



International Covenant on Civil and Political Rights

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Human Rights Committee

List of issues prior to submission of the third periodic report of Benin*

A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please provide information on measures taken to implement the recommendations contained in the Committee's previous concluding observations¹ and provide the information requested by the Committee in its report on follow-up to the concluding observations.² Please indicate which procedures are in place for the implementation of the Committee's Views under the Optional Protocol to the Covenant and describe the measures taken to ensure full compliance with its Views in the case of *Zinsou v. Benin*.³ Please report on any other significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations.

B. Specific information on the implementation of articles 1 to 27 of the Covenant

Constitutional and legal framework within which the Covenant is implemented (art. 2)

2. Please give examples of cases in which the provisions of the Covenant have been referred to or implemented in national legislation or by the national courts. Please describe the role played by the Benin Human Rights Commission, civil society organizations and other relevant stakeholders in the implementation of the Committee's previous concluding observations and the preparation of the State party's third periodic report.

3. With reference to the previous concluding observations (para. 7),⁴ please provide information on the steps taken to continue to raise awareness of the Covenant's provisions among judges, lawyers, prosecutors and other law enforcement officials so as to ensure that they are applied directly by the national courts. Please describe any steps taken to make the Covenant's provisions and the Committee's previous concluding observations better known to the general public, in French and the main national languages.

* Adopted by the Committee at its 142nd session (14 October–7 November 2024).

¹ [CCPR/C/BEN/CO/2](#).

² [CCPR/C/124/2](#).

³ [CCPR/C/111/D/2055/2011](#).

⁴ Unless otherwise indicated, the paragraph numbers in parentheses refer to the document [CCPR/C/BEN/CO/2](#).



National human rights commission (art. 2)

4. With reference to the Committee's previous concluding observations (para. 9) and its report on follow-up to the concluding observations, please provide information on the measures taken, including the adoption of Act No. 2024-22 on the reform of the Benin Human Rights Commission by the National Assembly on 19 June 2024, to ensure that this commission acts in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and to strengthen its independence, including in respect of the appointment of its members. Please also indicate what measures have been taken to ensure its financial autonomy and provide it with adequate human and material resources, in accordance with the Paris Principles.

Gender equality (arts. 2, 3, 23, 25 and 26)

5. Further to the Committee's previous concluding observations (para. 11), please describe the measures taken to ensure that the legal provisions governing equality between men and women are effectively applied, including through awareness-raising campaigns for the general public, the judiciary and the State administration. Please provide information on the measures taken to increase women's presence in the labour market, both in the public and private sectors, and in political, judicial and governmental institutions, including in decision-making positions.

Forced labour, servitude and trafficking in persons (arts. 7-9 and 24)

6. Please describe the legislative and other measures taken at the national and regional levels to prevent, punish and eradicate trafficking in persons, especially women and children, including that which involves voodoo curses, and to combat the forced labour of children. Please provide information on the type and number of complaints received, investigations conducted, prosecutions brought and penalties imposed for trafficking in persons and forced labour, as well as redress and rehabilitation measures provided to victims. Please describe the measures taken to put an end to the placement of *vidomegon* children and to protect children from all forms of abuse, including prevention and public awareness-raising measures to eliminate these practices.

Violence against women, including domestic violence (arts. 3, 7 and 26)

7. In the light of the Committee's previous concluding observations (para. 17), please provide information on measures taken to eradicate violence against women, including intimate partner violence and sexual harassment, and to implement a zero-tolerance policy in this regard. Please provide information on: (a) the number of complaints filed and registered, investigations and prosecutions undertaken, convictions handed down and penalties imposed on the perpetrators of such offences, as well as measures of redress for victims; (b) training for judges, prosecutors and law enforcement officials in the detection and punishment of violence against women; and (c) the organization of awareness campaigns in all regions and relevant local languages to combat such violence and the social stigmatization of victims. Please describe the measures taken to facilitate reporting and access to justice for victims of violence throughout the country, to shield them from reprisals and to improve the services provided by the integrated care centres for victims of gender-based violence.

Traditional practices harmful to women (arts. 2, 3, 6, 7, 17, 24 and 26)

8. With reference to the previous concluding observations (para. 13), please provide information on the strengthening of measures to prevent and combat harmful practices such as female genital mutilation, particularly in the north of the country. Please provide information on public awareness campaigns, especially among religious and traditional leaders, to eliminate these harmful practices and warn about their negative consequences for the privacy and health of girls and women, and on measures of assistance afforded to victims, in particular medical, psychological and social care. Please provide information on the number of complaints filed and registered, investigations and prosecutions undertaken, convictions handed down and penalties imposed on perpetrators.

