



Convention on the Rights of the Child

Distr.: General
24 November 2017
English
Original: French
English, French and Spanish only

Committee on the Rights of the Child

Report submitted by Benin under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, due in 2007**

[Date received: 31 May 2016]

* Reissued for technical reasons on 24 January 2018.
** The present document is being issued without formal editing.



Contents

	<i>Page</i>
Introduction	3
I. General measures of implementation	3
II. Prevention (arts. 1, 2, 4 (2) and 6 (2))	6
III. Prohibition and related matters (arts. 1, 2 and 4 (1) and (2)).....	9
IV. Protection, rehabilitation and reintegration (art. 6 (3)).....	12
V. International assistance and cooperation (art. 7 (1)).....	13
VI. Other legal provisions (art. 5).....	14

Introduction

1. Benin ratified the Convention on the Rights of the Child without reservation on 3 August 1990 and the two Optional Protocols thereto in 2005. On 5 September 2006, the law on the ratification of the Convention was published in the Official Gazette, thus completing its effective incorporation into the domestic legal order.
2. In accordance with article 44 of the Convention, Benin submitted its initial¹ and second periodic reports² to the Committee on the Rights of the Child and reported on its implementation of the recommendations and concluding observations in its combined third to fifth periodic report,³ which is pending review by the Committee.
3. Having ratified these instruments, Benin has committed to reporting on measures taken to give effect to the rights and freedoms set out therein, in accordance with the relevant provisions on monitoring implementation.
4. The report has been prepared according to the revised guidelines regarding initial reports to be submitted under article 12 (1), of the Optional Protocol adopted by the Committee on the Rights of the Child at its 43rd session on 29 September 2006, and which contain recommendations to be taken into account in the content and form of particular initial reports to the international human rights treaties of the United Nations.

I. General measures of implementation

Description of the process of preparation of the report, including the consultations with governmental, independent national human rights institutions and non-governmental organizations/bodies in its drafting and dissemination

5. This report is the result of an inclusive national consultation process in which State bodies, civil society actors and technical and financial partners helped gather information, under the coordination of the Department of Human Rights of the Ministry of Justice, Legislation and Human Rights.
6. The process was funded by the United Nations Children's Fund (UNICEF) and involved:
 - The recruitment of a team of consultants to develop a research protocol, collect data and draft the report.
 - The approval of the research protocol by a steering committee set up for that purpose.
 - The collection of data through documentary research, individual and group interviews with selected stakeholders involved in child protection in the country's 12 departments, observation in children's centres, schools and prostitution locations; and the organization of four sectoral workshops (justice and security, education and health, social protection and communication, and employment and tourism) to review the data analyses.
 - The drafting of the report using the outcome documents of the sectoral workshops.
7. The report was reviewed and pre-approved by the steering committee prior to its approval by the National Monitoring Committee on the Implementation of International Instruments.
8. The report provides an update on legislative, institutional and programming developments for the protection of children's rights under the Optional Protocol that have taken place since the submission of the second periodic report on the Convention on the

¹ 22 January 1997.

² 20 April 2005.

³ 2013.

Rights of the Child in 2006. It also highlights progress, challenges and initiatives aimed at improving the situation of children's rights in Benin.

Information on the legal status of the Optional Protocol in internal law

9. Benin ratified the Option Protocol to the Convention on the Rights of the Child on 31 January 2005.

10. Under article 147 of Act No. 90-32 of 11 December 1990 establishing the Constitution of the Republic of Benin, "treaties or agreements lawfully ratified shall, upon their publication, have an authority superior to that of laws, subject to each agreement or treaty being applied by the other party".

11. As the Optional Protocol has been duly ratified, it can be directly invoked by the national authorities.

12. Measures are being taken to arrange for the publication of the Protocol in the Official Gazette of Benin.

Implementation of the Optional Protocol with regard to all territories and persons over which Benin exercises jurisdiction

13. Article 2 (1) of the Beninese Constitution provides that "the territory of the Republic of Benin is thus a single territory governed by a single legal order". Accordingly, the ratified Protocol is applicable in all parts of the national territory.

