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**IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Second periodic reports submitted by States parties
under articles 16 and 17 of the Covenant**

Addendum

BENIN* ** ***

[19 December 2006]

* The initial report submitted by the Government of Benin concerning rights covered by articles 1 to 15 (E/1990/5/Add.48) was considered by the Committee on Economic, Social and Cultural Rights at its twenty-eighth session in May 2002 (see documents E/C.12/2002/SR.8-10; E/C.12/1/Add.78).

** The information submitted by many in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.85).

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**PERIODIC REPORT SUBMITTED BY BENIN TO THE COMMITTEE
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS ON THE
IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Combined report 2000-2002/2002-2004, October 2005

Introduction

1. In adopting the Constitution of 11 December 1990, the Beninese people opted for a State based on the rule of law and a pluralistic democracy in which the fundamental human rights, public liberties, the dignity of the human being and justice are guaranteed, protected and promoted as the necessary prerequisites for the genuine harmonious development of all Beninese men and women.
2. The Government of the Republic of Benin, in its determination to give concrete expression to the will of the people, spares no effort to comply with its international commitments, particularly in the field of human rights. To that end, it submitted in 1998 its initial report on the implementation of the International Covenant on Economic, Social and Cultural Rights, adopted on 16 December 1966 by the United Nations General Assembly in its resolution 2200A (XXI), and to which Benin acceded on 12 March 1992.
3. Benin has worked tirelessly to introduce legislative and practical measures to ensure citizens' effective enjoyment of the rights enshrined in this instrument.
4. To that end it organized in Cotonou in 1997 an international symposium on minimum social standards. The concept of "minimum social standards", which is open-ended, refers to the satisfaction of the five basic human needs: education, access to primary health services and care, food security, the development of wealth-creating skills and an end to isolation. The outcome of this discussion was reflected at the national level by the adoption in 1998 of a National Community Development Programme, which embodies a new approach involving development planned from the bottom up on the basis of fundamental needs identified as priority needs by the communities themselves. Similarly, a National Policy Plan 1998-2002 focusing on poverty eradication was drawn up and adopted in 1998. The aim of this plan is to achieve sustainable economic growth in order to substantially increase per capita income.
5. On the basis of the Benin 2025 Alafia national long-term outlook studies, which involved broad consultation with the population's various social groups, a strategic vision was mapped out reflecting the different views expressed. In accordance with the Alafia scenario outlined in the findings of the studies and surveys carried out on the population's various social groups, the programme is based on the conviction that "peace and prosperity rely on improved governance which enables the State to run the public sector on the basis of the key principles of institutional and economic management, decentralization, transparency and national solidarity, and to establish with the private sector conditions enabling it to flourish and expand for the prosperity of the national economy. This context of prosperity and good governance enables the State to deal with the problems caused by an unfavourable external environment and better contain the crises that arise within families and religions".

6. This vision prompted the Government to draft a Poverty Reduction Strategy Paper for the period 2002-2004 and the Second Government Programme of Action (2001-2006). The aim is to create a harmonious, peaceful and prosperous socio-economic environment in Benin. This requires specific, consistent multisectoral objectives to be identified and taken into account, and careful planning in time and space. Drawing on national experiences in terms of strategies, the Government intends to consolidate these developments in a process of sustainable human development, centred on the real needs of population groups and community management.

7. A second demographic and health survey was carried out in 2001. It is valuable for the quantifiable data that it assembles on the situation of women and children and its subsequent statistical analysis.

8. In addition to the above-mentioned national policies and strategies, other policies and strategies that also take into consideration efforts to eradicate poverty have been adopted at sector level, including in health, education, rural development, water power and social protection.

9. Like other members of the international community, Benin adopted in September 2000 the Millennium Development Goals, which aim to bring about greater equity and stability in international economic relations. In order to do this, the participants at the Millennium Summit specified a series of quantifiable objectives to combat poverty, hunger, disease, illiteracy, environmental damage and discrimination.

10. The present periodic report for the Committee on Economic, Social and Cultural Rights flows directly from the Beninese Government's respect for its commitments under article 16 of the Covenant. It is a consolidated report, which describes the measures taken and the progress made by the State of Benin to guarantee enjoyment of the rights recognized in the Covenant.

11. The report was drawn up in two stages. First, a draft was prepared by a national expert on the basis of relevant information gathered from the institutions of the Republic and international and non-governmental organizations (NGOs). The draft report was then submitted to the National Committee to Monitor the Implementation of International Human Rights Instruments, which, after careful review and amendment, adopted it as a national report.

General information

12. The general information contained in Benin's initial report is supplemented here by information on recent developments.

13. Benin, which has an area of 114,763 km², was divided into six departments until 1998: Atacora, Atlantique, Borgou, Mono, Ouémé and Zou. The entry into force of Act No. 97-028 of 15 January 1999 on the organization of territorial administration increased the number of administrative districts to 12, each of the old departments being divided in two. The new departments are: Atacora-Donga, Alibori-Borgou, Zou-Collines, Mono-Couffo, Ouémé-Plateau and Atlantique-Littoral.

14. The old sub-prefectures and urban districts are now decentralized local authorities, in the form of municipalities governed by elected mayors and with legal personality and financial autonomy. The country has a total of 77 municipalities, 3 of which, Cotonou, Porto-Novo and Parakou, have a special status.
15. This new form of territorial administration is the direct result of the first municipal elections, which were held in December 2002 and January 2003.
16. Benin carried out its third national population and housing census in 2002, which enabled population statistics to be updated. According to demographic projections based on the last census, the population of Benin is estimated to be 6,769,914 in 2002 and 7,228,089 in 2004.
17. Generally speaking, women make up 51 per cent of the total population and children under the age of 15, 48 per cent. Children between the ages of 10 and 14 make up 14 per cent of the population, and approximately 26 per cent of the population are aged between 10 and 19.
18. Benin's population is unevenly distributed across the country, with nearly 70 per cent of the population living in rural areas. The average population density is 54 inhabitants per square kilometre.
19. According to estimates by the National Institute of Statistics and Economic Analysis (INSAE), Benin's population will continue to grow fairly quickly (see table below), assuming developments in the main indicators between now and 2025 do not have a major impact on the population's age structure.

Table 1**Demographic projections 2010-2025, by (old) department and city**

Administrative division	Year			
	2010	2015	2020	2025
Benin	8 355 606	9 736 736	11 290 299	12 966 517
Atacora	1 144 528	1 396 170	1 705 412	2 072 760
Atlantique	1 680 943	1 879 329	2 081 096	2 277 822
Borgou	1 622 019	1 983 830	2 419 212	2 929 845
Mono	1 103 984	1 278 774	1 469 375	1 659 932
Ouémé	1 436 989	1 632 756	1 836 612	2 033 943
Zou	1 367 143	1 565 877	1 778 592	1 992 215
Cotonou	1 030 264	1 193 155	1 375 812	1 603 806
Porto-Novo	315 686	362 955	410 333	466 345
Parakou	215 731	263 083	321 853	397 940

Source: National Institute of Statistics and Economic Analysis, Demographic Studies Department. Table based on a compilation of population projections for the 12 departments, 1997-2032, Cotonou, October 1999.

20. Within departments, gaps are not widening in terms of age structures. However, the demographic weight of the various departments will shift over the years. Three groups of departments can be identified in this regard for the period 2000-2025. Atacora-Donga and Alibori-Borgou will see their demographic weight increase (by almost 2 to 3 points) while Atlantique-Littoral, Ouémé-Plateau, and Zou-Collines will see theirs decrease. The population of Mono-Couffo will remain stable over the period, at around 14 per cent of the total.

21. Cotonou's population will pass 1 million towards 2010. The commuter towns for Cotonou's workers, Abomey-Calavi and Sèmè-Podji, Cotonou, will grow. Porto-Novo will reach 500,000 inhabitants only towards 2025.

PART I: PART OF THE REPORT RELATING TO GENERAL PROVISIONS OF THE COVENANT

1. Article 1 of the Covenant: Peoples' right to self-determination

1.0

22. The right to self-determination has been implemented through general and specific measures taken by the Beninese people and their Government, as described in the initial report.

23. It is important to mention the introduction of decentralization, or local community government, the grass-roots democracy that must flow from the system of pluralist democracy chosen by the Beninese people in adopting the Constitution of 11 December 1990.

24. The fact is that, from colonial times onwards, Benin's territorial administration was characterized by a strong tendency for power to be concentrated in the hands of the State. Such excessive centralization is not only an obstacle to sustainable local democracy but also a serious impediment to the empowerment of communities and the freeing of local energies. The 1990 Constitution therefore attached great importance to the principle of the freedom of territorial units to administer themselves, elevating that freedom to constitutional rank (11 December 1990, Constitution, arts. 150-153).

25. These provisions of the Constitution enabled the Beninese people and their Government to take legislative, regulatory and practical measures to bring about decentralization.

1.1 The legislative and regulatory measures include five laws on decentralization enacted by the National Assembly, and implementing decrees issued by the Government. The laws on decentralization are to be distinguished from the implementing decrees.

1.1.1 The legislation is as follows:

(a) Act No. 97-028 of 15 January 1999 on the organization of territorial administration in the Republic of Benin, which establishes the names and territorial jurisdiction of the departments and municipalities and the rules governing the powers of the various bodies and those responsible for them;

(b) Act No. 97-029 of 15 January 1999 on the organization of municipalities in the Republic of Benin, which apportions the competences of the State and the municipalities and defines their new relationship;

(c) Act No. 98-005 of 15 January 1999 on the organization of municipalities with special status, which covers matters relating specifically to the administration of the three cities of Cotonou, Porto-Novo and Parakou and grants them greater powers than ordinary municipalities;

(d) Act No. 98-006 of 9 March 1999 on municipal elections in the Republic of Benin, which sets forth general and particular rules applying to local elections;

(e) Act No. 98-007 of 15 January 1999 on the financial regime of municipalities in the Republic of Benin, which contains provisions relating to the various elements of the municipal budget (income and expenditure), and to its preparation, adoption, execution and monitoring.

These acts are supplemented by 12 implementing decrees.

1.1.2 The implementing decrees are as follows:

(a) Decree No. 2001-409 of 15 October 2001 on the membership, powers and operation of the departmental administration conference;

(b) Decree No. 2001-410 of 15 October 2001 on arrangements for the implementation of Act No. 98-006 of 9 March 1999 on local elections in the Republic of Benin;

(c) Decree No. 2001-411 of 15 October 2001 on the membership, powers and operation of the Departmental Coordinating Council, which also establishes the rates for members' meeting allowances and travel expenses;

(d) Decree No. 2001-412 of 15 October 2001 on the office of municipal secretary-general;

(e) Decree No. 2001-413 of 15 October 2001 on arrangements for credit advances to municipalities in the Republic of Benin;

(f) Decree No. 2001-414 of 15 October 2001 establishing the general framework for the rules of procedure of local councils;

(g) Decree No. 2001-415 of 15 October 2001 establishing the appearance and colour of the local councillor's badge;

(h) Decree No. 2002-293 of 5 July 2002 establishing the form and conditions of representation of the municipality by the mayor;

(i) Decree No. 2002-365 of 22 August 2002 on the establishment of the National Commission on Local Finance;

(j) Decree No. 2002-366 of 22 August 2002 establishing a lump-sum payment for electoral campaign expenses, to be paid by the State to candidates elected in local elections;

(k) Decree No. 2002-367 of 22 August 2002 establishing the amount of the non-refundable deposit to be paid by candidates in local elections;

(l) Decree No. 2002-376 of 22 August 2002 on the organization and operation of departmental administration.

1.2 With regard to practical measures, in December 2002 and January 2003 the National Independent Electoral Commission organized local elections, thereby launching the active phase of decentralization in Benin. The elections effectively inaugurated the new territorial structure.

26. Having been granted the freedom to administer themselves, territorial units now have a free hand in establishing priorities, carrying out their work, managing their areas of competence and choosing appropriate resources for the effective and efficient administration of local affairs.

27. The local assemblies are made up of local councillors.

28. Moreover, the State was not slow to provide financial aid to the municipalities. In 2003, for example, it set aside 1,237,450,000 CFA francs for the municipal solidarity fund, the grant now paid in lieu of local tax, and the local authority support grant. The State's contribution increased in 2004 by CFAF 548 million, to make a total contribution of CFAF 1,875,450,000.

29. The State has in fact already paid out a total of CFAF 3,200,900,000 in support to the municipalities for 2003 and 2004.

2. Article 2 of the Covenant: Non-discrimination

30. As mentioned in the initial report, under the 11 December 1990 Constitution foreigners resident in Benin enjoy the same rights and freedoms as nationals.

3. Article 3 of the Covenant: Equal rights of men and women

31. Benin's commitment to ensuring the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant is demonstrated, inter alia, by the legislative and practical measures it has implemented.

32. The most recent legislative development in this regard is the Personal and Family Code, adopted by the National Assembly in June 2002 and brought into line with the Constitution on 14 June 2004 following Constitutional Court judgements finding a number of provisions incompatible with the Constitution. The Code was promulgated on 24 August 2004 and reflects Benin's international commitments with regard to the observance and promotion of human rights, and specifically the principles of equality and non-discrimination.

33. The Personal and Family Code has harmonized family law with a consolidated body of law based essentially on the principles of equality and non-discrimination. Some relevant provisions are as follows:

- (a) Marriageable age is 18 for both members of the couple (art. 123);
- (b) Polygamy (i.e., polygyny) has been abolished (arts. 125 ff.);
- (c) Dowries are now token payments (art. 142);
- (d) Family and household affairs are managed jointly (art. 155);
- (e) Parental authority is exercised jointly by both parents (art. 417);
- (f) The family's place of residence may be chosen jointly (art. 156);
- (g) Women are free to follow an occupation (art. 157);
- (h) The marital property system under ordinary law is the separation of property regime (art. 184);
- (i) It is also possible to choose a contractual regime, which may subsequently be modified (arts. 190 ff.);
- (j) Parental authority is shared equally (art. 411);
- (k) Inheritances are distributed on an equal basis (art. 619);
- (l) The surviving spouse inherits in full title regardless of the origin or nature of the inheritance and even where the descendants inherit concurrently (arts. 630 ff.).

34. The principle of the protection of legitimate children is maintained. However, the two types of filiation are treated as similarly as possible, both in establishing descent and in respect of the implications of descent.

35. With regard to establishing descent, the Code abolishes, to the extent possible, the distinction between legitimate and illegitimate children in terms of the ways this can be done. It allows natural maternity to be established simply by entering the mother's name on the birth certificate, without any need to demonstrate possession of status. A birth certificate giving the mother's name therefore implies recognition.

36. It is now possible to establish filiation for illegitimate children, either through recognition or through paternity proceedings, where the child does not have possession of status consistent with the birth certificate (art. 315) or where the mother contests the child's paternity in order to have the child recognized by the real father, married after the dissolution of her marriage.

37. Only children born of incest remain barred from double filiation, unless the child has putative legitimacy (art. 318, para. 3).

38. With regard to the implications of descent, the Code establishes equality in principle between the two filiations in terms of legal effect. Illegitimate children, when recognized, have the same rights and obligations as legitimate children. However, the very circumstances of their birth entail certain restrictions. For example, an illegitimate child who has been recognized can invoke inheritance rights against the surviving spouse only if the child was notified of that recognition in writing by the deceased parent.

39. In general there is an improvement in the situation of women with regard to inheritance rights. One of the criticisms frequently levelled at customary law, and indeed at modern law, is that, particularly in the area of inheritance, they include rules of a highly discriminatory nature in respect of girls, who are generally excluded from certain kinds of inheritance such as land. Little importance is attached to these rules, moreover, by virtue of so-called male privilege. In providing that the law shall take no account of either the origin or the nature of property in dividing the estate, article 605 of the Code does away with these old customs. In this way the Code reasserts the principle of equal shares. In the same vein, the principles of primogeniture, whereby the eldest child takes precedence in the division of an estate, and of male privilege, whereby the male children take precedence, have likewise been abolished.

40. On a practical level, Benin's commitment to the advancement of women is demonstrated by its adoption in 2000 of the National Policy for the Advancement of Women. This is a baseline document, drawn up with the help of the United Nations Population Fund (UNFPA), which defines the legal and conceptual framework for action for the advancement of women in Benin.

41. A National Commission for the Advancement of Women was established by Decree No. 2002-464 of 28 October 2002. Under article 3 of this decree, the Commission's mandate is to:

- (a) Ensure implementation of the national plan by all bodies working in the area of advancement and protection of women;
- (b) Ensure due consideration of the strategic and practical needs of men and women in the preparation, implementation, follow-up and evaluation of development programmes and projects;
- (c) Ensure improved coordination of all action for the advancement of women;
- (d) Encourage and promote the adoption of legislative and regulatory measures to improve women's legal, socio-economic and cultural status;
- (e) Draw up strategies for the implementation of the Plan of Action of the National Policy for the Advancement of Women.

4. Article 4 of the Covenant

42. Since submission of the initial report there have been no changes regarding the implementation of this article.

5. Article 5 of the Covenant

43. Since submission of the initial report there have been no changes regarding the implementation of this article.

PART II. PART OF THE REPORT RELATING TO SPECIFIC RIGHTS

6. Article 6 of the Covenant: Right to work

6.1

44. The Republic of Benin has not yet ratified the ILO Employment Policy Convention, 1964 (No. 122). However, as described in the initial report, the Government is taking practical measures which are expected to lead to its ratification.

45. The ILO Convention concerning Discrimination in Respect of Employment and Occupation, 1958 (No. 111), was ratified in 1961. The results of its implementation are described in the initial report.

46. Unlike this Convention, the International Convention on the Elimination of All Forms of Racial Discrimination (1965) and the Convention on the Elimination of All Forms of Discrimination against Women (1979), to which Benin has been a party since 2001 and 1992, respectively, have not been the subject of periodic reports to the respective monitoring bodies.

6.2

(a) Situation, level and trends in employment, unemployment and underemployment

Overview

47. Many domestic and external factors described in the initial report have affected the Beninese economy, leading to the current unemployment crisis.

48. The measures advocated in structural adjustment programmes have adversely affected the employment sector in Benin. These measures, which include a recruitment freeze and targeted or voluntary redundancies in the civil service, and moves to restrict demand for labour in the private sector, are described in the initial report.

49. In addition, it must be said, many of the victims of this situation of insecurity - recent graduates and unskilled youngsters from towns and rural areas - have turned to the informal sector, as vendors of petroleum products, for example, or motorbike taxi (*zémidjan*) drivers. The

informal sector has already grown to considerable proportions. The rural population continues to shrink while towns grow. The increased demand for new jobs is a keen reminder of the need to reduce unemployment and counter the scarcity of stable employment.

50. Overall, in comparison to the situation prevailing at the time of the initial report, some changes can be noted as a result of a number of measures taken by the various stakeholders. The number of public-sector jobs has gone up, thanks not only to the scheme for recruiting permanent State employees but also to the scheme for hiring of fixed-term and indefinite term staff; and there has been an improvement in the situation in the private sector and a reduction in unemployment and underemployment.

Employment

Public-sector employment

51. According to the data shown in the 2006 Civil Service staffing table, drawn up by the Ministry of the Civil Service, Labour and Administrative Reform, the situation of State employees as at 31 December 2004 was as follows:

- (a) A large number of contract staff: 3,361 fixed-term staff and 4,941 on indefinite contracts in December 2004, giving a total of 4,941, as against zero 10 years earlier (1994), recruitment of contract staff having begun only in 1996;
- (b) Increased recruitment of permanent State employees, who numbered around 29,863 in December 2004, including 832 in special posts, as against 28,550 five years earlier (1999);
- (c) A total of 38,165 public-sector employees in service as at 31 December 2004.

