



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Concluding observations on the initial report of Benin*

1. The Committee considered the initial report of Benin¹ at its 572nd and 573rd meetings,² held on 2 and 3 December 2024. At its 590th meeting, held on 13 December 2024, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report of the State party, its replies to the list of issues³ and the additional information provided by the multisectoral delegation headed by Yvon Detchenou, Minister of Justice and Legislation.

3. The Committee appreciates the dialogue held with the delegation, the information provided by the State party's representatives and the constructive approach to the meetings, which allowed for collaborative analysis and reflection. The Committee is also grateful to the State party for its replies and the additional information it submitted within 24 hours of the dialogue.

4. The Committee recognizes that Benin has made progress in protecting all the rights of migrant workers and members of their families. It notes, however, that as a country of origin, transit, destination and return, the State party faces a number of challenges in protecting these rights.

B. Positive aspects

5. The Committee notes with appreciation the ratification of or accession to the following instruments:

- (a) The International Convention for the Protection of All Persons from Enforced Disappearance, in 2017;
- (b) The Convention on the Rights of Persons with Disabilities, in 2012;
- (c) The International Convention on the Elimination of All Forms of Racial Discrimination, in 2001;
- (d) The International Covenant on Civil and Political Rights, in 1992;
- (e) The International Covenant on Economic, Social and Cultural Rights, in 1992;

* Adopted by the Committee at its thirty-ninth session (2–13 December 2024).

¹ [CMW/C/BEN/1](#).

² See [CMW/C/SR.572](#) and [CMW/C/SR.573](#).

³ [CMW/C/BEN/RQ/1](#).



- (f) The Convention on the Elimination of All Forms of Discrimination against Women, in 1992;
- (g) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 1992;
- (h) The Convention on the Rights of the Child, in 1990;
- (i) The International Labour Organization (ILO) Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), in 1980;
- (j) The African Charter on Human and Peoples' Rights, in 1986;
- (k) The African Charter on the Rights and Welfare of the Child, in 1997.

6. The Committee welcomes the legislative measures taken by the State party, including the adoption of the following laws:

- (a) Act No. 2024-31 of 2 September 2024 on the Recognition of Beninese Nationality for Afrodescendants in Benin;
- (b) The Constitution (Act No. 2019-40 of 7 November 2019 amending Act No. 90-32 of 11 December 1990 establishing the Constitution), which protects the rights and interests of Beninese citizens abroad and guarantees foreign nationals in Benin the same rights and freedoms as Beninese citizens under the conditions determined by law;
- (c) Act No. 2022-32 of 20 December 2022 on the Nationality Code of Benin, which allows foreign nationals who have lived in Benin for at least five years and who work to acquire Beninese nationality by naturalization.

7. The Committee notes with satisfaction that the State party announced its intention to vote in favour of the Global Compact for Safe, Orderly and Regular Migration, adopted by the General Assembly in resolution 73/195. The Committee recommends that the State party continue to make efforts to implement the Global Compact within the framework of its international obligations under the Convention and other international human rights instruments.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 73 and 84)

Legislation and application

8. The Committee welcomes the clarification provided by the head of the State party's delegation during the dialogue concerning the direct applicability of the Convention, which takes precedence over national legislation. The Committee is concerned, however, about the lack of detailed information on the application of the Convention by officials. In addition, the Committee notes that the State party does not have a specific and comprehensive legislative framework to regulate the situation of migrant workers and members of their families, and that certain provisions of Act No. 86-012 of 26 February 1986, in particular those concerning the deprivation of liberty and expulsion of persons in an irregular situation, conflict with the Convention.

9. The Committee urges the State party to take all necessary measures to fully incorporate the Convention into its national law and to ensure that its laws and policies are aligned with the provisions of the Convention. The Committee recommends that the State party amend the existing national legal framework, in particular Act No. 86-012 of 26 February 1986, to bring it into line with articles 16–18 and articles 22 and 56 of the Convention by guaranteeing all appropriate assistance and due process, including through the allocation of the resources necessary for the implementation of the provisions of the Convention. The Committee encourages the State party to include, in its next periodic report, detailed information on the implementation of the Convention by officials and national courts.

