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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER  
FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE  
ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Benin\***

This 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 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 periodicity of the review for the first cycle being four years, most documents are dated after 1 January 2004. 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of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated.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.

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\* The information and reference contained in the present document have not been verified by United Nations editors prior to submission for translation.

## I. BACKGROUND AND FRAMEWORK

### A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/ reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	30 November 2001	None	Individual complaints (art. 14): No
ICESCR	12 March 1992	None	-
ICCPR	12 March 1992	None	Inter-State complaints (art. 41): No
ICCPR-OP 1	12 March 1992	None	-
CEDAW	12 March 1992	None	-
CAT	12 March 1992		Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): No
OP-CAT	20 September 2006	None	
CRC	3 January 1990	None	-
CRC-OP-AC	31 January 2005	Yes <sup>3</sup>	-
CRC-OP-SC	31 January 2005	None	-
<i>Core treaties to which Benin is not a party: ICCPR-OP 2, OP-CEDAW (signature only, 2000), ICRMW (signature only, 2005), CPD (signature only, 2008), CPD-OP (signature only, 2008), CED.</i>			
<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>		
Convention on the Prevention and Punishment of the Crime of Genocide	No		
Rome Statute of the International Criminal Court	Yes		
Palermo Protocol <sup>4</sup>	Yes		
Refugees and stateless persons <sup>5</sup>	Yes		
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>6</sup>	Yes, except Protocol III		
ILO fundamental conventions <sup>7</sup>	Yes		
UNESCO Convention against Discrimination in Education	Yes		

1. The Committee on the Elimination of Discrimination against Women (CEDAW) in 2005, the Committee on the Rights of the Child (CRC) in 2006 and the Committee against Torture (CAT) in 2007, welcomed the ratification of or accession to: the two OP-CRC, the OP-CAT, the OP-CEDAW, the Rome Statute of the International Criminal Court, the ILO Conventions No. 138 and 182, the Palermo Protocol and the Protocol against the smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.<sup>8</sup> CEDAW encouraged Benin to ratify the ICRMW.<sup>9</sup>

### B. Constitutional and legislative framework

2. In 2002, the Committee on Economic, Social and Cultural Rights (CESCR) welcomed the fact that the Constitution (1990) contains a section devoted to human rights, including certain economic, social and cultural rights.<sup>10</sup> In 2005, CEDAW welcomed the recent legislative reforms to eliminate discrimination against women, including the adoption of law No. 3 of 2003 prohibiting the practice of female genital mutilation and the Personal and Family Code of 2004.<sup>11</sup> Similar acknowledgment was made by the Human Rights Committee (HR Committee) in 2004<sup>12</sup> and by CAT<sup>13</sup> in 2007. In 2006, CRC welcomed the adoption of several laws and regulations aimed at protecting and promoting the rights of children<sup>14</sup> and recommended that Benin continue to

strengthen its efforts to provide better legal protection for children and ensure that relevant domestic laws are in full conformity with the Convention. It further recommended that Benin expedite the adoption of the Children's Code and the revision of the Penal Code and the Penal Procedure Code.<sup>15</sup>

### C. Institutional and human rights structure

3. In 2004, the HR Committee noted with satisfaction that individuals are able to bring matters before the Constitutional Court in a simple procedure and that the Court has a role to play in protecting fundamental rights.<sup>16</sup> However, it noted with concern that the individual complaint procedure before the Constitutional Court is largely unknown to the public and that the Court's decisions are not subject to a follow-up procedure. It recommended Benin to raise awareness on the opportunities people have to bring matters before the Constitutional Court; to ensure that the Court's decisions are enforced and contemplate the establishment of a body to follow up the Court's decisions.<sup>17</sup> Also, the HR Committee<sup>18</sup> noted with concern that the Beninese Commission on Human Rights is no longer operational and that no measures were taken to enable it to function effectively. It recommended setting up a national human rights institution, in accordance with the Paris Principles. In 2007, CAT made a similar recommendation.<sup>19</sup> Also, in 2006, the CRC regretted the absence of an independent and child-sensitive structure with a mandate that includes the power to receive and address individual complaints of alleged violations of the rights of the child.<sup>20</sup>

### D. Policy measures

4. In 2006, CRC was concerned that Benin had not yet adopted a national plan of action for children and recommended that a National Policy and Strategy on Child Protection be adopted.<sup>21</sup> CRC further recommended that Benin continue and strengthen its efforts to improve the coherency and coordination of all the activities for the implementation of the Convention so as to ensure effective coordination among central and local authorities as well as cooperation with children, young people, parents and non-governmental organizations.<sup>22</sup> In 2004, the HR Committee<sup>23</sup> noted the efforts made by Benin to increase public awareness of human rights but was concerned that these efforts have been limited. It recommended that, as expressly stipulated in article 40 of the Constitution, Benin integrate human rights education in the primary, secondary, higher and vocational education curricula.