Information about the intention of the State party to withdraw any reservation(s) it has made to the Optional Protocol

14. Benin ratified the Optional Protocol without reservation.

Indication as to whether there are plans to raise the minimum age of voluntary recruitment to 18 years

15. In its binding declaration upon ratification of the Optional Protocol, Benin established the minimum age for voluntary recruitment at 18, as follows: "the Government of the Republic of Benin declares that the minimum age at which it permits voluntary recruitment into the national armed forces, security forces and related forces is 18 years". (See article 6 of Act No. 2005-43 of 26 June 2006 establishing general regulations for personnel of the Beninese Armed Forces and the Act of 17 June 2015 on the status of the security forces and related forces.)

Information on the governmental departments or bodies having primary responsibility for the implementation of the Optional Protocol and the mechanism(s) that have been established or are used to ensure coordination between them and the relevant regional and local authorities, as well as with civil society, including the media and academia

16. The State body responsible for implementing the Optional Protocol is the Directorate of the Organization of Army Personnel. In Benin, the Armed Forces also include security forces which receive specific training on children's rights through their human resources department. This training is provided to the Directorate General of the National Police, the Directorate General of Customs and Excise, the Directorate General of Water and Forests and the Directorate General of the National Gendarmerie. Cooperation agreements have been concluded in accordance with the nation's laws.

17. These bodies work together to ensure compliance with the laws in force and cooperate with civil society organizations, the media and universities. They also provide information and training to legal entities and individuals responsible for implementing the Optional Protocol.

Details of the dissemination of the Optional Protocol and the appropriate human rights training offered to all relevant professional groups, in particular the armed forces and members of international peacekeeping forces, law enforcement and immigration officers, judges, social workers, teachers, media professionals and legislators

18. Training and refresher courses are organized for military and paramilitary personnel deployed in peacekeeping operations or in military academies and similar institutions. Furthermore, the Optional Protocol is disseminated among the other professional groups mentioned above. The Government, civil society organizations and the international community organize training for all professional groups working in the field of child protection.

19. The Department of Human Rights in the Ministry of Justice organizes regular training for civil servants responsible for implementing the Optional Protocol. Such training is also provided to the heads of NGOs to better equip them to support the Government's human rights policy.

20. A legal documentation and information centre was set up in the Ministry of Justice in 2013.

21. A National Commission for the Implementation of International Humanitarian Law was set up in 1998.

Data on the number of children recruited into the Beninese armed forces, security forces and related forces: number of children under the age of 18 voluntarily recruited into the national armed forces

22. There are no children in the armed forces as the age of voluntary recruitment is 18 years.

Data on the number of children recruited and used in hostilities by armed groups in the State party, indicating how many have been incorporated in demobilization and reintegration programmes

23. Nothing to report. There are no armed groups in Benin.

Information on whether and how many children have been charged for war crimes committed while recruited or used in hostilities

24. Nothing to report.

Data on the number of child victims of practices prohibited by the Optional Protocol among refugee and asylum-seeking children within the jurisdiction of the State party

25. Such data have not been collected.

26. There are no armed groups in Benin that recruit children for involvement in armed conflict.

Indication of whether there is an independent national human rights institution and, when applicable, information on its mandate and the role it plays in monitoring the implementation of the Optional Protocol

27. The Benin Human Rights Commission is an independent national human rights institution, governed by Act No. 2012-36 of 15 February 2013 on the establishment of the Benin Human Rights Commission repealing Act No. 89-004 of 12 May 1989.

28. The Commission's mandate is to promote and protect human rights in Benin. Accordingly, in the area of promotion, the Commission can recommend the ratification of international human rights reports, participate in the preparation of government reports to various United Nations bodies and submit recommendations to the Government, in compliance with its mandate to periodically report to the Government on its activities, and invite it to act on the decisions of United Nations and African Union bodies and all other

international, governmental or non-governmental institutions dealing with human rights issues.

