



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Benin*

I. Introduction

1. The Committee considered the initial report of Benin¹ at its 723rd and 724th meetings,² held on 14 August 2024. It adopted the present concluding observations at its 746th meeting, held on 29 August 2024.
2. The Committee welcomes the initial report of Benin, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies³ to the list of issues prepared by the Committee.⁴
3. The Committee appreciates the fruitful and sincere dialogue held with the State party's high-level delegation, which included representatives of the relevant government ministries.

II. Positive aspects

4. The Committee welcomes the legislative, administrative and policy measures taken by the State party to promote the rights of persons with disabilities and to implement the Convention since its ratification in 2012, in particular:
 - (a) The decree of 21 June 2023 on the creation, composition and operation of the interministerial commission for the implementation of measures for the inclusion of persons with disabilities;
 - (b) The constitutional revision of 2019 leading to article 26 of the Constitution, which sets out the principle of equality and the prohibition of discrimination on the basis of disability;
 - (c) Act No. 2017-06 of 29 September 2017 on the Protection and Promotion of the Rights of Persons with Disabilities, including protection to be afforded to persons with disabilities in situations of risk and humanitarian emergencies;
 - (d) Decree No. 2023-324 of 21 June 2023 on tax measures relating to the importation, manufacture and sale of means of transport and equipment for the benefit of persons with disabilities;
 - (e) Decree No. 2023-325 of 21 June 2023 on special measures to promote employment and entrepreneurship of persons with disabilities.

* Adopted by the Committee at its thirty-first session (12 August–5 September 2024).

¹ CRPD/C/BEN/1.

² See CRPD/C/SR.723 and CRPD/C/SR.724.

³ CRPD/C/BEN/RQ/1.

⁴ CRPD/C/BEN/Q/1.



III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

5. The Committee is concerned that:

(a) The Convention has not been fully incorporated into the State party's legal system;

(b) A national mechanism to systematically review existing laws, policies and regulations to determine whether legislative action is needed to ensure that they conform with the obligations under the Convention to promote, protect and fulfil the rights of persons with disabilities does not exist;

(c) The concept of disability in the Convention and the language therein have yet to be reflected in the State party's domestic laws and policies;

(d) The medical model of disability is prevalent in the State party, including within its disability assessment systems and in relation to the eligibility criteria for accessing the necessary services and support.

6. **In line with targets 10.2 and 10.3 of the Sustainable Development Goals (on reducing inequality), the Committee recommends that the State party:**

(a) **Review the status of the Convention in its legal system and fully incorporate it into domestic law;**

(b) **Systematically review existing laws, policies and regulations to ascertain the legislative action required to ensure their conformity with the obligations under the Convention and establish human rights-based action plans with a clear concept of disability that contain measures to promote, protect and fulfil the rights under the Convention;**

(c) **Take measures to ensure removing derogatory and discriminatory terms used to describe persons with disabilities from its legislation and ensure that the language of the Convention is used throughout the State party's domestic laws and policies and that its meaning, including the concept of "disability", is reflected in letter and spirit;**

(d) **Ensure that disability assessments take into account barriers faced by persons with disabilities and are established in close consultation and with the active involvement of organizations of persons with disabilities.**

7. The Committee is concerned that the absence of information and a lack of meaningful consultation and active involvement of organizations of persons with disabilities have prevented them from properly evaluating the National Policy for the Protection and Integration of People with Disabilities for 2012–2021, and its next iteration.

8. **Recalling its general comment No. 7 (2018), the Committee recommends that the State party closely consult and actively involve persons with disabilities, through their representative organizations, in the development, implementation and monitoring of all laws and policies used to implement the Convention, including all iterations of the National Policy for the Protection and Integration of People with Disabilities.**

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

9. The Committee notes with concern:

(a) That national legislation does not recognize multiple and intersectional discrimination nor the denial of reasonable accommodation as a form of discrimination;

(b) That the State party has neither developed regulations nor mechanisms to give effect to the duty to provide reasonable accommodation to persons with disabilities nor set

out procedures for persons with disabilities to challenge the absence of reasonable accommodation;

(c) The absence of an accessible and effective complaints mechanism for persons with disabilities to report disability and intersectional discrimination and seek redress.

10. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:

(a) **Review and amend national legislation to recognize disability discrimination and multiple and intersectional forms of discrimination on the grounds of disability and other grounds, such as age, sex, race, ethnicity, sexual orientation and any other status, and adopt strategies to eliminate multiple and intersecting forms of discrimination;**

(b) **Develop regulations and mechanisms in close consultation with and with the active involvement of persons with disabilities, through their representative organizations, and establish mechanisms, policies and practices to ensure the provision of reasonable accommodation, and establish effective and easily accessible remedies in cases in which reasonable accommodation has not been provided;**

(c) **Put in place an accessible and effective complaints mechanism for persons with disabilities to report allegations of discrimination and provide persons with disabilities who have been subjected to discrimination with redress and ensure that perpetrators are sanctioned.**

Women with disabilities (art. 6)

11. The Committee notes with concern that gender equality legislation and policies, including Act No. 2021-13 of 20 December 2021 amending and supplementing Act No. 2002-07 of 7 June 2002 establishing the Personal and Family Code, and Act No. 2011-26 of 9 January 2012 on the Prevention and Punishment of Violence against Women and Girls, lack measures to address the situation of women and girls with disabilities. The Committee also notes with concern that disability, gender and inclusion focal points have yet to be appointed in all ministries.

12. The Committee recommends that, in keeping with its general comment No. 3 (2016) and targets 5.1 and 5.c of the Sustainable Development Goals and with the close consultation and active involvement of women and girls with disabilities, through their representative organizations, the State party:

(a) **Ensure, as soon as possible, that all gender equality legislation and policies incorporate disability and that targets, time frames and mechanisms for independent monitoring are established;**

(b) **Establish disability and gender inclusion focal points in all government ministries and provide them with human, technical and financial resources to enable them to mainstream the rights of women and girls with disabilities into their work;**

(c) **Establish binding targets, deadlines and indicators to measure progress in advancing the situation of women and girls with disabilities.**

Children with disabilities (art. 7)

13. The Committee is concerned:

(a) **That national legislation, including Act No. 2015-08 of 23 January 2015, the Children's Code, insufficiently addresses the rights of children with disabilities, particularly their right to be heard in matters concerning them;**

(b) **About the absence of strategies in place to support providers of support and caregivers and early learning centres to stimulate and teach children with disabilities.**

14. With reference to the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), the Committee recommends that the State party:

(a) Take legislative and policy measures to provide support to children with disabilities and their families to ensure that they exercise their rights to participate on an equal basis with other children, and ensure the inclusion of children with disabilities in all areas of life, including family life and community life, by developing community-based inclusive strategies and programmes at the national and local levels;

(b) Amend the Children's Code to withdraw provisions in article 177 concerning segregated special education, include clear provisions on children with disabilities in all areas of life and establish a mechanism that respects the evolving capacity of children with disabilities to ensure that they can form their views and express them freely in all matters affecting them, and that these views are given due weight in accordance with children's age and maturity;

(c) Develop strategies to provide the support required by children with disabilities, including by strengthening family and community networks providing support, allocating human, technical and financial support for children with disabilities and supporting caregivers and early learning centres to stimulate and teach children with disabilities.

Awareness-raising (art. 8)

15. The Committee is concerned about:

(a) The persistence of discriminatory attitudes, negative stereotypes and prejudice towards persons with disabilities, including against women with disabilities, persons with albinism, persons with intellectual and/or psychosocial disabilities, and children with disabilities;

(b) The limited awareness-raising campaigns on the rights of persons with disabilities, which are usually only held in urban areas and during specific contexts, such as elections.

16. **The Committee recommends that, in close consultation with and with the active involvement of organizations of persons with disabilities, the State party:**

(a) Adopt a national strategy to raise awareness of and combat prejudices against persons with disabilities, and monitor the impact thereof;

(b) Introduce regular training and develop awareness-raising modules about the rights of persons with disabilities at all levels of education, for policymakers, the judiciary, law enforcement officials, the media, politicians, educators and professionals working with and for persons with disabilities, as well as for the general public, both in rural and urban areas, in all accessible formats, including Braille, Easy Read, audio and tactile, in order to foster respect for the dignity, abilities and contributions of all persons with disabilities.

Accessibility (art. 9)

17. The Committee notes with concern:

(a) That persons with disabilities face barriers in accessing the physical environment, transportation, information and communications, including information and communications technology (ICT), and other facilities and services open or provided to the public, particularly in rural areas;

(b) The lack of measures taken to implement the relevant national legislation on accessibility standards, of adequate budgetary allocations and of mandatory accessibility criteria in public procurement at all levels.

18. **With reference to its general comment No. 2 (2014) and Goal 9 and targets 11.2 and 11.7 of the Sustainable Development Goals, the Committee recommends that the State party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) Adopt and implement an action plan to identify existing barriers to accessibility in the private and public sectors and provide the human, technical and

financial resources necessary to remove those barriers and to ensure the accessibility of, inter alia, buildings, transportation, information and communications, including ICT, and other facilities and services open or provided to the public, in both urban and rural areas;

(b) Develop and implement accessibility standards and regulations, strengthen the implementation of the existing national legislation on accessibility and carry out an accessibility needs assessment of existing infrastructure with a time-bound plan to make it accessible;

(c) Take the legislative and policy measures in the public and private sectors necessary to implement the full range of accessibility obligations under the Convention, such as the development of public procurement criteria, including for information and communications technologies and systems, and ensure effective sanctions for non-compliance.