Table 2

State employees, 31 December 2004

Description	Number
In service	29 031
In special posts	832
Total permanent civil servants	29 863
Fixed-term contract staff	3 361
Indefinite contract staff	4 941
Total contract staff (fixed-term + indefinite)	8 302
Total public-sector employees in service	37 333
Total public-sector employees	38 165

Source: Ministry of the Civil Service, Labour and Administrative Reform, Civil Service staffing table, 2004.

52. Developments in civil service recruitment are shown in table 3 below.

Table 3
Permanent State employees: recruitment 1993-2004

Category Year	A	B	C	D	E	Total
1993	52	17	62	-	176	255
1994	-	-	-	-	-	-
1995	11	14	47	79	59	210
1996	144	280	82	152	96	753
1997	193	268	85	80	25	651
1998	199	269	151	40	09	668
1999	80	92	120	17	04	313
2000	175	65	174	83	-	497
2001	129	102	143	49	-	553
2002	229	177	236	95	-	737
2003	393	169	272	111	-	945
2004	200	95	157	106	-	558
	Permanent State employees, all categories, ignoring quotas					342
Overall total						6 482

Source: Ministry of the Civil Service, Labour and Administrative Reform, Civil Service staffing table, 2004.

53. The same data also show that primary education and health are sectors with huge numbers of State employees, far outstripping other sectors, because they are given such high priority by the State. Out of a total of 29,031 permanent State employees in December 2004, a total of 15,392 are employed by the department of primary and secondary education and 3,005 by the department of health. In addition, it was partly the needs of these sectors that prompted the recruitment of contract staff, 78.46 per cent of whom are employed in the primary and secondary education sector and 11.84 per cent in the health sector.

54. In public-sector employment young people aged between 18 and 44 are particularly disadvantaged. As at December 2004 they represented 38.51 per cent of the total number of permanent State employees, as against 62.08 per cent for those aged 45 and over.

55. The staff of the Beninese civil service is thus gradually ageing. In less than 5 years 5,792 employees will retire, and another 10,378 in less than 10 years.

56. The most favoured regions, as shown in table 4, appear to be the departments in the south and south-east, owing to the high concentration of public services there. In Atlantique-Littoral,

for example, there are 10,451 State employees, or 36.01 per cent of the total. Ouémé-Plateau comes second, with 4,790 employees (16.5 per cent), followed by the other departments, in order: Zou-Collines, 3,484 (12 per cent); Alibori-Borgou, 2,897 (9.98 per cent); Atakora-Donga, 2,694 (9.28 per cent); and Mono-Couffo, 2,670 (9.2 per cent).

Table 4
Permanent State employees by department

Department	No.	%
Atakora-Donga	2 694	9.28
Atlantique-Littoral	10 451	36.01
Alibori-Borgou	2 897	9.98
Mono-Couffo	2 670	9.20
Ouémé-Plateau	4 790	16.50
Zou-Collines	3 484	12
Not specified	2 045	7.03
Total	29 031	100

Source: Ministry of the Civil Service, Labour and Administrative Reform, Civil Service staffing table, 2004.

Private-sector employment

57. As already stated, in terms of private-sector jobs, the informal sector is the largest provider of employment in Benin and the agricultural sector is the largest in terms of volume of jobs.

58. The informal sector accounts for 95 per cent of the employed labour force, and the formal sector for only 5 per cent, divided almost equally between the public sector (2.6 per cent) and the private sector (2.4 per cent). The private sector thus accounts for some 97.4 per cent of the employed labour force.

59. This sector accounts for 88 per cent of the labour force in urban areas and 98 per cent in rural areas.

60. The third national population and housing census showed that, out of a total employed labour force of 2,703,389, 1,274,379 (47.1 per cent) are employed in the agricultural sector (including hunting and fishing); 99.4 per cent of this sector is informal. The retail and catering trades come after the agricultural sector, accounting for 784,930 (29 per cent) of those in work, 97.9 per cent of this sector is informal. The other employment sectors, in descending order, are manufacturing (244,312), transport and telecommunications (92,012), construction and civil engineering (68,881), mining and quarrying (37,017), banking and insurance (3,632), water, electricity and gas (1,832), and other services (196,394).

Trends in employment

61. If the total labour force is considered to be the number of people requiring work, then between 1992 and 2002 the number of people requiring work rose by 745,430, giving a yearly average increase of 74,543.

62. The employed labour force is the number of people no longer seeking work. Between 1992 and 2002 the employed labour force expanded from 2,053,130 to 2,811,753, thus showing a yearly average increase of 75,862.

Table 5

Employed labour force by sector, 1992 and 2002

Employment sector	2002	1992	Variation	Variation
	(a)	(b)	(a-b)	(%)
Total	2 703 389	2 014 632	688 757	100
Agriculture, hunting, fishing	1 274 379	1 147 746	126 633	18.4
Mining/quarrying	37 017	661	36 356	05.3
Manufacturing	244 312	160 406	83 906	12.2
Water, electricity, gas	1 832	1 176	656	00.1
Construction, civil engineering	68 881	51 655	17 226	02.5
Retail, hotel and catering	784 930	432 501	352 429	51.2
Transport and communications	92 012	52 837	39 175	05.7
Banks and insurance	3 632	3 106	526	00.1
Other services	196 394	164 544	31 850	04.6
All activities	2 811 753	2 053 128	758 625	
Not defined	108 364	38 496	69 868	

Source: National Institute of Statistics and Economic Analysis (INSAE), Demographic Studies Department, Third national population and housing census, vol. 3, October 2003.

63. Table 5 shows that most of the new jobs taken up were in the agricultural (18.4 per cent), retail (51.2 per cent) and crafts (12.2 per cent) sectors. This explains the increase in the number of independent workers in the employed labour force. The conclusion can be drawn that most of the new demand for employment between 1992 and 2002 was absorbed by the informal sector.

Trends in unemployment

64. The latest census shows that there is a jobless population in addition to the employed labour force, and that in 2002 those looking for work numbered 19,123. Of these, 56 per cent were first-time job-seekers and 44 per cent had had one job previously (referred to as "other unemployed" below). Men are the most affected by unemployment (68 per cent men; 32 per cent women). A lower standard of education, combined with jobs crisis, tends to keep women out of the formal job market which explains their lower unemployment figures.

65. While in 1992 a total of 20,687 people were looking for their first job and 11,631 were considered as “other unemployed”, in 2002 only 10,717 people were looking for their first job and 8,406 were considered as “other unemployed”.

66. Young people are more affected than older people by unemployment. While the under-35s account for 61 per cent of the labour force, they account for 72 per cent of the unemployed. In addition, unemployment remains an urban phenomenon, with 74.6 per cent of the unemployed living in urban areas.

Special categories

Women

67. Women work mainly in the informal sector. While in the country as a whole there are 102 working men for every 100 women, in the informal sector there are 95 men to 100 women, in the formal State sector 300 and in the private formal sector 243. Formal permanent employment requires a higher standard of education and better qualifications and thus tends to be reserved for men, whose educational standard is higher than women’s. Waged employment of women is therefore not widespread.

68. In December 2004, according to the 2004 Civil Service staffing table, out of a total of 29,031 permanent State employees, 7,927 (27.3 per cent) were women, compared to 21,104 men.

69. As always, women are not well represented in the professions.

70. Given their close ties to the informal sector, women entrepreneurs finance 59.4 per cent of their business activities through informal channels. The popularity of informal finance institutions with women is mainly due to the ease of access to credit, and in particular their community-based and mutually supportive nature, as well as and the lack of restrictive legal and administrative barriers.

71. In this way informal finance mechanisms enhance women’s ability, and their opportunities, to participate in human development. As members of informal associations such as tontines or other organizations, women are able to save and invest in various areas that help improve their standard of living and raise their status within the community.

72. It should be added that the Government, through the ministry responsible for solidarity, grants microcredits to rural women in income-generating associations, in order to alleviate their working conditions and promote their fulfilment by developing their economic activities.

Young people

73. As described in the initial report, a high proportion of young people work in the informal sector, especially in agriculture. This has repercussions on their schooling and future.

74. As stated above, they are less well represented in the civil service. In December 2004 young people aged between 18 and 44 accounted for 38.51 per cent of the total number of permanent State employees, as against 62.08 per cent for the over-45s.

Disabled persons

75. The Beninese State has taken steps to help this category of workers, in particular legislative measures. Articles 31 ff. of Act No. 98-004 of 27 January 1998 provide for measures for the advancement of disabled persons. Under these provisions disabled persons as defined in the Act may not be discriminated against in any way, and their employers are granted special conditions.

76. Disabled persons make up 3.3 per cent of the labour force, with a total of 92,364 persons, 54.7 per cent of them men and 45.3 per cent women.

77. The employment rates for disabled persons (overall 60.5 per cent, men 67 per cent and women 53.9 per cent) are lower than the averages for the general population. The rate for those living in urban areas (54.4 per cent) is lower than for those in rural areas.

78. The following table shows the distribution of people who have been disabled for 10 years or more, giving the total labour force, the employed labour force, the unemployed who are first-time job-seekers, and other unemployed, by sex and urban or rural area.

Table 6
Persons disabled for 10 years or more

	Sex			Area	
	Total	Male	Female	Urban	Rural
Labour force	92 364	50 506	41 858	30 545	61 819
Employed labour force	91 459	49 849	41 610	29 903	61 556
First-time job-seekers	344	244	100	243	101
Other unemployed	561	413	148	399	162
Non-working population	60 369	24 830	35 539	25 610	34 756

Source: National Institute of Statistics and Economic Analysis (INSAE), Demographic Studies Department, Third national population and housing census, vol. 3, October 2003.

(b) Main policies and measures adopted

79. The policies and measures adopted with the aim of providing work for all those available and looking for work, as described in the initial report, are still in effect. The new measures adopted that are described in the present report are recent developments.

80. For nearly two decades, an ongoing concern for Benin's biggest employer, the State, has been to control civil service staffing levels and payroll in a global and systemic manner.

81. To that end various censuses of State employees have been carried out, enabling a central reference file to be built up - a reliable database that can be used to provide information for ministries, State institutions and development partners.

82. The advantages of this integrated information system include the following:

- Automatic management operations;
- Forward planning of human resources;
- Payroll management;
- Retirement management;
- Effective assessment of the budgetary implications of measures benefiting State employees;
- Accurate, up-to-date, real-time information on the administrative situation of each employee.

83. The Civil Service staffing table is an analytical instrument and decision-making aid that will undoubtedly allow the Beninese State to get the civil service moving towards a robust, modern and highly efficient structure capable of guiding economic, social and political development and meeting the challenges of competitiveness that modernization and economic globalization force all States to face.

84. Moreover, in the current economic situation, characterized as it is by an unremitting jobs crisis, the search for solutions requires that socio-economic actors (including the State, companies, training institutions, educators, and the unemployed) have at their disposal the information they need to guide them in their decisions concerning the employment and training nexus. It was for that reason that the Employment and Training Observatory was set up, with the task of improving information about the labour market.

85. Under Decree No. 2003-224 of 7 July 2003 on the constitution of the National Employment Service, the Observatory became a department of that Service. The mission of the new department is virtually the same as before: to prepare and publish information on the employment and training situation; draw up opinions and proposals designed to guide decision-makers in their choices on employment and training policy; and arrange for the various actors to exchange and compare ideas on employment and training issues.

86. Tables of employment indicators are drawn up and published within this framework, as part of the implementation of the Government's second Programme of Action, 2001-2006, which provides for the regular publication of labour-market indicators as one of its strategies to combat unemployment and underemployment.

87. The ongoing compilation of information on employment by the National Employment Service, through its Employment and Training Observatory, provides the various socio-economic actors with the information they need for a better understanding of the employment crisis as they make decisions concerning the employment and training nexus.

88. The aim is to publish a twice-yearly table of employment indicators.

89. Employment tables help monitor trends in the labour market by providing a set of indicators on the employment situation. The February 2003 table, for example, contains the findings of the survey carried out in 2001. The four main aims of this survey were:

- To record labour-market indicators, in particular job offers and job-seekers recorded for the first and second halves of 2001;
- To analyse the dynamics of employment (recruitment and placements, jobs created and jobs lost);
- To study the direct repercussions on employment of the continued implementation of the structural adjustment programme (cutbacks, reintegration policies, and creation of small and medium-sized businesses); and
- To present employment prospects announced by company chiefs.

90. The main findings of the survey were as follows:

- A total of 130,722 new jobs were noted in 2001, 43.1 per cent of them permanent and 56.9 per cent casual;
- However, there were also 2,135 job cuts, including 1,350 in the civil service, 411 in new businesses and 374 in older businesses in the modern sector. A net total of 129,587 new jobs were created in 2001.

91. With regard to the policy to help create small and medium-sized businesses, the various strategies implemented enabled 119,695 jobs to be created.

92. As to employment-promotion policies, a total of 223 jobs were created.

93. Moreover, the employment prospects announced by businesses set up in 2001 are, on the whole, optimistic:

- Staffing increases were planned by 46.4 per cent of businesses surveyed;
- Very few businesses (4.5 per cent) said they would be cutting jobs;
- No change in staff numbers was foreseen by 49.1 per cent of businesses.

94. In general, job-creation measures have mainly been taken by the State, in the form of mechanisms to support and promote employment.

95. The table below shows the various agencies' share in job creation in 2001.

Table 7

Agencies' share in job creation, 2001

	Agency	Hirings	Share (%)	Total	%
State institutions	Ministries	10 375	7.88	127 840	97.05
	Ministry of Health	298	0.23		
	Ministry of Mining, Energy and Water Resources (SBEEE)	17	0.01		
	Ministry of Industry, Trade and Employment Promotion	3 780	2.87		
	Ministry of the Civil Service, Labour and Administrative Reform (Administrative Reform Department)	6 280	4.77		
	Office of Urban Public Works	1 550	1.18		
	Job-creation and employment-promotion mechanisms (CIPEN, PAPME, CAMPUS-Benin, FSNE, CEPEPE)	115 915	88		
Various projects (GTZ)		20	0.02	20	0.02
Businesses in the modern sector		3 862	2.93	3 862	2.93
Total		131 722	100	130 722	100

Source: Ministry of the Civil Service, Labour and Administrative Reform, 2001 employment indicators, March 2003.

96. From 16 to 22 August 2000 the Government organized a National Employment Solidarity Week, thereby demonstrating its commitment, as a matter of priority, to seeking solutions to the thorny problem of employment as part of its development work. Indeed, it is this commitment that informs the employment component of the second Programme of Action, 2001-2006, which sets three basic goals: reducing employment and underemployment, improving the labour-market information system and reinforcing employment-promotion agencies and developing synergy between them. The overall aim of the ministry responsible for employment, in organizing the National Employment Solidarity Week, was to unite all social actors - the State, civil society, trade unions and employers - in a contract of solidarity to combat unemployment and underemployment in Benin. The conclusion of such a contract involves a series of actions, including: updating of the national employment policy drawn up and approved in December 2000; consideration of preliminary draft terms of reference of the future National Employment Service; the harnessing of expertise and the involvement of socio-economic actors, with the aim of creating synergy between the various employment-promotion agencies.

97. It should be mentioned that the National Employment Service established by the above-mentioned decree is a State agency with a social mission, and has legal personality and financial autonomy. Accountable to the Ministry of Industry, Trade and Employment Promotion, its main task is to help implement Benin's employment policy. This involves the following specific tasks:

- Brokering job supply and demand;
- Producing and monitoring labour-market indicators;
- Using the media to promote employment;
- Basic training, further training and retraining for employment;
- Drawing up and implementing employment support programmes;
- Harnessing and managing funds to finance various employment-promotion programmes.

98. To ensure optimal coverage nationwide, the National Employment Service has offices in Benin's major towns (Cotonou, Porto-Novo, Lokossa, Bohicon, Parakou and Natitingou) and a pilot "job desk" following signature of the first partnership agreement between the National Employment Service and the International Development Research Centre (IDRC). A second Employment Service pilot job desk is planned. These offices perform the full range of National Employment Service functions as a decentralized service.

(c) Measures adopted to ensure that work is as productive as possible

99. In describing developments in this area, reference is made to the mechanisms still in operation that were mentioned in the initial report.

100. A number of these measures, some taken by the State, others by the private sector, have helped alleviate the persistent problems of unemployment and underemployment in Benin. Some mechanisms - which are for the most part projects - are still in place, others have changed tack and still others have come to an end.

State mechanisms

101. The following list is not exhaustive, but certain measures should be noted.

Project to support small and medium-sized enterprises

102. As mentioned in the initial report, this project aims to promote private enterprise.

Project to support the development of micro-enterprises

103. This project aims to support the creation of new businesses and facilitate access to bank credit for businesses in the informal sector. It finances micro-enterprises in a range of sectors, including the commercial, manufacturing, stockraising, catering, craft and other sectors.

Management Agency for the Social Dimension of Development (now the Office of Public Works)

104. This agency's aims (see initial report) remain the same; it has only changed name, to become the Office of Public Works. The change of name was a result of the agency's being brought into line with the provisions of Act No. 2001-07 of 9 May 2001, on the control of public works in Benin.

Employment Solidarity Fund

105. The Fund has done everything possible to boost and expand the promotion of employment and job creation. With the establishment of the National Employment Service the Fund became a department within that service, the Department for the Promotion of Employment, which has taken over the role the Fund played previously.

Office for the Coordination of Job-Creation Initiatives and Projects

106. This agency was in operation until 2003 but ceased to exist with the creation of the National Employment Service. The task the Office was charged with is now one of those undertaken by the National Employment Service: helping promote private employment initiatives by reinforcing job-seekers' technical and business skills and supporting youngsters' efforts to create sustainable self-employment.

Office of Urban Public Works

107. The principal aim of this agency is to rehabilitate urban infrastructure through a programme of labour-intensive projects as a means of temporarily alleviating urban unemployment.

Private or cooperative mechanisms

108. The list is long and growing, thanks to the constant efforts of all involved to find ways of promoting employment. Some of the mechanisms described in the initial report are still functioning, others are no longer operational for various reasons, and still other, new ones, have been put in place.

(d) Provisions to ensure that there is freedom of choice of employment and that conditions of employment do not infringe upon fundamental political and economic freedoms of the individual

109. The initial report referred to these provisions, which are basically contained in the 11 December 1990 Constitution and Act No. 98-004 of 27 January 1998, on the Labour Code.

(e) Technical and vocational training programmes, their effective mode of operation and their practical availability

110. Technical and vocational training means everything involved in the acquisition of technical and vocational attitudes and aptitudes, as well as social and political behaviours that facilitate employment.

111. Teaching programmes currently offer four main technical and vocational training options:

- Administration and management;
- Industrial science and technology;

- Agricultural science and technology;
- Biological and social sciences.

112. Each option comprises several specialities or tracks. There are 110 technical and vocational training institutions, 94 of them private and 16 State-run.

113. The State-run institutions comprise:

- 1 vocational training centre;
- 1 school for the deaf (primary) and 14 secondary schools, including:
 - 3 industrial and management schools;
 - 4 agricultural schools;
 - 2 health-care schools;
 - 1 family, social and catering school;
 - 1 industrial and catering school.