Counter-terrorism measures (arts. 9, 12, 14, 19 and 21)

9. Please provide information on the compatibility of anti-terrorism laws with the provisions of the Covenant, particularly with regard to the definition of a terrorist act under article 161 of the Criminal Code. Please describe the measures taken to ensure that the fight against terrorism is not used to: (a) unjustifiably limit any rights enshrined in the Covenant, including the rights to freedom of movement, expression and peaceful assembly; or (b) arbitrarily repress political opponents, including through the decisions of the Court for the Prevention of Financial Offences and Terrorism. Please also describe the steps taken to ensure that judicial proceedings in terrorism cases are in full conformity with article 14 of the Covenant and that all allegations of arbitrary arrest and detention are promptly and effectively investigated and those responsible brought to justice.

Right to life (art. 6)

10. With reference to the Committee's previous concluding observations (para. 19) and its report on follow-up to the concluding observations, please provide information on the progress made in adopting the new draft Criminal Code, containing provisions related to the abolition of the death penalty, and on the process of commuting the last 14 death sentences handed down. Please report on measures taken to raise public awareness of infanticide and indicate whether any cases of infanticide, in particular the ritual killing of so-called "witch" children, have been recorded during the period under review. Please provide information on the measures taken in the context of the investigations into the murder of the journalist Jean-Christophe Houngbo and his family, the murder of the student René Miwanou and the attempted murder of the human rights defender Martin Assogba, and further information on the current status of these investigations.

11. In view of the unstable situation and attacks on the civilian population – including murders, abductions and the targeting of civilian property – by unidentified armed groups or Islamist militant groups, please indicate what measures have been taken to strengthen the protection of civilians against such attacks. Please describe any measures taken to ensure that all perpetrators of violations of human rights and international humanitarian law are held accountable for their actions and are punished with appropriate penalties, and to provide victims with appropriate and effective remedies.

12. With reference to paragraph 62 of the Committee's general comment No. 36 (2018), please provide information on measures taken to prevent and mitigate the effects of climate change and environmental degradation, including with regard to the right to life.

Mob justice, summary, extrajudicial and arbitrary executions and excessive use of force (arts. 6, 7 and 14)

13. With reference to the previous concluding observations (para. 21), please provide information on measures taken to ensure that the use of force by law enforcement officials is in conformity with the Covenant and international standards such as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement. Please indicate whether complaints related to mob justice, summary, extrajudicial and arbitrary executions and excessive use of force have been filed and registered and whether investigations have been conducted, prosecutions brought, convictions handed down, penalties imposed on perpetrators and measures of redress provided to victims, and provide supporting statistics. Please provide information on specific legislative measures taken to effectively tackle the problem of mob justice and on awareness campaigns regarding the unlawful nature of summary and mob justice and the need for offenders to be punished by the judicial system.

Prohibition of torture and cruel, inhuman or degrading treatment or punishment (arts. 7 and 10)

14. Further to the Committee's previous concluding observations (para. 23) and its report on follow-up to the concluding observations, please provide information on the provisions relating to torture contained in the new Criminal Code, indicating the extent to which the definition of torture is in line with article 7 of the Covenant, what statute of limitations applies

and whether the penalties foreseen are commensurate with the nature and gravity of the offence. Please describe the progress made with regard to the establishment, on the one hand, of a national mechanism for the prevention of torture that is independent and compliant with the guidelines on national preventive mechanisms of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and, on the other, of an independent mechanism for the systematic consideration of complaints of torture or ill-treatment. Please indicate what measures have been taken to conduct thorough and impartial investigations into all allegations of torture and ill-treatment, including acts of this nature committed between 1972 and 1990, and to prosecute perpetrators, impose penalties upon them commensurate with the seriousness of their crimes and ensure full reparation for the victims or their families.

Liberty and security of person (arts. 9 and 14)

15. With reference to the Committee's previous concluding observations (para. 25) and in the light of its general comment No. 35 (2014) on liberty and security of person, please describe the measures taken to ensure the effective application of fundamental legal safeguards for persons deprived of their liberty. Please also describe the measures taken to reduce the use of pretrial detention and to encourage non-custodial measures, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), and to reduce the maximum duration of pretrial detention so that it is compatible with the Covenant. Please indicate the measures taken to ensure that judgments are delivered within a reasonable period of time.

16. Please specify the measures taken to prevent arbitrary and unlawful arrests, punish those responsible and implement the measures set out in the opinions of the Working Group on Arbitrary Detention concerning Ignace Sossou⁵ and Reckya Madougou.⁶ Please respond to allegations that women have been deprived of their liberty for the non-payment of hospital fees after giving birth. Please provide information on the activities of the commission for compensation for illegal detention during the period under review and on the compensation awarded to victims of arbitrary detention.