Articles 76 and 77

10. While taking note of the information provided by the State party,⁴ the Committee encourages the State party to consider making the declarations provided for in articles 76 and 77 of the Convention recognizing the competence of the Committee to receive and consider communications from States parties and individuals concerning violations of the rights established by the Convention.

Ratification of relevant instruments

11. The Committee welcomes the State party's ratification of several ILO Conventions and invites it to consider accelerating ratification of or accession to the ILO Migration for Employment Convention (Revised), 1949 (No. 97), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), the Occupational Safety and Health Convention, 1981 (No. 155), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), the Domestic Workers Convention, 2011 (No. 189), the Violence and Harassment Convention, 2019 (No. 190) and the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29). According to the information provided by the State party, some of these ratification or accession procedures are under way.

Comprehensive policy and strategy

12. The Committee notes that the State party is currently drafting a migration policy but regrets the absence of any migration policy or strategy aimed, in particular, at implementing the Convention and enabling migrant workers to fully exercise their rights.

13. **The Committee recommends that the State party develop comprehensive policies and strategies for the promotion and protection of the rights of migrant workers and members of their families, in accordance with its obligations under the Convention. The Committee also recommends that the State party:**

(a) **Ensure that these policies and strategies focus on the implementation of the Convention and provide for a comprehensive migration policy based on human rights, including gender issues, the best interests of the child and the rights of all migrant workers and members of their families, whether they are living in Benin or are Beninese nationals living outside the State party;**

(b) **Take effective measures, with clear timelines, indicators and monitoring and evaluation criteria, to implement these strategies; provide sufficient human, technical and financial resources for their implementation; and include, in its next periodic report, relevant information, supported by statistics, on the results achieved and difficulties encountered.**

Coordination

14. The Committee takes note of the information provided on the role played by the various institutions in relation to the rights of migrant workers and members of their families in the State party. However, it is concerned about the inadequate coordination between the institutions and services on migration issues, and about the absence of a clearly designated body with the composition, mandate, powers and authority to coordinate the implementation of the rights protected by the Convention.

15. **The Committee recommends that the State party strengthen its institutional framework on migration-related issues by designating an appropriate high-level interministerial body with a clear mandate and sufficient authority for coordination purposes. The Committee encourages this body to coordinate, in an appropriate manner, the activities of all the intergovernmental entities and civil society organizations concerned, notably through monitoring and follow-up measures. The Committee also recommends that the State party provide this coordination body with sufficient human, technical and financial resources to enable it to function effectively**

⁴ CMW/C/BEN/RQ/1, para. 32.

and sustainably and to ensure the effective implementation of the rights protected by the Convention.

Data collection

16. The Committee congratulates the State party on the creation of the IDiaspora platform, which facilitates consular registration of Beninese abroad and helps to identify nationals working abroad. It also notes the MIDAS project, launched in 2019 with the International Organization for Migration, and a qualitative migration survey carried out in 2024, which provided data on the entry and exit of persons to and from Benin. However, the Committee regrets the lack of disaggregated data in this survey. It is concerned about the lack of detailed information on migrants, including on the number and conditions of foreign migrant workers in the State party, as well as on Beninese migrant workers abroad, returnees, migrants in transit, women and children who are unaccompanied or separated from their families. The Committee recalls that this information is essential for assessing the situation of migrant workers and the application of the Convention.

