repeated strikes by teachers' unions threaten the full enjoyment by students of their right to education.¹⁰³ Such strikes, such as the ones which occurred in December 2006/January 2007, were already reported by the Secretary-General in March 2007 as causing a setback in the education sector.¹⁰⁴

9. Internally displaced persons

40. In his 2006 report, the Representative of the Secretary-General on the human rights of internally displaced persons (IDPs) noted, as highlighted also by UNHCR,¹⁰⁵ that Côte d'Ivoire, although not confronted with a humanitarian crisis, faced a crisis in the protection of the human rights of IDPs. While appreciating that the Government shares his concern, he noted that the crisis stems from an inadequate response to the needs of IDPs. Moreover, advocacy on the part of IDPs is impeded by a lack of knowledge about their rights. Based on the information he received, the Representative of the Secretary-General estimated that the number of IDPs ranged between 500,000 and 1 million people, a limited number of whom live in camps. The overwhelming majority — about 98 per cent — live with host families, demonstrating the spirit of solidarity of the Ivorian people. However, this integration also makes it more difficult for authorities to identify IDPs and to provide them with needed assistance. The Representative of the Secretary-General was greatly concerned at the state of destitution in which many displaced persons live and at their vulnerability to racketeering and corruption.¹⁰⁶

41. The Representative of the Secretary-General recommended that the Government draft a comprehensive strategy and detailed plan of action addressing the problems faced by IDPs. In the context of the electoral process, he recommended that necessary measures be taken to ensure the full participation of IDPs without discrimination. Measures should also be taken to facilitate the return of those who wish to do so, in security and dignity. To the Forces Nouvelles, he recommended measures to create an environment allowing the return of IDPs in the zones under its control, in particular restitution of property.¹⁰⁷

42. In January 2009, the Secretary-General reported on inter-community clashes over land issues between returning IDPs and local communities across the country, resulting in human casualties.¹⁰⁸ In July 2009, he indicated that inter-community violence fuelled by the resistance of the native population to the return of non-native IDPs, particularly in the western part of the country, threatens social cohesion in several villages.¹⁰⁹

III. Achievements, best practices, challenges and constraints

43. In July 2009, the Secretary-General indicated that the reunification issue will likely remain a key challenge after the elections. He also stated that the long-term stability of Côte d'Ivoire will also depend on the ability of the Ivorian parties and leadership, both before and after the November elections, to address the issues that are at the core of the Ivorian crisis. He added that the reform of the security sector is another key issue that needs to be addressed in order to establish durable peace in Côte d'Ivoire, and that UNOCI will, in line

with its mandate, further assist the Ivorian parties in their efforts to move security sector reform forward and end impunity.¹¹⁰

IV. Key national priorities, initiatives and commitments

Specific recommendations for follow-up

44. In 2007, the Secretary-General made several recommendations to Côte d'Ivoire, including to undertake and demonstrate concrete measures to address the prevailing culture of impunity for violations against children, with rigorous and timely investigation of incidents and the prosecution of perpetrators;¹¹¹ to prepare a national action plan to address the prevalence of sexual violence, especially violence against girls;¹¹² to develop and establish, with the support of the United Nations, appropriate institutional arrangements to ensure that children are prioritized in the peace reconstruction and development processes.¹¹³

45. In 2008, the Special Rapporteur on toxic waste recommended that the Government intensify the pursuit of pending criminal proceedings against individuals and corporate bodies implicated in disasters resulting from the dumping of toxic waste.¹¹⁴

V. Capacity-building and technical assistance

46. In 2001, CRC recommended that Côte d'Ivoire seek technical assistance, inter alia from OHCHR and UNICEF, with regard to juvenile justice and police training;¹¹⁵ from UNICEF in relation to violence, abuse, neglect and ill-treatment of children;¹¹⁶ and from UNAIDS with regard to HIV/AIDS and children.¹¹⁷

47. The United Nations Development Assistance Framework (UNDAF) for 2009–2013 sets out the following objectives for Côte d'Ivoire in the area of consolidation of peace and protection of human rights: recovery of arbitrarily seized property or award of compensation to its owners; full enjoyment of legal personality for all residents of the country; return of communities affected by the crisis to communal life and work; freedom of movement and safety for persons and property throughout Ivorian territory.¹¹⁸