## II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>24</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD				Initial report to third reports overdue since 2002, 2004 and 2006 respectively
CESCR	2001	June 2002		Second report due in 2007
HR Committee	2004	December 2004	Overdue since 2005	Second report due in 2008
CEDAW	2002	July 2005		Fourth report overdue since 2005
CAT	2005	November 2007	November 2008	Third report due in 2011
CRC	2005	September 2006		Third to fifth reports due in 2011
OP-CRC-AC				Initial report was due in 2007
OP-CRC-SC				Initial report was due in 2007

5. The Sub-Committee on Prevention of Torture will undertake a mission to Benin in May 2008.

## 2. Cooperation with special procedures

<i>Standing invitation</i>	No.
<i>Latest visits or mission reports</i>	None.
<i>Visits agreed upon in principle</i>	None.
<i>Visits requested and not yet agreed upon</i>	None.
<i>Facilitation/cooperation during missions</i>	N/A.
<i>Follow-up to visits</i>	N/A.
<i>Responses to letters of allegations and urgent appeals</i>	Between 1 January 2004 and 31 December 2007, a total of 3 communications were sent to Benin. In addition to communications sent for particular groups, 2 individuals, both male, were concerned by these communications. In the same period, Benin replied to no communications.
<i>Responses to questionnaires on thematic issues<sup>25</sup></i>	Benin responded to 1 questionnaire of the 12 questionnaires sent by the Special Procedures mandate holders <sup>26</sup> between 1 January 2004 and 31 December 2007, within the deadlines. <sup>27</sup>

## B. Implementation of international human rights obligations

### 1. Equality and non-discrimination

6. In 2005, CEDAW<sup>28</sup> welcomed the fact that, following ratification, international treaties prevail over national laws but was concerned about the status of implementation of the Convention. It recommended that Benin review all its laws, policies and programmes to ensure compatibility with the Convention and take all appropriate legislative and other measures to ensure that women enjoy de facto equality with men in all sectors.

7. In 2002, CESCR<sup>29</sup> noted that the prevalence of certain traditions, customs and cultural practices, including those set down in the 1931 Dahomey Code of Customary Law, leads to substantial discrimination against women and girls and prevents them from fully exercising their rights under the Covenant. In 2005, while welcoming the adoption of the Personal and Family Code, CEDAW<sup>30</sup> was also concerned about the application of customary practices and about the prevalence of structural patriarchal attitudes as well as deep-rooted stereotypes that may undermine the effectiveness of the Code. Similar concerns were raised regarding the effectiveness of the law on female genital mutilation and about the status of marriages concluded prior to the Code's coming into force. In 2004, the HR Committee<sup>31</sup> was also concerned at the possible consequences of polygamous marriages that might nevertheless be concluded under customary law. It recommended that Benin clearly prohibit the conclusion of new polygamous marriages and provide greater protection to women who, once the new Personal and Family Code has entered into force and out of respect for tradition, may enter into polygamous unions when such unions no longer have any legal standing. CEDAW<sup>32</sup> also called upon Benin to develop and implement comprehensive educational measures on the provisions of the Personal and Family Code and on other laws designed to eliminate discrimination against women.

8. In 2006, while noting measures undertaken by Benin, in particular the implementation of the programme of action for 2001-2006, CRC<sup>33</sup> was concerned at the persisting de facto discrimination, lack of statistical data on the number of children with disabilities and insufficient educational opportunities for these children. It recommended Benin to consider developing and adopting a national policy or strategy on persons with disabilities and provide all children with disabilities access to adequate social and health services.

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

9. In 2004, while welcoming the fact that no one sentenced to capital punishment has been executed in Benin in almost 18 years, the HR Committee<sup>34</sup> noted with concern that capital punishment is not limited to the most serious crimes and that some individuals have been on death row for many years. In 2007, CAT<sup>35</sup> also expressed deep concern on detention conditions which amount to cruel, inhuman and degrading treatment. It recommended the adoption of urgent measures to improve the fundamental rights of individuals on death row and that Benin should adopt a moratorium on the death penalty.

10. In 2007, while noting provisions of the Constitution prohibiting torture, CAT regretted the absence of a definition and a specific offence of torture in criminal law and recommended the urgent enactment of such legislation.<sup>36</sup> It further recommended the adoption of appropriate legislation implementing the principle of absolute prohibition of torture also prohibiting the use of any statement obtained under torture and establishing that orders from a superior may not be invoked as a justification of torture.<sup>37</sup> CAT<sup>38</sup> also regretted that according to reports received, persons suspected of having committed acts of torture and murder have benefited from law 90/028 of 9 October 1990 on amnesty and recommended that all allegations of torture and ill-treatment, including those committed between 1972 and 1990 be investigated; and that the 1990 Amnesty Law be abrogated. In 2004, the HR Committee<sup>39</sup> was also concerned by allegations that abuse of the system of police custody, torture and cruel, inhuman or degrading treatment are common practice. It was disturbed by the fact that law enforcement officials who perpetrate such violations appear to enjoy widespread impunity. In 2007, CAT expressed similar concerns.<sup>40</sup> The HR Committee recommended Benin to display greater firmness in preventing abuses of police custody, torture and ill-treatment and bring disciplinary and criminal proceedings against the perpetrators of violations.<sup>41</sup>

