



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Fifty-sixth session

Summary record of the 1163rd meeting

Held at the Palais des Nations, Geneva, on Thursday, 3 October 2013, at 10 a.m.

Chairperson: Ms. Ameline

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Fourth periodic report of Benin (CEDAW/C/BEN/4, CEDAW/C/BEN/Q/4, CEDAW/C/BEN/Q/4/Add.1 and Add.1/Corr.1)

1. *At the invitation of the Chairperson, the delegation of Benin took places at the Committee table.*
2. **Ms. Sranon Sossou** (Benin), introducing the fourth periodic report of Benin (CEDAW/C/BEN/4), prepared in consultation with civil society, said that the 1990 Constitution enshrined the principle of equality for all citizens without distinction as to origin, race, sex, religion, political opinion or social position, which was fundamental to democracy and respect for human rights. Benin had ratified several international human rights instruments, and had adopted a number of measures to eliminate discrimination against women and to offer equal opportunities, notably in terms of education, training, employment and financial independence. Yet, despite those efforts, women's enjoyment of rights continued to be hampered by entrenched traditional beliefs and practices. Women themselves were sometimes resistant to change and insufficiently aware of their status as full citizens, shackled by cultural and traditional stereotypes.
3. Legislative reform had led to the adoption of legislation in 2004 establishing the Personal and Family Code, which laid down egalitarian principles such as abolishing levirate marriage, setting the legal age for marriage for boys and girls at 18, instituting monogamous marriage, equal parental authority and inheritance rights, regardless of gender. It also provided that a dowry should be symbolic and that each spouse should have full legal capacity.
4. The Government was committed to women's empowerment and combating discrimination and gender-based violence and, in 2009, had launched a national policy with the aim of achieving gender equality and parity by 2025 through a range of measures targeted at women. They included poverty-reduction and development programmes a large-scale microcredit programme, the enactment of legislation in 2012 to prevent and punish violence against women and the establishment of a national institute for the advancement of women in 2009.
5. Specific measures being implemented focused on combating forced marriage and female genital mutilation (FGM) and increasing women's participation in political life. Steps had also been taken to raise female school attendance rates, including by providing free secondary, as well as primary, education; to enhance the legal status and socioeconomic capacities of women; to strengthen local structures to combat violence against women; to improve training for midwives and maternal and reproductive health-care provision; and to raise awareness among members of the judiciary and the police of violence against women, including by issuing guidelines on preventing violence, handling cases and supporting victims.
6. All the reforms had been carried out with wide support from the international community and she expressed her Government's gratitude to its non-governmental organization (NGO) partners, who had provided valuable assistance. Benin was committed to pursuing large-scale reforms to eliminate discrimination against women and to carrying them out effectively, with the assistance of the international community, taking into account the recommendations of the Committee.

Articles 1 to 3

7. **The Chairperson**, speaking in her capacity as an expert, while acknowledging the efforts made by the State party thus far, said that neither the Constitution nor more recent legislation contained a definition of discrimination in line with the Convention. Moreover, there was a general lack of awareness of the provisions of the Convention and relevant national legislation which hampered their proper application and the implementation of related measures. While the work of NGOs in Benin was indeed laudable, it could not overcome basic structural problems in the application of the law and the national justice system. That called for special training among judges and law enforcement officers and better access to courts and legal aid. She requested information on the composition, budget and mandate of the national human rights commission and asked whether it was operational yet.

8. **Ms. Zou Xiaoqiao** asked what measures were in place to ensure that the bodies responsible for gender issues, the National Council for Gender Equality and the Ministry for the Family and National Solidarity, coordinated with each other and discharged their gender equality mandates effectively, without overlapping. What financial and human resources had been allocated to those bodies? Had similar bodies been established at the local level and, if so, what guidance was given to them from the national bodies? She enquired about the role played by the directorate within the Ministry for the Family and National Solidarity in the promotion of women and gender equality. Had a study been carried out to assess implementation of the national policy on gender equality adopted in March 2009 and what were the main obstacles faced? She requested more information on the programmes and projects carried out under the policy and achievements to date.

9. **Ms. Sranon Sossou** (Benin) said that the national machinery for women's issues went from the grass-roots level all the way to the top of Government and there was a women's council in local areas. There were judicial officials in all municipalities whose task was to listen to women's needs and take appropriate action. Greater awareness-raising in some regions had led to more women seeking assistance from the judicial officials and other services. As women learned about their rights, more were starting to complain about violations; thus, statistically, it looked as though violence against women was higher in those regions but, in fact, it was due to increased reporting of cases of violence against women. Two reports had been published by the Ministry for the Family and National Solidarity in 2012 on the mechanisms, bodies and services working for women's rights in order to analyse their effectiveness and how well they cooperated.

