



Promoting and strengthening
the Universal Periodic Review

Recommendations & Pledges

BENIN

Second Review Session 14

Review in the Working Group: 25 October 2012
Adoption in the Plenary: 14 March 2013

Benin's responses to recommendations (as of 16.05.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
123 recs accepted (8 of which are considered as already implemented), 1 pending and 5 rejected	No addendum	No additional information provided	Accepted: 123 Rejected: 5 No clear position: 0 Pending: 1 Total: 129

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/22/9:

107. The following recommendation will be examined by Benin which will provide responses in due time, but no later than the twenty-second session of the Human Rights Council in March 2013. The responses will be included in the outcome report adopted by the Human Rights Council at the same meeting:

P - 107.1 Ratify the Kampala amendments to the Rome Statute (Liechtenstein).

108. The recommendations listed below have been examined by and enjoy the support of Benin:

A - 108.1 Consider an early ratification of the Third Optional Protocol to the Convention on the Rights of the Child on a communication procedure (Slovakia);

A - 108.2 Publish in the Official Journal all international and regional human rights treaties once they are ratified or acceded to by Benin, for their dissemination (Uruguay);

A - 108.3 Maintain its positive efforts in the current process of reviewing its national laws with a view to bringing them in line with its international human rights obligations (Egypt);

A - 108.4 Amend the draft Criminal Code and Code of Criminal Procedure to bring it into line with the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty and adopt them as soon as possible and initiate an awareness campaign so that the public in Benin are aware of the impact of these changes (United Kingdom of Great Britain and Northern Ireland);

A - 108.5 Identify, revise or repeal all provisions of the Penal Code and the Criminal Procedure Code which are in conflict with the Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty (Uruguay);

A - 108.6 Implement the Second Optional Protocol to the International Covenant on Civil and Political Rights into domestic law as soon as practicable (Australia);

A - 108.7 Remove all reference to the death penalty in the Penal Code and commute all death sentences into alternative sentences (France);

A - 108.8 Abolish entirely the death penalty from its legislation (Italy);

A - 108.9 Ensure that the Criminal Code is brought into line with the Second Optional Protocol of the ICCPR in respect of the abolition of the death penalty (Spain);

A - 108.10 Take measures necessary to define and criminalize torture in the forthcoming Criminal Code (France);

A - 108.11 Establish a legal framework for the national preventive mechanism against torture and lobby for the passage of the bill to establish a national observatory for the prevention of torture (United States of America);

A - 108.12 Keep on efforts both on legal and procedural grounds to improve conditions of detention and to speed up the adoption of the draft criminal code (Egypt);

A - 108.13 Make every effort to speed up the process of adoption of the drafts of the children's code and the law on gender equality and women's participation (Algeria);

A - 108.14 Speed up the process to amend the law aiming at improving the functioning of the National Human Rights Commission in accordance with the Paris Principles (Rwanda);

A - 108.15 Complete the process of adaptation and compliance of the Benin Commission of Human Rights with the international standards (Algeria);

A - 108.16 Continue the process of establishing the national mechanism to prevent torture (Senegal);

A - 108.17 Further enhance the capacity of the National Commission on the Rights of the Child (Sri Lanka);

A - 108.18 Create ideal conditions for the Ombudsman and the High Commissioners for Consultative Governance and National Solidarity to operate (Nigeria);

A - 108.19 Incorporate the results of this UPR into its action plans for the promotion and protection of all human rights, taking into account the proposals of civil society and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session (Hungary);

A - 108.20 Continue its inclusive and consultative process when implementing accepted recommendations for the second cycle (South Africa);

A - 108.21 Strengthen cooperation with international human rights mechanisms, treaty bodies and special procedures (Côte d'Ivoire);

A - 108.22 Extend an open and standing invitation to all the Special Procedures (Spain);

A - 108.23 Issue a standing invitation to all Special Procedures of the Human Rights Council (Hungary);

A - 108.24 Consider issuing a standing invitation to all Special Procedures mandate holders (Brazil);

A - 108.25 Step up its cooperation with the Special Procedures and eventually consider extending a standing invitation to all the Special Procedures mandate holders of the Human Rights Council (Latvia);

A - 108.26 Adopt comprehensive measures to combat trafficking in persons and extend the invitation to the Special Rapporteur on trafficking in persons, especially women and children, as well as to the Special Rapporteur on the sale of children, child prostitution and child pornography (Belarus);

A - 108.27 Invite the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment as well as the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on extreme poverty and human rights (Belarus);

A - 108.28 Seek the assistance of the international community in particular that of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in order to implement the accepted recommendations by the country (Côte d'Ivoire);

A - 108.29 Make effective the legislation that provides free birth registration, for example through mass awareness-raising campaigns (Mexico);