11. Despite the efforts made by Benin to improve detention facilities, CAT<sup>42</sup> was deeply concerned about conditions of detention, overcrowding in prisons, corruption of penitentiary officers by detainees, the lack of sanitation conditions and adequate food as well as the prevalence of diseases and the lack of adequate health care. CAT was also concerned that juveniles are not always held separately from adults and that detainees are not separated from those who are serving prison sentences. In 2004, the HR Committee expressed similar concerns.<sup>43</sup>

12. In 2007, while taking note of the efforts made by Benin notably through legislative measures to eradicate ill-treatment against children, CAT was alarmed by reports on trafficking, exploitation, prostitution, genital mutilation, rape and infanticide.<sup>44</sup> It recommended that Benin take necessary measures to prohibit and eradicate torture and other cruel, inhuman or degrading treatment or punishment of children as well as investigate and bring perpetrators to justice. In 2006, the CRC<sup>45</sup> was concerned that infanticide of so-called “sorcerer’s children” motivated by traditional beliefs continues to be practised in certain communities and on infants with disabilities, and recommended to Benin to take measures, including legislative ones, to prevent and stop infanticide. In 2004, the HR Committee raised similar concerns.<sup>46</sup>

13. In 2006, CRC<sup>47</sup> noted with appreciation the efforts undertaken by Benin to prevent the practice of female genital mutilation (FGM), including the Law on the Suppression of FGM of 2003, and that some practitioners have abandoned this practice. However, it reiterated its concern at the de facto persistence of practices harmful to the girl child, including FGM. The HR Committee in 2004 and CESCR in 2002 expressed similar concerns.<sup>48</sup> CRC<sup>49</sup> recommended that Benin strengthen and accelerate its ongoing efforts to prevent FGM. In 2007, while taking note of the efforts made by Benin in strengthening the legislative framework related to violence against women, CAT<sup>50</sup> regretted that the draft penal code does not include a specific offence on domestic violence and trafficking of women. CAT also noted with concern reports indicating a generalization of violence against women, in particular trafficking, rape and domestic violence. It recommended that specific offences be included in the draft penal code in that regard. In 2004, the HR Committee recommended Benin to sensitize society as a whole to this matter, ensure that the perpetrators of such violence are criminally prosecuted and provide assistance and protection to victims.<sup>51</sup>

14. In 2004, while noting the efforts made by Benin, the HR Committee,<sup>52</sup> as also highlighted by UNHCR,<sup>53</sup> expressed its concern at the alarming practice of placing children with a third party as an act of mutual assistance or family or community solidarity (*vidomégons*), which has become a source of trafficking and economic exploitation of children within Benin. It was concerned that Benin has become a country of transit, origin and destination for international trafficking in children. In 2006, while welcoming the ongoing efforts to combat child trafficking, CRC<sup>54</sup> was concerned at the information that a high number of children under 18, especially adolescent girls, are still being trafficked for the purpose of sexual exploitation and domestic labour in other countries. In 2002, CESCR expressed similar concerns.<sup>55</sup> UNICEF noted that a national policy and strategy for child protection with a 5-year action plan has been submitted for Government approval, while a strategy on the integration of disabled persons has also been drawn up.<sup>56</sup> On 16 March 2006, the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children, wrote to the Government regarding issues of trafficking and exploitation of children. It was reported that hundreds of children from Benin, some as young as six, are trafficked.<sup>57</sup> They noted that allegedly only seven individuals in charge of the trafficking were arrested, before being freed at the end of 2004, with sentences ranging from a few months to a year of imprisonment. They further noted that no measures to encourage them to abandon their illicit activities were taken, and as a consequence, it was alleged that the trafficking was ongoing.<sup>58</sup> In its response, Benin noted that it had been the first State to recognize the existence of this issue and that it had undertaken a number of actions to put an end to it, including signing multilateral and bilateral agreements.<sup>59</sup> It also informed that despite the absence of any formal complaints by the victims, the individuals in charge of the trafficking had been identified, arrested and brought to justice.<sup>60</sup>

15. In 2006, CRC<sup>61</sup> expressed concern at the increasing number of children living, working and begging in the streets (the *talibés*), especially in urban areas, who are also victims of economic and sexual exploitation and at risk of HIV/AIDS infections. It was also concerned at the lack of programmes to address the needs of these children and to protect them. Furthermore, CRC<sup>62</sup> welcomed the inter-ministerial order penalizing sexual violence in schools but expressed its concern at reports of sexual abuse and exploitation of children. Also, while welcoming the adoption of the Code on Persons and the Family which sets the legal age for marriage for boys and girls at 18, CRC regretted the lack of clarity on the legal minimum age of sexual consent as there is no provision in the domestic legislation. CRC urged Benin to, inter alia, adopt a plan of action to prevent and combat sexual exploitation and sexual abuse; and ensure that children's testimonies are recorded in an appropriate way. While welcoming efforts undertaken to combat all forms of abuse and violence against children, CRC<sup>63</sup> was concerned at the acute problem of violence against children and child abuse within families; at the limited measures to prevent and combat ill-treatment. It recommended