114. The private institutions, as well as offering all the above options, also offer certain other non-academic options, though not health care.

115. Student numbers are estimated at 28,867, with 17,335 (60.05 per cent of the national total) in private institutions.

116. Students are not evenly represented among the options. Administration and management is by far the most important, accounting for 61.25 per cent of the overall total; industry comes second, with 19.7 per cent.

117. The Ministry for Technical and Vocational Education was created in 2001. Its mission includes:

- Provision of comprehensive training for self-employment;
- Training large numbers of technicians;
- Developing synergy between the formal and informal sectors based on local and regional socio-economic conditions.

118. To that end the Ministry plans to expand available capacity by establishing in each of the 12 departments two technical and vocational training institutes, one industrial training institute and one agricultural training institute.

119. In a recent initiative, the Government of Benin, with technical and financial support from the World Bank, set up a distance-learning centre, CED-Benin, which began operations in

June 2000. CED-Benin is a member of the Global Development Learning Network (GDLN), whose 10 pilot centres were officially launched on 21 June 2000 by the President of the World Bank. GDLN hopes to have some 100 centres worldwide and sees itself as an innovative mechanism for narrowing the North-South digital divide.

120. As a development-training institution equipped with state-of-the-art technology, CED-Benin aims to narrow the digital divide in the fight against poverty by offering advanced courses. Its aim in promoting distance learning is to ensure that the knowledge necessary for development can be shared and to enhance the impact of development through mastery of modern communications technologies. It also hopes to encourage partnership between educational communities inside and outside Benin and to strengthen the management skills of the directors of small and medium-sized enterprises.

121. Constituted as an association, CED-Benin serves political and economic decision-makers, senior managers, academic and State institutions, civil society, students and the private sector, among others.

122. Since its inception the Centre has trained several hundred managers from ministries, State and private enterprises, NGOs, projects and civil society. Notwithstanding the innovative nature of this concept of education, the Centre, as an instrument of policy and development in Benin, has promoted:

- Better use of new information and communications technologies;
- Real-time access to advanced knowledge through basic and further training;
- Substantial reductions in the cost of training;
- Better understanding of distance learning through new information technologies;
- Improved access to Internet and consequently a proper grasp of international information and ongoing updates for political and economic decision-makers. The high participation rates testify to the appropriateness of Benin's choice of this form of training, i.e., distance learning.

123. By 2002, only two years after its establishment, CED-Benin had already provided training as follows:

- More than 6,900 person-days in all fields, including 2,900 person-days by videoconference;
- More than 930 managers from all ministries, State agencies and enterprises, and NGOs;
- 515 managers, educators and political and economic decision-makers, in new information and communications technologies and related subjects;
- Some 40 IT network managers, CISCO programs (United States).

124. Lastly, mention should be made of the development fund for in-service vocational training and apprenticeship, established in partnership with the World Bank.

(f) Difficulties encountered in attaining full, productive employment, and measures taken to overcome them

125. The particular difficulties encountered in applying the measures to ensure full productive employment, i.e., the employment-promotion mechanisms, were described in the initial report, together with the means used to overcome them.

126. There is no change to report in this regard. The State continues to seek ways and means of ensuring positive progress.

6.3, 6.4, 6.5, 6.6 (Guidelines, paras. 10, 11, 12 and 13)

127. There are no developments to report in respect of the other guidelines on article 6 of the Convention (paras. 10-13). These points, on Benin's constitutional and legislative provisions and on praxis of various kinds, were discussed in the initial report.

7. Article 7 of the Covenant

7.1

128. In addition to the conventions ratified by Benin that were mentioned in the initial report, the ILO Labour Inspection Convention, 1947 (No. 81), was ratified on 11 July 2001.

7.2

(a) The main methods used for setting wages were described in the initial report.

(b) Benin has a general minimum wage regime known as the guaranteed minimum inter-occupational wage (SMIG) and there is also a minimum wage regime for different groups of workers.

129. By law there are no workers who are not covered by the minimum wage regime. Under article 210 of Act No. 98-004 of 27 January 1998 (Labour Code), no wage may be lower than the SMIG, which is set by decree of the Council of Ministers on the basis of a report by the Ministry of Labour and a reasoned opinion from the National Labour Council. The SMIG is applicable to every worker whose work requires no prior training.

130. Points (i), (ii) and (iii) on the minimum wage were dealt with in the initial report.

(iv) Trends in the SMIG

131. Under Act No. 98-004 of 27 January 1998 (Labour Code), the SMIG may be reviewed every three years or as necessary (art. 210, para. 2).

132. The SMIG was set at CFAF 20,300 in January 1994 and stood at CFAF 21,501 in 1997, CFAF 25,000 in 2000 and CFAF 27,500 in 2003.

133. Trends in average wages by occupational group from 2000 (average wage = average of minimum and maximum wages), in CFA francs:

Commerce, legal consultancies and similar services:

$$(25,000 + 134,909) / 2 = 79,954.50$$

Vehicle drivers:

– Passenger vehicles or goods vehicles below 3 tonnes laden:

$$(34,466 + 44,565) / 2 = 39,515.50$$

– Heavy goods vehicles (HGV), 3-5 tonnes:

$$(37,117 + 48,839) / 2 = 42,918$$

– HGVs (5 tonnes +) or towing vehicles with trailer (payload = vehicle + trailer combined):

$$(38,117 + 49,839) / 2 = 43,478$$

– Public transport:

$$(39,117 + 50,685) / 2 = 44,901$$

– HGV (12 tonnes and over, with or without trailer):

$$(51,046 + 60,195) / 2 = 55,620.50$$

Banks and financial establishments or similar (workers, supervisors and managers):

$$(27,098 + 164,998) / 2 = 96,048$$

Catering (workers, supervisors, managers and similar):

$$(25,000 + 134,909) / 2 = 79,954.50$$

Chemical industry (workers, supervisors, managers and similar):

$$(25,000 + 135,280) / 2 = 80,640$$

Food industries (workers, supervisors, managers and similar):

$$(26,000 + 167,871) / 2 = 96,935.50$$

Construction and public works (workers, supervisors, managers and similar):

$$(25,000 + 184,084) / 2 = 104,542$$

General mechanical (workers, supervisors, managers and similar):

$$(25,000 + 184,084) / 2 = 104,542$$

Domestic service:

$$(25,000 + 44,353) / 2 = 34,676.50$$

Point (v), on supervision of the minimum wage system, was dealt with in the initial report. No changes have been noted to date.

(c) The initial report addressed this concern. There is no legal discrimination in respect of remuneration. “Equal pay for work of equal value, for all workers, regardless of origin, sex, age, status or religious denomination, in accordance with the provisions of this Code”: these provisions of the Labour Code preclude all inequality in remuneration for work of equal value.

134. In addition, victims of violations of these provisions may complain to labour offices or the competent courts in order to claim their rights.

135. The informal sector is more complex, and de facto discrimination can be observed there. The labour offices are responsible for rectifying situations of non-compliance with the law.

(d) The income of employees in the State sector (State employees) and the private sector (wage-earners in the private and parastatal sectors) breaks down in both cases into items that remain unchanged from the initial report.

7.3

136. The legal, administrative and other provisions prescribing minimum conditions of occupational health and safety, and their implementation, were listed and described in the detail required in the initial report.

137. Recent developments are as follows:

- Decree No. 2001-567 of 28 December 2001, establishing a training centre for health and safety committee members. The centre is intended as “a forum for exchange of experiences and advanced and refresher training for members of the Health and Safety Committees” (art. 2). The centre’s headquarters is in Cotonou.

138. The health and safety committees should help to prevent work-related accident and illness. There are now 45 companies with health and safety committees:

- Decree No. 2000-178 of 11 April 2000, on the organization and operation of the National Health and Safety at Work Commission. At its first session of October 2005, having previously devoted one session to the regulation of workplace noise, the Commission is expected to give an opinion on a draft text regulating specific hazards, based on consideration of two documents:

- A draft decree on general safety measures in construction work, public works and other construction-related work;
- A draft decree regulating construction lifting equipment and practical work.

139. Other regulatory measures to further ensure workers' safety include:

- Decree No. 008/MFPTRA/DC/SGM/DT/SST of 10 February 2000, on the powers of medical labour inspectors;
- Decree No. 54/MFPTRA/DC/SGM/DT/SST of 6 November 1998, setting forth the conditions for the conduct of pre-employment medical examinations, regular checkups, return-to-work examinations and individual consultations;
- Ministerial Decree No. 132/MFPTRA/DC/SGM/DT/SST of 22 November 2000, establishing types of work and categories of activity barred to women, pregnant women and young people, and the age up to which the ban applies.

(a) The health and safety at work regulations cover all groups of workers without exception. It is nevertheless true that their application in the informal sector is patchy and difficult to monitor.

(b) The following table gives an overview of work-related accident and illness over the past six years.

Table 8

Year	Work-related accident	Work-related illness
1999	750	04
2000	878	00
2001	694	03
2002	703	00
2003	792	00

Source: Social Security Fund, Workplace Hazard Prevention Service.

140. Owing to gaps in the data on workplace accidents, such as the number of employees in companies, rates of partial permanent invalidity and number of days lost, it has not been possible to calculate some of the main indicators such as rates and indices of occurrence and seriousness.

141. Overall there are many cases of workplace accidents and, particularly, work-related illness, that are not reported by employers.

7.4, 7.5, 7.6 (Guidelines 17, 18 and 19, on article 7 of the Covenant)

142. These points were dealt with in detail in the initial report.

8. Article 8 of the Covenant: Trade union rights

8.1

143. The State of Benin became a party to the International Covenant on Civil and Political Rights in March 1992; and also to the ILO Convention concerning Freedom of Association and Protection of the Right to Organise (No. 87) and the ILO Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively (No. 98).

144. Benin's implementation of ILO Convention No. 87 prompted comments from the ILO Committee of Experts on the Application of Conventions and Recommendations, in respect of Ordinance No. 69-14, on the exercise of the right to strike, the provisions of which were not consistent with ILO Convention No. 87 or with the ILO Convention concerning Forced or Compulsory Labour (No. 29).

145. The ILO Committee's comments were taken into account in the new law (Act No. 2001-09 of 21 June 2002, on the exercise of the right to strike) and in the regulations adopted later.

8.2

146. The substantive and formal requirements to be met in creating a trade union or joining the union of one's choice were described in detail in the initial report. There is no change to report.

147. As to the number of trade unions, at the time of writing Benin has seven trade union confederations and a National Employers Council:

- Confederation of Autonomous Trade Unions of Benin;
- Confederation of Beninese Workers' Trade Unions;
- General Confederation of Beninese Workers;
- Confederation of Independent Trade Unions;
- Union of Beninese Workers' Trade Unions;
- Confederation of United Trade Unions;
- Confederation of Private and Informal Sector Trade Unions.

148. Each confederation is a grouping of trade unions and trade union federations, with a membership that cannot always be precisely estimated.

149. These confederations are in turn affiliated to international confederations as described in the initial report.

8.3

150. As mentioned in the initial report, the right to strike is recognized to workers under the Constitution and the law. The initial report dealt with nearly all the issues relating to guideline 23.

151. It should be noted, however, that the restrictions imposed by Ordinance No. 69-14 of 19 June 1969, which were denounced by workers in all sectors and mentioned in the comments of the ILO Committee of Experts, were rectified by the new law enacted in 2002.

152. Under article 1 of the new law (Act No. 2001-09 of 21 June 2002, on the exercise of the right to strike), “the State recognizes and guarantees the right to strike. Any worker may defend their rights and interests, either individually or collectively or through trade union action, in accordance with the law ...”.

153. Other legislative and regulatory measures taken in recent years to guarantee the effective enjoyment of trade union rights include the following:

- Decree No. 97-617 of 18 December 1997, defining the various forms of trade union associations and the standards of representativity. Under article 1, “workers’ representative associations shall comprise trade unions, trade union federations and trade union confederations”;
- Decree No. 98-125 of 3 April 1998, on release of trade union representatives in private and parastatal enterprises. Under article 1, “representatives of duly constituted trade unions shall be authorized to absent themselves from work to take part in statutory assemblies of their association, meetings of joint bodies in the workplace and professional gatherings. The same applies to workers’ representatives who are required to serve as assessors in the labour court”;
- Decree No. 002/MFPTRA/DC/SGM/DT/SRT of 4 January 2000, on implementation of the Labour Code, chapter II, on staff representatives. Under article 1, “staff representatives shall be appointed in enterprises with at least 11 employees or in other establishments with at least 11 employees”.

8.4

154. Military personnel in the armed forces and police may not exercise the right to strike.

155. However, a police association, the National Police Union, was formed for the first time in Benin on 22 October 2002.

9. Article 9 of the Covenant: Right to social security

9.1

156. Benin has not signed any of the ILO conventions concerning social security (Nos. 102, 121, 128, 130 and 168).

9.2, 9.3 (Guidelines 27 and 28)

157. The various social security benefits available in Benin and the main features of the social security scheme were described in the initial report.

9.4

158. Benin has not yet calculated this percentage.

9.5

159. Informal arrangements such as the tontines and the mutual aid clubs were described in the initial report.

9.6

160. The social security system in Benin used to cover only workers in the formal sector, who represent no more than around 15 per cent of the total population. The remainder, in the informal sector (85 per cent), were not entitled to any benefits from the social security schemes in place.

161. No discrimination against women has been noted in this respect.

162. **(a), (b)** In order to meet the special social security needs of the informal sector, in cooperation with the various trade associations (representing craft workers, artists, farmers, stock breeders, fishermen, merchants and all self-employed workers) and with the support of the International Labour Office and Belgian cooperation, the State has created a mutual association, the Mutual Social Security Association for the Informal Sector. The purpose of the Association is to offer insurance and mutual aid schemes for members and their families in the following areas:

- Retirement insurance, comprising three kinds of benefit:
 - Regular retirement pension, for which it is necessary to have paid at least 180 months' contributions and have reached 60 years of age;
 - Disability pension, for which it is necessary to have paid contributions. The member's illness must be one that impairs their physical or mental faculties such as to render them unable to earn more than one third of their previous income;
 - Survivors' pension, which is paid only to the survivors of a member who, at the time of death, met the requirements for a regular retirement pension or a disability pension;
- Health insurance: this scheme, which provides coverage in case of illness, is open to all members of professional associations or groups recognized by the administrative authorities. The premium is CFAF 200 per family of four, with an increment of 25 per cent per additional person. Individuals may be admitted to the scheme following consideration of their application by the Board of Directors;

- Such other benefits as may be introduced by the Board of Directors on recommendation of the Annual General Meeting (AGM).

163. The Mutual Association is run by various bodies:

- The AGM, which represents all member associations or groups; this is the Association's sovereign body;
- A nine-member Board of Directors, which functions as the executive body;
- A five-member Supervisory Board, which oversees the management of the Association;
- A permanent secretariat providing the staff.

164. Membership of the Association is open to:

- Honorary members, i.e., governmental and non-governmental organizations which pay a contribution, offer a subsidy or make donations, or by otherwise providing equivalent services help keep the Association in good financial health but do not claim any benefits;
- Active members, i.e., any occupational or professional association, organization or grouping which acquires or gives entitlement to the social benefits offered by the Association in exchange for regular payment of contributions;
- Individuals not belonging to any association, who may make voluntary contributions towards a retirement pension.

(c) So far the Association has commenced operations only in Benin's three main cities, Cotonou (2000), Parakou (2002) and Porto-Novo (2004). Membership in Cotonou is around 1,005.

165. These mechanisms have only recently been put in place and no evaluation has yet been possible. In the absence of any evaluation no comment can be made on the strengths and weaknesses of a system of this kind.

9.7

166. Since the adoption of Act No. 98-019 of 21 March 2003, on the Social Security Code, the social security system has been run by the National Social Security Fund. The Act ties social security to the status of working person, that is, only those who are in work are entitled to social security. This is a change from Ordinance No. 73-3 of 17 January 1973, on the establishment and organization of the Beninese Social Security Office, which tied social security to the status of employee subject to the Labour Code and thus excluded other private-sector workers such as farmers, entrepreneurs and craft workers from the protection of the social security system.

167. Thus Act No. 98-019 of 21 March 2003 establishes a general social security scheme for workers in the formal sector who are covered by the Labour Code and a special regime for the self-employed, farmers and those working in the informal sector (Code, art. 1).

9.8

168. International assistance is an invaluable aid in the implementation of government policies on social security, a prime example being the Belgian cooperation mentioned above, which supported the establishment of the Mutual Social Security Association for the Informal Sector.

10. Article 10: Protection of the family, mothers and children

10.1

169. In addition to the other treaties relevant to article 10 of the Covenant and to which Benin is a party (see initial report), the State of Benin ratified ILO Convention concerning the minimum age for admission to employment, 1973 (No. 138), on 11 June 2001. It is not yet a party to the ILO Maternity Protection Convention (Revised), 1952 (No. 103).

10.2

170. The definition of the family was provided in the initial report.

10.3

171. The Personal and Family Code, adopted in 2002, represents a unification of family law and a break with the plethora of legal norms applicable in family law in the broad sense, i.e., including matrimonial regimes and inheritance law.

172. One change in the Code since the initial report is the lowering of the age of majority from 21 to 18 (art. 459).

10.4

173. This question was answered in the initial report, which referred to the provisions of the 11 December 1990 Constitution and of the law (Labour Code) on the subject. Where there are changes, they relate to the Personal and Family Code.

174. (a), (b) Each member of the couple to be married, even if a minor, must give their personal consent to the marriage (art. 119). Minors aged under 18 may not marry without the consent of the person in parental authority over them. This consent must include the couple's names, and may either be given by a declaration to a registry officer or notary before the marriage ceremony, or may be validly given during the ceremony itself (art. 120).

175. In 2001 the Government established the rules of entitlement to the widower's pension (Decree No. 2001-129 of 4 April 2001, on the rules of entitlement to the widower's pension). Where the father dies or forfeits the right to his deceased wife's pension, his rights pass to the first child of the wife to qualify for the orphan's pension.

176. There are very few situations in which children can request social security benefits.

10.5

177. As indicated in the initial report, maternity is protected under the Labour Code.

10.6

178. The State has set up several centres for the rehabilitation and reintegration of children in difficult situations, including the National Child and Adolescent Protection Centre in Agblangandan, the Regional Centre in Parakou and two centres for children with disabilities in Akassato and Périakou. Numerous NGOs and associations also care for children in difficult situations, including Terre des Hommes, Fondation Regard d'Amour, Equilibre Bénin, Handicap International, as well as orphanages run by nuns.

179. Benin has taken significant steps to combat child trafficking, which is a major problem in the subregion. To that end it has ratified:

- The two additional protocols to the Convention on the Rights of the Child adopted by the United Nations on 25 May 2000, i.e., the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict;
- The United Nations Convention against Transnational Organized Crime and its protocols, i.e., the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. All these instruments were ratified by Decree No. 2003-453 of 6 November 2003.

180. Following the presentation of Benin's initial report on the implementation of the Convention on the Rights of the Child, steps were taken to publicize the Committee's concluding observations. Pursuant to these observations, a process was set in motion to create a National Commission on the Rights of the Child, and this was established by Decree No. 99-559 of 22 November 1999. Chaired by the Minister of Justice, Legislation and Human Rights, the Commission's terms of reference include coordination of all national efforts to implement the Convention on the Rights of the Child. In 2001 arrangements were made to establish six departmental children's rights committees, and these were set up in the departmental capitals in 2002. Support for the establishment of the National Commission on the Rights of the Child and its local offices has been forthcoming from the United Nations Children's Fund (UNICEF) and the national budget.