Right to life (art. 10)

19. The Committee is concerned about information received on children born with disabilities and so-called sorcerers' children who are allegedly killed or abandoned by their parents. It is further concerned at the lack of information on legal action taken against the perpetrators of such infanticides.

20. The Committee recommends that the State party:

(a) Adopt a legislative framework to protect persons with disabilities, including persons with albinism, from abduction and murder, and to ensure that all perpetrators are brought to justice;

(b) Conduct awareness-raising campaigns to change perceptions and attitudes towards persons with disabilities and combat stereotypes, myths and beliefs associated with albinism, which can incite ritual killings and attacks on persons with albinism and adopt the Plan of Action to End Attacks and Other Human Rights Violations Targeting Persons with Albinism in Africa (2021–2031);

(c) Recalling the recommendation issued by the Committee on the Rights of the Child to the State party,⁵ prevent and eradicate infanticide, and take prompt and active measures to protect infants' right to life and to ensure that all perpetrators of infanticide are brought to justice.

Situations of risk and humanitarian emergencies (art. 11)

21. The Committee notes with concern:

(a) The lack of specific and comprehensive protocols and guidelines for the evacuation of persons with disabilities during situations of risk, humanitarian emergencies and disasters, the lack of budgetary allocations, and barriers to guaranteeing reasonable accommodation and accessibility to information, evacuation centres, emergency relief assistance, early warning systems and community needs assessments;

(b) The lack of information on measures taken to ensure that persons with disabilities receive warnings during situations of risk in accessible formats;

(c) That the situation of persons with disabilities has not been addressed in managing situations of risk and in the coordination of the national response to the coronavirus disease (COVID-19) pandemic.

22. The Committee recommends that the State party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:

(a) Develop protocols for evacuation in situations of risk, humanitarian emergencies and disasters that are responsive to the requirements of persons with

⁵ [CRC/C/BEN/CO/3-5](#), para. 29.

disabilities, and ensure that accommodations are made so that information, evacuation centres, emergency relief assistance, early warning systems, community needs assessments and assistive devices are accessible to persons with disabilities in urban and rural areas;

(b) Develop early warning systems in situations of risk that are accessible to all persons with disabilities;

(c) Ensure that the rights of persons with disabilities are protected and promoted at all stages of disaster risk reduction, including in recovery measures.

Equal recognition before the law (art. 12)

23. The Committee notes with concern the existence of discriminatory provisions in national legislation depriving persons with intellectual and/or psychosocial disabilities of their legal capacity and the absence of supported decision-making mechanisms for persons with disabilities to exercise their legal capacity on an equal basis with others.

24. The Committee recommends that, in line with its general comment No. 1 (2014), the State party:

(a) Review national legislation, including Act No. 2002-07 of 7 June 2002 establishing the Persons and Family Code, to repeal tutorship and curatorship regimes on the basis of impairment and guarantee the right of all persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities, to equal recognition before the law, and replace substitute decision-making systems with effective mechanisms of supported decision-making in accordance with the provisions and principles of the Convention, in close consultation with and with the active involvement of persons with disabilities and their representative organizations;

(b) Ensure the effective, independent participation of persons with disabilities, through their representative organizations, in the reform process and in the training of the relevant personnel on the recognition of the legal capacity of persons with disabilities and on the mechanisms of supported decision-making;

(c) Develop awareness-raising campaigns and capacity-building programmes, in consultation with and with the active involvement of persons with disabilities, through their representative organizations, for all stakeholders, including the families of persons with disabilities, community members, health professionals, public officials, the media, the judiciary and members of parliament, on the recognition of the legal capacity of persons with disabilities and supported decision-making.

Access to justice (art. 13)

25. The Committee notes with concern:

(a) The lack of information on how persons with disabilities have access in practice to the legal guarantees of the Code of Criminal Procedure;

(b) The barriers that persons with disabilities continue to face in accessing justice, including high costs, the lack of qualified sign language interpreters in administrative and judicial proceedings for persons with hearing impairments, and the lack of documents and information in accessible formats for persons with disabilities;

(c) The lack of knowledge, training and awareness among police officers and the judiciary about working with persons with disabilities, and the lack of knowledge and capacity among legal aid lawyers in representing persons with disabilities, in particular women and children with disabilities, as well as persons with intellectual and/or psychosocial disabilities.

26. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities, developed in 2020 under the leadership of the Special Rapporteur on the rights of persons with disabilities, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Ensure that the provisions of the Code of Criminal Procedure (arts. 59, 346 and 425) concerning obligations placed on law enforcement, the judiciary and other justice sector institutions to provide information, procedural accommodation and reasonable accommodation to persons with disabilities are fully implemented;

(b) Adopt and implement effective mechanisms to ensure procedural, age-appropriate and gender-responsive accommodations in judicial and administrative proceedings for persons with disabilities, including women with disabilities, persons with intellectual and/or psychosocial disabilities and persons with hearing impairments. The State party should take measures to provide information in accessible formats and ensure the physical accessibility of court buildings and all judicial and administrative facilities, including in rural and remote areas;

(c) Strengthen capacity-building programmes for the judiciary and justice-sector professionals, such as prosecutors and law enforcement officials, including police and prison officers, on the provisions of the Convention and on access to justice for persons with disabilities.

Liberty and security of person (art. 14)

27. The Committee notes with concern the information received about:

(a) The involuntary confinement reserved for persons with psychosocial disabilities living on the streets, as they can be apprehended by the police and placed in psychiatric centres;

(b) The lack of monitoring mechanisms to ensure the right to reasonable accommodation for persons with disabilities in correctional and detention facilities.

28. The Committee recalls its guidelines on the right to liberty and security of persons with disabilities and its guidelines on deinstitutionalization, including in emergencies, and recommends that the State party:

(a) Review and amend all discriminatory provisions in its laws, including Act No. 2002-07 of 7 June 2002 establishing the Persons and Family Code, Act No. 2020-37 of 3 February 2021 on the Protection of Human Health and any other legislation providing for the detention, forced institutionalization and compulsory health treatment of persons with intellectual and/or psychosocial disabilities placed under tutorship and/or curatorship regimes on the basis of impairment to bring them into conformity with the Convention and international human rights norms and standards, including by addressing the detention of persons with psychosocial disabilities living on the streets during major events;

(b) Establish a monitoring mechanism to ensure that persons with psychosocial and/or intellectual disabilities are not subjected to arbitrary and forced internment and treatment, particularly treatment that results in confinement, and ensure that reasonable accommodation and safety are provided to persons with disabilities who come into conflict with the law.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

29. The Committee is concerned about:

(a) Reports of ill-treatment against persons with disabilities in psychiatric institutions, including the use of chemical restraints and electroshock methods as forms of “treatment”;

(b) The lack of information about measures of redress for persons with disabilities who are survivors of torture and ill-treatment in the context of institutionalization;

(c) The underreporting and lack of information about the prosecution and conviction of perpetrators in cases of ill-treatment against persons with disabilities still living in institutions;

(d) The lack of information on the work of the Benin Human Rights Commission on cases of ill-treatment against persons with disabilities still living in institutions or in detention.

30. **Recalling its guidelines on deinstitutionalization, including in emergency situations, the Committee recommends that the State party:**

(a) **Prohibit and end the use of physical and chemical restraints, seclusion and other restrictive practices in all residential institutions, including in penitentiaries, psychoneurological social services and psychiatric facilities;**

(b) **Establish accessible mechanisms to provide persons with disabilities who are still living in institutions with redress, including compensation and rehabilitation, and age- and gender-appropriate support and counselling;**

(c) **Strengthen accessible complaint mechanisms that are confidential for persons with disabilities who are still in institutions, provide persons with disabilities with information in accessible formats about complaint mechanisms and ensure the involvement of organizations of persons with disabilities in the independent monitoring of institutions;**

(d) **Vigorously investigate, prosecute and sanction perpetrators of practices that may amount to torture or cruel, inhuman or degrading treatment or punishment against persons with disabilities and impose appropriate sanctions.**

Freedom from exploitation, violence and abuse (art. 16)

31. The Committee is concerned about the lack of information on the application in practice of the provisions of the Act on the Protection and Promotion of the Rights of Persons with Disabilities that prohibit exploitation, violence and abuse directed at persons with disabilities, and statistical data on the beneficiaries of the counselling centres and toll-free numbers. The Committee notes with concern:

(a) The lack of awareness among the general population, including among persons with disabilities, of measures for the protection of persons with disabilities from exploitation, violence and abuse, and the lack of a comprehensive strategy to address all forms of exploitation, violence and abuse of persons with disabilities, in all settings, including in the family, at school and in the workplace;

(b) The absence of measures and resources to ensure the effective implementation of existing national legislation, policies and strategies to protect all persons with disabilities in all contexts from all forms of exploitation, violence and abuse;

(c) The lack of resources allocated to combat gender-based violence against women with disabilities and the lack of services and accessible shelters for women and girls who are victims of violence, including women with psychosocial and/or intellectual disabilities, particularly in rural areas;

(d) That children with disabilities are exposed to higher rates of violence and bullying than other children and that information and statistical data on violence against children with disabilities and related complaints are not available;

(e) The inadequate training of persons with disabilities, support persons, health personnel and law enforcement officials on recognizing all forms of exploitation, violence and abuse.