A - 108.30 Take necessary measures to ensure effective implementation of laws guaranteeing free registration of births nationwide, including by educating families and communities on the importance of birth registration in order to contribute, among other things, to eliminating the practice of early and forced marriage and increase access to education, health care and other public services (Canada);

A - 108.31 Adopt necessary measures for free and compulsory registration of all children, including late registration, bringing forward new and more targeted campaigns to raise awareness among families, training social workers and health professionals and civil servants in charge of the registration and birth certificates and providing the necessary resources to establish registration offices in all the country (Uruguay);

A - 108.32 Commute the sentences of inmates on death row (Switzerland);

A - 108.33 Not resort to abusive pretrial detention and ensure that persons arrested or detained are promptly brought to trial in accordance with the guarantees contained in the International Covenant on Civil and Political Rights (France);

A - 108.34 Use all possible means to improve prison conditions, especially for minors and implement legislation to minimize detention time prior to trial (Norway);

A - 108.35 Continue to apply specific legislation to improve the conditions of detainees and ensure the full respect of due process for them (Spain);

A - 108.36 Improve prison conditions by considering the implementation of the relevant concluding observations already made by treaty bodies in this respect (Italy);

A - 108.37 Improve the prison conditions and solve the problem of overcrowding (Iraq);

A - 108.38 Adopt a concerted strategy to reduce the prison population, as overcrowding in prisons remains an issue in Benin (Netherlands);

A - 108.39 Improve the conditions of prisons and other places of detention and reduce overcrowding by building more prisons or reducing the length of pretrial detention (United States of America);

A - 108.40 Continue to strengthen its efforts to provide better legal protection for vulnerable groups, especially women (Netherlands);

A - 108.41 Continue programmes to sensitize the population to ensure the effective implementation of the rights of women and children, and the protection of the family, the elderly and people with disabilities (Costa Rica);

A - 108.42 Take appropriate measures to strengthen the fight against discriminatory practices and violence against women (Luxembourg);

A - 108.43 Adopt rapidly all the necessary measures to put the law on violence against women into practice (Spain);

A - 108.44 Apply rigorously the law on the prevention and punishment of violence against women (France);

A - 108.45 Take all necessary measures to implement the Act on the Prevention and Punishment of Violence against Women in order to effectively eliminate all forms of violence against women, including female genital mutilation and forced marriage (Slovenia);

A - 108.46 Continue the fight against discrimination of women by, inter alia, effectively implementing the law on the protection of women from domestic violence and by strictly enforcing the prohibition of female genital mutilation education, inter alia, by raising awareness among women about the prohibition of FGM (Germany);

A - 108.47 Ensure due implementation of measures aimed at addressing persistent domestic violence, including marital rape (Slovakia);

A - 108.48 Further strengthen measures to fight gender-based violence, especially domestic violence (Brazil);

A - 108.49 Continue to organize awareness-raising campaigns in cooperation with concerned stakeholders to fight harmful traditional practices touching on the rights of women and children (Libya);

A - 108.50 Step up efforts aimed at improving the situation of women, also through education and specific awareness-raising campaigns about the perils of female genital mutilation (FGM) (Italy);

A - 108.51 Apply in an efficient manner the legislation that prohibits female genital mutilation (Spain);

A - 108.52 Take concrete measures to raise awareness about the illegality of prejudicial and harmful traditional practices such as female genital mutilation or killing of disabled children, through the systematic application of existing laws (Switzerland);

A - 108.53 Ensure that legislation criminalizing female genital mutilation is effectively implemented and that offenders are prosecuted (Belgium);

A - 108.54 Ensure adequate publicity and awareness of the convictions for female genital mutilation (FGM) in order to induce a deterrent effect on concerned communities (Belgium);

A - 108.55 Take measures to guarantee full protection of children's human rights by eliminating and reducing child trafficking, violence against children, their sexual abuse and economic exploitation, their ritual killing, infanticide and child labour and by improving the birth registration of all children especially in rural areas (Holy See);

A - 108.56 Consider enacting specific legislation prohibiting and punishing violence against children (Namibia);

A - 108.57 Redouble its efforts to protect children, in particular by strengthening their legal protection (Luxembourg);

A - 108.58 Adopt all necessary measures against harmful traditional practices violating the rights of the child (Italy);

A - 108.59 Continue to implement preventive and legal measures to put a halt to ritual infanticide (Romania);

A - 108.60 Take appropriate measures to eradicate the practice of ritual infanticide once and for all (Rwanda);

A - 108.61 Implement the relevant treaty body recommendations, in particular the International Covenant on Economic, Social and Cultural Rights (ICESCR) recommendation to step up efforts to prevent and halt killings of so-called "witch children" by including provisions in the criminal law to suppress this practice and organizing campaigns to heighten awareness of its criminal nature among local authorities, doctors, midwives and the population at large (Slovenia);

