

UPR MONITOR

International Service for Human Rights



Human Rights Monitor Series

UNIVERSAL PERIODIC REVIEW, 2ND SESSION BENIN (FINAL) REVIEWED ON 7 MAY 2008, MORNING

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Overview

The delegation of Benin was headed by Mr Honoré Akpomey (Director of Cabinet, Ministry of Justice, Legislation and Human Rights) and comprised nine members. 40 countries took part in the interactive dialogue. In addressing some (but not all) of the questions raised, the Benin delegation took the approach of responding to clusters of questions.

Most states acknowledged the challenges Benin faced in improving its human rights situation, but also welcomed the progress it had achieved in recent years in various areas. Issues discussed included the following:

- strengthening of the judicial system¹
- combating corruption²
- improvement of prison conditions and treatment of detainees³
- eradication of torture⁴

¹ Brazil, Morocco, Netherlands, United Kingdom.

² Canada, United States of America.

³ China, Cote d'Ivoire, Angola, Morocco, Netherlands, United Kingdom.

- *Optional Protocol to the Convention Against Torture*⁵
- abolition of the death penalty⁶
- trafficking in persons, particularly children and women⁷
- traditional practices affecting the health of women and children, including Female Genital Mutilation and infanticide⁸
- discrimination against women⁹ and domestic violence¹⁰
- rights of children¹¹
- protection of persons with disabilities¹²
- attitudes to homosexuality¹³
- freedom of expression and of the press¹⁴
- economic, social and cultural rights, including achievement of the Millennium Development Goals¹⁵
- right to education, including efforts to improve literacy¹⁶
- provision of healthcare¹⁷
- fight against poverty¹⁸
- international support, including technical assistance, for the promotion and protection of human rights¹⁹
- establishment of a national human rights institution, in line with the Paris Principles²⁰
- strengthening cooperation with the international human rights system, including the special procedures²¹

While not all questions were answered during the constructive exchange of views, the Benin delegation undertook to consider the various comments and recommendations that had been put forward. Benin took the opportunity to make an appeal to the international community for support, including technical assistance, in its efforts to improve the protection and promotion of human rights.

General information on Benin

Membership of the Human Rights Council

Benin is not a member of the Human Rights Council.

⁴ Canada, Denmark, Republic of Korea, United Kingdom.

⁵ Denmark, Cote d'Ivoire, United Kingdom.

⁶ Philippines, Russian Federation, France, Netherlands, Italy, Mexico.

⁷ Philippines, Democratic Republic of Congo, Belgium, Mali, Canada, Holy See, Azerbaijan, Nigeria, Netherlands, United Kingdom, Chad, Mexico

⁸ Russian Federation, Canada, France, Holy See, Netherlands, United Kingdom, Burkina Faso, Italy, Mauritania.

⁹ Russian Federation, France, Cote d'Ivoire, Syria, Tunisia, United Kingdom.

¹⁰ France, Denmark, Azerbaijan, United Kingdom.

¹¹ Brazil, Syria, Bangladesh, Netherlands, Mexico, Belgium, China, Russian Federation, Holy See.

¹² China, Ireland, Senegal, Egypt.

¹³ Belgium, Ireland.

¹⁴ Canada, Cote d'Ivoire, Netherlands, Pakistan.

¹⁵ Senegal, Nigeria, Cuba, Egypt, Chad, South Africa, Sudan, Algeria, Brazil, Philippines, Cote d'Ivoire.

¹⁶ Algeria, Democratic Republic of Congo, Belgium, China, Philippines, Russian Federation, Mali, Latvia, Azerbaijan, Angola, Cuba, Morocco, Bangladesh, Senegal, Nigeria, Tunisia, Pakistan, Chad, South Africa, Sudan.

¹⁷ Democratic Republic of Congo, Cuba, Nigeria.

¹⁸ Algeria, Russian Federation, Malaysia, Cuba, South Africa, Mauritania, Sudan.

¹⁹ Algeria, Brazil, Guinea, Cote d'Ivoire, Cuba, Morocco, Syria, Bangladesh, Senegal, Egypt, Burkina Faso, Chad, South Africa.

²⁰ Philippines, Republic of Korea.

²¹ Russian Federation, Latvia.

Members of the troika

Nicaragua, Madagascar, Germany²²

National consultation

The state report, where this information appears, was not available in English at the time of writing.

Information submitted to the Working Group

State report

The state report was not available in English at the time of writing.

Official UN documents²³

The OHCHR compilation of official UN documents welcomed Benin's ratification of, or accession to, several international human rights treaties,²⁴ while encouraging Benin to ratify the International Covenant on the Protection of the Rights of All Migrant Workers and Members of Their Families.²⁵ The sections of Benin's constitution devoted to human rights were commended,²⁶ as were recent legislative reforms aimed at eliminating discrimination against women, especially with regard to female genital mutilation.²⁷ Benin's adoption of regulations protecting the rights of children and strengthening the education system were commended, while expedition of the adoption of the Children's Code, further revisions to the Penal Code, and adoption of a policy on child protection were recommended.²⁸ The ability of individuals to bring cases of violations of fundamental rights before the Constitutional Court of Benin was recognised, however concern was expressed that these procedures, and awareness of individual human rights, generally was unknown to the public.²⁹ Moreover, the former Benin Commission on Human Rights (a national human rights institution) no longer operated, and no measures were planned to enable it to function.³⁰ The section on 'promotion and protection of human rights on the ground' listed specific concerns, including: discrimination against women and children;³¹ capital punishment;³² detention conditions;³³ tortuous use of force (and abuse of police

²² Benin requested that a member of its regional group be among its troika. Regional groups selected: African Group, GRULAC, WEOG. Members selected: Nicaragua, Madagascar, Germany. There were no objections by Benin or by the members of the troika to the selection. For a full summary of the selection of troikas, see

http://www.ishr.ch/hrm/council/councilalert/council_update_7session.pdf.