10. **Mr. Djenontin-Agossou** (Benin) said that members of the prosecution, police and judiciary were given training on how to deal with cases of violence against women and how to support victims. A victim support centre would be established shortly, offering a full range of services, including of judges, prosecutors, judicial officials and the police. A national human rights commission had been established in accordance with the Paris Principles and was staffed by a judge, two parliamentarians, law commission members, academics, members of the previous human rights commission and representatives of NGOs. The latter were entitled to be parties in legal proceedings.

11. **The Chairperson**, speaking in her capacity as an expert, asked whether the national human rights commission had the power to appeal in cases of violations of women's rights and whether the body was already in operation. Was the Convention ever invoked by the Constitutional Court in its jurisprudence and how was its visibility ensured?

12. **Ms. Gabr** asked whether the Convention was translated into local languages to ensure widespread dissemination.

13. **Ms. Sranon Sossou** (Benin) said that the National Council for Gender Equality was part of the Ministry of Development and was thus funded from the national budget. It

liaised with the Ministry for the Family and National Solidarity on gender equality and there was no overlap in their mandates.

14. **Mr. Djenontin-Agossou** (Benin) said that the national human rights commission was not yet operational. The Constitutional Court did refer to the provisions of the Convention in its jurisprudence. The Ministry of Culture was responsible for language matters and worked in conjunction with NGOs to ensure that pamphlets and brochures on violence against women were translated into local languages and dialects.

Articles 4 to 6

15. **Ms. Leinarte** requested information on temporary special measures introduced to ensure women's participation in political life and decision-making and to uphold other women's rights.

16. **Ms. Gabr** asked how the Government intended to address gender stereotypes in the future because steps taken to date did not go far enough; a comprehensive action plan was needed. Violence against women was a direct consequence of gender stereotypes and domestic violence statistics were alarming. She requested information on measures adopted since 2012 to implement the law enacted on violence against women. She sought clarification regarding reports that the Government considered abortion to be a form of violence against women. She requested statistics on the implementation of the law criminalizing FGM, including on the number of cases reported and prosecutions brought. She encouraged the Government to adopt measures on FGM to serve as an example to all countries on the African continent.

17. Benin had ratified the Palermo Protocol and had enacted a law prohibiting trafficking in children. She requested more information on the draft law purported to be under preparation prohibiting the trafficking of women, including whether it would have a human rights approach to victims, how victims would be defined and what protection measures for victims were envisaged, especially for women and girls. How would it ensure that all the different bodies concerned coordinated and how would activities be funded? She enquired about government plans to establish a database on trafficking in persons, which was essential to be able to address the problem effectively. How would the Government tackle the underlying reasons for trafficking, namely poverty, exploitation through prostitution, the lack of safe housing and facilities for victims?

18. She asked for data on the number of children affected by the practice of *vidomegon* (the domestic servitude of children placed with wealthier families by their impoverished birth families). She enquired about action taken to address the problem of high numbers of refugees coming to Benin, primarily from Togo, who ran a real risk of being trafficked. During its universal periodic review, Benin had agreed to comply with the Human Rights Council's recommendation to prosecute the perpetrators of trafficking crimes; how many prosecutions had been brought?

19. **Ms. Sranon Sossou** (Benin) said that a number of laws had been enacted to protect women's rights on matters such as FGM, sexual and reproductive health, sexual harassment and sexual violence in schools. Considerable work was being done on the ground to encourage and train women to run for office, including efforts by NGOs to overcome sociocultural and religious taboos. Employing children as *vidomegons* instead of sending them to school was prohibited and there had been radio and television campaigns encouraging the population to report cases. Providing statistics on various forms of violence, she said that an action plan had been developed to address violence against women.

20. **Mr. Hounyeaze** (Benin) said that enforcement of the prohibition against FGM was tricky because individuals were skirting the law by travelling to neighbouring countries to

have the procedure carried out. He specified that not all children placed in foster families were *vidomegons*.

21. **Mr. Djenontin-Agossou** (Benin) said that broad-based awareness-raising efforts had been conducted countrywide regarding the law enacted in 2012 to prevent violence against women, investigative police had been trained on its provisions and a guide on good practices had been published. Abortion was only a crime if it was performed without consent.

22. **Ms. Leinarte** asked whether there were plans to institute quotas for the representation of women in the upcoming local elections.