32. **The Committee recommends that the State party:**

(a) **Take all steps necessary to raise awareness of measures to protect persons with disabilities from exploitation, violence and abuse, and adopt a comprehensive strategy to prevent exploitation, violence and abuse of persons with disabilities, especially women and girls with disabilities, including older women with disabilities, persons with psychosocial and/or intellectual disabilities and persons with disabilities who are still institutionalized;**

(b) Ensure that services, including support centres and emergency shelters, for women and girls with disabilities who are victims of gender-based violence are accessible physically and in terms of information and communication, and that the required support is provided;

(c) Ensure that courts and expeditious procedures, gender-based violence centres and other institutions implementing programmes to address gender-based violence are fully accessible to persons with disabilities in terms of the built environment, ICT and the training of staff;

(d) Take effective measures to ensure that children with disabilities are adequately protected from bullying, exploitation, violence and abuse in schools and institutions, and that perpetrators are punished;

(e) Ensure that persons with disabilities and support persons have information about how to avoid, recognize and report cases of violence, including gender-based violence, and that persons with disabilities who are victims of exploitation, violence or abuse have access to independent complaints mechanisms and appropriate remedies, such as redress.

Protecting the integrity of the person (art. 17)

33. The Committee is concerned about the lack of information and statistical data on the implementation of the legal protection of the integrity of persons with disabilities. The Committee is also concerned about:

(a) The use of forced electroconvulsive therapy within the treatment methods for persons with psychosocial disabilities;

(b) The lack of specific provisions to prohibit forced sterilization of, and forced abortions performed on, women and girls with disabilities on the basis of third-party consent, in particular women and girls with intellectual and/or psychosocial disabilities.

34. The Committee recommends that the State party:

(a) Adopt and implement legislative and policy measures to ensure the protection of the integrity of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, in all situations, and to ensure that medical interventions and treatment are carried out only with the free and informed consent of persons with disabilities themselves;

(b) Specifically prohibit forced sterilization of, and forced abortions performed on, women and girls with disabilities, in particular women and girls with intellectual and/or psychosocial disabilities.

Liberty of movement and nationality (art. 18)

35. The Committee notes with concern that some children with disabilities, particularly those in rural areas, are still not registered at birth. It is also concerned that persons with disabilities, including migrant persons with disabilities, face barriers in obtaining birth certificates, nationality certificates and identity cards, owing to the lack of accessibility of services and the lack of awareness among the population about the need to register.

36. The Committee recommends that the State party:

(a) Increase its efforts to raise awareness among parents and the general public of the importance of birth registration for their children, including children with disabilities, and organize regular campaigns to issue birth certificates and identity documents, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations;

(b) Take appropriate measures to eliminate all obstacles that prevent persons with disabilities, including those living in remote and rural areas, from enjoying their rights to a nationality, birth registration and civil status documents, in order to enable them to exercise all the rights enshrined in the Convention;

(c) **Put in place national programme measures to take account of the situation of migrant persons with disabilities, and persons with disabilities who are refugees and in refugee-like situations, and to provide them with the documents necessary to enable them to enjoy freedom of movement.**

Living independently and being included in the community (art. 19)

37. The Committee notes with concern the lack of information on the persons with disabilities who have benefited from the Support Fund for the Rehabilitation and Integration of Persons with Disabilities.

38. **Recalling its general comment No. 5 (2017) on living independently and being included in the community and its guidelines on deinstitutionalization, including in emergencies, the Committee recommends that the State party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) **Ensure that the National Solidarity Support Fund include budget lines to promote understanding of the right to choose where to live, with whom and how to live and for support to live in the community;**

(b) **Start without delay a deinstitutionalization strategy for persons with disabilities and develop individualized support to live in the community;**

(c) **Ensure access by persons with disabilities to community-based services on an equal basis with others.**

Personal mobility (art. 20)

39. The Committee notes with concern:

(a) Challenges faced by persons with disabilities, particularly those with mobility and visual impairments, in accessing quality and affordable mobility and assistive technologies, live assistance and intermediaries, in accordance with article 20 (b) of the Convention, especially in rural areas;

(b) The lack of orientation and mobility practitioners, as well as teachers, to train persons with disabilities, in remote and rural areas, on the use of their assistive technologies.

40. **The Committee recommends that the State party:**

(a) **Ensure access for all persons with disabilities to quality mobility aids, devices and assistive technologies at an affordable cost, particularly in rural areas, and provide the National Solidarity Support Fund with sufficient financial resources to enable it to fulfil its mandate on promoting the mobility of persons with disabilities;**

(b) **Train and deploy adequate numbers of orientation and mobility instructors for persons with disabilities.**

Freedom of expression and opinion, and access to information (art. 21)

41. The Committee notes with concern:

(a) That the national sign language is not yet recognized as an official language;

(b) The insufficient provision of ICT and of information in accessible formats, such as Easy Read, plain language, captioning, sign language, Braille, audio description, and tactile, augmentative and alternative means of communication, in both public and private media outlets, in particular on websites that provide public information, and the lack of access to ICT for persons with disabilities;

(c) The insufficient number of accessible private and public websites and the lack of captioning and sign language and of audio description on television.