²³ A/HRC/WG.6/2/BEN/2, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/BJSession2.aspx>

²⁴ Core universal human rights treaties to which Brazil is a party: *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)*, *International Covenant on Economic, Social and Cultural Rights (ICESCR)*, *International Covenant on Civil and Political Rights (ICCPR)*, *Optional Protocol to ICCPR (ICCPR-OP 1)*, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)*, *Optional Protocol to CAT (OP-CAT)*, *Convention on the Rights of the Child (CRC)*, *Optional Protocol to CRC on the involvement of children in armed conflict (OP-CRC-AC)*, *Optional Protocol to CRC on the sale of children, child prostitution and child pornography (OP-CRC-SC)*

²⁵ Committee on the Elimination of Discrimination Against Women (CEDAW)

²⁶ Committee on Economic, Social and Cultural Rights (CESCR)

²⁷ CEDAW, Human Rights Committee (HR Committee), Committee Against Torture (CAT)

²⁸ Committee on the Rights of the Child (CRC)

²⁹ HR Committee

³⁰ HR Committee

³¹ CEDAW, CESCR, CRC

³² HR Committee

³³ HR Committee, CAT

custody) by law enforcement officials;³⁴ cruel treatment, sexual exploitation and trafficking of children;³⁵ violence against and trafficking of women (including the practice of female genital mutilation);³⁶ judicial access;³⁷ freedom of expression;³⁸ the right to work;³⁹ poverty and an adequate standard of living;⁴⁰ child and maternal health (including HIV/AIDS);⁴¹ access to education and child labour;⁴² treatment of refugees;⁴³ and the affects of anti-terrorism measures on individual liberties.⁴⁴

Other relevant stakeholders⁴⁵

OHCHR summarised the information that was submitted by seven civil society stakeholders.⁴⁶ NGOs noted Benin's progressive legal and institutional human rights framework, but underlined the need for effective implementation of ratified human rights instruments and amendments to laws that fall short of international standards.⁴⁷ Other issues raised included: formal legislative abolition of the death penalty;⁴⁸ excessive use of force by police authorities;⁴⁹ codification of the prohibition of torture;⁵⁰ the practice of infanticide;⁵¹ exploitation of and violence against women and children;⁵² ill treatment of custodial detainees, conditions of detention, and enforcement of custodial rights;⁵³ administration of the judicial system;⁵⁴ the criminalisation of homosexuality;⁵⁵ obstacles to popular acceptance and use of modern health care (especially in rural areas and pertaining to prenatal care);⁵⁶ and access to education for women and girls.⁵⁷

³⁴ HR Committee, CAT, CRC

³⁵ HR Committee, CRC, CAT, UN High Commissioner for Refugees (UNHCR), CESCR, UN Children's Fund (UNICEF)

³⁶ HR Committee, CRC, CAT

³⁷ CAT, UNHCR, HR Committee

³⁸ HR Committee, CEDAW

³⁹ CESCR

⁴⁰ CESCR, CRC

⁴¹ CEDAW, CRC, CESCR, UNICEF.

⁴² CESCR, CEDAW, CRC, UNICEF.

⁴³ CRC, UNHCR.

⁴⁴ HR Committee.

⁴⁵ A/HRC/WG.6/2/BEN/3, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/BJSession2.aspx>

⁴⁶ Association des Femmes Juristes du Bénin, Cotonou (AFJB), Amnesty International (AI), Fédération internationale de l'Action des chrétiens pour l'abolition de la torture (FIACAT), Franciscans International (FI), Global Initiative to End All of Corporal Punishment of Children (GIEACP), International Lesbian and Gay Association, ILGA-Europe, Pan African ILGA, the International Gay and Lesbian Human Rights Commission, and ARC International in a joint statement (ILGA), World Organisation Against Torture (OMCT).

⁴⁷ OMCT, AI.

⁴⁸ AI, FIACAT.

⁴⁹ AI.

⁵⁰ FIACAT, OMCT.

⁵¹ FI, OMCT.

⁵² OMCT, GIEACP, AFJB.

⁵³ FIACAT, AFJB, OMCT.

⁵⁴ FIACAT.

⁵⁵ ILGA.

⁵⁶ FI.

⁵⁷ FI, OMCT.

Interactive dialogue⁵⁸

Presentation by the State

The head of the Benin delegation, Mr. Honoré Akpomey (Director of Cabinet, Ministry of Justice, Legislation and Human Rights), reaffirmed his country's commitment to the ideals of the Human Rights Council, and recognised the importance of the UPR process for the protection and promotion of human rights, including the right to development. Benin advised that it had drafted its report following broad consultations with relevant civil society stakeholders, including NGOs, relevant government agencies and committees, and academics.