Benin to, inter alia, design policies and programmes to address these issues and establish effective procedures and child-sensitive mechanisms to investigate complaints. Also in 2007, while taking note of the legislation prohibiting corporal punishment in schools, CAT was concerned at the absence of such legislation concerning the home and institutions other than school.<sup>64</sup> In 2006, CRC was also concerned that corporal punishment is widespread throughout society as a method of discipline, due to the generally tolerant attitude towards this practice.<sup>65</sup>

### **3. Administration of justice and the rule of law**

16. CAT<sup>66</sup> in 2007, and the HR Committee,<sup>67</sup> in 2004, noted the efforts made by Benin to bring the system of justice closer to the people but remained concerned at reports of serious dysfunctions in the administration of justice, owing chiefly to the lack of human and material resources, the overcrowding of dockets, the slow pace of proceedings, corruption and the interference of the executive in the judiciary. The HR Committee recommended that Benin give greater priority to efforts to address these problems; ensure the increase in number of courts and tribunals; strengthen the independence of the justice system and ensure that the expulsion of individuals is based solely on a decision taken in conformity with the law and that such individuals are given an opportunity to contest their expulsion. In 2007, CAT,<sup>68</sup> also highlighted by UNHCR,<sup>69</sup> was concerned at the lack of legislative framework on expulsion, refoulement and extradition and at current procedures and practices which could expose persons to risks of being subjected to torture. CAT was also concerned by provisions of the criminal procedure code on the issue of universal competence on acts of torture.<sup>70</sup>

17. In 2004, the HR Committee noted with concern that the most basic rights of persons in police custody are not guaranteed under Beninese law.<sup>71</sup> It recommended Benin to guarantee the right of persons in police custody to have access to a lawyer in the initial hours of detention; to be informed of their rights; that provision be made for a medical examination at the beginning and at the end of the detention period; that provision be made for rapid and effective remedies to allow detainees to challenge the legality of their detention and assert their rights. CAT also regretted that according to penal law, juveniles of over 13 years could be sentenced to a deprivation of liberty.<sup>72</sup> It recommended that Benin take necessary measures to raise the age of criminal responsibility to an internationally acceptable level. In 2006, CRC expressed similar concern.<sup>73</sup> The HR Committee<sup>74</sup> was further concerned that few people, including minors, are assisted by a lawyer during criminal proceedings, and that such assistance is mandatory only in the Court of Assizes.

### **4. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

18. The Special Rapporteur on the right to freedom of expression and opinion sent two communications in 2004 about the director of the newspaper *Le Nouvel Essor*, who had reportedly been sentenced to six months of imprisonment for defamation for having published an article on an allegedly adulterous woman. He had been freed at the time the first communication was sent. but it was reported that he could be imprisoned again in case of an appeal.<sup>75</sup> In 2004, the HR Committee was concerned that under the Act of 30 June 1960 and the Act of 20 August 1997 press offences are punishable by up to five years' imprisonment, which is a disproportionate duration in light of article 19 of the Covenant.<sup>76</sup> Concerns that public demonstrations have been banned for reasons that appear to have nothing to do with the justifications listed in article 21 of the Covenant were also expressed. The HR Committee recommended that Benin guarantee the right of peaceful assembly.<sup>77</sup>

19. CEDAW was concerned about the low level of representation of women in public and political life and in decision-making positions, including at the international level and urged Benin

to implement temporary special measures, including quotas, and to establish concrete goals and timetables to increase the number of women in political and public life and in decision-making positions.<sup>78</sup>

### **5. Right to work and to just and favourable conditions of work**

20. In 2002, CESCR regretted that the minimum wage set by Benin is too low to provide workers and their families with a decent living<sup>79</sup> and at the continuing restrictions on the right to strike, particularly those imposed by Ordinance No. 69-14 of 19 June 1969 concerning the exercise of the right to strike.<sup>80</sup>

### **6. Right to social security and to an adequate standard of living**

21. In 2002, CESCR noted the difficult economic situation that persists in Benin, due in part to its relatively undiversified economic structure and the effects of the structural adjustment programmes it has followed since 1989 and of its foreign debts.<sup>81</sup> It was also concerned at the serious problem of poverty faced by Benin;<sup>82</sup> high unemployment, which especially affects young people; and the dismissals resulting from the privatization or liquidation of a number of national enterprises.<sup>83</sup> CESCR recommended that Benin strengthen its efforts to reduce the impact of poverty and include economic, social and cultural rights in its poverty reduction strategy;<sup>84</sup> take more effective action to reduce unemployment;<sup>85</sup> and take action to reduce the proportion of the population working in the informal sector.<sup>86</sup> CRC was also concerned at the widespread poverty in Benin and regretted the lack of information on the actual extent of children living in poverty. Concern was also expressed at the regional disparities in the standard of living and the direct correlation between poverty, health status and health care, and access to education. While noting the improvements in water supply, the CRC was concerned at the limited access to clean and safe drinking water and adequate sanitation in the country. It recommended that Benin reinforce its efforts to provide support and material assistance, with a particular focus on the most marginalized and disadvantaged families, and to guarantee the right of children to an adequate standard of living.<sup>87</sup>