23. **Mr. Hounyeaze** (Benin) replied that a bill on municipal-level quotas had been submitted to parliament but had not been adopted and discussions were still under way. In the meantime, political party leaders were being encouraged to improve the visibility of their female candidates with a view to bettering their odds of being elected.

24. **Ms. Sranon Sossou** (Benin) said that the Government, in cooperation with the Network for the Integration of Women in NGOs and African Associations (RIFONGA), had published a guide and were educating women about the logistics of running for office, such as selecting a campaign team, fixing a campaign budget and preparing a platform.

25. **The Chairperson**, speaking in her capacity as an expert, pointed out that, irrespective of the quality and scope of awareness-raising, it was very difficult for women to be elected without strong legal incentives and sanctions. It was crucial that women had a say in their own lives as well as in the future of the country.

26. **Ms. Gabr** wondered whether it might be possible to cooperate with neighbouring countries on the issue of FGM. She wished to know whether there was a bill on trafficking and, if so, what its provisions were, especially regarding the definition of trafficking and victim protection. She also asked how the State party intended to implement the recommendation made under the universal periodic review process in respect of prosecuting traffickers.

27. **Mr. Hounyeaze** (Benin) replied that the terms of intercountry cooperation on FGM were being discussed. The recommendation made as part of the universal periodic review process was being implemented and an operational plan was being devised in conjunction with NGOs.

Articles 7 to 9

28. **Ms. Haidar** stressed that without legal constraints the State party would be unable to substantially increase the political participation of women and enquired about the content of the bill on quotas. She suggested that political parties could be incentivized to fulfil their quotas and sanctioned when they fell short, and that the State party could request international technical assistance to put quotas into practice. She asked how the State party measured progress on the empowerment of women and how those policies were implemented in rural areas.

29. **Ms. Sranon Sossou** (Benin) said that the empowerment of women was an ongoing priority for the Government which would therefore consider taking a tougher stance on quotas. In 2006, the President had set up a microcredit project for women in the poorest segment of the population and the Ministry for the Family and National Solidarity had implemented a project providing women entrepreneurs with the equipment to transform foodstuffs, such as peanuts and rice, into secondary products.

30. **Ms. Haidar** asked why the report did not contain any data on women in diplomatic positions and whether the executive branch might take over the nomination of women to such posts.

31. **Mr. Laourou** (Benin) said that Benin had had a female minister for foreign affairs who was currently the President's special diplomatic adviser, and that there were six female ambassadors. The Government was committed to furthering the role of women in diplomacy, as the country had a wealth of highly qualified female candidates.

32. **Ms. Schulz** pointed out that there was a gender imbalance in some of the State party's legal provisions governing nationality that violated the Convention, particularly in respect of transferring nationality to a spouse, relinquishing or losing it. She asked whether there were plans to redress the imbalance and bring the provisions into line with the Convention and, if so, within what time frame.

33. **Mr. Laourou** (Benin) replied that the relevant legal provisions were being reviewed, but that he could not put a date on the completion of the review.

34. **The Chairperson**, speaking in her capacity as an expert, asked what progress had been made on birth registrations.

35. **Ms. Schulz** asked whether, given the distribution of the population, the 10-day period in which parents could register the birth of their children might not create a few practical hurdles discouraging registration. Since 70 per cent of births occurred in hospital, she suggested making hospitals responsible for sending the paperwork to the civil registry; alternatively, the State party might consider introducing birth registration via mobile text messages.

36. **Mr. Djenontin-Agossou** (Benin) replied that considerable efforts had been made to raise the population's awareness of the importance of registering births and that midwives and doctors had in fact received training on filling out declaration forms and transmitting them to the appropriate authority.

Articles 10 to 14

37. **Ms. Bailey** drew attention to the lack of clear, disaggregated data in both the report and the replies to the list of issues that made it almost impossible for the Committee to properly assess girls' access to education and determine trends in enrolment. She invited the delegation to provide the enrolment rate by gender at all levels of education. Noting the considerable discrepancies between the gross enrolment figures listed in the report and the replies, she asked which were accurate and how it was possible for the drop-out rate to be only 11 per cent when the school completion rate was 65 per cent. Furthermore, she wished to know what measures were in place to retrain girls at the lower levels and encourage them to pursue higher education, especially in the scientific and technical fields.