181. Action plans have already been prepared by the National Commission and the departmental committees. With the help of UNICEF the Commission has had the Convention on the Rights of the Child translated into the national languages Fon and Dendi.

182. Since 2002 the Commission's activities and operation have been funded from the national budget via a special allocation.

183. In parallel with these initiatives, the Ministry of Family Affairs, Social Welfare and Solidarity and the UNICEF-supported unit for children with special protection needs have been very active in arranging for the establishment of local committees to prevent child trafficking, together with partners such as DANIDA (2002) and USAID (2004).

184. The Ministry has also run joint campaigns with Togo (2002) to raise awareness of the fight against child trafficking; and a cooperation agreement to prevent, suppress and punish trafficking in persons, especially women and children, was signed with Nigeria in 2004.

185. The National Commission on the Rights of the Child and the departmental and local committees mainly do preventive, awareness-raising and educational work.

186. The Child Protection Squad, the police and the gendarmerie are all involved in combating child trafficking and significant progress has been made in countering illicit transfer and non-return (see table 9).

Table 9
Children intercepted at the Benin border

Year	Children intercepted
1998	1 059
1999	678
2000	224
2001	No data
2002	106
2003	406

Source: MCPPG-UNICEF, Mid-term review of Benin-UNICEF cooperation programme 1999-2003, Revues sectorielles, Cotonou, June 2001.

187. These figures show that the number of children intercepted at the border has declined since 1998, a year when there was an enormous increase, although the 2003 figures seem to belie the downward trend.

188. A study carried out in 2002 by the Ministry of Family Affairs, Social Welfare and Solidarity in various child-providing localities (Zogbodomey, Ouinhi, Bopa and Djidja) indicated that 4,215 children (2,419 girls and 1,795 boys) migrated in the period 1997-2002. In the same period, child departures occurred in 62 per cent of households in Zou department.

189. The problems encountered in tackling child trafficking are chiefly economic and social in nature. The situation in the child-providing regions is one of great deprivation and the forthcoming enactment of a bill to regulate the transfer of children and punish child smuggling and trafficking in Benin will therefore need to be accompanied by a drive to improve the living standards of residents in those regions.

190. From 22 to 24 February 2000, the UNICEF Regional Office for West and Central Africa and ILO jointly organized a subregional consultation in Libreville, Gabon, on strategies to fight child trafficking for purposes of labour exploitation in West and Central Africa. They published a document on the economic exploitation of children through labour and trafficking in West and Central Africa in November 2000, following publication in February 2000 of the findings of a subregional study on the issue.

191. UNICEF has set up outreach educational programmes in order to raise awareness and mobilize public opinion on the need to register births, and to ensure that registry office staff are properly trained.

192. The Child Protection Fund piloted by the Agency for Funding Grass-roots Initiatives provided support to the NGOs taking part in the project for populations living in areas affected by child trafficking. One component of the project was the issuance by reconciliation courts of substitute birth rulings to children who have no birth certificate. Participating NGOs included the Association béninoise d'assistance à l'enfance et la famille (Beninese Association for Child and Family Welfare, ABAEF), the Programme d'insertion des enfants déshérités (Programme for the Integration of Disinherited Children, PIED), Conseil des activités éducatives du Bénin (Benin Council for Educational Activities, CAEB) and Équilibre Bénin. Through their various projects, these organizations have helped rural populations to understand the need to register their children at birth.

193. As part of the civil status modernization project funded by the International Association of French-Speaking Mayors (AIMF), 40 officials of the town halls and district offices of Porto-Novo, Cotonou and Parakou attended a course on civil status procedures and basic computing. The courses were held from 10 to 23 June 2003 in Parakou and from 18 to 20 June 2003 in Porto-Novo and Cotonou.

194. Other important regulatory measures taken in the area of child protection include:

- Decree No. 26 MCC-PPG/MISAT/CAB/SG/D-CI of 8 December 2000, on the establishment, powers, organization, composition and operation of the national and local video centre inspection committees;
- Decree No. 27 MCC-PPG/MISAT/CAB/SG/D-CI of 8 December 2000, regulating the opening and operation of video centres.

11. Article 11: Right to an adequate standard of living

11.1

195. (a), (b) Several studies have been carried out in rural and urban areas to obtain a clearer picture of the problem of poverty in Benin. The studies showed that the global poverty line, which was set at CFAF 118,227 per year per adult equivalent in 1994/95, rose to CFAF 129,890 in 1999/2000. The poverty line for rural areas rose from CFAF 65,369 to CFAF 74,868 during that period, while the poverty line for urban areas rose from CFAF 144,621 to CFAF 156,990.

196. Benin's poverty index has held steady since 1995. Between 1999 and 2000, 29.6 per cent of the population were considered to be living below the poverty line, as against 28.9 per cent in 1995. Despite the relative stability of this percentage, the problem has worsened in recent years in comparison with 1995.

197. Based on national statistics, Benin's human development index (HDI) was 0.463 in 2002, 0.437 in 2001 and 0.426 in 2000. The improvement is due basically to developments in two areas during that period, namely the standard of education and the standard of living.

198. There are still significant inequalities between the sexes in terms of human development. The gap between the HDI and the gender-related development index (GDI), which is 2.7 per cent this year, may be due to the fact that men have better access to financial resources than women.

199. (c) After a period of years in which Benin's GDP rose by an average of 5 per cent, output declined and GDP in 2004 was 2.7 per cent. This slowdown was attributable in part to measures introduced in Nigeria, where in 2004 the authorities banned overland imports of some products. Two thirds of the goods passing through Cotonou port are for re-export, mainly to Nigeria, so in the wake of this decision the port of Cotonou experienced an 11 per cent drop in its bulk traffic. It is a well-known formula: fewer re-exports, fewer Customs duties, smaller tax revenues for the State budget, less work and income for all involved in trade with Nigeria.

200. It is true that, according to the World Bank, the economy is expected to expand by 4 per cent in 2005, as against 2.7 per cent in 2004, with the upturn in the tertiary sector (notably trade), and the improved competitiveness of the Autonomous Port of Cotonou, but this will not be enough to offset a population growth rate of 3 per cent per year, according to International Monetary Fund (IMF) figures. With GDP growth lagging behind population growth in 2004, there can be no doubt that the Beninese economy created poverty that year. If it is still to achieve the millennium development goals, Benin now needs a growth rate of at least 7 per cent.

11.2 Right to adequate food

201. Overall, crops such as maize, cassava and yam are considered good. Benin's food prospects in terms of hypothetical mean consumption also seems to be relatively adequate as long as one remains in the theoretical comfort zone offered by the crop balance described in earlier issues of the food security newsletter.

202. However, in 2005 the food and crops market in particular was registering prices that were already too high even before the soudure ("hungry season"), a time when supply and demand are normally in equilibrium (for all foodstuffs in all types of domestic market); they had in many cases gone through the ceilings that had held throughout the soudure of 2004.

203. Several factors may be at work here, including:

- (a) Supply/demand ratios, which seem to have declined as a result of ever-growing demand from year to year;
- (b) Major drains on reserve stocks and massive outflows of products to neighbouring countries;
- (c) A drop in the production of cassava, used in making gari, resulting in a shortfall in supplies to gari producers. This situation is one that in turn restricts the supply of gari and arises after several years of overproduction of cassava and weak markets;
- (d) An aversion to destocking - particularly of maize - seen among the majority of producers and even among crop traders: in the first case to ensure their own household food security and in the second for speculative purposes;
- (e) Failed attempts by some farmers to combine industrial and food crops, with resulting financial imbalances;
- (f) The socio-political situation in neighbouring countries;
- (g) Uncontrolled demand from the Federal Republic of Nigeria, which alone can upset all local markets.

204. An analysis of monthly trends in maize prices at Dantokpa market over the past 10 years shows a peak in 2005. Within the current economic cycle specifically, prices began to rise in February 2004, fell back somewhat in August-October, only to take off sharply again in March.

Table 10

**Maize: monthly prices at Dantokpa market (Benin's principal market)
(in CFAF)**

Year/Month	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
January	100	120	150	130	125	135	135	185	140	105	170
February	95	120	185	135	120	135	140	185	145	120	185
March	95	135	205	165	130	160	160	195	135	135	255
April	100	150	205	180	135	160	185	205	150	135	275
May	100	170	205	180	135	160	185	215	135	155	275
June	105	175	205	160	135	160	185	205	135	155	330
July	115	170	205	155	130	170	160	205	135	180	-
August	100	130	120	155	110	135	160	170	105	170	-
September	105	115	105	125	105	105	140	145	105	165	-
October	105	140	115	115	120	105	135	135	105	165	-
November	115	140	115	105	135	105	140	135	105	170	-
December	125	120	125	125	135	120	155	145	115	180	-

Source: National Food Security Office, Cotonou, Benin.

Table 11

**Food products: overview of prices at regular markets in Benin, June 2005
(in CFAF per kilo)**

Market	Maize	Millet/sorghum		Rice		Wheat flour	Yam		Yam sett	Gari		Cassava sett	Beans			Peanut seed
		White	Red	Local	Imported		Plain	Pounded		Regular	Fine		Black	Red	White	
Dantokpa	330	285	345	ND	345	325	250	350		345	405	ND	ND	405	410	505
Sèhouè	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Avakpa	265	ND	285	ND	295	ND	230	ND	ND	280	ND	ND	435	430	390	405
Sékou	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Zinvié	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Pahou	300	235	265	ND	370	350	230	ND	ND	315	315	ND	ND	440	410	480
Tokpa-Domé	295	ND	ND	ND	320	400	ND	ND	ND	335	ND	ND	ND	405	380	505
Malanville	240	230	ND	320	245	325	ND	170	ND	225	305	115	ND	ND	320	360
Gamia	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Parakou	335	295	325	350	380	355	135	ND	205	255	345	130	ND	ND	275	590
Nikki	220	ND	220	325	370	350	ND	100	90	215	ND	100	ND	ND	335	420
Banikoara	220	230	230	370	320	350	105	110	ND	260	300	200	ND	ND	285	465
Bembérééré	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Kalalé	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Biro	265	ND	205	265	320	ND	ND	110	125	180	ND		ND	ND	380	435
Bouanri	255	255	ND	320	370	ND				215	ND		ND	ND	380	580
Tchatchou	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
N'dali	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Sinendé	225	195	ND	295	370	300	90	115	ND	180	280		320	ND	300	360
Azové	320	ND	300	ND	370	350	180	230	ND	205	250	ND	ND	535	385	450
Comé	355	ND	325	ND	320	205	205	200	ND	180	190	ND	ND	455	315	540
Dobgo	330	ND	320	ND	370	ND	170	190	ND	220	235	ND	ND	465	415	540
Klékanmé	330	ND	275	345	480	350	195	ND		270	ND	ND	ND	430	415	440
Lobogo	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Kétou	280	ND	ND	ND	320	300	ND	ND	ND	195	230	190	ND	290	355	475

Table 11 (continued)

Market	Maize	Millet/sorghum		Rice		Wheat flour	Yam		Yam sett	Gari		Cassava sett	Beans			Peanut seed
		White	Red	Local	Imported		Plain	Pounded		Regular	Fine		Black	Red	White	
Pobé	295	ND	245	ND	320	ND	175	200	ND	200	ND	ND	ND	335	375	455
Ouando	320	ND	235	ND	350	350	ND	240	ND	225	260	ND	ND	240	340	475
Dangbo	300	ND	215	ND	210	310	150	ND	ND	220	ND	ND	ND	445	380	540
Ifangni	335	ND	230	ND	320	300	ND	ND	ND	220	ND	ND	ND	350	380	440
Azowlissé	280	ND	ND	25	310	ND	ND	ND	ND	185	ND	ND	ND	320	325	455
Yoko	305	ND	ND	ND	320	345	150	ND	ND	220	ND	ND	ND	355	340	555
Tagon	315	ND	370	ND	295	ND	ND	ND	ND	195	ND	ND	ND	360	375	475
Avrakou	315	ND	285	ND	320	300	ND	ND	ND	220	235	ND	ND	280	28	505
Agouna	275	ND	290	265	320	325	ND	ND	ND	235	ND	100	ND	295	340	ND
Cohicon	280	260	285	ND	295	315	125	200	350	185	200	100	ND	395	405	430
Cové	260	ND	260	265	320	375	175	225	ND	145	150	ND	ND	335	325	305
Houndjro	280	ND	290	ND	320	305	ND	ND	380	235	260	160	ND	425	435	440
Ouéssé	265	230	230	220	220	350	220	310	380	160	220	175	ND	450	470	365
Cogbodomé	285	ND	285	ND	295	325	115	ND	300	160	ND	ND	ND	335	385	475
Glazoué	270	ND	270	345	320	350	100	160	380	170	180		ND	400	410	300
Oungbégamé	275	ND	285	ND	265	325	ND	ND	ND	220	ND	ND	ND	290	270	405
Ouinhi	270	ND	290	275	320	ND	165	ND	ND	200	ND	ND	ND	395	435	415
Basso	270	ND	170	ND	305	ND	ND	ND	ND	165	ND	ND	ND	ND	360	475
Dassa-zoumé	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Cavalou	275	ND	235	220	275	350	80	100	400	175	215	160	ND	340	390	290
Aouignan	280	ND	285	295	265	ND	ND	ND	ND	170	ND	ND	ND	325	355	ND
Pédékpo	245	ND	ND	265	320	335	250	ND	ND	150	ND	ND	ND	365	410	430
Savé	280	ND	270	320	320	ND	ND	ND	ND	230	ND	ND	ND	310	365	ND
Ouka	280	285	285	ND	320	300	150	250	400	220	260	150	ND	235	235	440
Assoua	245	250	250	315	295	ND	ND	115	200	235	150	ND	ND	335	460	
Djougou	210	205	205	390	320	350	ND	200	200	245	335	110	ND	ND	375	445
Natitingou	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Anguiéta	220	ND	215	295	370	350	ND	ND	ND	240	ND	ND	ND	ND	215	400

Table 11 (continued)

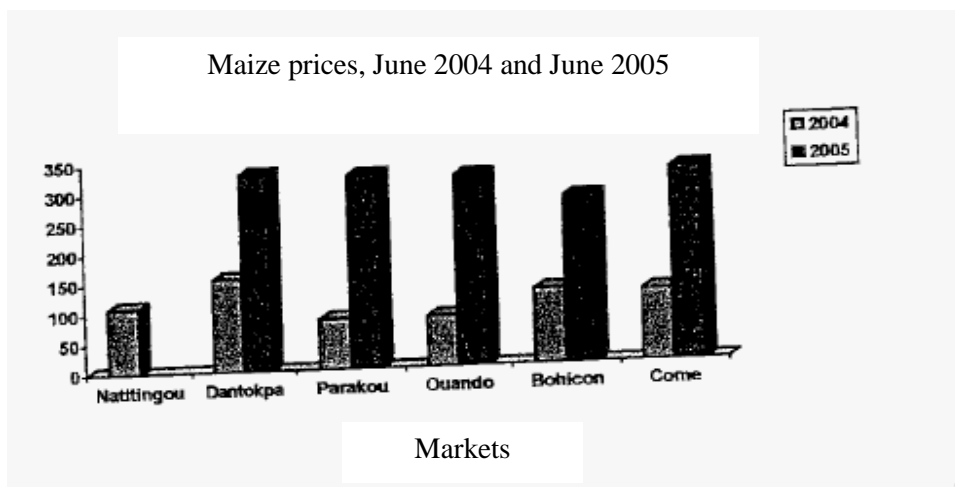
Market	Maize	Millet/sorghum		Rice		Wheat flour	Yam		Yam sett	Gari		Cassava sett	Beans			Peanut seed
		White	Red	Local	Imported		Plain	Pounded		Regular	Fine		Black	Red	White	
Ehunco	260	275	275	325	370	350	210	220	295	265	300	120	350	ND	310	455
Cobly	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Kouandé	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Anigri	260	ND	220	315	315	ND	200	280	200	240	310		350	ND	405	485
Habi-kouma	235	245	245	310	345	ND	ND	95		260	ND	ND	335	345	360	410
Tobré	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Copargo	240	ND	215	240	345	350				235	ND		330	ND	ND	310
Oucountouna	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM

Source: National Food Security Office, Cotonou, Benin.

ND = No data

NM = Not monitored

Figure 1

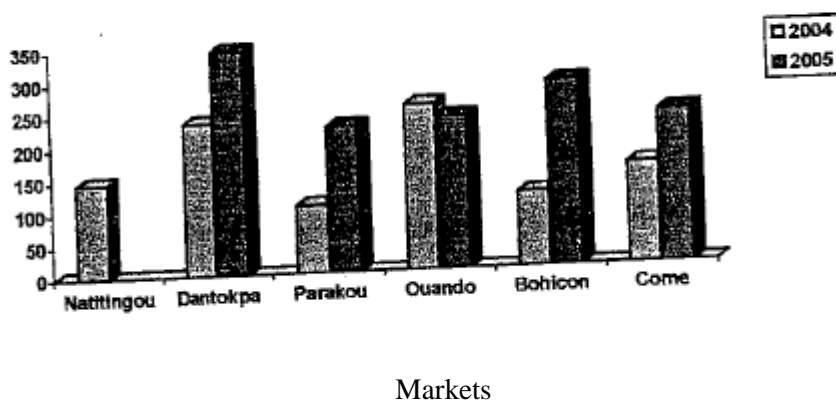


Source: National Food Security Office, Cotonou, Benin.

205. The price levels well above those of 2004 can be explained by comparatively high demand for maize and low overall supply as a result of sizeable outflows to neighbouring countries.

Figure 2

Red sorghum prices, June 2004 and June 2005

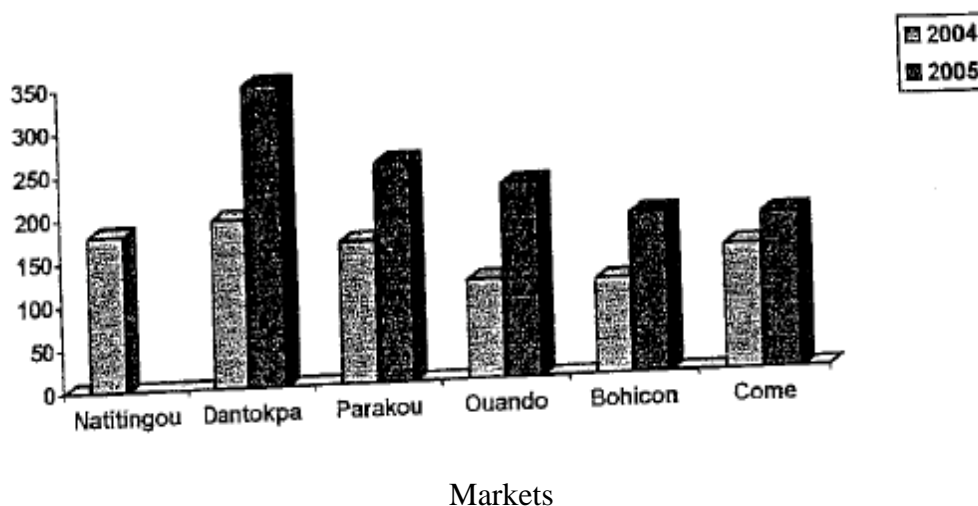


Source: National Food Security Office, Cotonou, Benin.