22. CESCR<sup>88</sup> was concerned at the lack of a social policy on housing and the lack of low-cost housing and at the growing number of persons living in the street and in substandard housing in shanty-towns lacking all basic services. CESCR<sup>89</sup> was also concerned by the disparities in living standards between urban and rural areas, given that people living in rural areas have considerably less access to drinking water, sanitation and electricity and that the privatization of water and electricity are leading to a rise in costs. CESCR recommended Benin to introduce a consistent public housing scheme, build more low-cost housing for disadvantaged and marginalized people in lower income brackets, arrange for rents for public housing to be regulated and avoid any forced evictions.<sup>90</sup> UN-Habitat noted that in November 2002 Benin adopted a national policy on land settlement which includes territorial planning and resource management and, in August 2005, a national habitat policy which includes suggested solutions to problems related to providing adequate housing to all.<sup>91</sup>

23. In 2005, while noting the efforts made by Benin to improve reproductive health care, CEDAW<sup>92</sup> was concerned about the lack of access to adequate health care for women and girls, particularly in rural areas. It was concerned about the causes of morbidity and mortality of women, particularly the number of deaths due to illegal abortions, and about inadequate family planning services and the low rates of contraceptive use. CEDAW was also concerned that women need the permission of their husbands to obtain contraceptives and family planning services. It recommended to Benin to take measures to improve and increase women's access to health care and health-related services and information, particularly in rural areas; to improve the availability of sexual and

reproductive health services, including family planning, and to make available, without requiring the permission of the husband, contraceptive services to women and girls; and that sex education be widely promoted and targeted at girls and boys, with special attention to the prevention of early pregnancies and sexually transmitted diseases. Similar concerns were raised by CRC in 2006<sup>93</sup> as well as by CESCR in 2002,<sup>94</sup> which further noted the lack of hospitals and health clinics and the growing number of unqualified personnel in the health sector, especially in the rural areas. It recommended that Benin establish a global health policy.<sup>95</sup>

24. In 2006, CRC<sup>96</sup> noted with appreciation the various health programmes and projects undertaken by Benin, including the Bamako Initiative, the results of the successful immunization programme and the integrated approach to child survival, the high level of ante-natal care and the reasonably high level of assisted births. However, the Committee was concerned that infant, neonatal and maternal death rates remain very high. It was also concerned at the high incidence of malnutrition and recommended that Benin continue to prioritize the allocation of financial and human resources to the health sector. UNICEF also noted that chronic malnutrition has increased from 30.7 per cent in 2001 to 43.1 per cent in 2006, and that even higher rates are registered among children from the poorest families throughout the country.<sup>97</sup> FAO noted that Benin is committed to integrating the right to food in the national strategies against malnutrition and food insecurity, taking into consideration the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security.<sup>98</sup>

25. CRC<sup>99</sup> noted with appreciation various measures undertaken by Benin, but was deeply concerned at the high prevalence of HIV/AIDS and that a limited number of HIV/AIDS-infected children have access to antiretroviral medication. CRC recommended that Benin continue, inter alia, to strengthen its efforts to combat the spread and effects of HIV/AIDS, including by providing all pregnant women with adequate health and social services free of charge, and by ensuring the provision of antiretroviral drugs and paediatric care. A WHO report indicated that HIV infections within the population progresses slowly but in a constant manner and its pressure on the health system increases in a parallel way.<sup>100</sup>

## **7. Right to education and to participate in the cultural life of the community**

26. In 2002, CESCR was concerned at the large numbers of children who work and as a result have no access to education, and suggested that Benin monitor child labour effectively.<sup>101</sup> CESCR was also concerned at the persistently high illiteracy rate and noted with concern the cultural preference given in educational matters to male children.<sup>102</sup> It was further concerned at the fact that primary education is not free of charge and that parents pay direct and indirect school fees.<sup>103</sup> It recommended that Benin step up efforts to provide girls and boys with equal access to education, to improve the literacy rate<sup>104</sup> and undertake the progressive introduction of free primary education.<sup>105</sup> In 2005, CEDAW<sup>106</sup> expressed similar concerns and, inter alia, encouraged Benin to take steps to overcome traditional attitudes and to improve the literacy level of girls and women through the adoption of comprehensive programmes. In 2006, while noting with appreciation the various efforts undertaken by Benin, including the adoption of the national plan of action entitled "Education for All" and the Ten Year Development Plan for the Education Sector, CRC<sup>107</sup> was concerned by the high illiteracy rate, the dropouts, overcrowding in classrooms, the low transition rate to secondary school, the insufficient number of trained teachers, the insufficiency of budget allocations for schools, the poor quality of education, and sexual violence and harassment in schools. It recommended that Benin continue to allocate adequate financial, human and technical resources to address these concerns. UNICEF also noted that the number of children in primary schools has

more than doubled in 10 years from 1996/97 to 2005/06 and gross primary schooling rates have increased from 71 per cent to 92 per cent over the same period. Important differences remain in schooling rates between regions and between poor and prosperous households.<sup>108</sup>