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

- ³ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008, in which the General Assembly recommended that a signing ceremony be organized in 2009. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.
- ⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁸ Concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.155), para. 64.
- ⁹ Concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/62/CO/1), para. 25.
- ¹⁰ Ibid., para. 11.
- ¹¹ Ibid., para. 13.
- ¹² S/2007/275, paras. 2 and 15.
- ¹³ UNCT submission to UPR on Côte d’Ivoire, p. 4.
- ¹⁴ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.
- ¹⁵ S/2009/344, para. 35.
- ¹⁶ See General Assembly resolution 59/113 B and Human Rights Council resolution 6/24. See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007,

- at www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm (accessed on 27 April 2009).
- ¹⁷ Letter from the National Ministry of Education dated 18 July 2006, and letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007. See www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm (accessed on 27 April 2009). See also General Assembly resolution 59/113 B and Human Rights Council resolution 6/24.
- ¹⁸ CRC/C/15/Add.155, para. 55.
- ¹⁹ S/2007/593, para. 41.
- ²⁰ CRC/C/15/Add.155, para. 56.
- ²¹ The following abbreviations have been used for this document:
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| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |
| CRC | Committee on the Rights of the Child |
- ²² E/CN.4/2005/18/Add.3.
- ²³ E/CN.4/2005/64/Add.2.
- ²⁴ A/HRC/4/38/Add.2.
- ²⁵ Press release, "Special Rapporteur on toxic waste concludes his mission to Côte d'Ivoire, Abidjan, 8 August 2008.
- ²⁶ A/HRC/4/38/Add.2, para. 3.
- ²⁷ The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate holder.
- ²⁸ See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (k) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (l) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007; (m) Report of the Special Rapporteur on the right to education (June 2009) (A/HRC/11/8), questionnaire on the right to education for persons in detention; (n) report of the independent expert on the question of human rights and extreme poverty (June 2009) (A/HRC/11/9), questionnaire on cash transfer programmes sent in October 2008; (o) report of the Special Rapporteur on violence

- against women, its causes and consequences (June 2009) (A/HRC/11/6), questionnaire on political economy and violence against women.
- 29 Resolution 1528 (2004), para. 6 (n); resolution 1609 (2005), para. 2 (t).
- 30 OHCHR, *2008 Report: Activities and Results*, p. 86.
- 31 Ibid.
- 32 S/2009/21, para. 60.
- 33 OHCHR, *2008 Report: Activities and Results*, p. 86.
- 34 Ibid. and *2007 Report: Activities and Results*, p. 76; *Annual Report 2006*, p. 47.
- 35 OHCHR, *2008 Report: Activities and Results*, p. 86.
- 36 S/2009/21, para. 23.
- 37 S/2009/196, para. 26.
- 38 CERD/C/62/CO/1, para. 12.
- 39 Ibid., para. 5.
- 40 UNCT submission to UPR on Côte d'Ivoire, p. 11.
- 41 CRC/C/15/Add.155, para. 22.
- 42 Ibid., para. 23.
- 43 S/2009/21, para. 19.
- 44 S/2009/196, para. 25; see also S/2009/21, para. 20.
- 45 S/2009/196, para. 25.
- 46 S/2007/515, paras. 38–45.
- 47 S/2008/451, para. 44.
- 48 A/63/785-S/2009/158, para. 35.
- 49 UNICEF submission to UPR on Côte d'Ivoire, pp. 5–6.
- 50 Security Council resolution 1865 (2009), para. 12.
- 51 S/2009/196, para. 26; see also S/2009/21, para. 20; S/2008/451, para. 41.
- 52 S/2008/451, para. 52.
- 53 S/2007/515, para. 7.
- 54 S/2009/196, para. 28; see also A/63/785-S/2009/158, para. 38.
- 55 S/2009/344, para. 34.
- 56 Ibid., para. 37.
- 57 CRC/C/15/Add.155, para. 36.
- 58 Ibid., para. 37.
- 59 S/2009/344, para. 37.
- 60 CRC/C/15/Add.155, para. 44.
- 61 Ibid., para. 45.
- 62 UNICEF submission to UPR on Côte d'Ivoire, pp. 5–6.
- 63 S/2009/344, para. 36.
- 64 CRC/C/15/Add.155, para. 30.
- 65 Ibid., para. 31.
- 66 ILO Committee of Experts on the Application of Conventions and Recommendations, 2007, Geneva, doc No. (ILOLEX) 062007CIV0182, p. 1.
- 67 UNICEF submission to UPR on Côte d'Ivoire, p. 4.
- 68 UNCT submission to UPR on Côte d'Ivoire, p. 4.
- 69 CRC/C/15/Add.155, para. 62.
- 70 UNICEF submission to UPR on Côte d'Ivoire, p. 4.
- 71 Press release, “United Nations Deputy High Commissioner for Human Rights concludes visit to Côte d'Ivoire”, 27 May 2008, available at www.unhcr.ch/hurricane/hurricane.nsf/view01/08093CA320A0C313C12574560048398E?opendocument (last visited on 5 June 2009).
- 72 S/2008/645, para. 45.
- 73 S/2009/196, para. 25.
- 74 S/2008/645, para. 44.
- 75 Ibid., para. 45.
- 76 S/2009/196, para. 10.
- 77 S/2009/344, para. 10.
- 78 Ibid., para. 34.
- 79 S/2007/133, para. 38.