206. The considerable pressures on domestic food availability have not spared this product, transfer prices for which have been extremely high for several months, particularly when compared with those of June 2004.

Figure 3

Gari prices, June 2004 and June 2005



Source: National Food Security Office, Cotonou, Benin.

207. As a result of the very strong demand for cassava products, and especially gari, since the Sahel locust invasion, the raw material is now scarce and the supply of gari on the markets is dwindling, causing prices for this staple to spiral.

208. Benin imports ever more food, as the tables below illustrate:

Table 12

**Port of Cotonou: general traffic, 1 January-30 April 2005
(in tonnes)**

Rice	Wheat	Wheat flour	Sugar	Frozen fish	Canned tomatoes	Dairy products	Semolina	Maize	Sorghum
208 984	7 148	3 749	15 763	8 329	6 661	7 263	-	2 853	-

Source: Autonomous Port of Cotonou.

Table 13
Food imports to Benin, 1 January-30 April 2005
(in tonnes)

Rice	Wheat	Wheat flour	Sugar	Frozen fish	Canned tomatoes	Dairy products	Semolina	Maize
101 200	7 148	3 380	12 181	7 729	3 392	3 042	-	-

Source: Autonomous Port of Cotonou.

Table 14
Food imports for neighbouring countries (re-export), 1 January-30 April 2005
(in tonnes)

Country	Product								
	Maize	Rice	Wheat	Sorghum	Wheat flour	Sugar	Dairy products	Semolina	Canned tomatoes
Niger	63	107 784	-	-	-	3 425	1 841	-	533
Nigeria	-	-	-	-	18	175	1 014	-	2 116
Togo	-	-	-	-	-	-	-	-	216
Burkina Faso	-	-	-	-	-	-	-	-	-
Other	2 790	-	-	-	351	-	1 366	-	404

Source: Autonomous Port of Cotonou.

Table 15
Food imports to Benin, April 2004 and April 2005
(in tonnes)

Rice		Wheat		Wheat flour	
2004	2005	2004	2005	2004	2005
2 005	101 200	-	7 148	1 916	3 380

Source: Autonomous Port of Cotonou.

209. These trends will continue upwards in step with population growth. The subsectoral diversification needed to supply raw materials to a still-developing food industry and for export could come up against a shortage of farmland.

210. Indeed, there is increasing pressure on Benin's cultivable land from extensive farming using unsophisticated tools, which exacerbates the problems of access to land. The principal consequence of rapid population growth in coming years will be a reduction in cultivable land per capita. From an average of around one hectare per capita in 2000, cultivable area will have shrunk by 50 per cent by 2025. Unless there is a change in rural mobility conditions, demographic growth will exert even greater pressure in the southern regions. Cultivable areas will thus be lost as towns expand and infrastructure proliferates, with the ensuing risk of soil degradation and deforestation, leading to still greater loss of cultivable area.

211. Cotton is still Benin's main export, as the table below illustrates.

Table 16

**Agricultural exports from Benin through the Autonomous Port of Cotonou,
1 January-30 April 2005
(in tonnes)**

Cotton fibre	Shea nut	Seed cotton	Shea nut butter	Palm kernel oil	Cassava sett	Oilcake	Cashew nut	Maize
26 471	-	14 645	-	-	-	5 583		

Source: Autonomous Port of Cotonou.

212. The information in the table may be supplemented by the following data:

- Average annual seed cotton production: 350,000 tonnes;
- Average annual seed cotton sales: CFAF 100 billion;
- Number of cotton plantations: 35,000;
- Number of people who benefit from cash income from cotton: 3 million;
- Contribution to official export revenue: 75 per cent;
- Contribution to tax revenue (duty-free): 45 per cent;
- Added-value contribution to GDP formation: 14 per cent;
- Share of domestic industrial fabric: 60 per cent;
- Jobs generated by cotton industries: 3,500.

213. Since the rollback of the State in the 1990s and the ensuing liberalization of the cotton sector, an extensive reform programme has been in progress in the cotton industry. The programme aimed to shift some of the State's responsibilities to the private sector. In order to implement these reforms and shoulder the responsibilities placed on them by the State, private stakeholders in the cotton industry formed trade associations for each link in the cotton chain and established technical institutions, including the Cotton Confederation (AIC), to manage the subsector's main activities.

214. AIC is an association of the trade groups in the cotton industry. It was created by the Producers Federation (FUPRO) and the Cotton Ginners' Association, and the Agricultural Input Suppliers' Association joined in 2002. For operative purposes, AIC established three bodies, namely: the Annual General Meeting, an executive bureau and a permanent secretariat.

215. Using service-provider contracts, AIC carries out various activities to develop the industry: training and guidance for producers, research into cotton, seed production and distribution, cotton-related data collection, seed cotton quality control, cotton road maintenance, cotton fibre classification and institutional and organizational capacity-building for members of the cotton industry.

216. AIC runs forums for industry stakeholders and conducts targeted research to improve understanding of the cotton industry. AIC resources come from contributions from the producers and ginners in the form of a levy ranging from CFAF 10 to CFAF 20 per kilo of seed cotton, depending on the year's crop. AIC is supported in this work by the State and by development partners such as the World Bank (Cotton Sector Reform Project), the French Development Agency (Cotton Research Support Project), the European Union and the Swiss Foreign Development Agency.

217. To carry out the reforms, trade and technical institutions have gradually been established.

218. In 1998 the Inputs Supply and Management Cooperative was established by the subprefectoral producer unions (now the municipal producers' unions) in the FUPRO network. Its job is to organize and handle tenders for the supply and distribution of high-quality, low-cost input for producer groups.

219. AIC was then created in 1999, and the Payment and Collection Agency in 2000, when the monopoly of the Agricultural Promotion Company on sales of seed cotton was brought to an end by Decree No. 2000-294 of 23 June 2000. The job of the Payment and Collection Agency is to control physical and financial flows during marketing and ginning. It guarantees ginners' payments for seed cotton and supplies to their factories, and repayment of input loans by producers on receipt of payment for their seed cotton.

220. The trade and technical institutions all worked as intended in creating a private integrated sector but it soon became apparent that there were disagreements among the trade groups themselves, which impeded the effective operation of the system. As a result, the actors in the sector no longer fully comply with the rules originally set for a private integrated sector. The fact that for a time there was no framework agreement between the State and AIC did not make it any easier for the institutions established under the reforms to function as they should, and ever since the 2000/01 season, the tensions in the trade associations have proved a major obstacle to achieving the objectives of the reforms.

- The producer group initially comprised FUPRO only but has since split into five bodies, namely: FUPRO, the Association of Producer Groups, the National Federation of Agricultural Producers, the National Federation of Producer Groups and the National Federation of Cotton Producers. These successive breakaways have seriously disrupted sales for the last three seasons.
- As to the ginners, all ginning companies originally belonged to the Cotton Ginners' Association, but some left after the 2000/01 season; they did not create a formal trade association but they do operate parallel seed-cotton markets.

- As to agricultural input distributors, all input suppliers were originally members of the Agricultural Input Suppliers' Association but disagreements over the outcome of the input supply tender process for 2002/03 caused a split in the group and the discontented suppliers formed the Benin Association of Agricultural Input Suppliers. Aside from these organizational difficulties, additional problems are:
 - Low motivation among producers in some regions resulting from poor management and indebtedness, which is causing production to fall in those regions;
 - Low output levels of seed cotton (around 350,000 tonnes per year on average), relative to ginning plant capacity (around 600,000 tonnes per year);
 - A drop in world cotton fibre prices and the lack of any support fund to guarantee and stabilize producers' and ginners' income.

221. Continuing dysfunction since the 2000/01 season have seriously hampered attainment of the reform objectives and the performance of the sector overall. The consequences include: a poor recovery rate for input supply credits and indebtedness among villagers' associations; less revenue to fund vital functions (research, roads training and extension, fibre classification, etc.); import of substandard cotton input, not checked by the competent services; development of unsuitable technical methods; loss of control of physical flows; disruption of the pattern of production, ginning and sewing; and difficulties for the Payments and Collection Agency in controlling physical and financial flows, often leading to late payment of seed cotton producers.

222. Faced with such problems, AIC asked the State to step in and organized numerous dialogues for the actors. As a result of these sessions a number of orders were signed putting temporary provisions in place to ensure a more peaceful transitional cotton season. One of the positive outcomes of these approaches to the State by AIC was the signing of a framework agreement by the Government in December 2004 and its ratification by presidential implementing decree in February 2005.

11.2

223. (d) Maintaining overall food self-sufficiency will require more effort and improved agricultural techniques for production and storage. In that regard, several initiatives have been defined under the Government's second Programme of Action. These include:

- Developing animal traction for farming in all regions;
- Supporting the promotion of local skills and appropriate technology;
- Supporting local production of agricultural materials;
- Updating the land capability map;
- Diversifying agriculture by designing, developing and implementing action to encourage production of cassava, groundnut, sesame, market-garden produce, potatoes and pineapple;

- Developing fisheries products;
- Increasing feed crops and creating water points.

11.3 Right to adequate housing

224. Demographic growth poses housing needs which are not being met at the desired rate. As a result, the people of Benin continue to face housing difficulties, both in urban and rural areas.

225. (a), (b) The problem is acute in urban areas. According to existing statistics (from a study on setting up a housing finance mechanism in Benin), the average annual needs in terms of housing and serviced lots can be estimated as follows:

Table 17

Housing and building land: needs in Benin's main cities

Cities	Housing needed	Building land needed
Cotonou	3 273	1 636
Porto-Novo	699	349
Parakou	701	351
Abomey	450	225
Bohicon	424	212
Total	5 547	2 773

Source: Survey for the draft national housing policy, Department of Housing and Construction and Ministry of Housing and Town Planning, September 2002.

226. The need is greatest in Cotonou, Parakou and Porto-Novo. The results of the 1992 census show that average housing accounts for 65 per cent of existing stock; average housing meaning three-room or four-room dwellings.

227. Almost CFAF 30 billion would be required to meet such needs. Acquiring average accommodation with a 9 per cent loan over 15 years would require an average monthly net income of around CFAF 125,000.

228. A survey of households in Cotonou and Porto-Novo by the Centre for the promotion and supervision of small and medium-sized enterprises estimates effective demand (income above CFAF 100,000) at around 9,000 people, 8,300 of whom are employed and 700 self-employed. It also showed that:

- Those with housing problems are relatively young; more than half are under 40;
- The majority of respondents wish to build their own home and 92 per cent plan to take out a loan;
- 50.4 per cent of respondents wish to buy land and build their own home.

229. In the absence of a supply of land on official serviced developments, the people of Benin have no choice but to squat or acquire a plot from a “common-law landowner”.

230. The main housing developments made available to workers from Cotonou and the surrounding areas, at the initiative of the State or State enterprises, are:

- The Vie nouvelle development, the largest, for 400 families;
- The Houéyiho development for around 150 families; and
- 50 Benin Social Security office (now the National Social Security Fund) housing units.

Table 18

Occupational status of the occupants of public housing

	Number	Percentage
Permanent State employee, category A	115	46.18
Private company executive or director	57	22.89
Permanent State employee, category B	38	15.26
Permanent State employee, category C and below	27	10.84
Labourer or supervisor	12	4.82
Total	249	100.00

Source: Survey for the draft national housing policy, Department of Housing and Construction and Ministry of Housing and Town Planning, September 2002.

231. As the table shows, a large proportion of the occupants are permanent State employees (72.28 per cent of private-sector entrepreneurs and employees). Among the permanent State employees, the majority are category A (46.1 per cent as against 15.2 per cent in category B and only 10.26 per cent in categories C, D and E).

232. Paradoxically, then, there is reason to believe that financial status is the main criterion for selecting the occupants of public housing, particularly as a large proportion of those residents who work in the private sector are executives and company directors (22.89 per cent compared with 4.82 per cent for labourers and supervisors).

233. It seems clear that the State, having built very little public housing, greatly favours State employees when allocating that housing. In addition, the few State employees from the less well-off categories (C, D and E), and labourers and supervisors, represent 15.6 per cent of the uptake among people from Cotonou and the surrounding areas.

234. To assist certain categories of permanent State employees who work in the most remote and isolated places in Benin, the Government has set up a project to build 646 housing units, on which work began in 1999. They are located as follows:

Table 19
Distribution of the 646 housing units by department

Department	Type of unit			Total
	3-room	4-room	5-room	
Atacora	67	32	6	105
Atlantique	67	32	20	119
Borgou	67	32	6	105
Mono	67	32	6	105
Oueme	67	32	8	107
Zou	67	32	6	105
Total	402	192	52	646

Source: Public Housing Project Office, Ministry of Housing and Town Planning.

235. Rural development and health personnel and teachers have been selected to receive this housing. A 1999 survey by the management of the housing programme gave an indication of the average rent these groups would be prepared to pay for such units, as shown in the table below.

Table 20
Average monthly rent suggested by target group,
according to unit type and department
(in CFAF)

Department	Type of unit		
	3-room	4-room	5-room
Atacora	4 801	7 355	10 324
Atlantique	13 040	17 554	18 452
Borgou	7 449	10 955	15 471
Mono	6 384	8 985	11 045
Oueme	7 980	11 264	16 561
Zou	6 993	8 436	9 656
Benin	7 787	10 999	13 513

Source: Public Housing Project Office, Ministry of Housing and Town Planning.

236. Today, the need for housing in rural areas is stark. That the people of Benin are “left to their own devices” to find reasonably comfortable accommodation is a clear indication of a lack of any proper or effective housing policy guaranteeing comfortable accommodation for all social groups. Institutions designed to support housing policy have not, in fact, taken any action to improve the housing situation and most existing housing remains beyond the reach of lower-income households.

237. The programme to promote the use of local materials has been delayed by financial problems. As a result, self-build homes, the only way to access housing, are not subsidized by the State. Thus, in an effort to bridge the gap, people are opting to build their own homes with the scant means available to them. Their main reasons for doing so are:

- They are unable or unwilling to seek housing in urban areas for the following reasons:
 - Lack of financial means;
 - Inadequacy of the housing available for most households;
- They wish to own their home and escape often crippling rents;
- They want to have real property to pass on to their children;
- They wish to assert a certain social status to family, parents and society by becoming property owners.

238. Rural housing must be improved in order to ensure a healthy environment that will permit the physical, intellectual and spiritual development of its occupants. Plans must be made for robust sanitation and solutions found for drinking water and electricity supplies, so as to offer a minimum of amenities to rural populations.

239. (c) Overall, 78 per cent of households are without electricity. In rural areas the proportion of households with electricity is negligible: only 6 per cent as compared with 50 per cent in urban areas. The national grid is not yet powerful enough to cover the entire country, but there are projects under way to increase the country's generating capacity. These include:

- A project to bring electricity to 17 rural centres;
- A grid project to link rural communities in the north-west;
- A project to expand the Benin Water and Electricity Board's thermal diesel power station in Parakou;
- A project to upgrade the category I high tension networks in Cotonou and Porto-Novo by passing the cables underground;
- A project to extend and upgrade the Cotonou, Porto-Novo and Abomey-Calavi power grids.

240. There are also plans to build national or multinational dams (joint projects with Togo or Nigeria and Ghana, for example), but the constantly rising price of the kilowatt-hour puts electricity beyond the reach of most households.

241. (d) With regard to access to water, it may be noted that 44 per cent of all households have running water in or just outside the home, or use a public water fountain; however, the

proportion is twice as high in urban areas (68 per cent) as in rural areas (30 per cent). In rural areas 16 per cent of households use water from boreholes, compared with 5 per cent of urban households. Protected wells are another source of water for 6 per cent of households in both rural and urban areas. In addition, the use of water from unprotected wells remains widespread at 21 per cent, a figure that did not change between the first (1996) and second (2001) Demographic and Health Surveys, while 12 per cent of households continue to use water from rivers, pools or streams, which are generally considered unhealthy sources. Most water supply projects target the cities first. Nevertheless, in recent years, considerable means have been mobilized to increase the number of boreholes in rural areas, particularly where the Guinea worm is prevalent. These efforts have undoubtedly borne fruit, but there are still somewhat fewer rural households without drinking water (48 per cent). Other borehole projects have improved the situation and sustainable solutions have been found to the problems of pump repair. It may also be stated that 63 per cent of households in Benin can obtain water in under 15 minutes.

242. Completion of the reform launched several years ago should improve practices in this field.

12. Article 12 of the Covenant: Right to physical and mental health

12.1

243. Despite progress in protecting the physical and mental health of the Beninese people, the situation is far from stable, characterized as it is by endemic malaria, malnutrition, hygiene problems, insufficient access to drinking water and risks linked to HIV/AIDS.

12.2

244. (a) The vision of Benin contained in the Benin 2025 Alafia national long-term outlook studies focuses on social well-being, which depends, among other things, on:

- High-quality health care;
- Drinking water, electricity and healthy housing for all; and
- A healthy environment.

245. Through the implementation of the various government programmes of action, this vision has gradually become a reality. This explains, for example, why initiatives to improve social and sanitary standards are at the forefront of the second Programme of Action, currently under way, which includes 59 initiatives for the Ministry of Health, essentially in area No. 6, on increased efforts to combat poverty. In effect, the Ministry's terms of reference were extended when Benin adopted poverty reduction as a sustainable development objective and its mandate is now to improve families' social and sanitary standards using methods that will integrate those living in poverty and extreme poverty. In order to allow the Ministry to discharge its mandate properly, it was necessary to prepare a document on national policy and strategies for the development of the health sector. On that basis, reforms already under way have been stepped up and further reforms which have proved necessary are gradually being applied using two mechanisms:

- Support systems; and
- Health activities.

246. **(b)** There have been numerous activities in the health sector, for example:

- Premises for the six departmental health offices were completed in 2001;
- A system for detecting and treating genital cancer has been established. Departmental hospitals now need to set up and equip their gerontological services;
- Auto-destruct syringes have been acquired; 100 employees have been trained in epidemiological monitoring of the diseases targeted by the Expanded Programme on Immunization (EPI). Medical supervision is organized on a regular (monthly or quarterly) basis in all health facilities. Five biannual monitoring sessions have also been organized in all health facilities;
- Eight regional hospitals have been built, six of which are now fully equipped;
- 75 local health centres and 16 municipal health centres have been built and equipped;
- Extension of the departmental hospital in Zou and construction of housing for the Chinese mission are now complete; building to renovate the departmental hospital in Mono is under way;
- The National Teaching Hospital is being renovated and equipped;
- Construction of the cardiology department at the National Teaching Hospital is complete;
- 23 out of 24 planned health support centres (i.e., 99 per cent) have been built and handed over;
- The National Public Health Laboratory has been renovated in order to strengthen its intervention capability. The financial implementation rate of 70 per cent results from the choice of renovation rather than new construction;
- A three-storey building was built and handed over to the mother and child hospital (former Lacune maternity hospital);
- A training scheme is being set up at the Faculty of Health Sciences, the Jacquot Psychiatric Hospital and the mother and child hospital;
- A Benin emergency medical relief service (Samu-Benin) has been created.