### **8. Asylum-seekers**

27. CRC, as also highlighted by UNHCR,<sup>109</sup> noted with appreciation Benin's respect for the rights of asylum-seekers but was concerned at reports of abuse and violence against refugee children and recommended Benin to, inter alia: continue its efforts in favour of refugee children and take further action against perpetrators of crimes against refugee children.<sup>110</sup> A 2006 UNHCR report<sup>111</sup> indicated that in conformity with the *Agenda for Protection*, Benin's protection capacity and the voluntary repatriation programme will be reinforced, in addition to pursuing activities geared towards self-reliance for refugees and strengthening the intervention capacity of implementing partners.

### **9. Human rights and counter-terrorism**

28. The HR Committee was concerned that certain provisions of the draft Criminal Code and Code of Criminal Procedure aimed at combating terrorism might infringe some of the rights set out in the Covenant.<sup>112</sup> It recommended that Benin ensure that these provisions do not infringe the rights set out in the Covenant, particularly the right to security and freedom of the person, the right to a fair trial and the right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment.

## **III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

29. In 2005, the Special Rapporteur on the right to education noted that Benin was amongst the 25 countries experiencing the greatest difficulties in meeting the target of the "25 by 2005 Girls' Education Campaign", an acceleration strategy initiated by UNICEF to complement existing strategies to achieve gender parity by 2005.<sup>113</sup> He also noted that Benin was among countries with school fees in public primary education.<sup>114</sup> In 2006, the Special Rapporteur noted the startling efforts made by Benin, which had increased the general enrolment rate of girls and boys aged 6-12 from 44 per cent in 1996 to 55 per cent in 2001, reducing the gender gap from 21 per cent to 17 per cent.<sup>115</sup> UNICEF further noted an increase in the national education budget allocation from 20 per cent to 30 per cent in 2007.<sup>116</sup> It also noted that all community recruited teachers are now paid by the Government and their retraining programme has been approved and initiated, relying mainly on in-service training and coaching. At the beginning of the 2007/08 school year, an emergency programme built 311 classrooms and a programme to build 6,000 more classrooms was launched, including 1,200 in a second emergency programme. A primary education programme has been initiated for apprentices and in 2006 a feasibility study was undertaken for a three-year accelerated primary education programme for dropouts and over-age children based on the experience gained from initiatives taken by civil society organizations.

30. In 2006, CRC noted with appreciation the establishment of new institutions aimed at protecting and promoting the rights of the child, such as the National Committee on the Rights of the Child and the national unit to monitor and coordinate child protection activities.<sup>117</sup> Also, a 2005 UNICEF report noted that village committees have been set up to combat child trafficking.<sup>118</sup> Their activities include raising awareness about child protection issues among parents, children and the general population, reporting cases of abuse or disappearance and monitoring the reintegration of trafficked children when they return to the village.

31. In 2007, CAT welcomed the implementation of the 2005-2007 plan for strengthening the judiciary and judicial system and efforts made by Benin in improving the detention conditions with the support of UNDP.<sup>119</sup>

32. UNICEF noted that the percentage of households with clean water supply has increased over the past 10 years from 56 per cent to 70.6 per cent, well on the way to achieving the Millennium Development Goal target.<sup>120</sup>

#### IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

##### Specific recommendations for follow-up

33. The HR Committee requested Benin to provide the relevant information on its response to the Committee's recommendations, related to the persistence of FGM, conditions of detention and abuse of the system of police custody, torture and cruel, inhuman or degrading treatment, and that law enforcement officials who perpetrate such violations appear to enjoy widespread impunity.<sup>121</sup> CAT also requested information on the issue of non-refoulement and extradition, the conditions of detention and on the amendments to the draft criminal and procedural codes.<sup>122</sup>

#### V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

34. In 2005, CEDAW recommended that Benin avail itself of technical and financial assistance from the international community, as indicated in the Beijing Declaration and Platform for Action and the outcome document of the twenty-third special session of the General Assembly, in order to facilitate implementation of the Convention.<sup>123</sup>

35. The following three priority strategic objectives of the 2004-2008 United Nations Development Assistance Framework (UNDAF)<sup>124</sup> were developed based on the national priorities and on the Millennium Development Goals, on the persistence and range of problems to be solved: (i) the fight against poverty, food insecurity, and ensuring the protection of the environment; (ii) to ensure equitable access to basic and quality social services and promote human rights; (iii) the fight against HIV/AIDS, malaria, tuberculosis, and other transmissible and non-transmissible diseases. Furthermore, UNICEF and UN-Habitat provided information regarding their capacity-building programmes and activities in Benin.<sup>125</sup>

#### Notes

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

<sup>2</sup> 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
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
CPD	Convention on the Protection of Persons with Disabilities
OP-CPD	Optional Protocol to Convention on the Protection of Persons with Disabilities
CED	Convention on the Protection of Persons from Enforced Disappearance