The delegation recalled that a major national conference had taken place in February 1990, which had laid the groundwork for democratisation based on a multiparty system. In turn, this had led to the establishment of a legal framework, and political and institutional structures for enabling the rule of law and a pluralist democracy. A constitution was adopted in 1990, and Benin became party to most regional and international human rights conventions. While Benin was committed to cooperation with supervisory bodies and other mechanisms, this was not always easy given its limited resources.

Benin recognised the supreme authority of international treaties and agreements above its own internal regulatory and legislative norms. It had established relevant legislation (for example on the family, and the rights of children) and strengthened its institutional framework, *inter alia* through the establishment of a constitutional court, high court of justice, economic and social council, national advisory council for human rights, and commission on the rights of children.

The delegation outlined some of the policies Benin had recently implemented to advance the cause of human rights, including the provision of free primary schooling, micro-financing for the poorest segments of the population, free healthcare for children up to 5 years of age, and campaigns to provide mosquito nets to pregnant and breastfeeding women. The delegation recalled that Benin participated regularly in the Human Rights Council, fulfilled its reporting obligations under the treaty bodies, and followed up on the latter's recommendations.

Benin set out some of the strategies it had implemented to guarantee an adequate standard of living, including on poverty reduction and economic growth. Various policies addressed, for example, the aim of guaranteeing education for all by 2015 (in conformity with the Millennium Development Goals), the improvement of land tenure systems, and the drafting of a national land policy. On civil and political rights, Benin had become a party to the Optional Protocol to the Convention Against Torture in 2006, and was preparing to welcome the Subcommittee on Torture from 18 to 26 May 2008. It had rehabilitated and compensated victims of torture perpetrated under the former revolutionary regime.

Benin noted that it was aware of the considerable challenges it faced. The UPR provided an opportunity to launch an appeal for increased international cooperation in order to deal with the inadequacies it encountered in implementing and/or ratifying international instruments.

The delegation then turned to the Working Group to begin its interactive dialogue.

⁵⁸ Most statements made at the UPR Working Group can be found at <http://portal.ohchr.org/portal/page/portal/UPR>. Fill in the form at www.ohchr.org/english/bodies/hrcouncil/form.htm to receive username and password. Audiovisual archives of the meetings of the Working Group 'webcast' are available at www.un.org/webcast/unhrc/index.asp.

Table on the interactive dialogue

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
ALGERIA	Good progress on human rights. Notes efforts in combating poverty. Welcomes priority given to the microeconomic framework, good governance.		What measures are taken to encourage the achievement of education for all? What measures taken to address illiteracy?	Consider targeted international support, extension of free education up to the secondary level. Continue the information campaign aimed at admitting more girls to school.		Since 2006-7, kindergarten and primary education are free. Benin aims to increase school attendance from 4 to 15% by 2015. The Government is setting up a system to recruit teachers, and attempting to improve the infrastructure and curriculum. Benin aims for all primary-aged children to attend school by 2015. This is facilitated by priority strategies: eg a national program for the promotion of school for girls, recruitment of supervisory staff, improvement of programs, development of new manuals, establishment of remote schools and education for the disadvantaged. Plans to build schools and accommodation for teachers. On literacy, there are plans for training trainers and setting up a ministry for literacy. A national policy/plan of action for literacy was being considered. The broader

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
						strategy to reduce poverty would take illiteracy into account.
BRAZIL	Among good practices: the establishment of new institutions to promote and protect the rights of children, eg the National Committee on the Rights of the Child, and the national unit to monitor child protection activities. Congratulations on implementation of the 2005-7 plan for strengthening the judicial system.	Note situation of child labour: beyond economic exploitation, they are frequently victims of cruel, inhuman and degrading treatment, including psychological violence.	What measures will ensure that the percentage of houses with clean water increases in coming years, in line with MDG targets?	International community to provide Benin with technical and financial support to improve the national machinery for full incorporation of human rights issues in the national context. Take steps to promote human rights institutions, and to search for international support.	Report provides a good view of human rights challenges, as well as an inventory of achievements and best practice.	Drinking water: Benin envisages strengthening production and distribution in towns. Resources must be mobilised, processing plants must be improved. The Government is seeking to lower the price, for example through privatisation. Efforts to strengthen the water initiative in urban areas. Drilling of wells is underway in remote regions. (In 2007-15, Benin expects to drill 100 wells in rural areas.) The national strategy for mobilising urban districts includes activities in sanitation, promotion of hygiene, waste management, and atmospheric control.
BELGIUM	Welcomes efforts to improve human rights situation, especially agreements with neighbouring countries to repatriate child trafficking victims. Welcomes increased	Challenges in economic, social and cultural rights: malnutrition over 40%; more measures required to protect street children; trafficking	Will the world food crisis worsen the situation of the population? What will the Government do to protect the population, including children?	Intensify efforts to provide support and material assistance to the most marginalised families, and guarantee children the right to a good standard of living. Consider		Regarding the world food crisis, immediate measures to include: the removal of customs duties on basic commodities; state-determined pricing of staple products (including spot checks); a large subsidy to the national food