17. The Committee recommends that the State party:

(a) **Create, in accordance with target 17.18 of the Sustainable Development Goals and objective 1 of the Global Compact for Safe, Orderly and Regular Migration, a system to collect data on the situation of migrant workers and members of their families in the State party, in particular those in an irregular situation, covering all aspects of the Convention; and provide publicly available statistics on foreign migrant workers, in both regular and irregular situations, migrant workers in transit, and members of their families, nationals working abroad and their conditions of employment, returnees, children who migrate abroad, including children who are unaccompanied or separated from their families, and spouses and children of migrant workers who are left behind in the State party, in order to effectively promote human rights-based migration policies;**

(b) **Take account, during data-collection exercises, of gender issues, the best interests of the child and human rights; ensure that the rights to privacy and protection of personal information and data of migrant workers and members of their families are respected, in particular by setting up firewalls; and ensure that personal information is deleted once the goal of the data-collection exercise has been achieved, so that personal data is not used for migration control purposes or to discriminate in the provision of public and private services;**

(c) **Include, in such a system, the situation of all migrant workers and members of their families for whom Benin is a country of origin, transit, destination or return, and compile data disaggregated, including by sex, age, nationality, reason for entry into or departure from the country, type of work performed, particular categories of migrant workers, ethnic origin, migration status and disability;**

(d) **Ensure the coordination, integration and dissemination of such data and design indicators to measure progress and the results of policies and programmes based on such data;**

(e) **Provide, in its next periodic report, data based on studies or estimates where it is not possible to obtain precise information, such as information on migrant workers in an irregular situation.**

Independent monitoring

18. The Committee notes with satisfaction the efforts made to strengthen the Benin Human Rights Commission, in particular by allocating it more financial resources, which enabled it, in March 2022, to be accredited with category A status by the Global Alliance of National Human Rights Institutions. However, the Committee is concerned that the Commission has not received any individual complaints from migrant workers or members of their families.

19. The Committee also notes with satisfaction the measures taken by the Subcommission on Children, Statelessness, Refugees, Immigrants and Internally Displaced Persons to issue

birth certificates, raise awareness of immigrants' rights and conduct a study on the rights of immigrants and stateless persons. The Committee is concerned, however, about the lack of capacity of the Benin Human Rights Commission to mobilize effectively the resources required for the Subcommission to function properly.

20. **The Committee recommends that the State party take the necessary measures to strengthen the Benin Human Rights Commission so that it can proactively promote and protect the rights of migrant workers and members of their families guaranteed by the Convention, in particular by developing the mechanism for filing individual complaints. The Committee also recommends that the State party strengthen the capacity of the Subcommission on Children, Statelessness, Refugees, Immigrants and Internally Displaced Persons so that it can perform its functions effectively, including through the appropriate mobilization of resources.**

Training on and dissemination of information about the Convention

21. The Committee takes note of the information provided by the State party on the training envisaged by the Ministry of Labour for the competent officials of various entities with regard to the protection of the rights of migrant workers. The Committee is concerned about the lack of details on this training and of specific information regarding legal assistance, its availability and victims' access to it. The Committee regrets the paucity of initiatives to make the Convention widely known, particularly in local languages, in order to promote its implementation and help the general public, migrant workers and members of their families, as well as relevant professionals, to become familiar with its provisions. The Committee is concerned that the low level of awareness of the Convention among migrant workers and members of their families accentuates their vulnerability, especially in the case of those employed in the informal sector of the economy.

22. **The Committee recommends that the State party take all necessary measures to:**

(a) **Ensure that training and awareness-raising programmes on the rights of migrant workers and members of their families under the Convention are put in place and make these programmes available to all officials and persons working in the field of migration, in particular law enforcement and border officials, judges, prosecutors and consular officials, social workers, unions and labour inspectors, at the national, regional and local levels, as well as civil society organizations, including migrant organizations;**

(b) **Ensure that migrant workers and members of their families have access to information and guidance on their rights under the Convention in all the languages commonly used in the State party, without discrimination, in particular through pre-employment and pre-departure orientation programmes that include information on the conditions of admission and employment and the rights and obligations arising from the legislation and practice of the State of employment;**

(c) **Ensure that cooperation with the media and civil society organizations is strengthened in such a way that information about the Convention is disseminated and the instrument promoted throughout the State party and in the destination countries of Beninese migrant workers.**

2. General principles (arts. 7 and 83)

Non-discrimination

23. The Committee notes that, in accordance with the State party's Constitution, the principle of non-discrimination covers certain grounds such as origin, race, sex and religion, but it regrets that not all of the prohibited grounds of discrimination under articles 1 (1) and 7 of the Convention are covered in the State party's legislation, notably language, nationality, age, economic position, property, marital status, birth, migration status or any other status.