<sup>3</sup> Declaration: “The Government of the Republic of Benin declares that the minimum age at which it permits the recruitment of volunteers into the armed forces and the national gendarmerie is eighteen (18) years (cf. article 13 of Act No. 63-5 of 30 May 1963 on recruitment in the Republic of Benin). The Government of the Republic of Benin also indicates the safeguards that it has adopted to ensure that such recruitment is in no event forced or coerced: (a) The process of recruitment into the Beninese Armed Forces and the national gendarmerie is initiated by an announcement in the national press and news media for young persons; (b) The recruitment file is composed, as appropriate, inter alia, of a birth certificate, a certificate of school attendance and/or a certificate of apprenticeship; (c) The induction of young persons takes place in public, at a sports ground or a similar location; (d) All recruits undergo a rigorous medical examination.”

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>5</sup> 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.

<sup>6</sup> 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](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).

<sup>7</sup> 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.

<sup>8</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, para. 144; CRC Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 6; CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 4.

<sup>9</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, para. 168.

<sup>10</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 5.

<sup>11</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, para. 143.

<sup>12</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, paras. 5-6.

<sup>13</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 4 (unedited version).

<sup>14</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 3.

<sup>15</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 10.

<sup>16</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 3.

<sup>17</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 7.

- <sup>18</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 8.
- <sup>19</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 20, (unedited version).
- <sup>20</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 15-16.
- <sup>21</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 11-12.
- <sup>22</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 14.
- <sup>23</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 25.
- <sup>24</sup> The following abbreviations have been used for this document:

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
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

- <sup>25</sup> The questionnaires included in this section are those which have been reflected in a report by a Special Procedure mandate holder.
- <sup>26</sup> Special Rapporteur on the right to education (A/HRC/4/29): Questionnaire on the right to education of persons with disabilities Report of the Special Rapporteur on the right to education, the right to education of persons with disabilities sent in 2006.

Special Rapporteur on the human rights of migrants (A/HRC/4/24): Questionnaire on the human rights of migrants on border control and measures to reduce/address irregular migration; expulsion; conditions for admission/stay; rights of migrants; and the protection of migrants sent on 8 and 9 September 2006.

Special Rapporteur on trafficking in persons, especially in women and children (A/HRC/4/23): Questionnaire on Forced marriages in the context of trafficking in persons, especially women and children Report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children sent on 26 July 2006.

Special Representative on human rights defenders (E/CN.4/2006/95/Add.5): Questionnaire aimed at identifying the main areas of progress and the remaining challenges that need to be addressed in relation to the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms sent in June 2005.

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 peoples sent in August 2007.

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 demand for commercial sexual exploitation and trafficking and demand for sexual services deriving from exploitation sent on 25 and 26 July 2005.

Special Rapporteur on the right to education (E/CN.4/2006/45): Questionnaire on girls' right to education sent in 2005.

Working Group on the use of mercenaries as a means of violating human rights (A/61/341): Questionnaire on Mercenaries sent in mid-November 2005.

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.

Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78): Questionnaire on Child pornography on the Internet sent on 30 July 2004.

Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2004/9): Questionnaire on the Prevention of child sexual exploitation sent on 29 July 2003.

Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprise (A/HRC/4/35/Add.3): Questionnaire to identify policies and practices by which states regulate, adjudicate and otherwise influence corporate actions.

<sup>27</sup> Questionnaire sent jointly by the Special Rapporteur on trafficking in persons especially women and children (E/CN.4/2006/62, para. 24) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67, para. 22), on demand for commercial sexual exploitation and trafficking and on demand for sexual services deriving from exploitation.

<sup>28</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, paras. 145-144.

<sup>29</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 8.

<sup>30</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, para. 147.

<sup>31</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 10.

<sup>32</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, para. 148.

<sup>33</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 49-50.

<sup>34</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 13.

<sup>35</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 19, (unedited version).

<sup>36</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 9, (unedited version).

<sup>37</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 7, (unedited version).

<sup>38</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 6, (unedited version).

<sup>39</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 15.

<sup>40</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 21, (unedited version).

<sup>41</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 15.

<sup>42</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 18, (unedited version).

<sup>43</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 17.

<sup>44</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 22, (unedited version).

<sup>45</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 11-12.

<sup>46</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 14.

<sup>47</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 53.

<sup>48</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 11 and CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 12.

<sup>49</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 54.

<sup>50</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 24, (unedited version).