Analysis of the factors and difficulties, if any, affecting the degree of fulfilment of obligations under the Optional Protocol

29. Nothing to report given that there is no war in Benin.

II. Prevention (arts. 1, 2, 4 (2) and 6 (2))

All the measures taken, including of a legislative, administrative or other nature, to ensure that persons who have not reached the age of 18 are not compulsorily recruited into the armed forces and do not take direct part in hostilities

The process of compulsory recruitment (i.e. from registration up to physical integration into the armed forces), indicating the minimum age linked to each step and at what point in the process recruits become members of the armed forces

30. The recruitment process is broken down into the following stages:

- Publication of the recruitment announcement with a list of documents to be enclosed with the application, including a birth certificate.
- Receipt of recruitment files by the Directorate of the Organization of Army Personnel and the human resources department of the security forces and related bodies (the Directorate General of the National Police, the Directorate General of Customs and Excise, the Directorate General of Water and Forests and the Directorate General of the National Gendarmerie).
- Review of the applications by the competent bodies.
- Final and sovereign decision-making process followed by the issuance of a list of the applicants admitted to take part in competitive exams by the various bodies.

The documents considered reliable to verify potential recruits' age prior to their acceptance into compulsory military service

31. The recruitment file includes a birth certificate, a school attendance certificate and/or an apprenticeship certificate, as appropriate. Prior to the competition, applicants are asked to show their national identity cards for verification of their identity and age.

Any legal provision enabling the age of conscription to be lowered in exceptional circumstances (e.g. state of emergency)

32. Nothing to report.

For States parties where compulsory military service has been suspended but not abolished, the minimum age of recruitment set for compulsory military service and how, and under what conditions, compulsory service can be reactivated

33. Under article 32 of the Beninese Constitution, "the defence of the nation and the territorial integrity of the Republic is a sacred duty of all Beninese citizens. Military service is compulsory. The conditions for fulfilling this duty are established by law". Military service was introduced under Act No. 2007-27 of 23 October 2007 on the establishment of military service in the national interest and Decree No. 2007-486 of 31 October 2007 on the general modalities for the organization and completion of national military service. Volunteers aged between 18 and 26 years undertake a professional activity in their field of competence for 18 months. They undergo military training for one month before starting work. This form of service aims, inter alia, to combat youth unemployment.

Guarantees in place to ensure that the recruitment is genuinely voluntary and the procedures used for such recruitment, from the expression of intention to volunteer to the physical integration into the armed forces

34. Under the binding declaration made by Benin, the guarantees in place to ensure that recruitment is genuinely voluntary are as follows:

“... The process for recruitment into the Beninese Armed Forces and the National Gendarmerie begins with an announcement published in the national press and media targeting young people.

The recruitment file includes a birth certificate, a school attendance certificate and/or an apprenticeship certificate, as appropriate.

The induction of young recruits is conducted in public, at a sports field or other similar facility;

All recruits undergo a thorough medical examination.”

Medical examinations foreseen before volunteers can be recruited

35. Nothing to report.

The documentation considered reliable to verify the age of the volunteers

36. The recruitment file includes a birth certificate, a school attendance certificate and/or an apprenticeship certificate, as appropriate.

37. Prior to the competition, applicants are asked to show their national identity cards for verification of their identity and age.

The effective minimum service time and the conditions for early discharge; the application of military justice or discipline to recruits under 18 and disaggregated data on the number of such recruits being tried or in detention; the minimum and maximum sanctions foreseen in case of desertion

38. There is nothing to report as there are no recruits under the age of 18.

Information that is made available to the volunteers and to their parents or legal guardians, allowing them to formulate their own opinion and to make them aware of the duties involved in the military service (a copy of any materials used for this purpose should be annexed to the report)

39. There is nothing to report as recruits under the age of 18 are not admitted.

The incentives used by the national armed forces for encouraging volunteers (scholarships, advertising, meetings at schools, games, etc.)