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	school attendance .	in children for use as cheap labour. Poverty and unemployment are unacceptably high. Prohibition of homosexual activities amounts to discrimination.	Does Bahrain aim to examine article 88 of the criminal code (criminalising homosexuality)?	decriminalising homosexual activities among consenting adults.		<p>security unit for collecting foodstuffs which are later sold more cheaply in markets. There is a need to improve the long-term agricultural yield. The Government intends to improve productivity through better fertilisers, management, and agricultural practices. Income generation activities to be promoted, thus building markets.</p> <p>Benin is seeking to improve the nutritional status and food security of the population. Homosexuality is not ignored, but is marginal. There is a procedure for such persons to adopt children, but this is not traditional. Marriage between two consenting adults of same sex does exist but is marginal. A person in a homosexual relationship will often go to a traditional doctor or psychotherapist to deal with this “difficulty of a sentimental/emotional/sexual nature”.</p> <p>Families would never allow children to be taken to court for such an offence. There are</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
CHINA	<p>Appreciates establishment of many institutions to promote and protect human rights, training courses for judges, trade unions, civil society, and journalists.</p> <p>Benin is a good point of reference for human rights education in developing countries.</p> <p>Appreciate Benin's various plans and legislation to protect vulnerable groups eg women, children, the disabled.</p> <p>Good efforts in eliminating illiteracy and promoting compulsory education.</p>		<p>More details requested on measures to improve prison conditions, and to strengthen the protection of children and disabled persons.</p>		<p>Welcome Benin's open attitude in stating the challenges in its national report.</p>	<p>no court rulings against homosexuality although the law provides for it.</p> <p>Prison conditions and overpopulation are concerns. Unfortunately preventive detainees represent a high proportion of inmates. Benin plans to build 10 new prisons, and is looking at alternatives to prison. Prisoners are given one meal a day of average quality, but there are plans to increase food quantity. Minors have largely been separated from adults, but on prayer days minors share adult quarters – which needs to be resolved. There are literacy campaigns, reintegration activities, and a “prison farms” project where detainees can work.</p>
PHILIPPINES	<p>Constructive approach to UPR.</p> <p>Despite challenges, significant progress in improving the standard of living.</p> <p>Increase in general</p>		<p>More information requested on village committees to combat trafficking in children: what is their structure, composition,</p>	<p>Encourage establishment of a national human rights institution as per the Paris Principles. Regarding the protection of women,</p>	<p>Comprehensive report.</p>	<p>Regarding trafficking in children, Benin has established good cooperation with its neighbouring states. The movement of people is difficult to control in these countries, given artificial frontiers, cross-</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	<p>school enrolment. Increase of clean water supply is very impressive. Congratulations on legislation to protect women. Congratulations on being an abolitionist state (regarding the death penalty) in practice.</p>		<p>mandate, and the impact of these grass-root committees?</p>	<p>encourage the strengthening of national protection mechanisms. Hope Benin can continue to build on its <i>de facto</i> abolition of the death penalty.</p>		<p>border extended families etc.</p>
<p>RUSSIAN FEDERATION</p>	<p>Good steps taken in the protection and promotion of human rights. Positive developments in imposing a moratorium on the death penalty, and combating poverty. Improving conditions in prisons, steps taken to prevent torture, development of education, progress in discrimination against women, comprehensive protection of the rights of children.</p>	<p>Note difficulties in submitting timely reports to treaty bodies. Need to strengthen cooperation with Special Procedures.</p>	<p>Does Benin request technical assistance from the Office of the High Commissioner for Human Rights to help improve compliance with obligations (eg with regard to treaty body reports)? Does Benin plan to introduce full prohibition on corporal punishment of children? What is Benin doing to eliminate traditional practices affecting the health</p>		<p>The self-critical approach of the report, defining tasks confronting Benin, is to be respected.</p>	<p><i>Women's health</i>: see Canada below.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
DEMOCRATIC REPUBLIC OF CONGO	<p>State and non-state institutions appear to be working cooperatively. Benin is a pioneer country in Africa, and has inspired others – due to its successful political transition. Achievements include free primary education since 2006, free healthcare for all children up to 5 years old, free care for women needing caesarean sections. Good progress in the reproductive health system. The family code has enshrined equality for children, regardless of their status. Welcomes laws to encourage financial autonomy through employment.</p>		<p>of women? Noting the decline in trafficking in children, aside from the 2006 law, what measures were taken to make this result possible?</p>		<p>Report provides important information on action undertaken by the Government to improve the conditions of its population.</p>	<p>Trafficking in children: this scourge is largely driven by poverty. Sometimes parents are complicit, making it difficult to control – they send children to work in neighbouring countries. There is active cooperation with neighbours to fight trafficking. Legislation has been adopted making it an offence, which carries penalties of 6 months to 3 years, and if the child is exploited, 2-5 years. There are also substantial fines. Benin has set up specific committees to prevent exploitation.</p>
GUINEA	<p>Commends efforts of Benin to promote and protect human rights since adoption of the</p>		<p>What role does the King play in resolving conflicts in Benin?</p>	<p>The Human Rights Council and the international community should</p>	<p>Commend quality of the report, which clearly indicates the importance Benin</p>	<p>Kings hold honorary positions. There is no single King, but a series of local kings in Benin. They are “public opinion</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	constitution in 1990.			assist efforts to combat poverty and social inequality.	places on the promotion and protection of human rights.	leaders”, and have some social importance with regards to conflict resolution and elections.
MALI	Human rights situations of many nationals have improved.		How will Benin deal with illiteracy, particularly among women? What is being done to eradicate trafficking of children?	International community to assist in the promotion and protection of human rights.	National report confirms Benin’s significant efforts in promoting and protecting human rights.	<i>Illiteracy</i> : see Algeria above. <i>Trafficking</i> : see Democratic Republic of Congo above.
CANADA	Welcomes accession to a large number of treaties. Commends determination to fulfil international obligations. Benin is an African leader with regards to freedom of the press.	Trafficking in human beings, particularly children, continues. Benin continues to be a transit, source, and destination country for victims. Law does not define torture as a criminal offence (Committee Against Torture made this observation. The Human Rights Committee expressed concern in 2004 that torture was still common,		Better implementation of the existing laws on trafficking of children. Establish torture as a criminal offence, as per Article 1 of the Convention Against Torture (important to stipulate that ‘obeying orders’ is no justification for torture). Investigate allegations of torture, and bring to justice those responsible. Strengthen efforts to elaborate laws and policies to deal with FGM. Prioritise reform of		Corruption: the President had personally called for a “green march” against corruption. NGOs are involved in combating corruption. Measures have been set up to eradicate this trend, however according to latest analyses, corruption has not fully been eradicated. Measures were being taken to reach 0% by 2015. A recent law covers corruption and related behaviour, and provides for all relevant definitions to be included in penal code. Regarding female genital mutilation (FGM), the same committees that were working