24. The Committee notes with concern the lack of information on measures taken to uphold the principle of non-discrimination in practice in the State party, including efforts to

explicitly prohibit and eliminate all forms of discrimination against women and girls, as well as gender-based violence.

25. The Committee is concerned about the lack of information on specific prevention and protection measures to combat the various forms of racism, xenophobia, discrimination, ill-treatment and violence. It also notes the lack of information on the scale of such acts.

26. The Committee is also concerned about the lack of information on non-discrimination measures in relation to the impact of the effects of climate change, including natural disasters and environmental degradation, and on measures guaranteeing climate justice.

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

(a) **Adopt comprehensive legislation prohibiting all forms of discrimination, in compliance with the Convention and other relevant international instruments;**

(b) **Ensure that all migrant workers and members of their families, whether in a regular or an irregular situation, within its territory or subject to its jurisdiction, enjoy without discrimination the rights recognized in the Convention, in accordance with article 7 thereof, both in law and in practice;**

(c) **Provide, in its next periodic report, information on the measures taken to improve and implement its legislative framework on non-discrimination as regards the rights of migrant workers and members of their families, irrespective of their migration status;**

(d) **Ensure equality between men and women in migration policies and practices, including through adequate training of law enforcement officials, in particular by taking measures to eliminate discrimination against migrant women and to remedy any infringement of their rights to health, employment and education and any form of gender-based violence against women and girls, and by guaranteeing them measures for access to justice, redress and rehabilitation ;**

(e) **Take steps to develop specific institutional policies, strategies, procedures and initiatives to combat hate crimes, violence, xenophobia and discrimination against migrant workers and members of their families, including by endeavouring to raise awareness of and sensitize the public to these issues in collaboration with both State and non-State entities and actors;**

(f) **Incorporate, into policies on climate change, disaster risk reduction, preparedness, adaptation and mitigation measures, an approach founded on participation, responsibility and empowerment in order to guarantee special protection for disadvantaged or vulnerable groups of migrants.**

Right to an effective remedy

28. The Committee takes note of the establishment, in 2024, of a legal assistance mechanism to be deployed for all vulnerable persons to ensure them access to justice and access to rights such as education, health and employment. However, the Committee is concerned about the paucity of information on the number of cases and/or proceedings brought by migrant workers or members of their families, including those in an irregular situation, in relation to violations of their rights under the Convention. The Committee also regrets the lack of information on specific provisions and procedures for filing complaints, as well as the lack of data concerning complaints from migrant workers and members of their families examined by the Office of the Ombudsman.

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

(a) **Provide for accessible procedures whereby migrant workers may file complaints concerning violations of their rights under the Convention and provide information on existing complaints procedures;**

(b) **Ensure, in law and in practice, that migrant workers and members of their families, including those in an irregular situation, have the same opportunities as its nationals to file complaints and obtain redress before the courts when their rights under the Convention have been violated;**

(c) **Take specific measures to inform migrant workers and members of their families, including those in an irregular situation, about the judicial and other remedies available to them in the event of a violation of their rights under the Convention;**

(d) **Collect data, disaggregated by sex, age, nationality, field of activity and migration status, on complaints filed and decisions taken thereon.**

3. Human rights of all migrant workers and members of their families (arts. 8–35)

Labour exploitation and other forms of ill-treatment

30. The Committee takes note of article 3 of the Labour Code, which categorically prohibits forced labour. The Committee is concerned about the lack of information on the extent and forms of labour exploitation, as well as on any specific policies or initiatives to prevent and eliminate such practices in the State party. The Committee is gravely concerned about reports that women and children are employed as domestic workers and may be subjected to deplorable or exploitative working conditions. The Committee also regrets the prevalence of forced marriage in the State party.