247. Samu-Benin was conceived following a one-off experiment at the Conference for Heads of State and Government of Countries Using French as a Common Language in December 1995:

the Canadian Development Agency provided two equipped ambulances and radio equipment and gave a short training session to enable a team of doctor, nurse and ambulance staff to cover this huge event involving more than 50,000 people and hundreds of dignitaries. The experiment demonstrated that, with adequate means and efficient organization, Benin can provide effective extra-hospital emergency services. Hence the idea of creating Samu-Benin, and its establishment by a decree signed on 8 April 1999. Samu-Benin began operations on 15 November 1999. The hospital thus reaches out to bring help to people in their homes, on the roads, in the workplace, at the stadium or market, or in other health facilities. With the sudden onset of a health condition requiring urgent treatment, it is enough to call, or have someone call, the Samu-Benin emergency number. Samu-Benin provides a 24-hour medical helpline and will respond in the most appropriate way to any life-threatening situation. It also covers national and international events and meetings: 8 in 2000, 12 in 2002, 35 in 2003 and 38 in 2004.

248. Using six mobile emergency and intensive care services (SMUR) providing departmental services in each of the former departments, Samu-Benin covers the entire country. Since its inception, it has been commanded a range of equipment for managing other units. In terms of demand for the service, Samu-Benin is today considered a success story in the implementation of the health sector reforms. Certain measures are now needed to ensure that Samu-Benin can better meet people's expectations: replenishing medical and technical supplies; expanding the fleet of vehicles; building a national headquarters; further and basic medical training for health workers which would require an emergency-care training centre managed by Samu-Benin; allocation of a radio frequency to Samu-Benin by the Ministry of the Interior; provision of a free quickdial telephone number as for the fire services and the police, to give people easy access to Samu-Benin services.

12.3

249. In 2004, 10.73 per cent of government expenditure went on the health sector. According to preliminary estimates the figure for 2005 is expected to be 10.61 per cent of the proportion of GNP earmarked for health care. The rate was 16.11 per cent in 1998 and 18.26 per cent in 1999 and is gradually decreasing: 14.49 per cent in 2000, 14.23 per cent in 2001 and 13.59 per cent in 2002.

250. Budget reform, which the health sector was one of the first to embrace, has shifted the focus to better allocation of resources according to criteria of equity and objectivity, as well as to their efficient use, which requires ongoing evaluation and physical and financial monitoring of the implementation of domestic health policy.

12.4

251. (a) The infant mortality rate has fallen by 25 percentage points (from 114 per thousand to 89 per thousand), and the infant/child mortality rate has fallen from 203 per thousand to 160 per thousand (see table below).

Table 21
Mortality rate (under-fives), 1996-2001

Survey	Neonatal mortality	Post-natal mortality	Infant mortality	Child mortality	Infant/child mortality
First Demographic and Health Survey	38.20	55.80	93.90	80	166.55
Second Demographic and Health Survey	38.40	50.70	89.10	77.80	160

Source: Second Demographic and Health Survey.

252. The table below shows the mortality indicators for children in Benin in 2002.

Table 22
Mortality indicators, Benin, 2002
(per thousand)

Region	Crude mortality rate	Before 1st birthday (1q0)	Between 1st and 5th birthday (4q1)	Before 5th birthday (5q0)
Benin	12.27	90	62	146.4
Urban	9.63	83	56	134.3
Rural	15.23	92	64	150.1
Alibori	-	84	57	136.2
Atacora	-	96	68	157.5
Atlantique	-	97	69	159.3
Borgou	-	74	47	117.5
Colline	-	93	65	151.9
Couffo	-	87	59	140.9
Donga	-	97	68	158.4
Littoral	-	75	48	119.4
Mono	-	93	64	151.9
Ouémé	-	95	67	155.6
Plateau	-	84	56	135.3
Zou	-	106	78	175.7

Source: Third general population and housing census, 2002, consolidated findings, National Institute of Statistics and Economic Analysis.

253. With regard to health clinics and first-aid centres, only in Cotonou do around one third (34 per cent) of women have a first-aid centre within 5 kilometres. In the other cities and in rural areas, the proportion of women with access to a health clinic or first-aid centre is 59 per cent and 48 per cent respectively.

254. As to pharmacies, two out of five women (42 per cent) live near one, but the majority of these are women in urban areas, 80 per cent of whom have a pharmacy within 5 kilometres.

255. At the other extreme, 24 per cent of rural women have to go between 15 and 29 kilometres, and 27 per cent of them, 30 kilometres or more, to get to the nearest pharmacy. Looking at departments, more than half the women of the old Atlantique department (71 per cent) and the old Ouémé department (57 per cent) live near a pharmacy, whereas 59 per cent of women in the old Atacora department, 55 per cent in the old Borgou department and 41 per cent in the old Zou department go at least 15 kilometres to get to a pharmacy. The departments were the largest in Benin.

256. Development of the health-care system is now beginning to focus on staff management. Various forms of recruitment (permanent State employees, State contract workers and others) are used in order to rapidly make up the shortage of health workers. Health workers will have to be hired at a rate of 110 nurses per year, to reach a total of 4,950 by 2025, i.e., three times more than in 1997, if current fertility rates are sustained. If the birth rate can be brought down, there will be 89 new nurses per year, with a total of 4,412 by 2025. As to doctors, there should be 1,883 by 2025 with the higher birth rate and 1,634 with the lower. On average, more than 41 doctors should be trained each year in the first case and 33 in the second.

257. Motivating health workers is a priority for the Ministry of Health, in particular through career planning, education and retraining, access to positions of responsibility and other forms of development. Incentives are provided in remote or depressed areas to redress in some measure the imbalances in staff distribution that penalize the health centres and inhabitants of those areas. With the assistance of development partners and Beninese nationals abroad, the Ministry is also setting up medical missions, as a means not only of speedily relieving the shortage of qualified staff, but also, and above all, of making specialist services available.

258. In recent years, new training establishments have been created for health workers, namely: the national Training Centre for Medical Laboratory Technicians in 1997; the Faculty of Health Sciences at Parakou University in 2001; and the national Health Technician Training Centre.

259. (g) In order to ensure that women receive prenatal and post-natal care, social workers arrange awareness-raising sessions for patients at each prenatal consultation in the various health centres, on how to care for their own and their children's health.

260. Almost 9 out of 10 women (87 per cent) who gave birth in the last five years have had a medical check-up with a health worker: 6 per cent with doctors, 75 per cent with midwives or nurses and 6 per cent with health assistants. In 71 per cent of cases, the women received one dose of tetanus vaccine during pregnancy and in 50 per cent of the cases, two doses.

261. More than 7 out of 10 deliveries (73 per cent) took place with the assistance of a health worker, as follows:

- Doctor - 5 per cent;
- Nurse or midwife - 61 per cent;
- Health assistant - 7 per cent.

262. However, 23 per cent were home births, 10 per cent of them unassisted and 9 per cent assisted only by relatives and friends.

263. In Cotonou, assistance during delivery is almost universal (98 per cent). Some variation can be noted in the departments of Borgou (54 per cent) and Atacora (47 per cent). The highest rates were observed in the departments of Atlantique (90 per cent), Ouémé (93 per cent) and Zou (80 per cent).

- The number of post-natal consultations remains relatively low compared with prenatal consultations. In 2002, for example, around 35 per cent of the women expected were seen by health services, as compared with 43 per cent in 2000 and 42 per cent in 2001. This figure, which increased steadily from 1997 to 2000 and dropped slightly in 2001, fell sharply in 2002. The national rate in 2002 was 34.5 per cent.

264. The maternal mortality rate is falling; it was estimated to be 495 per 100,000 live births in 2001 and 490 in 2002. The fall is appreciable when compared with the average rate for Africa, which is 917 per 100,000 live births.

265. Maternity units have received birthing tables, contraceptives and Norplant kits and radio communications are in place, IEC, CCR and scientific research strategies have been drawn up and implemented and training review sessions are organized each year. Prenatal consultation based on risk analysis is encouraged and a survey has been conducted of emergency obstetric and neonatal care needs. Health agencies have been trained in integrated management of childhood diseases, emergency obstetric and neonatal care and counselling, and eight regional hospitals have been built, with six now fully equipped.

266. By adopting two important laws, Benin has reinforced its legislation to enable women to fully enjoy their right to health:

- Act No. 2003-04 of March 2003 on reproductive health. Under article 2, “all individuals are equal in law and dignity with regard to reproductive health. The right to reproductive health is a fundamental, universal right guaranteed to every human being throughout their life, in all situations and wherever they may be”. The Act thus revokes the 1920 Abortion and Contraceptive Education (Prohibition) Act;
- Act No. 2003-3 of 3 March 2003 prohibiting female genital mutilation. This Act provides for penalties ranging from fines to imprisonment for anyone engaging in such practices. Article 4 of the Act accordingly states, “Anyone carrying out any form of genital mutilation on a person of the female sex shall be punished by a prison term of between six months and three years and a fine of between CFAF 100,000 and 2 million.” The punishment is increased if the victim is under 18. In such cases, under article 5, “the individual responsible shall be punished by a prison term of between three and five years and a fine of up to CFAF 3 million”.

267. **(h)** Place of residence is another factor affecting the proportion of infants with access to qualified care. The percentage of children aged between 1 and 4 who have had all their EPI vaccinations and those who have had none is a function of their proximity to a clinic

providing mother and child health services. In effect, 50 per cent of children who have had all their EPI vaccinations live within 5 kilometres of clinics offering mother and child health services, and only 31 per cent of children who live near such services have not had any vaccinations. Conversely, 22 per cent of children who have not had any vaccinations live 30 kilometres or more from clinics offering mother and child health services.

268. In urban areas as a whole, 38.8 per cent of children can get all their vaccinations locally, as compared with 21.1 per cent in rural areas. The rate is 33 per cent in Cotonou and 40 per cent in the other cities.

269. As to vitamin A, 63 per cent of the children who have been given vitamin A live within 5 kilometres of the nearest health facility, while 43 per cent of those who have not, live close to the nearest clinic; in contrast, 17 per cent of children who have not received any vitamin A live 30 kilometres from the nearest health facility. In urban areas as a whole, 41 per cent of children can get vitamin A locally, as compared with 19.08 per cent in rural areas. The rate is 30 per cent in Cotonou and 49 per cent in the other cities.

270. Once again, proximity to health establishments appears to have a direct impact on child immunization rates.

12.5

271. (e) Five illnesses are responsible for infant and child mortality: malaria, acute respiratory infections, diarrhoea, measles and malnutrition. To these must be added trachoma, conjunctivitis and dracunculiasis, which also affect children between the ages of 0 and 10. This fact led to the introduction of an Integrated Management of Childhood Illness (IMCI) programme, an effective strategy that brings together into a single coherent whole the activities and resources needed to combat the main childhood illnesses efficiently. This strategy also stimulates improvements in primary care services and provides guidelines on dealing with children's health problems, as well as training health workers in implementing those guidelines efficiently. In the course of the training, instruction is given in screening strategies and the proper treatment of childhood illnesses. Two workshops were devoted to feedback on efforts to date and to orientation of the community-based IMCI programme:

- A national seminar on the orientation and adoption of an IMCI programme by Benin, which was held from 22 to 24 March 1999 in Bohicon;
- A national workshop on feedback and orientation of the community-based IMCI programme, which was held from 24 to 26 June 2002 in Abomey.

272. Efforts have been made to step up research and action in the area of nutrition. To that effect, with 14,659 children expected for each campaign, vitamin A capsules (100,000 IU) are distributed to an average of 139,575 infants between the ages of 6 and 11 months, and with 107,647 children expected, vitamin A capsules (200,000 IU) are distributed to an average of 953,063 children of 11 to 59 months, giving an average coverage of 85 to 94 per cent. The 10 regional health teams have been trained in PMA nutrition and the promotion of exclusive

breastfeeding. The low financial implementation rate is due to the fact that a significant part of the cost of the activities is borne by EPI, as the capsules are administered during national immunization days.

273. (f) Numerous measures have been taken by the State to improve all aspects of environmental and workplace health. These include:

- Promotion of the use of protective materials for foodstuffs in markets: regular awareness-raising sessions are run by the six regional health units in marketplaces and similar locations;
- Cleanliness training and awareness-raising for salespersons: salespersons receive yearly training on the cleaning of public areas, in association with the Ministry of the Environment and the Ministry of the Interior;
- Capacity-building in biomedical waste management in health centres: 106 incinerators have been built in public, private and denominational health centres;
- Training for 33 health workers in managing biomedical waste. Pilot health centres have been equipped with automatic needle-disposal systems and collecting points. Rational management of biomedical waste in Benin has been provided for since 2002, under Decree No. 2002-484 of 15 November 2002: article 32 of the Decree provides that “any physical or legal person producing or handling biomedical material which is potentially harmful to human health and the environment must ensure its immediate and proper disposal”;
- Training of 30 health officers, 15 health technicians and 200 health unit workers per year. Of 245 staff to be trained during the second government Programme of Action, 233 (95 per cent) have already received training, of whom 91 were health officers, 42 health technicians and 100 health unit workers;
- Publication of the public health code, following translation into Fon, Mina, Yoruba, Batonu, Dendi and Ditamari;
- Reinforcement and equipment of the Public Health Authority: the Porto-Novo and Parakou offices of the Public Health Authority have been renovated and 38 motorbikes and 389 field kits have been acquired and distributed to public health officers;
- Capacity-building in hygiene and sanitation for community contact points, in order to improve information, education and communication (IEC): staff of community contact points have been trained in health and sanitation IEC.

274. Furthermore, in 2002, insect and vermin control operations were carried out in homes, detention centres and some public and private establishments. A participatory approach known as participatory hygiene and sanitation transformation (PHAST) was used to treat patients in neighbourhoods affected by cholera.

12.6

275. (a) HIV/AIDS is today considered to be the most deadly of pandemics. Its emergence has undermined attempts to control tuberculosis, a disease which is making a vigorous comeback, and the suffering caused by these two plagues affects the economy, society and public health. If the current HIV/AIDS prevalence rate of 4.1 per cent is sustained, by 2006 there will be around 300,000 cases of AIDS in Benin. In addition to AIDS and tuberculosis, malaria kills more people than might be thought. It is indisputably one of the obstacles to development for low-income countries. Mindful of the situation, the heads of State and Government of the African Union have issued several statements, including the Abuja Declarations of April 2000, making malaria, AIDS and tuberculosis priority diseases, against which determined action must be taken.

276. The specific objective is to improve the quality of the care provided and of the efforts to combat these diseases. In late 2001, Benin adopted the first AIDS reduction strategy paper to contain a multisectoral strategy. In order to involve all ministries in the campaign, AIDS focus units have been set up to replace the focal points. The AIDS focus units are responsible for raising awareness among ministry staff, families and clients and providing additional support to infected or affected staff. They have also carried out activities in implementation of their action plans.

277. In total, 33 9 or 11-member units have been set up in the ministries, prefectures and other institutions with a large staff. The National AIDS Committee estimates that HIV/AIDS awareness-raising work has directly reached 30,000 people in the ministries. Some focus units have also organized anonymous, voluntary tests free of charge. In all, 671 tests have been conducted in the ministries through the focus units.

278. As the action plans are presented, the multisectoral AIDS control project makes a budget directly available to the units for implementation of plans. Some units are not financed by the project alone: some receive additional funding from the national budget, while others, such as the Ministry of Defence unit, are funded by development partners. The focus unit in the Ministry of Culture and Communication receives budgetary support of CFAF 1,416,000 per year and the unit in the Ministry for Primary and Secondary Education, CFAF 120 million per year. In principle, from 2006 onwards, support from the national budget for AIDS control activities should no longer be the privilege of a handful of ministries. The multisectoral project, which is the main sponsor of the focus units, comes to an end in September 2006 and in order to continue with the work begun by the units, the National AIDS Committee has already asked all the ministries to include in their 2006 budget a minimum of CFAF 5 million for HIV/AIDS control. However, the focus units face a major problem in the form of transfer of their members. Their members have been trained to carry out the plans, but in some cases, as soon as the head of the ministry changes, the new minister transfers staff who are members of the focus unit, thus jeopardizing their effectiveness.

279. Many other measures have been taken to combat the AIDS pandemic:

- A national epidemiological survey of seroprevalence has been conducted. Epidemiological monitoring of sexually transmitted infections has been carried out at sentinel sites. Outreach offices of the National AIDS Control Programme have been equipped and made operational;

- Activities in communication for behaviour change are being organized for sex workers in the departments;
- Antiretroviral drugs have been acquired for the treatment of 1,700 people living with HIV/AIDS out of the 6,000 anticipated (28 per cent);
- Health facilities are regularly supplied with HIV test consumables and reagents. A blood analyser has been acquired to build diagnostic and analytical capacities. The National AIDS Control Programme has acquired five ELISA chains;
- Medicine is being acquired, examinations are being conducted and sufferers are being treated;
- Advice centres are being set up for young people and engaged couples;
- In the departments, five integrated care centres for persons living with HIV/AIDS have been planned, and four have been completed and handed over;
- Female condoms have been acquired for NGOs, public health squads and community contact points. Financial and technical support has been given to these groups for IEC activities to combat STI and HIV/AIDS, and for community care.

280. (b) With regard to tuberculosis, determined efforts have been made in prevention and treatment:

- Anti-tuberculosis medicine, X-ray consumables and reagents have been acquired;
- Tuberculosis sufferers are provided with regular meals;
- Work to extend the mycobacterial reference laboratory has been completed;
- Doctors, nurses and laboratory technicians involved are being trained to deal with tuberculosis;
- Buildings and annexes have been built for the National Tuberculosis Control Programme;
- The national tuberculosis and onchocerciasis (river blindness) programmes have been reviewed.

281. (c) Malaria

The following malaria control work has been carried out:

- Sanitization of urban areas

Prevention activities such as the Larvae-Free House campaign are being carried out in communities by the National Malaria Control Programme;

- Promotion of treated mosquito nets

Nets and impregnating equipment are bought each year;

- Acquisition of antimalaria products and diagnosis kits

Materials and reagents have been acquired for 56 laboratories. Antimalaria products have been purchased and distributed to health facilities;

- Strengthening of research into malaria and publication of the results

A study into malaria has been conducted and construction work on new buildings for departmental facilities has begun;

- Support for IEC activities by the public health squads and NGOs

The public health squads and NGOs have been trained in malaria control and supported in their IEC work.

282. **(d)** Programmes to combat non-communicable diseases (blindness, oral diseases and psychiatric conditions) have been reinforced.

283. Medical and technical apparatus is being acquired and made available to health facilities. Training has been given to 83 health workers, teachers and community contact points in preventing oral disease. Testing and treatment as part of preventive strategies are organized and treatment protocols have been drawn up.

284. **(e)** With regard to other diseases, such as Guinea worm and Buruli ulcer disease, here, too, considerable measures have been taken to protect people. Groups at risk of human African trypanosomiasis (sleeping sickness) are being treated with ivermectin. Health and community workers are being trained in treating ponds for Guinea worm. Ponds are regularly treated. Monitoring of EPI is organized on a regular basis. A Buruli ulcer disease testing and treatment centre has been built and is now in operation and a reference centre for the integrated control of sickle cell anaemia has been set up. The relevant operating budgets are being implemented.

12.7

285. **(a)** IEC sessions are organized on the dangers of self-medication and the illegal medicine markets. Publicity spots are broadcast, and public and private pharmaceutical establishments are inspected every year. Raids are carried out regularly at the Cotonou, Bohicon and Abomey markets, as well as among the stalls along the main streets in those cities. Medicines seized during the raids are immediately destroyed. The resources allocated cover only a part of the work. Essential medicines have been supplied to central and departmental institutions, including the Department of Pharmacies and Diagnostic Facilities, the Essential Medicines Dispensary and regional depots. A unit for producing and packaging essential medicines has been built and equipped and some rooms have been turned over to the new microbiological department; laboratory equipment and reagents are acquired each year; however, the resources allocated are insignificant compared with actual needs (0.1 per cent).