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
		<p>and police enjoyed impunity. Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights noted that Female Genital Mutilation (FGM) was still practiced.</p>		<p>judicial system, making it better able to battle impunity and corruption. End prolonged detention periods prior to trial.</p>		<p>against trafficking were also trying to combat FGM. The trend had significantly declined. Since 2003 there was a law to punish it. Training programs were being carried out for leaders of public opinion and practitioners of FGM. NGOs also contributed. Police and the population were being made sensitive to the issue. Recent agreements had been reached between Benin and its neighbours (as some were travelling abroad to have the procedure). FGM was still a cause of great concern, but Benin hoped that in the next two years it would disappear. Education would help, as FGM often occurred as a result of ignorance and illiteracy. The Government would try to convert practitioners of FGM to other activities. Benin would increase its action on FGM with the help of its partners. Regarding the judiciary, one of</p>

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						<p>the major shortcomings was a lack of personnel. The State was recruiting magistrates to fix this.</p> <p>A new judicial organisational act aimed to create several courts of first instance and appeal courts.</p>
FRANCE	Commends Benin for not carrying out any executions since 1987.	Death penalty remains in force in legislation.	<p>Does Benin plan to abolish the death penalty formally - to transform the moratorium into a <i>de jure</i> moratorium?</p> <p>What measures will Benin take against harmful traditional practices, for example Female Genital Mutilation, infanticide for sorcery?</p> <p>How will Benin combat discrimination against women? Will it legislate against forced marriage, and marital violence?</p>	Take further steps against domestic violence.	Good quality report, which shows efforts and progress made since 1990, and determination of Benin to improve human rights.	<p>Regarding the abolition of the death penalty, one difficulty was the fear that it may become a refuge for gangsters from neighbouring countries if it went ahead with abolition.</p> <p>The delegation hinted that the moratorium would in time become an official abolition, and noted the need for further debate.</p> <p><i>Female Genital Mutilation:</i> see Canada above.</p> <p>With regards to infanticide, the traditional practice in some parts of Benin had been to kill children who were born as “witches”. Some governmental efforts have succeeded in combating this, but it continues in certain areas. The Government has carried out large publicity campaigns in affected areas, for example by</p>

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						<p>raising awareness among traditional and religious leaders.</p> <p>Benin is trying to protect the integrity of women, and had developed a law to this effect, which would cover the offences of domestic rape and violence.</p>
LATVIA	<p>Notes increase in investment and funding for education.</p> <p>Efforts made to achieve gender parity in education.</p>		<p>What are the future plans of Benin with regard to improving civil society and the development of human rights?</p> <p>Would Benin consider extending standing invitations to Special Procedures?</p>			
DENMARK	<p>Appreciates positive influence of Benin in its region.</p>	<p>Benin must address issues of concern, especially torture and violence against women.</p> <p>It is disturbing that police enjoys impunity (the Committee Against Torture and Human Rights Committee had expressed</p>	<p>Any plans to define torture in legislation?</p> <p>What measures to address police impunity?</p> <p>In the context of the Optional Protocol to the Convention Against Torture, what has Benin done to establish a national mechanism?</p>	<p>Urgently amend criminal law to comply with international standards.</p> <p>No statements obtained under torture to be invoked in court proceedings.</p> <p>Orders from superiors not to be used as a justification for torture.</p> <p>Greater measures to</p>		<p>Definition of torture will take time.</p> <p>Regarding the Optional Protocol to the Torture Convention, Benin authorised in December 2006 the establishment of a national machinery for the prevention of torture. In July 2007, thanks to the Committee Against Torture, a seminar brought together relevant proposals</p>