31. **In accordance with targets 8.7 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Gather information on the extent of forced labour, with a view to establishing policies, strategies and enforcement mechanisms to ensure that its legislative and policy framework is in conformity with its obligations under ILO Conventions;**

(b) **Organize regular visits by the Labour Inspectorate, increase the number of ad hoc and unannounced inspections, particularly in the informal sector of the economy, and establish standards for data collection and data processing;**

(c) **Eliminate and effectively combat child marriage, and prosecute, punish and sanction individuals or groups who exploit women or children or subject them to forced labour, to any form of abuse or to sexual violence, while providing effective protection measures for victims and their families, particularly in the informal economy;**

(d) **Provide adequate assistance, protection and rehabilitation, including psychosocial rehabilitation, to migrant workers, particularly women and children, who have been victims of labour exploitation.**

Detention and expulsion

32. The Committee notes that the State party is not aware of any cases of migrant workers being detained or repatriated because of their migration status and that immigration-related offences do not fall within the scope of criminal law. It notes that expulsion is provided for, as an administrative sanction, in Act No. 86-012 of 26 February 1986 establishing regulations for foreign nationals and in Decree No. 2006-066 of 24 February 2006 regulating the accommodation of foreign nationals. It is concerned that Beninese law does not specify any objective criteria for expulsion decisions or reasonable time frame for their execution and does not include any provision establishing the suspensive effect of any appeal against an expulsion decision.

33. In addition, the Committee is concerned about the lack of information on migrant workers who are nationals of the State party and have been detained abroad in countries of employment or transit. It is also concerned that, despite efforts to improve conditions in prisons, the State party faces obstacles to the introduction of arrangements for the segregation of remand and convicted prisoners in all facilities on account of a lack of resources.

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

(a) **Provide, in its next periodic report, detailed information, disaggregated by age, sex, origin and migration status, on migrants who are nationals of the State party and are arrested or detained abroad for violating migration law, including information on procedures and efforts undertaken to assist, support and repatriate victims;**

(b) **Bring its legislative framework into line with articles 22 and 56 of the Convention, particularly by establishing objective and precise criteria for the expulsion of migrants from Benin and a reasonable time frame for the execution of expulsion decisions, as well as the possibility of lodging an appeal against an expulsion decision and the suspensive effect of such an appeal, and ensure that the principle of the best interests of the child is taken into consideration during expulsions;**

(c) **Ensure that migration detention is used only as an exceptional measure of last resort and for as short a time as possible, that adequate and decent conditions are provided in places of detention and, where appropriate, that migrants in administrative detention are effectively segregated from those under criminal investigation;**

(d) **Adopt alternative measures to detention for children of migrant workers, unaccompanied children, children separated from their parents and children in conflict with the law.**

Consular assistance

35. The Committee notes that consular assistance is provided by 15 embassies and one consulate general abroad. The Committee regrets that there is a lack of practical information on specific assistance, other than services involving the dissemination of information and provision of advice, offered by diplomatic entities to migrant workers and members of their families, victims of abuse, ill-treatment or exploitation, and persons deprived of their liberty and/or subject to expulsion orders.