40. Nothing to report.

Disaggregated data on schools operated by or under the control of the armed forces, including their number, the type of education provided and the proportions of academic education and military training in the curricula; length of the education; academic/military personnel involved, educational facilities, etc.

41. There is a military secondary school for girls in Natitingou (department of Atacora) and a military academy in Bèmbèrèkè (department of Borgou).

The minimum age of entry into schools operated by the armed forces

42. The minimum age ranges from 9 to 13 years.

Efforts to ensure that education is provided in accordance with articles 28 and 29 of the Convention on the Rights of the Child and that the school curricula include human rights and humanitarian principles. The report should also contain information on the measures taken to ensure that school discipline is administered in a manner consistent with the child's human dignity and the Committee's general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment

43. The educational curriculum in military training institutions is the same as in general education institutions except that there are additional military initiation modules and training in the handling of weapons as of the final year of junior high school until the end of senior high school education.

44. With regard to school discipline, circular No. 232/MEMB/DGM/DEMB of 10 March 1981 recalls the provisions of the circular prohibiting corporal punishment in schools and prohibits such punishment in educational institutions of any kind.

Disaggregated data (for example, by sex, age, region, rural/urban areas and social and ethnic origin) on the students attending schools operated by or under the control of the armed forces; their status (members or not of the armed forces); their military status in the case of a mobilization or of an armed conflict, a genuine military need or any other emergency situation; their right to leave such schools at any time and not to pursue a military career

45. No data are available.

Whether independent complaint mechanisms are accessible for children attending military schools

46. No such mechanism exists.

Information on armed groups operating on or from the territory of Benin

47. Nothing to report.

An update on the status of negotiations of the Government of Benin with armed groups

48. Nothing to report.

Any written or oral commitment made by armed groups not to recruit and use children under the age of 18 in hostilities

49. Nothing to report.

Measures adopted by the State party aimed at raising awareness amongst armed groups of the need to prevent the recruitment of children under the age of 18 and of their legal obligations with regard to the minimum age set in the Optional Protocol for recruitment and participation in hostilities

50. Nothing to report.

Whether the State party cooperates with the International Committee of the Red Cross (ICRC) for the above purpose

51. Nothing to report.

Methods used to identify children who are especially vulnerable to practices contrary to the Optional Protocol due to their economic and social status, such as children living in poverty, those living in remote areas and, if applicable, refugee, internally displaced, minority and indigenous children

52. Benin has developed a vulnerability matrix — an instrument used to identify vulnerable children requiring social protection.

Information on measures taken to prevent attacks on civilian objects protected under international humanitarian law and other international instruments, including places that generally have a significant presence of children, such as schools and hospitals

53. Benin is a State party to the Geneva Conventions.

Measures, specifically aimed at making children aware of the harmful consequences of involvement in armed conflict, and of resources and sources of assistance intended to prevent children from falling victim to recruitment

54. Nothing to report.

Efforts undertaken to include peace education in the school curricula

55. Article 4 of Act No. 2003-17 of 11 November 2003 on national education policy in Benin provides:

“School should equip everyone to understand the modern world and transform the environment based on national cultural values, knowledge, endogenous know-how and life skills and universal scientific heritage.

School should provide students at all levels with continuous training and education and should encourage them to specialize through sound guidance that takes account of individual skills and the needs of the nation.

Education is open to all positive and useful innovations and takes into account civic instruction, ethics and education for peace and human rights, population and family life, and the environment and development, in accordance with article 40 of the Constitution.”