38. **Ms. Gbedemah** requested information about the expulsion of pregnant girls from school, measures to reintegrate them after the birth of their child, what the nature of the girls' clubs was and how effective they were. She asked what temporary special measures had been taken to integrate *vidomegons* into school. Referring to the law on sexual harassment in schools, she asked who the perpetrators tended to be, what type of sanctions had been taken against them and whether bullying was also addressed. She asked whether sex education classes were taught to both girls and boys. She wished to know whether progress had been made regarding the number of qualified teachers, specifically how many had been trained, for which levels of education and in which subjects. Similarly, where were the newly built schools located and did they meet minimum sanitation standards?

39. **Ms. Patten** asked about the low number of women in the labour force, and wondered whether the Government had introduced any temporary special measures to

address the problem. What safeguards were in place to ensure that the public recruitment policy was fair and transparent? Was there a complaint mechanism in place? What measures were being adopted to address occupational segregation and segregation within the education system?

40. She asked about pay gaps in the public and private sectors, and whether steps were being taken to close such gaps. She enquired about progress made with wage reform in the public sector, and whether the principle of equal pay for work of equal value had been taken into account in the process. Did the Government have a plan to address the problem of *vidomegons* through legislation, namely to ban the practice or regulate the system? How was the private sector regulated to prevent discrimination against women? Noting that the Government had introduced a five-year action plan on gender equality, she asked whether the impact of that plan had been evaluated. Given the high percentage of women working in the informal sector, she asked about the Government's policy in that regard, and any measures implemented to facilitate the transition of workers into the formal sector.

41. **Ms. Sranon Sossou** (Benin) said that a range of measures had been adopted to deal with the problem of girls dropping out of school, although further outreach work was required. Support measures for girls involved vocational classes in sewing and hairdressing, to provide them with the tools to set up their own businesses, as well as NGO-run training courses. There were also advisory services and helplines organized by local authorities, and a media campaign to encourage girls to contact those services.

42. The gender pay gap was not a major problem in Benin, where everyone earned the same wage. The Government was implementing a range of measures with regard to the informal sector, including improved access to health services. The microcredit programme ensured income support for families, and there were centres run by women to help women set up their own businesses.

43. **Mr. Djenontin-Agossou** (Benin) agreed that data-collection methods needed to be improved, in order to reflect the real situation on the ground. Pregnant girls were no longer expelled from school, and were able to resume classes as soon as possible after giving birth. There were practical workshops and special training centres to facilitate the reinsertion of both girls and boys into the education system. Certain problems did persist, however, especially in keeping women from low-income families in higher education. The United Nations Children's Fund also ran a programme to ensure that all girls remained in school.

44. Measures had been adopted to tackle sexual harassment. There was currently a greater level of awareness of the problem and the penalties involved, and parents were encouraged to report cases of harassment. Although he could not furnish any statistics, custodial sentences had been handed down to perpetrators, including teachers.

45. No gender pay gap existed in Benin. However, discrimination on the labour market was a problem, although the situation had much improved, as reflected by the number of female judges and magistrates (38), judiciary officials (23) and police commissioners (2) in Benin, and the fact that two ministries were headed by women. With regard to the informal sector, he said that it was important to consider measures to address non-compliance with labour legislation in both the formal and the informal sectors.

46. **Ms. Sranon Sossou** (Benin) said that youth unemployment was a serious problem, and a programme had been set up to encourage young persons to take up careers in the agricultural rather than the industrial sector. With local authority support, they were given training and land, and the Government would then buy their produce. Free education was not enough, if infrastructural problems — namely inadequate facilities — were not remedied. Government officials had recently visited local authorities to identify problems and develop solutions, with the support of technical and financial partners. Examples of measures included initiatives to build or expand school facilities. There was a need for

cooperation at all levels, including at grass-roots level, to resolve the problem of overcrowding.

47. **The Chairperson**, speaking in her capacity as an expert, indicated that pay gaps existed everywhere in the world, and that de jure equality did not necessarily translate into de facto parity. She asked about the gender divide in the field of technology, and whether new technologies could be added to the school curriculum. Welcoming the State party's legislation on access to land, she suggested that it might serve as an example for improvements in other sectors.

48. **Ms. Gabr** asked whether statistics were available on women holding senior positions, as well as on women in the university system.

49. **Ms. Patten** asked what steps the Government was taking to regulate the private sector. What measures were being taken to prevent discrimination during the recruitment process? What role did labour inspectors play and did they receive training on the Convention? Noting that the Criminal Code did not cover hostile work environments, and that the International Labour Organization had requested that the State party should amend its legislation to address that oversight, she asked what steps the Government was taking. What policy did the Government have with regard to the informal sector? She suggested that disaggregated data relating to article 11 should be included in the next periodic report.

