



ICC Trial of Laurent Gbagbo opens on 28th January: a Mixed Blessing

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The 28th of January marks the opening of the trial of former Ivorian President Laurent Gbagbo, along with his co-defendant Charles BlÃ© GoudÃ©. The two are accused of individual criminal responsibility for the crimes against humanity of murder, rape, other inhumane acts or “ alternatively “ attempted murder, and persecution, allegedly committed during the post-election violence in CÃte d'Ivoire after Mr. Gbagbo was controversially proclaimed the winner of the 2010 elections. International organizations reported massive violations of international humanitarian law committed by Gbagbo’s supporters, as well as those of his political rival Alassane Ouattara. To date, no known charges have been filed against Ouattara's supporters, giving rise to claims of 'victor's justice'.

Gbagbo's trial opens more than four years after he was placed in ICC custody on 30 November 2011. The former Ivorian leader is the first ex Head of State in ICC history to be taken into custody. His co-defendant, Mr. BlÃ© GoudÃ© was surrendered to the Court on 22 March 2014, over 2 years after the warrant for his arrest was issued. Nominated as Minister for Sports and Youth by Laurent Gbagbo’s government following the 2010 elections, BlÃ© GoudÃ© is alleged to have been part of Gbagbo’s inner circle and the political leader of the youth forces that carried out part of the violence.





Laurent Gbagbo and Charles Bliaise Goudie © Linfodrome.com

President Alassane Ouattara's government referred the Côte d'Ivoire situation and surrendered Gbagbo to the ICC in 2011, before Côte d'Ivoire became a state party in 2013. Côte d'Ivoire's self-referral to the ICC, however, did not start with Ouattara's regime. In April 2003, then President Gbagbo's government submitted a declaration by Côte d'Ivoire, a non member state, accepting the ICC's jurisdiction, and called upon the Court to open investigations into 'grave abuses' allegedly committed by Ouattara supporters, the rebel group Forces Nouvelles. The ICC Prosecutor's team visited Côte d'Ivoire in 2006 but took no action. In 2010, after he was sworn into office, President Ouattara re-invited the ICC, and called on the Court to investigate alleged crimes committed in the post-election period.

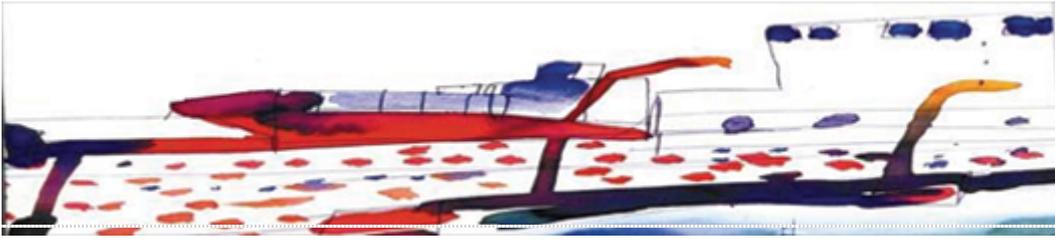
Many are quick to hail the upcoming trials of Gbagbo and his co-defendant as a victory for international criminal justice, not least because Gbagbo is the first former Head of State to be detained by the ICC. Others are more skeptical. Why are there no indictments against Ouattara's sympathizers, Forces Nouvelle, alleged to have committed grave atrocities?

As supporters of international criminal justice begin to celebrate the trials of Gbagbo and Bliaise Goudie, the question as to whether the current one-sided indictments provide cause for celebrations remains unanswered.

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