Programmes targeting any specific groups other than children and the general public (e.g. the armed forces and members of international peacekeeping forces, law enforcement and immigration officers, judges, social workers, teachers and legislators)

56. Training is provided to military personnel in peacekeeping missions and military schools.

The role played by non-governmental organizations, the media, the private sector and the community, in particular children, in the design and implementation of the awareness measures described above

57. Nothing to report.

Any steps taken to measure and evaluate the effectiveness of the measures described above, and the results obtained

58. Nothing to report.

III. Prohibition and related matters (arts. 1, 2 and 4 (1) and (2))

The material elements of all such acts and offences, including the definition of the compulsory recruitment and use of children in hostilities and what constitutes direct participation

59. Article 6 of Act No. 2005-43 of 26 June 2006 on the general regulations for personnel of the Beninese Armed Forces provides:

“Recruitment to the Beninese Armed Forces is by means of voluntary enlistment or competitive exam;

Persons may not be admitted to serve in the Beninese Armed Forces if:

They do not have Beninese nationality;

They have been deprived of their civil rights or are not of good character;

They do not meet the physical fitness requirements for a military career, as defined in the regulations;

They are under the age of 18.”

60. Article 212 of Act No. 2015-08 on the Beninese Children’s Code, adopted on 26 January 2015 and awaiting promulgation, also prohibits the involvement of children in armed conflicts and other related matters.

61. With regard to the worst forms of labour, it provides:

“The following worst forms of child labour are prohibited:

All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children in armed conflict”.

The maximum and minimum penalties that can be imposed for each of these offences

62. Violations of military discipline are dealt with by the military council.

63. Articles 33 to 36 of Act No. 2005-43 of 26 June 2006 relating to the general regulations for personnel of the Beninese Armed Forces define the military discipline regime as follows:

Article 33: Owing to its severity, any misconduct by military personnel in the performance of their duties or in connection to the performance of their duties makes them liable to a professional or statutory disciplinary sanction without prejudice to any penalties provided for under criminal legislation or other laws. Disciplinary action is independent of criminal or civil prosecution.

Article 34: With the exception of warnings, professional and statutory disciplinary sanctions are registered in the individual’s file and military service certificate. They can be removed only under an amnesty or a court decision. However, amnesty does not result in the individual returning to the armed forces and resuming their career.

Article 35: In terms of disciplinary sanctions, military personnel are given the following safeguards:

The right to explain themselves

Application of the scale of disciplinary penalties

The right to lodge a complaint

The right to appeal

Chain of command

Disciplinary board

Article 36: The penalty scales, grounds, authorities competent to impose penalties and procedures for applying the safeguards and specific rules relating to the disciplinary board are governed by the general disciplinary regulations and specific instruments.

64. With regard to criminal prosecutions, there are no military courts in Benin. Consequently, any offences committed by military personnel are tried by ordinary courts.

65. Article 360 of the Children’s Code stipulates: “Without prejudice to criminal legislation that provides for harsher penalties and to specific provisions of this Code, any person who violates the provisions of articles 212, 214 and 215 of this Code shall be liable to a penalty of between 6 months’ and 1 year’s imprisonment and/or a fine of between 50,000 and 100,000 CFA francs.”

Available data or information concerning the number of prosecutions and convictions for such offences

66. None.

Guarantees in place to ensure that superior orders cannot be invoked as justification for acts contrary to the Optional Protocol and whether any defences and aggravating or attenuating circumstances can apply to these offences

67. Article 19 of the Constitution provides that: “Any individual or agent of the State shall be relieved of the duty to obey orders if the order in question is a serious and clear violation of respect for human rights and public freedoms.”

The statute of limitations for each of these offences

68. The statute of limitations for these offences is the same as under ordinary Beninese law: 1 year for misdemeanours, 3 years for offences and 10 years for crimes. An analysis of the penalties applicable to each of the offences covered by the Optional Protocol shows that they are crimes under Beninese law and therefore subject to a statute of limitations of 10 years.

Any other offences recognized by the laws of the State party that it considers relevant to implementation of the Optional Protocol

69. Nothing to report.

The sentences applicable under the law(s) of the State party for attempts to commit and complicity or participation in the offences covered by the Optional Protocol

70. Under article 2 of the Criminal Code of Benin, the attempt to commit a crime is considered the same as the crime itself.

71. Under article 59, the accomplices to a crime or offence shall be liable to the same penalty as the perpetrators of the crime or offence unless otherwise provided for in the law.