- 80 CRC/C/15/Add.155, para. 20.
 81 Ibid., para. 21.
 82 CERD/C/62/CO/1, para. 14.
 83 S/2008/1, para. 55.
 84 S/2008/451, para. 51.
 85 S/2009/344, para. 44.
 86 S/2008/451, para. 11 and S/2008/645, para. 6.
 87 S/2009/21, para. 3.
 88 S/2008/645, para. 11.
 89 S/2009/344, paras. 18–19.
 90 Ibid., para. 48.
 91 S/PRST/2009/16, p. 1.
 92 S/2009/344, para. 54.
 93 ILO Committee of Experts on the Application of Conventions and Recommendations, 2007, Geneva, doc No. (ILOLEX) 062007CIV087, paras. 1–2.
 94 S/2009/344, para. 32.
 95 UNICEF submission to UPR on Côte d’Ivoire, p. 1.
 96 Ibid., p. 3.
 97 S/2009/196, para. 4. See also S/2009/344, para. 31.
 98 ILO Committee of Experts on the Application of Conventions and Recommendations, 2007, Geneva, doc No. (ILOLEX) 092009CIV182, pp. 4–5.
 99 Press release, “Special Rapporteur on toxic waste concludes his mission to Côte d’Ivoire”, Abidjan, 8 August 2008.
 100 S/2009/188, paras. 3 and 65–70.
 101 UNICEF submission to UPR on Côte d’Ivoire, p. 2.
 102 ILO Committee of Experts on the Application of Conventions and Recommendations, 2007, Geneva, doc No. (ILOLEX) 092009CIV138, p. 2.
 103 S/2009/344, para. 31.
 104 S/2007/133, para. 38.
 105 UNHCR Submission to UPR on Côte d’Ivoire, pp. 2–3, citing A/HRC/4/38/Add.2.
 106 A/61/276, paras. 12–18.
 107 Ibid.
 108 S/2009/21, para. 4; see also S/2008/645, para. 8.
 109 S/2009/344, para. 32.
 110 Ibid., paras. 53, 56–57.
 111 S/2007/515, para. 48.
 112 Ibid., para. 50.
 113 Ibid., para. 51.
 114 Press release, “Special Rapporteur on toxic waste concludes his mission to Côte d’Ivoire”, Abidjan, 8 August 2008.
 115 CRC/C/15/Add.155, para. 63 (e).
 116 Ibid., para. 37.
 117 Ibid., para. 43.
 118 UNDAF 2009–2015 Côte d’Ivoire, Abidjan, July 2008, pp. 20–22, available at planipolis.iiep.unesco.org/upload/Cote%20Ivoire/Cote_Ivoire_UNDAF_2009-13.pdf (accessed on 2 June 2009).