286. (b) Promoting traditional medicine has proved vital, as its contribution to improving the people's health, given their traditional ways, is no longer in doubt.

287. Measures taken to promote traditional medicine are as follows:

- Formulation and implementation of a legal framework for traditional healers: the legal framework for the work of traditional healers is defined in Decree No. 2001 of 15 February 2001, which sets forth the ethical principles and regulations for the practice of traditional medicine. Furthermore, the policies and strategies of traditional medicine have been adopted in the domestic system;
- Construction of traditional medicine units in all departments;
- Technical capacity-building for traditional healers: traditional practitioners have been trained to diagnose and treat simple and acute malaria, and of those trained, 150 have been evaluated. Special days have been celebrated and 68 bicycles have been purchased for traditional practitioners;
- Installation of 50 botanical gardens in administrative districts: 50 botanical gardens have been created in municipalities. Seven water points have been installed. Storage facilities have been built at the sites;
- Creation of a database of medicinal plants.

12.8

288. The United Nations Population Fund (UNFPA) supports government efforts to improve people's standard of living, particularly in the areas of children's and women's health, adolescent health and men's health. This involves ensuring the availability of family planning services in most of the health facilities, improving the skills of service providers, ensuring the availability of contraceptives and basic medical equipment, and strengthening support for NGOs.

289. Despite the remarkable efforts made, progress has been substantially below expectations. It is true that health coverage has reached 82 per cent, but there is still much to be done. Only 25 per cent of the ambitious goals assigned to the Ministry of Health under the second Programme of Action have been achieved, with many projects still suffering from a lack of funds. Allocated resources remain inadequate, despite the marked increase in health expenditure within public spending as a whole. This situation raises the crucial and recurrent problem of financing, which is an obstacle to the effective implementation of health-improvement policies in most developing countries. For instance, a number of African countries are still not in a position to honour the commitment under the Abuja Declaration to allocate 15 per cent of their national budgets to the health sector. Often political will is not backed up by resources, which fuels public scepticism about government capacity to provide adequate solutions to people's health concerns. At present, it is clear that the developing countries will only have sufficient resources to achieve the aim of improving the health of their population if they receive additional external financing. As the G8 Summit recognized in June 2003, supplementary resources must be forthcoming from various sources, national and foreign, public and private. In view of the

growing importance attached to health as a key dimension in poverty, it is therefore vital for the Government to strengthen bilateral and multilateral partnerships in order to increase current funding levels in line with the financing requirements of the health sector in Benin.

13. Article 13 of the Covenant: Right to education

290. Information concerning article 13 of the Covenant other than that contained in the present report may be found in the initial report.

13.1

291. (a) Since 2001 (cf. Decree No. 2001-170 of 7 May 2001 on the composition of the Government), the Beninese education system has been under the control of three ministries:

- Ministry of Primary and Secondary Education;
- Ministry of Technical and Vocational Education;
- Ministry of Higher Education and Scientific Research.

292. In accordance with the provisions of the Constitution of 11 December 1990, the Government of Benin is progressively introducing free primary education. Constant efforts are made by civil society to promote girls' education. For instance, a mini-summit of kings and traditional chiefs from the departments of Borgou and Alibori was held in Parakou on Friday, 16 August 2002. Some 400 persons attended this gathering, where the schooling and continued school attendance of girls, as well as maternal and child mortality, were discussed. Organized by the National Council of Kings and Traditional Chiefs of Benin (CNRB) with financial support from UNFPA, this mini-summit, the first of the year, brought together kings and traditional chiefs from all kingdoms and chiefdoms in the Borgou-Alibori customary region and other departments of Benin. The mini-summits are a recommendation of the sixth annual summit of the kings to deal with population issues specific to each customary region. Four mini-summits were held in the year 2000.

293. (b) As mentioned in the initial report, technical and vocational secondary education does not yet come under the school-fee exemption measures. However, there are girls' hostels which take in village girls and provide them with an education at reduced cost. By Order No. 0057 of 25 September 1998, the maximum level of school fees at public general secondary schools is set as follows (CFA francs):

For Beninese pupils:

- | | |
|-------------------------------|--------|
| – Department of Atacora: | 6,000 |
| – Department of l'Atlantique: | 10,000 |
| – Department of Borgou: | 7,000 |
| – Department of Mono: | 8,000 |

– Department of Ouémé: 9,000

– Department of Zou: 8,200

For foreign pupils:

– First cycle: 75,000

– Second cycle: 100,000

294. The children of teachers are exempt from payment of school fees; the children of administrative personnel in the national education services are exempted in the amount of 50 per cent of the fees established above.

295. The following tables show developments in the numbers of pupils in public and private secondary schools between 1998 and 2002.

Table 24

Total pupils by sex, 1998-2002 (public)

Year	Boys	Girls	Total	% of girls
1998	108 611	43 950	152 561	28.81
1999	119 379	47 817	167 196	28.60
2000	131 218	52 498	183 716	28.58
2001	143 474	59 015	202 489	29.14
2002	162 466	68 883	231 349	29.77

Source: Department of Secondary Education/Ministry of Primary and Secondary Education, Porto-Novo, Benin.

Table 25

Total pupils by sex, 1998-2002 (private)

Year	Boys	Girls	Total	% of girls
1998	8 849	7 616	16 465	42.26
1999	11 314	9 525	20 839	45.71
2000	13 787	11 382	25 169	45.22
2001	16 716	13 972	30 688	45.53
2002	17 196	14 405	31 601	45.58

Source: Department of Secondary Education/Ministry of Primary and Secondary Education, Porto-Novo, Benin.

Table 26
CEPE and BEPC examinations: pass rate
(percentage)

Year	CEPE	BEPC
1998	67.65	47.67
1999	69.30	44.94
2000	68.09	39.95
2001	72.16	39.51
2002	49.59	44.63
2003	57.35	55.89
2004	69.09	49.06

Source: Department of Secondary Education/Ministry of Primary and Secondary Education, Porto-Novo, Benin.

Table 27
Technical and vocational education (public), cycle 1: pass rate
(percentage)

Year	1997	1998	1999	2000	2001	2002	2003
Examinations							
CAP/STAG	47.21	21.93	33.75	14.28	15.17	16.22	18.80
CAP/STI	60.85	74.57	57.36	67.51	67.70	53.88	50.43
BEAT	88.89	100.00	100.00	98.79	98.88	100.00	96.45
BIA (health)	87.32	100.00	97.02	93.20	96.65	98.30	100.00
CAP/EFS	55.56	-	-	100.00	75.00	-	42.86
CAP/H-R	75.00	84.61	96.60	75.00	76.19	60.00	89.29

Source: Department of Technical Education/Ministry of Technical Education and Vocational Training, Cotonou, Benin.

Table 28
Technical and vocational education (public), cycle 2: pass rate
(percentage)

Year	1997	1998	1999	2000	2001	2002	2003
Examinations							
BAG/G (STAG)	47.54	41.85	34.44	51.82	20.89	37.68	25.72
DTI (STI)	31.77	65.22	73.11	48.73	53.63	43.70	39.93
DEAT	100.00	97.67	63.64	100.00	100.00	100.00	99.49
DIE (health)	97.78	97.16	98.59	94.67	47.78	100.00	91.53
DT/EFS	70.00	66.67	100.00	63.64	66.67	100.00	100.00

Source: Department of Technical Education/Ministry of Technical Education and Vocational Training, Cotonou, Benin.

Table No. 29

Technical and vocational education (private), cycles 1 and 2: pass rate (percentage)

Year \ Examinations	1998	1999	2000	2001	2002	2003
CAP/STAG	65.99	57.36	66.34	63.79	56.55	53.41
CAP/STI	52.85	38.27	73.37	72.97	72.09	53.30
CAP/H-R	-	66.66	78.57	67.86	53.85	55.42
BAG/G (STAG)	37.08	37.30	59.37	56.16	47.07	35.70
DTI (STI)	48.83	35.14	38.15	78.26	60.54	58.87

Source: Department of Technical Education/Ministry of Technical Education and Vocational Training, Cotonou, Benin.

Table 30

Baccalaureate pass rate

Year	Candidates	Passes	%
1996/97	14 209	3 598	27.13
1997/98	16 710	5 211	34.07
1998/99	18 107	4 971	29.02
1999/00	22 429	7 188	34.09
2000/01	24 111	7 002	31.56
2001/02	29 181	11 073	41.12
2002/03	31 697	9 582	32.58
2003/04	36 394	11 465	34.10

Source: Office of the Baccalaureate and the Higher Technical Certificate (DOB/BT5), Cotonou, Benin.

296. The secondary education baccalaureate examination was reorganized in 2002 (Decree No. 2002-97 of 4 March 2002).

297. (c) Higher education is not free of charge. For the 2004/05 academic year, enrolment fees in national universities were raised from CFAF 6,200 to CFAF 15,000. The increase was an essential adjustment to ensure financial viability and maintain and improve the services provided by these institutions.

298. Decree No. 2005-512 of 18 August 2005 on the granting of university scholarships and assistance establishes the average marks now needed to benefit from university scholarships and assistance, as follows:

- 11.5 out of 20 to receive assistance, instead of 11 out of 20;

- 12 out of 20 and 13 out of 20 to receive scholarships in faculties and schools, respectively, instead of 11.5 and 12.

299. For the academic year 2001/02, Benin established a second university, the University of Parakou. The former National University of Benin was renamed the University of Abomey-Calavi (UAC). The following tables show trends in student numbers at these universities.

Table 31

Students at the University of Abomey-Calavi, 2001/02-2003/04

Establishment	2001/02			2002/03			2003/04		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
FAST	2 003	246	2 249	2 381	292	2 673	2 568	319	2 887
FLASH	6 547	1 740	8 287	8 118	2 157	10 275	8 975	2 339	11 314
FASEG	4 080	583	4 663	4 526	620	5 146	3 318	278	3 596
FADESP	4 543	2 005	6 548	5 970	1 443	7 413	5 151	2 109	7 260
FSA	211	49	260	208	51	259	219	65	284
EPAC	1 006	203	1 209	579	140	719	828	333	1 161
ENAM	359	288	647	386	309	695	618	553	1 171
ILACI	134	7	141	133	6	139	181	10	191
FSS	472	212	684	553	285	838	568	302	870
ESAS	27	42	69	24	36	60	23	34	57
ENEAM	608	345	953	690	309	999	1 348	250	1 598
CEBELAE	N/A*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
IUT-LOKOSSA	0	0	0	400	24	424	419	28	447
IRSP	39	9	48	24	11	35	32	9	41
IMSP	20	4	24	21	6	27	31	8	39
INJEPS	338	37	375	225	40	265	223	50	273
Total	20 387	5 733	26 157	24 238	5 729	29 967	24 502	6 687	31 189

Source: University of Abomey-Calavi (UAC)/Department of Higher Education/Ministry of Higher Education and Scientific Research, Cotonou, Benin.

* Not available.

300. Whereas student enrolment expanded by 14.56 per cent from 2001/02 to 2002/03, it went up by only 4.07 per cent between 2002/03 and 2003/04. This low increase is explained by the establishment of the second national university and the rise in the number of private institutions of higher education.

301. For the 2003/04 academic year, the student body at UAC comprised 767 foreigners, as against 30,422 nationals, out of a total of 31,189. Foreigners thus accounted for 2.52 per cent of the total.

302. The Faculty of Law and Political Sciences had the highest number of foreign students (262), followed by the Faculty of Health Sciences (135).

Table 32
Distribution of students at the University of Parakou, 2001/02-2003/04

Establishment	Students								
	2001/02			2002/03			2003/04		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Faculty of Agronomy	*	*	36	56	14	70	90	22	112
School of Medicine	*	*	96	75	39	114	134	98	232
IUT-GESTION	*	*	92	137	30	167	175	38	213
FDSP	*	*	502	530	126	656	730	212	942
FASEG	*	*	552	951	92	1 043	1 283	119	1 402
Total	*	*	1 280	1 749	301	2 050	2 412	489	2 901

Source: University of Parakou/Department of Higher Education/Ministry of Higher Education and Scientific Research, Cotonou, Benin.

Note: Students at the National Economics Institute (ENI) not included.

303. During the 2003/04 academic year, there were 26 foreigners (roughly 1 per cent of the total), as against 2,875 nationals, while in 2002/03 there were only 8 foreigners out of a student body of 2,050. The increase in the number of foreign students may be noted.

304. Also, since 2002 (Decree No. 2002-58 of 14 February 2002), a Higher Technical Certificate (BTS) examination has been held in Benin. Statistics concerning this examination, which have been compiled for several years now, have not yet been finalized because of the change of agency responsible for organizing the examination.

13.2

305. (a) On the basis of the gross enrolment ratio (GER), it can be seen that progress has been made at all levels of the educational system during the last two decades. For primary education, the GER increased from approximately 68 per cent in 1980 to 71 per cent in 1992, 81 per cent in 1999 and 93 per cent in 2004. Progress has also been recorded in secondary education, where the GER increased from about 12 per cent in 1992 to 19 per cent in 1999 (26 per cent in the first cycle and 8 per cent in the second cycle) and to 27 per cent in 2004 (35 per cent in the first cycle and 13 per cent in the second cycle). The GER for girls, across all levels, was 78 per cent. The progress made, real though it is, should not conceal the need for further efforts. Beyond the use of the GER measure, a review of actual enrolment by profile reveals students' prospects of moving through the different classes and cycles of the system. Out of 100 children entering school in the C1 class, only 50 move up to the CM2 level and fewer than 10 reach the final year. Grade repetition is very frequent in the Beninese education system (see following table).

Table 33
Performance rates in general education, 1998-2002
(percentage)

Year	Promotion	Repeat	Drop-out
1998	60.47	27.77	11.76
1999	60.86	28.86	10.28
2000	58.14	31.16	10.70
2001	61.18	28.34	10.48
2002	57.00	30.92	12.08

Source: Department of Technical Education/Ministry of Technical Education and Vocational Training, Cotonou, Benin.

306. The progressive introduction of new curricula should allow these trends to be reversed. The various aims of the new study courses include that of gradually eliminating grade repetition in the system, and convincing results have already been achieved. The national pass level for the primary education certificate examination held in July 2005 was 98.8 per cent.

307. (b) The values pursued in the education subsector in Benin are clearly defined in Act No. 2003-17 of 17 October 2003 on the direction of national education in the Republic of Benin. They are:

- The obligatory nature of primary education;
- The progressive introduction of free public primary education;
- A constant quest for teamwork and quality at all levels of the education system;
- Professionalization and diversification of learning opportunities in technical and higher education, and their adaptation to the needs of the economy;
- Promotion of scientific research in order to improve the quality of higher education;
- Promotion of private education.

308. In line with the values practised in the Beninese education system, the school is the basis of development in Benin, as reflected in the resources mobilized in the sector. In 2002 already (Decree No. 2002-362 of 9 August 2002), the National Forum on Education for All was established, with the following aims:

- Fostering genuine political and social commitment through the espousal of the Dakar Framework for Action by the Government, civil society and the development partners;
- Organizing National Days of education for all;
- Supporting the formulation of the National Action Plan “Education for all”;

- Coordinating the preparation and organization of the National Workshop to endorse the National Action Plan “Education for all”, as approved and adopted;
- Scheduling, preparing and organizing the round table of donors and the National Forum of Economic Operators in order to raise the necessary funds to implement the action plan.

309. The main lines of education policy for the decade are as follows:

- Improved direction of the system based on the development of implantation, management and ongoing evaluation capacities and programming of recruitment;
- Enhancement of the quality of education, based largely on the renovation of curricula and instructional tools, professionalization and structuring of initial and further training, improvement of administrative and teaching support and reduction of class size;
- Improvement of educational opportunities which, in addition to a very substantial increase in the number of teachers at all levels, will involve mapping the distribution of schools and the reorganization of technical, vocational and university training;
- Improvement of human resources management through the introduction of a career monitoring and promotion system, combined with performance evaluation, rationalization of assignments and strengthening of accountability mechanisms;
- Reduction of gender and regional disparities, supported by a policy of positive discrimination in favour of girls, groups and regions at a disadvantage;
- Expansion of the role of the private sector and that of local communities as education providers through the establishment of an appropriate promotion policy;
- Creation of a legal framework governing the partnership between the public authorities and the private sector and establishing the terms and modalities of subsidies to educational establishments;
- Enhancement of the social dialogue with the social partners in order to promote peaceful and industrious school years and hence assure schooling conditions conducive to the acquisition of adequate knowledge and skills.

310. In 2002, the authorities responsible for the higher education subsector drew up a strategic plan for the development of higher education and scientific research. The overall objective is to train competent senior personnel available for the needs of the modern economy and capable of boosting development. This overall objective breaks down into a number of specific aims, in particular enhancing the institutional framework and the quality of education on offer.

13.4 Literacy

311. The table below sets out literacy statistics for Benin since 1978.

Table 34
Development of literacy in Benin

Year	Enrolled	Literacy attained
1978	8 232	5 561
1979	24 910	11 404
1980	16 038	8 316
1981	14 156	6 045
1982	8 168	3 575
1983	11 247	3 438
1984/85	18 855	9 408
1985/86	13 733	5 837
1986/87	11 918	6 170
1987/88	26 120	11 646
1988/89	20 765	10 781
1989/90	12 688	7 592
1990/91	16 619	7 137
1991/92	21 839	11 968
1992/93	30 694	17 562
1993/94	30 522	17 997
1994/95	28 318	18 044
1995/96	32 577	21 370
1996/97	30 280	20 984
1997/98	40 762	27 814
1998/99	33 975	26 550
1999/2000	43 752	29 992
2000/01	52 185	37 903
2001/02	43 053	34 366
2002/03	34 714	27 736
Total	626 120	389 196

Source: National Department of Literacy and Adult Education/Ministry of Culture and Communication and Office of the Government Spokesperson.

312. According to data from the second demographic and health survey in Benin, 25 per cent of women are literate, while the figure for men is virtually double (48 per cent). It may also be noted that the female literacy rate is higher for the younger generation than for older persons (38 per cent for girls aged 15-19, as against less than 20 per cent for women aged 30 and above); higher in the towns than in the countryside (43 per cent as against 13 per cent); and higher in Cotonou, followed by the former department of Ouémé, than in the other departments (58 per cent and 27 per cent, respectively, as against less than 20 per cent in the other departments).

313. The same socio-demographic variations in literacy can be observed among the male population, although literacy levels are higher. For example, more than two thirds of males aged 15-19 (67 per cent) are literate, as against less than 35 per cent of men aged 40 or above.

While two thirds of men living in the towns are literate, the proportion in the countryside is only 34 per cent. In Cotonou, the male literacy rate is 86 per cent; in the former departments of Ouémé and Atlantique, it is only about 50 per cent (52 per cent and 50 per cent, respectively); in the former departments of Mono and Zou, the proportions are 47 per cent and 43 per cent, respectively; and in the former departments of Atacora and Borgou, only 28 per cent and 27 per cent of men, respectively, are literate.

314. Various analyses have shown that the literacy subsector in Benin is confronted with problems of quality, relevance and efficiency, accompanied by dropping out, failure and relapse into illiteracy; 80 per cent of persons declared literate relapse into illiteracy for lack of coherent and relevant initial literacy and post-literacy programmes and specific training.