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		<p>concerns about this issue). Lack of definition of torture in legislation.</p>		<p>ensure rights in police custody and court proceedings. Establish a national preventive mechanism, as per the Optional Protocol to the Convention Against Torture. Reinforce measures to ensure women are not subject to forced marriage.</p>		<p>related to the establishment of the national machinery. A law has been developed to implement this machinery, and a draft bill is being considered. Benin looks forward to a visit by the Sub-Committee Against Torture.</p>
HOLY SEE	<p>Commends serious efforts to eradicate ill treatment of children.</p>	<p>Child trafficking continues, and the population is insufficiently concerned. Many consider this a part of local tradition. Infanticide of “witch children”: newborns are killed or given away as slaves.</p>	<p>What measures will Benin take to eradicate child trafficking? What measures will Benin take to defend the right to life of children and newborns?</p>	<p>To eradicate harmful traditional practices (particularly with regards to children), develop awareness campaigns.</p>	<p>Detailed report.</p>	<p><i>Trafficking</i>: see Democratic Republic of Congo above. <i>Infanticide</i>: see France above.</p>
COTE D’IVOIRE	<p>Good results regarding freedom of expression, constant efforts to address human rights challenges, especially pertaining to economic, social and cultural</p>		<p>Where does Benin stand with regard to the Optional Protocol to the Convention Against Torture (OPCAT)?</p>	<p>International community to intensify cooperation with Benin, to improve the prison system. Support needed from aid agencies to</p>		<p><i>OPCAT</i>: see Denmark above.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	rights. Welcomes adoption of the family code to protect women. Welcomes the implementation of 2005-7 judicial plan.			strengthen policies regarding women's and girl's rights.		
USA	Benin held successful elections recently. A strong stance on corruption, including through the strategic plan.		The 20 April local elections were postponed several times: how did the Government ensure they were free and fair? What steps is the Government taking to address corruption, and how will it do so in the future?			<i>Corruption:</i> see Canada above.
MALAYSIA	Encouraging initiatives to eradicate poverty, including provision of a micro-credit facility.		More information requested on strategy for growth and poverty reduction: what are its main elements?			The micro-credit strategy: to solve poverty, one idea is to provide micro-credits to young people, especially women. Required steps are as follows: first, training in entrepreneurship; then the design of a project for an enterprise; then submission to the relevant ministry. Following a study of potential projects, micro-credit can be

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
						<p>allocated to implement the project. Benin's greatest problem in ensuring a decent standard of living is a lack of resources. To commit to programs, Benin needed to find adequate funds. The situation required a "Marshall Plan for Benin". Benin did not only need aid, it needed help to do better trade.</p>
AZERBAIJAN	<p>Welcomes efforts to surmount human rights problems. Welcomes increased spending on education. Benin committed to reduce violence against women.</p>		<p>What measures are taken to increase children's school attendance? What is being done to reduce regional inequalities?</p>	<p>Encourage Benin to increase efforts to bring its legislation in line with international standards (especially with regard to education). Increase efforts to combat trafficking and sexual exploitation of women.</p>	<p>Congratulations on report, prepared in cooperation with civil society.</p>	<p><i>Schooling</i>: see Algeria above.</p>
ANGOLA	<p>Welcomes existence of national advisory council for human rights. Since 1990, considerable progress: stable path towards democratisation, an institutional and legal framework favouring</p>		<p>What is being done to improve prison conditions? What can be done to solve illiteracy? (particularly among women)</p>	<p>Use treaty body recommendations to improve human rights indicators.</p>	<p>Congratulations on report, which indicates efforts on human rights.</p>	<p><i>Prison conditions</i>: see China above. <i>Illiteracy</i>: see Algeria above.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	<p>the rule of law and pluralist democracy respecting human rights. Benin is a reference point in Africa for calm democracy, regular elections, peaceful changes of authority.</p>					
CUBA	<p>Welcomes the spirit of review, recognising challenges etc. Notes with admiration steps taken in institutionalising a system to promote and protect human rights. Good measures to reduce poverty, increase health. Clear commitment reflected by: free kindergarten and primary school teaching, free healthcare up to 5 years of age, care for AIDs sufferers. Efforts on economic, social and cultural rights exemplify good practice, and are worthy of imitation.</p>			<p>Appeal to international community to support Benin's efforts. Encourage Government to continue its efforts especially with regard to economic, social and cultural rights.</p>		

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
IRELAND		Discrimination against disabled children continues. Criminalisation of homosexual acts, which runs counter to articles 17 and 20 of the International Covenant on Civil and Political Rights.	What actions taken to establish a national policy on disabled persons to ensure their access to social and health services?	Combat discrimination against the disabled, including by establishing a national policy on disabled persons to ensure access to social and health services. Decriminalise homosexual relations between consenting adults.		Benin is not party to the Disabilities Convention, though it was currently reviewing its position. Domestic law covers the treatment of persons with disabilities – eg article 26 of the constitution provides for protection of vulnerable groups. The Ministry for Women, Family and Children has developed policy for protecting the disabled. In 2004 a study was undertaken on the issue. The President aimed to bring together disabled representatives in the context of a national forum on protection of the disabled, tentatively planned for 2008.
MOROCCO	Commends efforts to strengthen rule of law, promote good governance, promote and protect human rights. Creation of a strong institutional framework for human rights. Enactment of relevant legislation, eg on the			Promote continued progress on education. Appeal for international assistance – invite Benin to specify priority areas for international assistance.	Notes with satisfaction that the report was prepared following consultations with various actors.	