Conditions of detention (art. 10)

17. Further to the Committee's previous concluding observations (para. 27), please indicate what measures have been taken to improve conditions of detention, including: (a) to reduce prison overcrowding, especially through prison construction; (b) to increase the number of qualified staff to ensure respect for the rights of detainees, and to provide staff with regular training; (c) to improve hygiene conditions and access to drinking water, food and healthcare; (d) to ensure the separation of convicted prisoners and prisoners awaiting trial, and that of adults and minors; and (e) to establish independent and effective complaint mechanisms and to take rehabilitation and reintegration measures. Please describe the steps taken to adopt a new law on the prison system, with a view to improving prisons.

Access to justice, independence of the judiciary and right to a fair trial (arts. 2 and 14)

18. In the light of the Committee's previous concluding observations (para. 29), please provide information on the State party's efforts to increase financial and human resources for the administration of justice and to reduce delays in judicial proceedings. Please describe the measures taken to guarantee the effective independence of the judiciary, including: (a) to combat any undue interference in judicial matters by the executive branch; (b) to adopt the bill on the Supreme Council of Justice and to guarantee the Council's independence, including by ensuring a membership composed mostly of judges; and (c) to ensure that procedures for the appointment, promotion and dismissal of judges and prosecutors comply with the Basic Principles on the Independence of the Judiciary. Please indicate what steps have been taken to firmly combat corruption, including among government officials, and how

⁵ [A/HRC/WGAD/2020/46](#).

⁶ [A/HRC/WGAD/2022/51](#).

many investigations have been conducted, prosecutions brought, convictions handed down and penalties imposed on perpetrators of such offences.

19. With reference to the previous concluding observations (para. 31) and the pledges made under the Human Rights 75 initiative, please describe the measures taken to set up a legal aid and assistance mechanism so as to ensure effective and accessible justice, and to encourage the presence of lawyers in the north of the country. Please also describe the measures taken to ensure full and effective access to justice, including with regard to: (a) access to the African Court on Human and Peoples' Rights and the Court of Justice of the Economic Community of West African States for natural persons and civil society organizations; and (b) the possible restriction of the right of access to justice following the adoption of Act No. 2019-39 of 7 November 2019 on Amnesty for Serious, Ordinary and Minor Offences Committed during the Legislative Elections of April 2019.

Freedom of expression, assembly and association (arts. 19, 21 and 22)

20. Further to the Committee's previous concluding observations (para. 33), please indicate what steps have been taken, in legislation and in practice, to guarantee the full and effective exercise of freedom of expression, freedom of association and the right of peaceful assembly, including so that any restrictions imposed in this regard are in conformity with the Covenant, and to create an environment conducive to the exercise of these rights. Please also indicate what measures have been taken to ensure that journalists can exercise their profession freely and without fear of reprisals.

21. Please describe the measures taken to ensure the independence and impartiality of the Audiovisual and Telecommunications Authority, including to amend article 143 of the Constitution, which allows the Head of State to appoint the President of the Authority. Please indicate what action the Authority has taken to ensure the freedom and protection of the press, including with regard to the conformity with the Covenant of Decision No. 21-002/HAAC of 13 January 2021 regulating media activities in the run-up to the 2021 presidential election campaign and the suspension of the Gazette du Golfe press group in August 2023. Please describe the steps taken to ensure that the Information and Communication Code is in conformity with the Covenant, in particular with regard to the Code's provisions on offences related to insulting Heads of State or diplomatic agents.

22. Please provide information on the State party's efforts for the protection of human rights defenders, including for the adoption of a law on their protection. Please describe the measures taken to ensure that: (a) the provisions of the Criminal Code and Act No. 2017-20 of 20 April 2018 on the Digital Code relating to the gathering and dissemination of false information, which make such conduct punishable by imprisonment, do not hinder the work of human rights defenders; and (b) legislation on the operating conditions of associations, including the procedure for their registration and establishment, is in conformity with the Covenant.

Rights of the child (art. 24)

23. In the light of the Committee's previous concluding observations (para. 35), please provide information on the efforts made by the State party to ensure that all births are registered, in both urban and rural areas, and to promulgate a children's code in conformity with the provisions of the Covenant. Please describe the measures taken to reduce the school dropout rate among girls in rural areas, identify the causes of the problem and implement solutions. Please indicate what steps have been taken in the area of juvenile justice and to implement the "zero children in prison" policy.

Participation in the conduct of public affairs (art. 25)

24. Please provide information on the measures taken to guarantee transparent and free elections and promote genuine political pluralism in the State party, in particular measures to ensure that political opposition candidates and supporters can conduct their election-related activities free from undue interference and threats to their liberty and security.