Information on all criminal legislation in force, including details of the exact provisions, covering and defining the offences enumerated in article 4 (1) and (2), of the Optional Protocol

72. The offences set out in article 4 (1) and (2) of the Optional Protocol are also governed by the provisions of ordinary law cited above in relation to the definition and criminalization of the offences mentioned in articles 1 and 2 of the Optional Protocol. The Children’s Code also includes similar provisions.

Information on all relevant laws, decrees, military codes, manuals or regulations adopted by the national legislature

73. Following its ratification of the Optional Protocol, Benin adopted the following laws and regulations:

- Act No. 2005-43 of 26 June 2006 on the general regulations for personnel of the Beninese Armed Forces
- Act No. 2006-04 of 5 April 2006 on the conditions for the displacement of minors and the suppression of child trafficking in Benin
- Act No. 2011-26 of 9 January 2012 on the prevention and punishment of violence against women
- Act No. 2012-15 on the Code of Criminal Procedure of Benin
- Act No. 2015-08 on the Children’s Code of Benin

Any provisions of legislation currently in force that the State party considers an obstacle to implementation of the Optional Protocol, and whether there are plans to review such provisions

74. No provisions of Beninese legislation are an obstacle to the implementation of the Optional Protocol.

Whether Benin plans to become a party to the following instruments:

- The Additional Protocols I and II to the 1949 Geneva Conventions (1977)
- The Rome Statute of the International Criminal Court (1998)
- International Labour Organization Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms Of Child Labour (1999)

75. Benin is a party to all of these instruments.

Description of any law concerning the criminal liability of legal persons, such as private military and security companies (PMCs and PSCs), for the acts and activities enumerated in the Protocol, and comments on the effectiveness of such laws as a deterrent to the recruitment of children. If the law of the State party does not recognize the criminal liability of legal persons for such offences, the report should explain why this is so and the position of the State party on the feasibility and desirability of modifying it

76. Nothing to report.

National legal provisions that provide for the establishment of extraterritorial jurisdiction over serious violations of international humanitarian law and whether to date the State party has exercised its jurisdiction over child recruitment as a war crime

77. Benin has not exercised jurisdiction over cases involving child recruitment as a war crime.

78. Articles 386, 639 to 647 and 728 to 730 of the Code of Criminal Procedure give the Beninese courts jurisdiction over cases involving an international element.

79. In particular, articles 772 and 773 of the Code of Criminal Procedure set out the measures of judicial cooperation with the International Criminal Court and the conditions for collecting and preserving evidence.

Description of the law, policy and practice concerning the extradition of persons accused of having committed offences referred to in the Optional Protocol

80. Article 727 ff. of the Code of Criminal Procedure define the State party's policy and practice in relation to extradition.

Description of the legal basis, including international agreements, for cooperation between Benin and other States parties with regard to investigations and, if applicable, details of criminal and extradition proceedings brought with regard to the offences referred to by the Optional Protocol

81. Benin is a party to the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, signed in Abuja on 14 June 2006 (see paragraph 92).

IV. Protection, rehabilitation and reintegration (art. 6 (3))

Measures adopted to ensuring that the rights and best interests of children who have been the victims of the practices prohibited under the Optional Protocol are fully recognized, respected and protected at all stages of demobilization processes as well as in criminal investigations and proceedings where they are victims or witnesses

82. Nothing to report.

Measures taken to ensure legal, psychological or other training for those who work with victims of the offences prohibited in the Protocol

83. Modules on children's rights and legal protection have been incorporated in the training curricula for police and gendarmerie academies.

Description of public and private demobilization programmes that provide child victims of recruitment with assistance in social reintegration

84. Nothing to report.

Description of measures taken by the State party to ensure that the child's identity is protected, in accordance with article 16 of the Convention on the Rights of the Child, in order to maintain confidentiality and prevent media exposure and stigmatization of victims

85. Benin has a protocol for the repatriation, care and reintegration of child victims of trafficking. This protocol would be applicable in cases of children involved in conflicts in the subregion.