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	family. Free primary education, and increased school attendance. Efforts on right to health and education noted.					
SYRIA	Ratified many treaties. Establishment of institutions to promote the rights of children.		What efforts underway to eliminate discrimination against women? What efforts to combat illiteracy, particularly among women?	A need for international community assistance to assess development challenges.		<i>Illiteracy: see Algeria above.</i>
BANGLADESH	Increased school enrolment, efforts to address gender gap in school. Increased education budget. Efforts on rights of children, including establishment of a national committee on the rights of children, and a national unit to monitor child protection. Good efforts in strengthening of the		What kind of support is required, particularly with regard to economic, social and cultural rights?	International community to support/complement efforts by providing resources.		<i>International assistance: see Malaysia above.</i>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	judiciary, capacity building, improvement of prison conditions.					
REPUBLIC OF KOREA	Welcomes efforts to develop Benin and improve protection and promotion of human rights.		What steps are being taken to replace the Benin Commission on Human Rights with a national human rights institution, in line with the Human Rights Committee recommendation? Further details requested on the situation of polygamy. Will Benin develop a clear definition of torture in criminal law, as recommended by the Committee Against Torture?	Encourage Benin to intensify efforts to guarantee the right to food.		Polygamy has been forbidden in Benin since adoption of the family code. Only monogamous marriage is recognised. No person can enter into a marriage before registering the dissolution of a previous marriage. The Government and NGOs are working to make this information widely available. <i>Torture</i> : see Denmark above.
SENEGAL	Good progress on caring for the disabled. Realisation of the right to education. Greater access to clean water. UNICEF noted significant progress in achieving Millennium		Can Benin identify priority needs in terms of strengthening capacities? Has Benin begun a procedure to implement the		Report shows efforts and constraints in protection and promotion of human rights.	<i>International assistance</i> : see Malaysia above.

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	Development Goals.		Convention on Migrant Workers, which it signed in 2005?			
NIGERIA	Welcomes ratification of optional protocols to the Convention on the Rights of the Child, the Convention Against Torture, and the Convention on the Elimination of Discrimination Against Women; and the Rome Statute of the International Criminal Court. Notes efforts to strengthen human rights structures – eg improved recourse to courts for individuals. Commends various health programs. Notes efforts to combat trafficking in children.		Further information requested on how Benin was able to successfully bridge gap between boys and girls in school enrolment?	Encourage Benin to focus on reducing poverty and improving the general wellbeing of its population. Call on the international community to support Benin in this regard, in order to help it achieve the Millennium Development Goals.	Detailed, impressive report. Commends preparation in an inclusive manner, involving relevant civil society.	<i>Girls' attendance in school:</i> see Algeria above.
EGYPT	Welcomes commitment to cooperate with mechanisms of the Human Rights Council. Commends progress in democratisation and promotion and		Has Benin identified priority measures and projects which could be covered by international assistance, eg by the voluntary fund		Report is comprehensive and based on broad consultations with NGOs.	Benin will consider what areas require international support. <i>Disabilities Convention:</i> see Ireland above.

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	<p>protection of human rights. Benin's democracy is an example of stability which can hearten other countries of Africa. Commends ratification of human rights instruments and establishment of normative and institutional frameworks. Concrete measures have been taken on economic, social and cultural rights.</p>		<p>devoted to the UPR follow-up? Would Benin present such a list before the adoption of its final report in June? Does Benin aim to ratify the Convention on Persons with Disabilities?</p>			
TUNISIA	<p>Exhaustive framework for the protection of human rights.</p>		<p>Additional information requested on how to combat illiteracy, especially among women.</p>	<p>Continue efforts to ensure greater promotion of rights of women, especially girls, in education and healthcare.</p>	<p>Report shows determination to continue reforms, to establish the rule of law, and to promote human rights.</p>	<p><i>Illiteracy</i>: see Algeria above.</p>
NETHERLANDS	<p>Constructive and open approach to the UPR. Commends work done in setting up a legal framework in difficult circumstances. A good reputation with regards to freedom of the press.</p>	<p>Individual complaints procedure appears largely unknown to the population. The Human Rights Committee and Committee Against Torture had</p>	<p>How will Benin address the lack of information which prevents people from being able to access justice? Will Benin establish a complaint procedure?</p>	<p>Permanently abolish the death penalty. Implement effective measures to make prison conditions consistent with international standards. Continue to strengthen efforts to provide</p>	<p>Comprehensive report.</p>	<p><i>Complaint procedure on torture</i>: see Denmark above.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	<p>Welcomes efforts to improve the situation of detainees. Commends new laws to prevent violations against vulnerable groups.</p>	<p>expressed concerns about detention conditions. Child abuse, trafficking, Female Genital Mutilation (FGM) and sexual harassment persist. Commission on the Elimination of Discrimination Against Women raised concerns about the effectiveness of the law on FGM.</p>		<p>protection for vulnerable groups.</p>		
<p>UNITED KINGDOM</p>	<p>Appreciates answers to some advance questions (eg access to education, Optional Protocol to the Convention Against Torture). Welcomes commitment to fighting torture. Commends work to establish a national mechanism in this regard. Welcomes legislative reform to eliminate discrimination against women, and to outlaw</p>	<p>The Committee on the Elimination of Discrimination Against Women remains concerned that Female Genital Mutilation (FGM) is still practiced. The Committee Against Torture noted the absence of laws against domestic violence and trafficking in women. Many girls continue to be</p>	<p>Will Benin undertake further work on eliminating FGM, domestic violence, and trafficking in women? What is Benin doing to improve prison conditions and to tackle impunity among officers who perpetrate violence against inmates?</p>	<p>Take measures to ensure torture is a specific offence in criminal law. Establish laws on domestic violence and trafficking in women and children. Implement FGM laws. Urges Benin to address delays in the judicial system.</p>		<p><i>FGM</i>: see Canada above. <i>Domestic violence</i>: see France above. <i>Prison conditions</i>: see China above.</p>