42. **The Committee recommends that the State party:**

(a) **Recognize the national sign language as an official language;**

(b) Adopt legislation and public policies to ensure the accessibility of all public information, including television and media services, for all persons with disabilities in accessible communication formats, such as Braille, deafblind interpretation, sign language, Easy Read, plain language, audio description, captioning and subtitles, by allocating adequate funding for their development, promotion and use, and ensure access to ICT that is appropriate for all persons with disabilities, including in rural areas;

(c) Ensure that television stations provide their programmes in accessible formats, including captioning, sign language and audio description, for persons with disabilities, and that public and private websites are made accessible;

(d) In close consultation with and with the active involvement of persons with disabilities, through their representative organizations, provide financial resources for the training of qualified sign language interpreters and relevant professionals on the use of tactile, Braille and Easy Read formats, and develop a pool of qualified sign language interpreters and professionals trained in the use of tactile, Braille and Easy Read formats.

Respect for privacy (art. 22)

43. The Committee notes with concern the restrictions on the privacy of persons with disabilities in institutions.

44. **The Committee recommends that the State party:**

(a) Raise awareness among persons with disabilities and their families with regard to legislation on the protection of personal data;

(b) Raise awareness among persons with disabilities and their representative organizations and families on respect for privacy and data protection.

Respect for home and the family (art. 23)

45. The Committee is concerned about the information received on constraints for persons with disabilities still living in institutions in terms of deciding on and entering into personal relationships, largely owing to a lack of privacy and to interference by personnel and legal representatives. The Committee also regrets the lack of information on measures to promote inclusive foster care in family settings for children with disabilities without parental care, and the increasing number of cases of children with disabilities going to live in segregated residential settings.

46. **The Committee recommends that the State party:**

(a) Ensure respect for the right to private life, including sexual self-determination, of persons with disabilities still living in institutions, and end interference by staff and legal representatives in this regard;

(b) Increase resources to ensure that children with disabilities receive the support that they require to enjoy their rights on an equal basis with others;

(c) Encourage foster care in family settings for children with disabilities without parental care, and eradicate the institutionalization and separation of children with disabilities from their families.

Education (art. 24)

47. The Committee is concerned that children with disabilities are often excluded from the regular education system. It is particularly concerned about:

(a) The fact that the national inclusive education policy does not cover all persons with disabilities and that segregated education for children with disabilities continues to be provided alongside inclusive education, in the absence of a time frame for full transition;

(b) The pilot project for inclusive education for children with disabilities being limited to one region;

(c) Discriminatory attitudes towards children with disabilities that prevent them from enrolling in education, resistance on the part of teachers, the school community and families, the inaccessibility of school premises, the low number of trained personnel, the inadequacy of teaching materials, the lack of water and sanitation, the long distances that must be covered to access schools and the inadequate road infrastructure, the insufficient number of teachers proficient in sign language, the inadequate material and financial resources and the lack of reasonable accommodation for children with disabilities, in particular students with intellectual disabilities, autistic children and children with visual impairments;

(d) The lack of disaggregated data on the number and proportion of children with disabilities in mainstream schools receiving individualized support and on the enrolment and dropout rates of children with disabilities.

48. Recalling its general comment No. 4 (2016) on the right to inclusive education and target 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Implement the national quality inclusive education policy and ensure that quality inclusive education covers all children with disabilities regardless of the type of impairment across the country, and adopt a time frame for the transition from special schools to inclusive mainstream education;**

(b) **Scale up efforts to implement the inclusive education policy, including by allocating adequate financial resources;**

(c) **Modify the infrastructure in all learning institutions and ensure that new buildings meet the standards of universal design to make them accessible to persons with disabilities and that reasonable accommodation is provided;**

(d) **Provide students with disabilities with assistive compensatory aids and learning materials in alternative and accessible formats, such as inclusive digital access, and modes and means of communication, including Easy Read, communication aids and assistive and information technologies;**

(e) **Collect data disaggregated by age, sex, gender and geographical location on the number of children with disabilities who have entered the mainstream school environment and been given adequate teaching support.**

Health (art. 25)

49. The Committee is concerned about:

(a) The limited access of persons with disabilities, in particular women and girls with disabilities and persons with intellectual and/or psychosocial disabilities, to sexual and reproductive health-care services and to awareness-raising programmes on HIV/AIDS;

(b) The insufficiency of community-based mental health services for persons with disabilities as part of general health services;

(c) The lack of availability of medication and protective items, including sunscreen and sunglasses, for persons with albinism across health services;

(d) The lack of training for medical professionals on the rights of persons with disabilities, particularly among practitioners of traditional medicine.