A - 108.62 Continue to combat all forms of violence against children, including trafficking of children and violence against so-called "witch children" (Thailand);

A - 108.63 Eradicate the practice of ritual infanticide, punish those found to perpetrate these crimes and establish a mechanism to provide effective support and guidance to the affected families (United Kingdom of Great Britain and Northern Ireland);

A - 108.64 Set up all kinds of measures to guarantee a comprehensive response to ritual infanticide. In particular, carry out activities of prevention and protection measures, as well as adopt legal and judicial measures, categorizing ritual infanticide as a crime (Uruguay);

A - 108.65 Align its legislation to prohibit all forms of discrimination against children, in particular any discrimination that stigmatizes them as witches, and guarantee that minors benefit from concrete legal and social protection against rituals that endanger their lives (Mexico);

A - 108.66 Continue taking measures to prevent infanticide of so-called child witches (Chile);

A - 108.67 Explicitly prohibit all corporal punishment of children in all settings, including at home and in schools, in the context of adopting the new Children's Code, and promote alternative forms of discipline (Liechtenstein);

A - 108.68 Revise its legislation to prohibit and sanction corporal punishment imposed on children at home and in schools and step up its efforts on raising awareness about the negative effects of this practice (Mexico);

A - 108.69 Adopt additional measures, including legislative ones, to eradicate the practice of deliberate exploitation of children and the use of corporal punishment against children (Belarus);

A - 108.70 Adopt a comprehensive plan on the rights of the child that fight trafficking, labour exploitation, sexual abuse and physical violence (Spain);

A - 108.71 Take measures to ensure the implementation of national and international norms on trafficking in persons, particularly children, including through the establishment of a national births register (Costa Rica);

A - 108.72 Finalize and enact draft legislation that prohibit all forms of human trafficking and that trafficking in children is effectively investigated and prosecuted. To this end, we recommend that all law enforcement officers and the judiciary receive adequate training on human trafficking and that protective services are provided to the witnesses and victims of trafficking (Norway);

A - 108.73 Continue to fight against trafficking in persons and strengthen support mechanisms for victims of trafficking (Romania);

A - 108.74 Intensify its efforts to implement existing laws against child trafficking, including Law No. 2006-04 on the conditions of displacement of minors and combating child trafficking in Benin, by raising awareness among populations at risk and taking necessary steps to ensure that those responsible for child trafficking are prosecuted in conformity with international norms (Canada);

A - 108.75 Combat child trafficking by providing training to police officers, prosecutors and judges, by ensuring that those responsible for child trafficking are promptly brought to justice, and by providing adequate victim assistance (Liechtenstein);

A - 108.76 Step up efforts in addressing widespread phenomenon of child economic exploitation in the form of child trafficking or child labour as well as child sexual abuse (Slovakia);

A - 108.77 Take the necessary executive and legislative measures to fight child labour, child abuse and trafficking in children (Sudan);

A - 108.78 Strengthen the judicial system through financial support and effective anti-corruption measures (Germany);

A - 108.79 Continue accelerating the improvement of the judicial, police and prison systems in line with international human rights standards (Holy See);

A - 108.80 Continue its efforts in fighting corruption and allocate sufficient funding for the implementation of its newly enacted law on combating corruption (Malaysia);

A - 108.81 Take necessary steps to entrench, in practice as well as in legislation, freedom of expression and freedom of the media (Australia);

A - 108.82 Guarantee in an effective manner and in line with the Constitution of Benin and the international instruments to which it is a party, the rights of workers including the right to strike, freedom of association and peaceful assembly (Spain);

A - 108.83 Promote and advance policies that focus on the alleviation of poverty (Pakistan);

A - 108.84 Strengthen the efforts to combat poverty (Senegal);

A - 108.85 Continue implementing poverty reduction strategies, promote sustainable development, improve the people's living standard, and build a solid space so that every Beninese can fully enjoy all human rights (China);

A - 108.86 Continue to implement the strategies and socioeconomic development plans, particularly those aimed at reducing poverty and promoting women's empowerment (Cuba);

A - 108.87 Carry on with ensuring the reduction of poverty and increasing the empowerment of women (Egypt);

A - 108.88 Continue efforts to combat poverty through the Poverty Reduction Strategy Paper and the third edition of the Growth Strategy for Poverty Reduction covering the period 2011–2014 (Indonesia);

A - 108.89 Adopt measures necessary to achieve the Millennium Development Goals (Kuwait);

A - 108.90 Continue to enhance its financial and technical capacities through, among others, constant constructive engagement with regional and international development partners (Philippines);

A - 108.91 Further promote microcredit programmes for the poorest (Kuwait);