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	FGM.	trafficked. Poor prison conditions and treatment of detainees.				
BURKINA FASO	Notes efforts to protect and promote human rights. Welcomes accession to various instruments and standard-setting framework, which shows the will of Benin to fall in line with the international community on human rights.		How does Benin envisage carrying out the fight against harmful traditional practices?	Consider international assistance to be given to states (for example through the Office for the High Commissioner for Human Rights). Benin to continue its progress to improve the situation of human rights in the field.		<i>Harmful traditional practices:</i> see Canada (Female Genital Mutilation) and France (infanticide) above.
PAKISTAN	Equal emphasis on civil/political rights and economic/social/cultural rights commendable. Notes efforts to address the right to education, freedom of expression, women's rights.	Lack of resources remains an impediment.	The Human Rights Committee recommended increased awareness of the constitutional court; what steps are being taken in this regard?		Report prepared with due diligence, in accordance with guidelines, and following extensive consultations with all stakeholders.	
ITALY	Welcomes support for the death penalty moratorium resolution at the 2007 UN General Assembly. Appreciates efforts in the judicial field.	Difficulties in the achievement of individual rights, particularly given the detrimental effects of some traditional beliefs		Take decisive steps to abolish the death penalty. Work to improve individual rights that are affected by traditional beliefs and traditions.		

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		and traditions – these affect, in particular, women and children.				
SLOVENIA			Resolution 5/1 called for a gender-perspective to be included in the UPR process: how has Benin complied with this in its consultations and report? What steps will be taken to integrate a gender-perspective in the UPR follow up?	Recommend fully integrating a gender-perspective in the follow-up to the UPR.	Comprehensive report.	
CHAD	Notes the establishment of a democratic pluralist state, based on the rule of law and protecting human rights. Appreciates efforts to apply economic, social and cultural rights, particularly through free primary education, and assistance to poor segments of the population.		At the sub-regional level, is there any legal machinery to counter trafficking in children?	Call on partners to provide the assistance Benin requires.	Good report.	<i>Trafficking in children: see Democratic Republic of Congo above.</i>
MEXICO	Notes efforts to improve the human rights		More information requested on steps	Accept a visit by the special rapporteur on		

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	<p>situation. Accession to treaties, and development of legislation to incorporate these obligations. Acknowledges death penalty moratorium. Notes important legislation to combat trafficking in children, implementation of recommendations by the Committee on the Rights of the Child, and a plan of action on exploitation.</p>		<p>being taken to implement the national human rights program as a supplement to existing measures to promote and protect human rights.</p>	<p>the sale of children. Strengthen cooperation with the special procedures by accepting visits, replying to communications, urgent measures, and questions from special procedures. Consider the abolition of the death penalty in legislation. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.</p>		
SOUTH AFRICA	<p>Notes Benin's embrace of constitutional democracy and good governance. Welcomes establishment of human rights mechanisms. Applauds efforts on the right to education, especially provision of free primary education despite limited resources.</p>	<p>Notes difficult economic situation, which is affected by structural adjustment policies, foreign debt.</p>	<p>More information required on provision of adequate housing, in light of recent legislative measures.</p>	<p>Explore ways to partner with international community in order to deal with socioeconomic challenges. Encourage international community to provide such partnerships. Accelerate poverty alleviation strategies to help poorer communities.</p>	<p>Comprehensive report.</p>	
MAURITANIA	<p>Notes efforts in combating poverty and</p>		<p>More details requested on the</p>	<p>Place more emphasis on schooling of girls, in</p>		<p><i>FGM</i>: see Canada above.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	protecting vulnerable groups.		program for combating Female Genital Mutilation (FGM).	order to combat FGM.		
SUDAN	Notes transparent approach of Benin, and the right approach it has taken to promote and protect human rights. Encouraging efforts on economic, social and cultural rights. Appreciates efforts to achieve the Millennium Development Goals, reduce poverty, and provide free education.			Share with less developed countries challenges in economic and social development.	Good report.	

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Concluding comments

The delegation thanked those assembled for the fruitful exchanges, and acknowledged that many concerns had been expressed. It added that the Benin authorities were aware of the issues, and were committed to advancing the cause of human rights. There was a clear political will to promote individual rights, and Benin needed to commit itself to take the necessary measures to make human rights protection effective and universal, in conformity with the UPR. Benin requested the support of the international community in pursuing these endeavours.

Adoption of the report [9 May/12:00pm]

Germany, presenting the report on behalf of the troika, expressed appreciation to the secretariat and to the troika for their constructive cooperation. Germany thanked Benin for its openness and constructiveness. The troika had agreed on the report, which according to Germany portrayed a picture of a country where “democracy had found a stable home.”

The Benin delegation thanked the Council for its interest in Benin, and reaffirmed its commitment to considering the various comments and recommendations. Benin restated the importance it attached to the creation of a state based on the rule of law.

The report was then adopted, on the understanding that delegations had two weeks (by 23 May) to make editorial comments on their own statements. The response of Benin to the recommendations set out in the draft report will be included in the outcome report adopted by the Human Rights Council at its eighth session in June.

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