50. Taking into account the links between article 25 of the Convention and targets 3.7 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Provide persons with disabilities, in particular women and girls with disabilities, with access to sexual and reproductive health care and services, including awareness-raising on HIV/AIDS, sexually transmitted diseases and cancers disproportionately affecting women, and ensure the provision of supported decision-making for women with intellectual and/or psychosocial disabilities concerning their sexual and reproductive autonomy and self-determination;**

(b) **Ensure the availability of community-based mental health services and allocate adequate resources for the provision of good quality mental health-care facilities and services;**

(c) **Take appropriate measures to address the challenges of ensuring adequate health services for persons with albinism that meet their health needs, including the provision of sunglasses and appropriate sunscreen as an essential product for the prevention of skin cancer;**

(d) **Provide training for health-care professionals and traditional medicine practitioners on the rights of persons with disabilities, including on the relevant skills, support measures and information and communication means and methods, providing information in accessible formats, including Braille, sign language and Easy Read, for persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities and women and girls with disabilities, and ensuring the physical accessibility of equipment in health facilities.**

Habilitation and rehabilitation (art. 26)

51. The Committee is concerned about the insufficient rehabilitation services for persons with disabilities and the lack of rehabilitation equipment, health education and sanitation, particularly in rural areas. It is also concerned about the limited staffing and resources for the community-based rehabilitation programme.

52. **The Committee recommends that the State party:**

(a) **Ensure that all major sectors, particularly in rural areas, including major health facilities, educational entities, vocational programmes and other social services, are equipped and provided with adequate resources to provide habilitation and rehabilitation services to persons with disabilities;**

(b) **Set up a mechanism to monitor the implementation of the community rehabilitation programme, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations.**

Work and employment (art. 27)

53. The Committee takes note of the positive measures taken by the State party in the field of work and employment, particularly the application of the Act on the Protection and Promotion of the Rights of Persons with Disabilities in situations involving the employment and entrepreneurship of persons with disabilities. However, it notes with concern:

(a) **Barriers to employment faced by persons with disabilities, such as low levels of education, inadequate skills training, discrimination in recruitment processes and employment conditions and a lack of reasonable accommodation in places of employment;**

(b) **The lack of enforcement mechanisms in relation to employment quotas for persons with disabilities;**

(c) **The fact that affirmative measures to promote employment for persons with disabilities fail to include all persons with disabilities.**

54. **Recalling its general comment No. 8 (2022) on the right of persons with disabilities to work and employment, the Committee recommends that the State party, in line with target 8.5 of the Sustainable Development Goals:**

(a) **Address the lack of access to vocational training, take measures to combat discriminatory attitudes and practices among employers and inaccessible workplaces, which affect the employment and employability of persons with disabilities, and encourage other sectors besides the education sector to offer persons with disabilities apprenticeship and employment opportunities;**

(b) **Ensure that persons with disabilities have access to work and employment in the open labour market and are included in private and public work environments, on an equal basis with others, and reinforce the implementation of quotas in the public and private sectors of employment;**

(c) **Raise awareness of all the incentives that are available to promote the employment of persons with disabilities, combat discrimination in recruitment processes and employment conditions and provide reasonable accommodation for persons with disabilities in places of employment.**

Adequate standard of living and social protection (art. 28)

55. The Committee notes with concern the lack of information and statistical data on persons with disabilities who benefit from national programmes for improving the standard of living and social protection. It is also concerned about the lack of participation of persons with disabilities in the implementation of poverty reduction programmes.

56. **Recalling the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals, which seek to empower and to promote the economic inclusion of all persons, irrespective of disability status, the Committee recommends that the State party:**

(a) **Develop a universal social protection scheme to ensure that all persons with disabilities, regardless of impairment type, have an adequate standard of living, including programmes and initiatives to increase access to housing, safe and affordable drinking water and sanitation, including in rural areas;**

(b) **Improve the inclusion of persons with disabilities and their organizations in the design, implementation and monitoring of national programmes and policies aimed at enhancing living standards.**

Participation in political and public life (art. 29)

57. The Committee notes with concern:

(a) That the electoral process is not accessible to and inclusive for persons with disabilities, particularly those living in rural areas;

(b) The low level of representation of women with disabilities in decision-making positions and in elected and appointed political bodies in rural and urban areas.