315. Despite the efforts made over the past several decades, this trend persists, and the majority of the active Beninese population of some 2,361,000 persons aged 15 and above (2002 census) continue to be victims of the worst ravages of illiteracy. The actions undertaken to date have not enabled the dysfunctions in this subsector to be corrected.

316. Laudable but isolated initiatives have failed to take account of the interaction needed with the other components of the Beninese educational system.

317. It therefore proved necessary to devise a policy for the literacy subsector in order to make the various programmes more coherent and credible. After various workshops and seminars, the Council of Ministers, on the proposal of the Minister for Culture and Communication and Government Spokesperson, adopted a National Policy Declaration on Literacy and Adult Education in March 2001.

318. In approving the report of the workshop concerned, the Council of Ministers recommended the establishment of an inter-ministerial committee to monitor the implementation of this policy.

319. The conditions for granting permits to private operators are determined in the context of their implementation of the strategy of delegating responsibility.

320. With the aim of helping to clarify the State's vision and improve management practices in respect of literacy activities and programmes, the Swiss Cooperation Agency financed the recruitment of consultants to prepare a draft national literacy policy.

321. In November 1998, two consultants were hired to prepare a document entitled "National literacy and non-formal education policy".

322. In June 2000, a second contract was signed between the National Department of Literacy and Adult Education and two other consultants for an appraisal of the methods, procedures and results of literacy and post-literacy activities for women and girls in Benin with a view to formulating recommendations to help improve the existing situation and achieve more substantial and visible results and impact.

323. In October 2000, a third contract was signed to conduct the workshop for revising the preliminary draft and formulating the draft national literacy and adult education policy. This task was to be performed in the light of the amendments and comments formulated at the

pre-ratification departmental workshops and by resource persons, so as to bring out clearly the vision, goals, strategies and activities needed in devising and implementing the policy, taking account of the various actors.

324. The implementation of the Declaration should enable the illiteracy rate to be reduced from 68 per cent to 50 per cent during the decade 2003-2012, with an emphasis on the 15-49 age group. To achieve this objective a series of measures associated with the following specific objectives and strategies will be applied.

325. The specific objectives are:

- To define the status of national languages;
- To define the status of field actors (literacy teachers, facilitators and supervisors);
- To reduce the illiteracy rate in Benin from 68 per cent to 50 per cent by the year 2013 among the population in the 15-49 age group;
- To reduce the illiteracy rate among women and girls by 50 per cent between 2003 and 2013;
- To ensure the development of integrated learning methods and strategies;
- To ensure the effectiveness of approaches to the implementation of literacy and adult education programmes;
- To ensure the development of an integrated post-literacy programme;
- To promote the emergence of a literate environment;
- To intensify applied linguistic research on national languages;
- To make institutional reforms in line with the requirements of the new national literacy and adult education policy.

326. The general strategy for implementing the national literacy and adult education policy is based on the following principles:

- Delegation of responsibility, support and control;
- Subsidiarity;
- Positive discrimination;
- Appropriate combination of different offers.

327. In pursuance of the above principles, it was proposed to establish an Association for the Promotion of Literacy and Adult Education, of which the State should be a member, with the

task of managing all field activities relating to literacy and adult education. It was intended that the Association, whose legal status was not clearly defined, should create a National Institute for Literacy and Adult Education (INAEA) and a National Support Fund for Literacy and Adult Education (FNAAEA).

328. After the preparation of the first draft, workshops were organized in all the departments in order to gather comments and, in particular, to capitalize on acquired experience. After the various comments were taken into account, a preliminary draft national policy declaration on literacy and adult education in Benin was submitted to the Council of Ministers for consideration in March 2001.

329. The Council of Ministers approved the proposal and recommended the establishment of an inter-ministerial committee, which was set up by Order No. 131/MCAT/DC/SG/DNAEA of 9 August 2001. At the first meeting of this inter-ministerial committee on 22 September 2003, held just before the workshop to ratify the policy, its members criticized the inconsistencies in the text of the declaration and therefore called upon the Department of Literacy and Adult Education to bring the document into line with the rules and regulations in force in Benin and to clarify the roles of the various actors, particularly the Association for the Promotion of Literacy and Adult Education.

330. Thus the activities prescribed for the transitional period were not fully executed. On 25, 26 and 27 September 2003, a workshop to ratify the constituting instruments of the Association and of the National Institute for Literacy and Adult Education was held at the Stade de l'Amitié, Cotonou. About 80 persons participated in the meeting: civil society actors, representatives of NGOs and various associations, resource persons, members of the inter-ministerial committee for follow-up of the Declaration, members of the outreach offices of the Department of Literacy and Adult Education, former directors of literacy activities, and managers and union members from the Department.

331. In view of the relevance of the comments made by the members of the inter-ministerial committee, the Minister established a preparatory committee to ensure consistency in the various draft texts to be ratified (cf. Order No. 123/MCAT/DC/SG/DNAEA/SA of 23 September 2003).

332. The committee's work enabled substantive corrections to be made. It showed that the State could not be a member of the Association, which was designed as a non-profit association, that the establishment of cultural and scientific institutions was a prerogative of the State and that the Association could not create a structure under private law to mobilize public funds.

333. As a result of the comments made by this preparatory committee, with which civil society actors were associated, the aims of the ratification workshop were modified: instead of endorsing the texts as a whole, its task would be to propose new statutes for the Association and ensure consistency in the draft statute of the Institute.

334. Thus a process of revising although not implementing the Declaration was begun and, as a result, participants in the ratification workshop immediately called for a general debate on the workshop's terms of reference. They felt that the workshop should not confine itself to merely helping the administration to endorse the texts. After a general discussion, they reached a

consensus on the principle of establishing the Association on the basis of the example of the Agency for the Management of New Information and Communication Technologies (AGENTIC), whose statutes were adopted by a general meeting of members on 27 November 2001 and whose instruments were adopted by the Council of Ministers at its meeting of 26 December 2001. On this basis, the preliminary draft statutes proposed by the preparatory committee were examined and amended. The workshop then set itself up as a constituent assembly to adopt the Association's statutes.

335. However, it was agreed that the Association thus created would become operational only after the adoption of those regulatory texts by the Council of Ministers and after the question of the legal status and membership of the Association's board was settled.

336. The Board of Directors is composed of 15 members, comprising 7 representatives of State structures, 6 representatives of non-governmental associations and organizations engaged in literacy work in Benin and 2 representatives of local authorities closely involved in literacy activities. The advantage of this arrangement was that it avoided having to convene another general meeting to establish the Association.

337. After the ratification workshop, a working group was set up by the Minister of Culture and was convened by message No. 379/MCAT/DC/SG/DNAEA/SP-C of 23 March 2004. In order to associate the Department's staff with this group and to provide input to its work, an internal committee was established within the Department by service note No. 3/DNAEA/DA/SA of 24 March 2004.

338. The committee's task was to reflect on the inconsistencies in the declaration document and to propose the necessary corrections.

339. Its conclusions were transmitted to the Ministry of Culture, Handicrafts and Tourism on 24 April 2004, its main recommendation being the convening of an endorsement session involving the various actors before the proceedings of the Council of Ministers. This initiative is based on a recommendation contained in the last paragraph of the declaration text, which states: "the various texts for adoption by the competent bodies should be prepared on the basis of the qualitative participation of the actors (civil society, donors, Department of Literacy and Adult Education).

340. To that end, the Department will be supported by the development partners in recruiting consultants capable of submitting basic documents and will organize consultations among various partners in the sector".

341. On Wednesday, 12 August 2004, the establishment of the Institute and of the National Support Fund for Literacy and Adult Education was announced in the record of proceedings of the Council of Ministers. A few days later, the directors were appointed and the board established. Immediately after the appointment of the general directors, another committee was set up to prepare draft orders on the organization and operation of the Department, the Institute and the Fund. After this committee reported, only the orders relating to the operation of the Institute and the Fund were signed, and the order on the organization and operation of the Department has still not been signed. The new structures have been established without

preparing the implementation of the strategy of delegation of responsibility, and no steps have been taken to prevent those structures from making the same mistakes as the old Department did. The Department is not represented on either the board of the Institute or the Fund. The machinery for cooperation between the three bodies has not been defined and there has been no transfer of files and hence no transition in activity between the Department and the new bodies. Departmental staff are assigned to the new bodies on the basis of personal relationships.

342. It was noted in the review that the Government's commitment was not clear enough in relation to the challenges in this subsector, and concerns remain regarding the quality of financial management. Likewise, in the proposed action plan, the strategy of delegating tasks lacks transparency and consistency in the division of responsibilities. While appreciating the incorporation of the subsector in the process of preparing and implementing the 10-year plan, the review reiterated concern over the non-finalization and non-ratification of the Declaration, before recommending the following:

- Improved allotment of financial resources granted to the subsector;
- Enhanced interaction between the various administrations in the subsector;
- Community involvement at source in the design and implementation of literacy programmes;
- Preparation of a programme budget (with a goal commitment statement) specific to the subsector from 2006 on;
- Use of technical assistance to promote the application of the strategy of delegating responsibility;
- Urging the Ministry of Finance and the Economy to apply to the literacy budget line the measures applicable to the social sectors (preferential rebate in the event of budget regulation).

13.4

343. (a) In 2004 the education budget constituted 25.79 per cent of the general State budget, divided by subsector as follows: primary and secondary education: 17.78 per cent; technical and vocational education: 2.21 per cent; higher education: 5.84 per cent. The rate increased slightly in 2005 (26.55 per cent), with 18.86 per cent being allotted to primary and secondary education, 1.91 per cent to technical and vocational education, and 5.78 per cent to higher education.

344. (b) Achievements in the education sector in general are very numerous. The following are among the most significant:

- The construction of 788 classrooms in primary schools and general secondary schools in 2001/02;

- The introduction of new curricula in primary and secondary education. Obligatory training is given to teachers to help them understand and assimilate the new curriculum. In addition, periodic training and retraining workshops are organized for them;
- The establishment of new school canteens and the upgrading of old ones;
- Stimulation of the activities of the school sports associations (UASEP and USES);
- Organization of the first exhibition on technical education and vocational training in Cotonou from 22 to 27 September 2005;
- Establishment of a professional aptitude certificate in arts and crafts;
- Establishment of a professional qualification certificate and a qualification certificate to replace end-of-apprenticeship diplomas;
- Creation of a computer maintenance course at the Coulibaly technical school in Cotonou;
- Construction of classrooms and lecture halls at the Abomey-Calavi campus;
- Construction of a mini-stadium for the National Institute of Youth, Physical Education and Sports (INJEPS);
- Refurbishing of sanitary facilities on the Porto-Novo campus;
- Purchase of computer and laboratory equipment for the two national universities.

13.5

345. (a) Against a total strength of 29,031 permanent State employees, the statistics for teachers are as follows:

Table 35

Structures	Staff	Percentage
Ministry of Primary and Secondary Education	14 589	92.41
Ministry of Higher Education and Scientific Research	383	2.43
Ministry of Technical and Vocational Education	401	2.54
Total teachers	15 786	100.00
Teachers not working for education ministries	413	2.62

Source: Ministry of the Civil Service, Labour and Administrative Reform, Civil Service staffing table, 2004.

346. Teachers constitute 54.38 per cent of serving permanent State employees (15,786 out of a total of 29,031).

347. (b) Act No. 2002-014 of 27 August 2002 on conditions of admission to retirement of permanent teachers in higher education and researchers extended the retirement age for such staff. The provisions of this Act depart from those of Act No. 86-014 of 26 September 1986 on the code of civil and military retirement pensions, which established a retirement age of 55 years, or after 25 years' service. In future, permanent teachers in higher education and researchers are entitled to a pension when, on separation from employment, they meet the following conditions:

- 65 years of age for full professors and research directors included in an eligibility list;
- 65 years of age for senior lecturers and researchers included in an eligibility list;
- 63 years of age for junior lecturers and researchers included in an eligibility list;
- 60 years of age for assistant lecturers covered by Decree No. 98-204 of 11 May 1998 and assistant researchers covered by Decree No. 85-371 of 11 September 1985 who can prove that they hold a doctorate of higher education.

348. It is stipulated that “the above-mentioned persons may claim a normal retirement pension from the age of 55 years on request” (Act No. 2002-014 of 27 August 2002, article 1 in fine).

349. (c) In recent years there have been repeated strikes in the education sector leading, inter alia, to the revision of the school schedule for 2004/05. Like other State employees, the teachers presented demands to the Government for the improvement of their working and living conditions. In particular, they called for:

- Payment of arrears (CFAF 500,000) due to all teachers;
- Payment of all special bonuses and allowances;
- Introduction of annual medical checkups for teachers.

350. Despite the State's budgetary constraints, the Government is endeavouring to meet the demands according to the timetable established.

351. Along with public educational institutions, there are a number of private establishments dispensing education of all kinds. For instance, in the technical education and vocational training subsector there are 211 duly authorized private establishments, distributed among the departments as follows:

- Atacora-Donga: 7;
- Atlantique-Littoral: 126;
- Mono-Couffo: 16;
- Borgou-Alibori: 9;
- Ouémé-Plateau: 37;
- Zou-Collines: 16.

352. The Government ensures compliance with the regulations governing the establishment and management of private institutions. Advisory committees of the various ministries in the education sector periodically review proposals for the opening, extension or closure of private establishments. It should be added that article 12, paragraph 2, of the Act on the direction of national education in the Republic of Benin provides that: "Private schools may receive State grants in accordance with the provisions of article 14 of the 11 December 1990 Constitution. The conditions for such grants and the modalities of awarding them are determined by decree of the Council of Ministers, acting on the proposal of the minister or ministers responsible for national education."

13.7

353. Through USAID, the United States Government provides financial and technical support for the ongoing primary education reform in Benin. USAID assistance is being evaluated for the phases of the primary education teachers training project. Phase I covered 20 school districts (1997-2001) and Phase II, 36 school districts (2001-2005). In all, the project has reached 56 districts out of the 85 in Benin - a coverage rate of 66 per cent of the national territory.

354. The International Foundation for Education and Self-Help (IFESH), which was chosen to assist the Beninese educational system, has had a major impact on the education sector in terms both of administration and grass-roots actors. USAID has decided to make IFESH a further grant of US\$ 3 million for an additional three years. Thus, by the end of September 2008, IFESH, after 11 years spent in Benin, will have provided educational support to the whole of the teaching network there.

14. Article 14 of the Covenant: Free compulsory primary education

355. All matters relevant to this article have already been dealt with in detail in the initial report.

15. Article 15 of the Covenant: Right to take part in cultural life

15.1

356. A number of replies to the questions raised in connection with article 15 of the Covenant were provided in the initial report. Apart from the measures mentioned in the initial report, additional legislative and other measures taken by the Government of Benin to ensure the exercise of everyone's right to take part in the cultural life of their choice and to express their own culture are of several kinds:

- Decree No. 97-499 of 16 October 1997 established a Benin National Crafts Fair and a Beninese Craftworkers' Day. The aims of the fair are:
 - To promote a spirit of creativity among Beninese craftworkers;
 - To prepare Beninese craftworkers for international exhibitions and events;
 - To promote Beninese handicraft products in the national and foreign markets;

- To progressively encourage their substitution for imported products.

357. The national fair is held every year.

358. The Beninese Craftworkers Day, is designed to honour craftworkers for their contribution to Benin's economic and social development.

359. Organization of the fair and the day is entrusted to a technical committee established by order of the Minister in charge of handicrafts.

- Act No. 97-031 of 20 August 1997 establishing an annual holiday for traditional religions. This holiday is celebrated on 10 January each year and is the occasion for major cultural events. It is declared to be a day off with pay throughout the national territory;
- A new Handicrafts Code (Act No. 98-037 of 22 November 2001) has been adopted. It sets out:
 - Branches of craft activity in the Republic of Benin;
 - Conditions for the practice of handicrafts;
 - Supervision, offences and penalties.

360. Since the ending of the broadcasting monopoly in 1997, Benin has had many private radio and television stations as well as a number of press organs, which join public bodies in disseminating scientific, technical and cultural information. The State gives subsidies to the private media. The Audio-Visual and Communication Authority (HAAC) is the guarantor of freedom of information and communication in accordance with articles 24, 142 and 143 of the 11 December 1990 Constitution and with articles 5 ff. of Organization Act No. 92-021 of 21 August 1992 on the Audio-Visual and Communication Authority (HAAC).

361. The data on media use given by the second demographic and health survey show that 33 per cent of women, as against 13 per cent of men, do not use the media (press, radio or television). It would thus appear that some 67 per cent of women do use the media, while the situation for men is even better. There are significant differences between urban and rural areas: 24 per cent of women in the towns do not use any media (21 per cent in Cotonou and 26 per cent in the other towns), as opposed to 39 per cent for women in the countryside. In the case of male urban residents, this proportion is 10 per cent (9 per cent in Cotonou and 10 per cent in the other towns), as against 16 per cent in rural areas. There is a strong correlation between the level of education and media use: 40 per cent of women without an education do not use the media, as against 28 per cent of women with a primary education and only 10 per cent of women with a secondary education or above. Among men, the corresponding figures are 21 per cent for those without an education, 12 per cent for those with primary education and 4 per cent for those with secondary education or above.

362. A new Copyright Act (Act No. 2005-030 of 9 August 2005) has been adopted.

363. Prior to this Act, a whole series of regulations had already been introduced:

- Order No. 4 MCC/CAB/BUBEDRA/SPC/SJC of 2 March 1998, establishing the royalties payable for public performances in the Republic of Benin;
- Order No. 5 MCC/CAB/BUBEDRA/SPC/SJC of 2 March 1998, establishing the rates for reprography or multicopying in the Republic of Benin;
- Order No. 6 MCC/CAB/BUBEDRA/SPC/SJC of 2 March 1998, establishing royalties for mechanical reproduction in the Republic of Benin;
- Order No. 7 MCC/CAB/BUBEDRA/SPC/SJC of 2 March 1998, establishing rates for private copying in the Republic of Benin;
- Order No. 8 MCC/CAB/BUBEDRA/SPC/SJC of 2 March 1998, establishing radio and television licence fees and audio-visual royalties in the Republic of Benin.

364. The pirating of literary and artistic works is today viewed as a global scourge inflicting substantial damage on the entire phonographic and video recording industry. The growth of the phenomenon in Benin is due mainly to the permeability of its borders and non-compliance with copyright legislation and regulations by Beninese artists and producers of cassettes and records who market their products without reference to the Copyright Office of Benin (BUBEDRA), which is supposed to issue them with the prior authorization required by law against payment of mechanical reproduction royalties.

365. The Copyright Office nevertheless committed itself to the struggle against this phenomenon at a very early stage. An ad hoc committee has been established to examine ways and means to supplement its efforts by the strong involvement of the entire administration through the customs, the police, the gendarmerie and the judiciary and of certain resource persons: the artists themselves, producers, publishers and suppliers of audio or audio-visual carriers. The Office often seizes pirated records and cassettes sold in markets and on the street. The confiscated items are destroyed.

15.2

366. Benin has recently developed a Cultural Outreach Support Programme. The programme, which will last 36 months, is intended to make an effective contribution to developing the various areas of arts and culture, from design to publication and to cultural development in general everywhere in the country. The programme is also designed to strengthen cultural actors, and the operational structure responsible for managing the programme will conduct a nationwide appraisal of the Beninese cultural scene in order to guide cultural activities as equitably as possible. This programme receives financial support from the European Union.