A - 108.92 Continue its efforts on poverty reduction by expanding its microcredit programmes to small entrepreneurs, youths, and women, especially in the rural areas (Thailand);

- A - 108.93 Continue to prioritize poverty eradication and policies aimed at promoting the enjoyment of economic, social and cultural rights by its citizens (South Africa);
- A - 108.94 Step up efforts to ensure the right to food in the country (Chile);
- A - 108.95 Continue cooperation with the international community for better access to food, water and sanitation for the population of Benin, given the country's limited resources (Holy See);
- A - 108.96 Make food security a national priority and give all the required support to policies and programmes of the fight against malnutrition throughout the country (Luxembourg);
- A - 108.97 Step up its efforts to ease access by people to sanitation and drinking water (Belarus);
- A - 108.98 Continue and strengthen the ongoing efforts aimed at increasing the accessibility and quality of health services and education for all its citizens (Cuba);
- A - 108.99 Continue improving health-care performance indicators through upgrading of the national health system (Djibouti);
- A - 108.100 With the support of the World Health Organization (WHO) and the United Nations Development Programme (UNDP) continue its efforts to introduce programmes and initiatives to improve access to health care by its people (Singapore);
- A - 108.101 Strengthen efforts to address the phenomenon of alcoholism and drug addiction of children and youth, and in this regard, strengthen health-related awareness-raising programmes (Sudan);
- A - 108.102 Continue promoting the national policy for the promotion of women through working for the enrolment and retention of girls in school (Djibouti);
- A - 108.103 Step up efforts to ensure the right to education, including the participation of all school-age children, particularly girls, to attend schools (Indonesia);
- A - 108.104 Continue to promote educational strategies that aim to improve the quality of education and increase enrolment rates, especially for women, children from rural areas and the poorest children, in order to avoid their economic exploitation and trafficking (Libya);
- A - 108.105 Continue improving the quality of education by providing periodic teacher training, including instructions regarding the equal treatment of girls and boys and the importance of gender equality (Liechtenstein);
- A - 108.106 Intensify its efforts in promoting literacy among the population especially among rural women (Malaysia);
- A - 108.107 Continue its efforts to raise awareness about human rights among its population (Pakistan);
- A - 108.108 Continue to provide free education to women and girls, especially those living in rural areas (Philippines);
- A - 108.109 With the assistance from UNICEF and other relevant United Nations agencies continue to improve access to education, including skill training programmes for all (Singapore);
- A - 108.110 Create conditions enabling girls to attend school without discrimination (Switzerland);
- A - 108.111 Take measures to increase the schooling rate, particularly in rural areas (Switzerland);
- A - 108.112 Take more steps to expand free education to cover all grades in secondary schools (Uganda);
- A - 108.113 Continue its efforts to extend free education at all levels of secondary education

(Argentina);

A - 108.114 Continue with its efforts to improve the legal protection of vulnerable persons, in particular the elderly and persons with disabilities (Argentina);

A - 108.115 Intensify its awareness-raising campaigns on the situation of disabled children, and support the efforts of civil society to improve rehabilitation and reintegration of children with disabilities and effectively implement the existing legislation on birth registration (Hungary).

109. The following recommendations enjoy the support of Benin, which considers that they are already implemented:

A - 109.1 Consider ratifying the Convention on the Rights of Persons with Disabilities (Namibia);

A - 109.2 Ratify the Convention on the Rights of Persons with Disabilities (Rwanda);

A - 109.3 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);

A - 109.4 Study the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

A - 109.5 Review its national legislation to ensure full alignment with the Rome Statute of the International Criminal Court (Liechtenstein);

A - 109.6 Complete the process of full alignment of its national legislation with all obligations under the Rome Statute of the International Criminal Court (Slovakia);

A - 109.7 Consider an amendment to the Personal and Family Code to ensure full equality between children born in and out of wedlock (Chile);

A - 109.8 Take appropriate measures to speed up the ratification of the laws on children, and gender equality and participation of women (Iraq).

110. The recommendations below did not enjoy the support of Benin:

R - 110.1 Bring legislation in conformity with its commitments to equality and non-discrimination by reviewing article 88 of the Penal Code and by decriminalizing homosexual relations between consenting adults (Canada);

R - 110.2 Formally abolish any punishment on the grounds of sexual orientation or gender identity (Germany);

R - 110.3 Intensify efforts to address discrimination on the basis of sexual orientation or gender identity, and investigate and prosecute crimes against lesbian, gay, bisexual and transgender (LGBT) community members (Norway);

R - 110.4 Study the possibility of increasing the measures to eliminate all discriminatory treatment based on sexual orientation or gender identity (Argentina);

R - 110.5 Decriminalize sexual relations between consenting, same-sex individuals and establish educational programmes and appropriate policies for police that promote the personal security of all Benin citizens regardless of sexual orientation (United States of America).

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