58. **The Committee recommends that the State party:**

(a) **Develop a national plan to ensure the accessibility of electoral materials, polling stations and information about elections across the country;**

(b) **Repeal all laws and policies that restrict or deny persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities, the right to vote and stand for elections, and ensure their full participation in electoral processes and in political and public life;**

(c) **Take specific measures to increase the representation of women with disabilities in public life, decision-making positions and elected political bodies in rural and urban areas.**

Participation in cultural life, recreation, leisure and sport (art. 30)

59. The Committee notes with concern:

(a) That the State party has not yet ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled;

(b) That recreational, cultural and sports spaces are not accessible to persons with all types of disabilities in urban and rural areas;

(c) The lack of support and promotion of programmes for the involvement and participation of persons with disabilities in culture and art;

(d) The lack of information on resources allocated to ensure effective participation in cultural life, recreation, leisure and sport of persons with disabilities.

60. **The Committee recommends that the State party:**

(a) **Expedite the ratification process of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled and ensure full access to information and cultural materials for persons with disabilities;**

(b) **Enforce the Act on the Protection and Promotion of the Rights of Persons with Disabilities (arts. 59–62) to ensure that all public buildings, including cultural, recreation, leisure and sporting facilities, provide for accessibility and other accommodations, including assistive devices, to facilitate private and independent enjoyment of the right of persons with disabilities to cultural life, recreation, leisure and sport;**

(c) **Allocate resources and establish programmes for the development of accessible recreation, art and leisure spaces, in both rural and urban areas, for persons with all types of disabilities and make the existing sports and recreation infrastructure accessible to all persons with disabilities;**

(d) **Ensure effective development and participation of persons with disabilities in sport and encourage those who choose to pursue arts and sport, supporting them with all the devices and equipment necessary to have meaningful careers in art and sport.**

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

61. The Committee is concerned about:

(a) The limited disaggregated data relating to persons with disabilities, on the challenges encountered in accessing education, health, recreation, leisure and sports facilities and services at all levels, including employment opportunities, and linkages between the incidence of disability and the risk of poverty and hardship;

(b) The absence of data on persons with specific disabilities, such as persons who are deafblind, and the fact that the statistical information disseminated among persons with disabilities is not available in accessible formats.

62. **Taking into account Goal 17 of the Sustainable Development Goals, in particular target 17.18, the Committee recommends that the State party:**

(a) **Closely consult and actively involve persons with disabilities, through their representative organizations, in its efforts to increase the collection of data and statistics on disability;**

(b) **Develop nationally consistent data-collection measures and public reporting of disaggregated data across the full range of obligations contained in the Convention and adequately train census enumerators and other officials in the use of the Washington Group short set of questions on functioning;**

(c) **Take steps to collect data on all persons with disabilities, including persons who are deafblind, in all future censuses and housing surveys and ensure that such data are available in Braille, sign language, Easy Read and electronic formats, including for persons with disabilities in rural and remote areas.**

International cooperation (art. 32)

63. The Committee notes with concern:

(a) The lack of long-term strategies to seek and engage cooperation partners to ensure the rights of persons with disabilities, as developed within the context of human rights mechanisms, including the universal periodic review;

(b) The low priority accorded to planning, programming and funding of programmes and activities relating to promoting and protecting the rights of persons with disabilities in international cooperation;

(c) The insufficient consultation and inclusion of organizations of persons with disabilities, in particular organizations of women with disabilities, as development cooperation partners, in the design and implementation of international agreements and programmes.

64. The Committee recommends that the State party adopt specific measures to ensure the effective participation, inclusion, close consultation and active involvement of persons with disabilities, through their representative organizations, in particular organizations of women with disabilities, in international cooperation agreements and programmes, specifically in the monitoring of the 2030 Agenda for Sustainable Development. It also recommends that the State party adopt the measures necessary to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa.

National implementation and monitoring (art. 33)

65. The Committee notes with concern:

(a) The lack of formal recognition of the role of the Benin Human Rights Commission in monitoring the implementation of the Convention;

(b) That persons with disabilities have not been adequately involved in the implementation and monitoring of the Convention.

66. The Committee recommends that the State party:

(a) Designate the Benin Human Rights Commission as the national monitoring mechanism for the implementation of the Convention, in line with article 33 (2) thereof, and provide it with appropriate funding and resources to perform this function;

(b) Ensure the close consultation and active involvement of persons with disabilities, especially women with disabilities, and their representative organizations in the monitoring of the implementation of the Convention, including by providing the necessary funding;

(c) Ensure that the Benin Human Rights Commission can conduct transparent and independent monitoring

IV. Follow-up

Dissemination of information

67. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the State party's attention to the recommendations contained in paragraphs 6 and 8, on general obligations, and 48, on education.

68. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

69. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

70. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the government website on human rights.

Next periodic report

71. Under the simplified reporting procedure, the Committee will transmit to the State party a list of issues prior to reporting at least one year prior to 5 August 2030, the date by which the State party's combined second to fifth periodic reports are due. The replies of the State party to that list of issues will constitute its combined second to fifth periodic reports. The State party may opt out of the simplified reporting procedure within one year of the Committee's adoption of the present concluding observations.
