

## HUMAN RIGHTS WATCH

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Dakar, February 24, 2009

Mr. Mamadou Koné  
Minister of Justice  
Bloc Ministériel  
Boulevard Angoulvant  
Abidjan, Côte d'Ivoire

*Via Facsimile*

Dear Minister Koné:

We write to express our concern about the prolonged detention without trial of Ivorian civil society leader Modeste Seri. As you are well aware, Mr. Seri has been in detention since January 17, 2008. We understand he has been charged with breaches of state security (*atteinte à la sûreté de l'État*).

Modeste Seri was detained in relation to his alleged involvement in an attempt to overthrow the government in December 2007. The attempted coup was supposedly masterminded by Ivorian rebel dissident in exile, Ibrahim Coulibaly, with whom Mr. Seri met in Benin in late 2007. Upon learning of the Ivorian state's suspicion about his relationship with Mr. Coulibaly, Mr. Seri on January 17, 2008, voluntarily presented himself to the Ivorian Territorial State Security Service (*Direction surveillance du territoire*, DST) to explain the nature of their relationship. The DST kept Mr. Seri in detention, and on January 28, 2008, transferred him to Abidjan's central prison [*Maison d'arrêt et de correction d'Abidjan*, MACA] where he remains today.

An investigating judge has on a few occasions questioned Mr. Seri about his relationship to Mr. Coulibaly, most recently in May 2008. Since this time, however, neither Mr. Seri nor his lawyer has received any news about the status of the investigation. We are concerned about both the lack of apparent progress in the investigation, and the fact that one year after his detention, a date for his trial has yet to be fixed.

Human Rights Watch notes that prolonged detention without trial violates Côte d'Ivoire's obligations under international law. Article 9 of the International Covenant on Civil and Political Rights, to which Côte d'Ivoire acceded in 1992, states that anyone arrested or detained on a criminal charge "shall be entitled to trial within a reasonable time or to release." Article 14(3) requires that anyone criminally charged "be tried without undue delay." The UN Human Rights Committee, the expert body that monitors state compliance with the Covenant, in its General Comment No. 32 has interpreted this to mean that a person held in pre-trial detention "must be tried as expeditiously as possible."

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[www.hrw.org](http://www.hrw.org)

Human Rights Watch therefore calls on you to either initiate formal trial proceedings against Mr. Seri or drop all charges and order his immediate and unconditional release. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'CDufka', written in a cursive style.

Corinne Dufka  
West Africa Project Director  
Human Rights Watch

CC:

- André Janier, Ambassador of France to Côte d'Ivoire
- Wanda L. Nesbitt, Ambassador of the United States to Côte d'Ivoire
- Simon Munzu, Human Rights Section Chief at the UN Operation in Côte d'Ivoire