



Ratification Kit

Cote d'Ivoire

Why is it important for Cote d'Ivoire to accede to the United Nations Protocol to abolish the death penalty?

Cote d'Ivoire abolished the death penalty for all crimes in Art. 2 of its Constitution in 2000. It has not carried out any executions since its independence in 1960.

As the Constitution is the legislative reflection of a country's supreme values, those which restrict application of the death penalty in their Constitutions demonstrate the importance they attach to this issue.

Acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Acceding to the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman or degrading treatment. **It is essential that the world's abolitionist countries ratify this Protocol.**

What are the international commitments already taken by Cote d'Ivoire to accede to the Protocol?

Cote d'Ivoire demonstrated its commitment as regards abolition of the death penalty by co-sponsoring the six **UNGA Resolutions** in 2007, 2008, 2010, 2012, 2014 and 2016 for a moratorium on the use of the death penalty.

Cote d'Ivoire participated to the second cycle of the **Universal Periodic Review in 2014**. In its presentation, the Minister said that there was no obstacle to ratification of the Second Optional Protocol to the ICCPR as Cote d'Ivoire is party to the International Covenant on Civil and Political Rights, Article 6 of which suggests abolition of the death penalty.

During its review Chile, Rwanda, France and Montenegro recommended the ratification of the Protocol, recommendations that have received support from Cote d'Ivoire.

The Cote d'Ivoire was elected as a member of the Human Rights Council in 2012. Its accession to the Protocol would further demonstrate its attachment to the most important human rights.

During the **Human Rights Committee** review in 2015, the Committee stated that Cote d'Ivoire should "consider ratifying the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty".

Côte d'Ivoire also submitted a report to the **African Commission on Human and Peoples' Rights**, which recommended to the Government of the Republic of Cote d'Ivoire to ratify the Second Optional Protocol to the ICCPR.

What are the steps to be taken as regards internal law?

According to Article 7.3 of the Protocol, it "shall be open to accession by any State that has ratified the Covenant or acceded to it." **The Cote d'Ivoire acceded to the International Covenant on Civil and Political Rights in 1992** and is therefore competent to accede to the Protocol.

To accede to the Protocol, a State must express its consent to be entirely bound by the provisions of a Treaty by depositing a written instrument of **accession without previously signing the Treaty**.

Among the obligations incumbent upon the Cote d'Ivoire following accession to the Protocol are the **prohibition of executions and withdrawal of the death penalty from internal criminal law**. These two

obligations have already been fulfilled by the Cote d'Ivoire in practice.

It may therefore now unreservedly accede to the Protocol.

The President of the Republic is competent to sign and ratify international treaties, with the consent of the Parliament, in accordance with Article 84 of the Constitution.

What are the legal obstacles to accession?

There is **no legal obstacle** as the death penalty has been abolished in the Constitution of the Cote d'Ivoire.

We strongly encourage the Cote d'Ivoire to accede to this Protocol.

How can accession to the Protocol be applied?

The Protocol shall come into force three months after the instruments of accession have been deposited with the UN Secretary General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Cote d'Ivoire must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Cote d'Ivoire to support the adoption of an **African Protocol** on the abolition of the death penalty.

For more information, contact the World Coalition Against the Death Penalty and visit its website: <http://www.worldcoalition.org/protocol>