50. **Ms. Bailey** encouraged the State party to focus on the collection of accurate data, in order to analyse the real situation on the ground. For example, none of the data provided in the report indicated that there was gender parity in terms of school enrolment. She urged the State party to diversify the options available to girls who dropped out of school, in order to avoid perpetuating the cycle of low-paid, low-status jobs for women, and suggested that information technology training might be an option to consider.

51. **Ms. Sranon Sossou** (Benin) said that, in the next periodic report, clearer data and statistics would be provided, including data on universities. She agreed that new technologies needed to be taken into account, and the relevant training provided to both girls and boys. With regard to the private sector, a ministry had been established to deal with small and medium-sized enterprises, and a range of measures had been implemented, including strong partnerships and support for female entrepreneurs.

52. **Mr. Hounyeaze** (Benin) said that labour inspectors visited private sector businesses, providing support and advice.

53. **Mr. Djenontin-Agossou** (Benin) said that sex education formed part of the information provided by family planning associations throughout the country, which included teaching girls to avoid sexually transmitted diseases and unwanted pregnancies. Certain groups of workers chose to remain in the informal sector for tax-related reasons, but the Government was taking steps to encourage workers and entrepreneurs to move from the informal to the formal sector, by providing support and a range of incentives. Women were represented in chambers of commerce and participated in the decision-making process.

54. The problem of *vidomegons* was linked to traditional cultural practices, and although efforts undertaken by the State party and NGOs to tackle it had been largely successful, the State party would consider taking further measures. He stressed that the use of children as domestic slaves was prohibited.

55. **The Chairperson**, speaking in her capacity as an expert, said that at a time when the State party was still emerging from a crisis situation, it was important to acknowledge that women could serve as a force for progress and form part of the solution to a range of problems.

56. **Ms. Nwankwo** asked what measures were being taken to address misunderstandings about the use of contraceptives and to tackle high maternal mortality and morbidity, given that the Government's current strategy on maternal mortality was not working. What steps was the Government taking to implement the recommendations made by the Committee in connection with the previous periodic report on access to health care? Since women still required their husband's permission to obtain contraception, were spouses provided with information on women's reproductive rights? Under the legislation on abortion, women required the permission of the court before undergoing the procedure. In view of the lengthy delays that that process could entail, was the State party planning to review that provision and what measures was it taking to raise awareness of the law? What was the Government doing to tackle the apparent feminization of HIV/AIDS and to reduce women's vulnerability to the disease?

57. **Ms. Pomeranzi** said that although the report mentioned increased autonomy for women as a result of the use of microcredits, there were no statistics available. Had an appropriate impact analysis been carried out? It was necessary to examine what made women vulnerable in order to tailor policies that would enable them to take advantage of opportunities. She wondered whether such an approach could be adopted within the framework of family or development policies, allowing the microcredit programme to serve as a useful development tool. She asked about the work of the technical committee, the family monitoring centre and civil society organizations. It was important to develop partnerships beyond cooperation with line ministries, and to involve the social partners.

58. **Ms. Patten** said that the issue of access to land posed an obstacle to the economic empowerment of rural women. What efforts was the State party making to ensure that the rural land code was being implemented, including awareness-raising measures, and had an impact assessment been carried out? She applauded the provisions of the Personal and Family Code, which stipulated that customs ceased to have the force of law, but wished to know how the Government ensured the implementation of those provisions. Were sanctions applied in cases of non-compliance?

59. There were reports that gender issues had been neglected in the context of development policy and the State party's report was silent on that matter. To what extent were Government policies based on gender-disaggregated data and were efforts made to develop a gender-sensitive land policy? Were steps being taken to encourage the participation of civil society in shaping land policy? She asked about women's access to agricultural resources and services, including agricultural credit. Although some success had been achieved in terms of relaxing selection criteria for loan applications from rural women, women were still excluded from major areas of policy development and programming, and not represented in agricultural organizations. What was being done to promote their participation and ensure they were represented? What steps was the Government taking to improve women's participation in the management of water resources, and to address the problem of inequalities in the agricultural sector, where women were reported to work longer hours than men? How was the Government tackling that form of exploitation?

60. **The Chairperson**, speaking in her capacity as an expert, noted that women should not only benefit from development policies but also participate in the decision-making and policymaking processes. It was also necessary to carry out impact assessments and evaluate the microcredit system, so as to ensure that female entrepreneurs did not become dependent on such credits.

The meeting rose at 1 p.m.