Description of measures taken to ensure that unaccompanied foreign children who have been involved in armed conflict are treated in accordance with paragraphs 54 to 60 of the Committee's general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin

86. Nothing to report.

Information on existing remedies and reparations that may be sought by child victims of recruitment and in particular on the role of the State in enforcing such measures

87. There is nothing to report as Benin has no experience of this.

V. International assistance and cooperation (art. 7 (1))

Information on measures to strengthen international cooperation regarding the implementation of the Optional Protocol, including in the prevention and investigation of any activity contrary to the Optional Protocol and in the recovery and reintegration of children victims of acts contrary to the Optional Protocol, through for example technical cooperation and financial assistance

88. Despite the absence of conflict in Benin, the country is represented in United Nations intervention missions under the aegis of the African Union to separate parties to conflicts and provide relief to civilian populations, particularly through the military engineering service and the administration of medical care.

89. The commitments and positions of Benin at both the national and international levels are consistent with the international instruments it has ratified, including the Optional Protocol.

90. As a preventive measure, Benin has ratified the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials (see paragraph 92).

Information on whether national legislation prohibits the trade and export of small arms and light weapons as well as military assistance to countries where children are involved in armed conflict

91. Article 3 of the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials provides:

“1. Member States shall ban the transfer of small arms and light weapons and their manufacturing materials within/to their national territory and from their national territory.

2. Member States shall ban, without exception, transfers of small arms and light weapons to non-State actors that are not explicitly authorised by the importing Member.

3. Small arms and light weapons as defined in this Convention shall not be deemed to be goods for the purpose of article 45 of Revised Treaty of the Economic Community of West African States (ECOWAS) of 1993.”

Information on cooperation by Benin with the Office of the Special Representative of the Secretary-General for Children and Armed Conflict

92. Benin cooperates with the Special Representative of the Secretary-General for Children and Armed Conflict.

93. Beninese cooperation with international partners in fields related to children’s rights, including UNICEF, covers the implementation and dissemination of the Optional Protocol, although the involvement of children in armed conflict is not an issue in the country.

94. As part of its international cooperation efforts, Benin participates in several peacekeeping operations, thus contributing to the implementation of the Optional Protocol by seeking to prevent actions contrary to its provisions.

95. Table showing the participation of Benin in external military operations:⁴

<i>United Nations operations</i>	<i>Military personnel</i>	<i>Military observers⁵</i>	<i>Police officers</i>	<i>Others⁶</i>	<i>Total</i>	<i>Start year</i>
UNISFA	01	-	00	02	03	2010
UNMIL	00	-	00	02	02	2003
UNMISS	00	-	00	03	03	2011
MINUSTAH	00	-	30 (01)	00	30 (01)	1994
MONUSCO	454 (21) ⁷	-	39 (04)	09	502 (25)	2006
UNOCI	377 (25)	-	35 (02)	09 (01)	421 (28)	2003
MINUSMA	255	-	38 (01)	00	293 (01)	2013
MINUSCA	01	-	29	03	33	2014
Total	1 088 (46)	-	171 (08)	28 (01)	1 287 (55)	

Source: Directorate of the Organization of Army Personnel. The names of the missions correspond to the following countries: UNISFA: Sudan; MONUSCO: Democratic Republic of the Congo; UNMIL: Liberia; UNOCI: Côte d’Ivoire; UNMISS: South Sudan; MINUSMA: Mali; MINUSTAH: Haiti; MINUSCA: Central African Republic.

Information on whether the situation in Benin has been identified in reports of the Secretary-General to the Security Council in accordance with resolution 1612 (2005)

96. Nothing to report.

⁴ Updated on 31 January 2015.

⁵ Data have been collected but are not available.

⁶ Customs and Water and Forests.

⁷ The figures in parentheses indicate the number of female personnel.

VI. Other legal provisions (art. 5)

97. Nothing to report.

Description of any provisions of international law binding on Benin that it considers more conducive to the realization of the rights of the child than the provisions of the Optional Protocol, or that it takes into account in applying the Optional Protocol

98. Nothing to report.