- <sup>51</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 9.
- <sup>52</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 24.
- <sup>53</sup> UNHCR submission to the UPR on Benin, p. 2, citing CCPR/CO/82/BEN, para. 24.
- <sup>54</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 71.
- <sup>55</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 18.
- <sup>56</sup> UNICEF Submission to the UPR on Benin, p. 4.
- <sup>57</sup> Special Rapporteur on the sale of children, child prostitution and child pornography, A/HRC/4/31/Add.1, para. 25.
- <sup>58</sup> Special Rapporteur on the sale of children, child prostitution and child pornography, A/HRC/4/31/Add.1, para. 26.
- <sup>59</sup> Special Rapporteur on the sale of children, child prostitution and child pornography, A/HRC/4/31/Add.1, para. 27.
- <sup>60</sup> Special Rapporteur on the sale of children, child prostitution and child pornography, A/HRC/4/31/Add.1, para. 29.
- <sup>61</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 73-74.
- <sup>62</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 69-70.
- <sup>63</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 46-47.
- <sup>64</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 23, (unedited version).
- <sup>65</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 39-41.
- <sup>66</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, paras. 12-13, (unedited version).
- <sup>67</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 18.
- <sup>68</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 11, (unedited version).
- <sup>69</sup> UNHCR submission to the UPR on Benin, p. 1, citing CAT/C/BEN/CO/2, para. 1.
- <sup>70</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 15, (unedited version).
- <sup>71</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 16.
- <sup>72</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 14, (unedited version).
- <sup>73</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 75-76.
- <sup>74</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 20.
- <sup>75</sup> Special Rapporteur on the right to freedom of opinion and expression, E/CN.4/2005/64/Add.1, paras. 102 and 103.
- <sup>76</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 22.
- <sup>77</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 23.
- <sup>78</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, para. 153-154.
- <sup>79</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 15.
- <sup>80</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 16.
- <sup>81</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 7.
- <sup>82</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 10.
- <sup>83</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 14.

- <sup>84</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 29.
- <sup>85</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 33.
- <sup>86</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 36.
- <sup>87</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 59-60.
- <sup>88</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, paras. 21 and 22.
- <sup>89</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, paras. 21 and 22.
- <sup>90</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 40.
- <sup>91</sup> UN-HABITAT submission to the UPR on Benin, p. 2.
- <sup>92</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, paras. 157-158.
- <sup>93</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 55.
- <sup>94</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, paras. 23 and 24.
- <sup>95</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 43.
- <sup>96</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 51-52.
- <sup>97</sup> UNICEF submission to the UPR on Benin, p. 2.
- <sup>98</sup> FAO submission to the UPR on Benin, p. 1.
- <sup>99</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 57-58.
- <sup>100</sup> See the *Stratégie de Coopération de l'OMS avec les Pays, Benin, 2004-2008*, pp. 9-11 accessible at [http://www.who.int/countryfocus/cooperation\\_strategy/ccs\\_ben\\_fr.pdf](http://www.who.int/countryfocus/cooperation_strategy/ccs_ben_fr.pdf) (accessed on 4 March 2008).
- <sup>101</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, paras. 19 and 38.
- <sup>102</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 25.
- <sup>103</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 26.
- <sup>104</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 44.
- <sup>105</sup> CESCR, Committee, Concluding observations, (E/C.12/Add.78), adopted on 15 May 2002, para. 45.
- <sup>106</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, paras. 155-156.
- <sup>107</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 61-62.
- <sup>108</sup> UNICEF submission to the UPR on Benin p. 2.
- <sup>109</sup> UNHCR submission to the UPR on Benin, p. 1, citing CRC/C/BEN/CO/2, paras. 65-66.
- <sup>110</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, paras. 65-67.
- <sup>111</sup> UNHCR, *Global Appeal Report*, Geneva, 2006, p. 170.
- <sup>112</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 12.
- <sup>113</sup> Special Rapporteur on the right to education, E/CN.4/2005/50, para. 76.
- <sup>114</sup> Special Rapporteur on the right to education, E/CN.4/2004/45, Table 1, p. 11.
- <sup>115</sup> Special Rapporteur on the right to education, E/CN.4/2006/45, para. 62.
- <sup>116</sup> UNICEF submission UPR on Benin, pp. 3-4.
- <sup>117</sup> CRC, Committee, Concluding observations, (CRC/C/BEN/CO/2), adopted on 29 September 2006, para. 3.
- <sup>118</sup> UNICEF, *State of the World's Children Report 2006*, New York, 2005, pp. 54-55.

<sup>119</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 5, (unedited version).

<sup>120</sup> UNICEF submission to the UPR on Benin, p. 2.

<sup>121</sup> Human Rights Committee, Concluding observations, (CCPR/CO/82/BEN), adopted on 2 November 2004, para. 27.

<sup>122</sup> CAT Committee, Concluding observations, (CAT/C/BEN/CO/2), adopted on 22 November 2007, para. 33, (unedited version).

<sup>123</sup> CEDAW, Committee, Concluding observations, (A/60/38), adopted on 22 July 2005, para. 163.

<sup>124</sup> United Nations Development Assistance Framework (UNDAF) - Benin 2004-2008, p. 3. (French) available at: [http://www.undg.org/archive\\_docs/1822-Benin\\_UNDAF\\_\\_2004-2008\\_-\\_Benin\\_2004-2008.doc](http://www.undg.org/archive_docs/1822-Benin_UNDAF__2004-2008_-_Benin_2004-2008.doc), p. 8.

<sup>125</sup> See UPR Submissions.

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