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

(a) **Ensure that all migrant workers and members of their families have access to consular support for the protection of the rights set forth in the Convention, including by taking measures to assist and rehabilitate victims in cases of abuse, ill-treatment, exploitation, deprivation of liberty or expulsion;**

(b) **Strengthen the capacity of its consulates and embassies, and of their staff, to provide advice, assistance and protection to migrant workers and their families residing abroad, in particular through appropriate training on the laws and procedures of the countries of employment of migrant workers and on the Convention;**

(c) **Ensure that Beninese citizens deprived of their liberty abroad receive consular assistance and legal assistance and advice, and provide information in this regard in the next periodic report;**

(d) **Collaborate with civil society organizations, associations, community organizations and volunteers in managing migrants and providing assistance to them in countries of origin and destination.**

Remuneration and conditions of work

37. The Committee notes that, under article 4 (1) of Act No. 98-019 of 21 March 2003 on the Social Security Code of Benin, migrant workers enjoy the right to social security under the same conditions as nationals. The Committee welcomes the social security and pension arrangements put in place with France and Côte d'Ivoire, as well as the inter-fund payment agreements on social protection for Beninese nationals employed abroad, such as those concluded with the Niger, Burkina Faso and Senegal. However, the Committee regrets that there are gaps in access to social security for workers in an irregular situation, which has a negative impact on the effective exercise of their rights in this regard. It is also concerned about the limited information provided on the human, financial and technical resources of the Labour Inspectorate and the use of inspection mechanisms in terms of the number of visits carried out, the notifications sent to employers and the action taken in response to complaints, including follow-up measures.

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

(a) **Ensure that all migrant workers and members of their families, including those in an irregular situation, are able to benefit from the minimum wage and the social security scheme and that they are informed of their rights in this regard;**

(b) **Strengthen the capacity of the Labour Inspectorate by providing it with adequate human, financial and technical resources, as required, inter alia, under the ILO Labour Inspection Convention, 1947 (No. 81), ensure regular monitoring and inspections, see to it that any anomalies detected during an inspection in relation to the working conditions of migrant workers in a regular or an irregular situation are followed up on, and safeguard the access of those workers to social security contributions;**

(c) **Intensify measures concerning bilateral and multilateral social security agreements with migrant workers' countries of origin and destination, ensuring that they are gender-sensitive and non-discriminatory in order to guarantee social protection for all migrant workers.**

Medical care

39. The Committee takes note of the information provided by the State party according to which the right to health is not subject to any restrictions and both nationals and migrants are covered by the public health system. The Committee nevertheless regrets the lack of detailed information on the situation with respect to effective access for all migrant workers to health services, including emergency medical care.

40. **The Committee recommends that the State party ensure that all migrant workers and members of their families, whether they are in a regular or an irregular situation, have access to the health system, including emergency care, and that they are informed of their rights in this regard. It also recommends that the State party provide, in its next periodic report, detailed information on the use of health services by migrant workers.**

Birth registration and nationality

41. The Committee is concerned about the lack of information on birth registration for children of migrant workers, particularly those in an irregular situation.

42. **In conformity with joint general comments No. 3 and No.4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, and target 16.9 of the Sustainable Development Goals, the Committee recommends that the State party ensure that all children of migrant workers living abroad and children born in its territory, especially the children of migrants in an irregular situation and asylum-seekers, are registered at birth, issued with personal identity documents and have a nationality. The Committee also recommends that the State party raise awareness among migrants of the importance of registering their children's births, in particular through programmes or mechanisms that encourage late registration of births.**

Education

43. The Committee notes that the legislative provisions in force in the State party state that migrant children have the right to equal treatment with Beninese children with regard to access to education. The Committee nevertheless regrets the lack of information on the education of the children of migrant workers and the implementation of this right in practice.

44. **In conformity with joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 and No. 23 (2017) of the Committee on the Rights of the Child, and target 4.1 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Ensure the elimination of all regulatory and practical barriers so that children of migrant workers, irrespective of their status, have effective access to early childhood, primary and secondary education, free of charge, in a manner that promotes their integration in schools, under the same conditions as Beninese children;**

(b) **Put in place programmes to facilitate the teaching of the local language to migrants;**

(c) **Include, in its next periodic report, full information on the measures taken in this regard, including statistics, disaggregated by sex, age, nationality and migration status, and on the school enrolment rate and, where appropriate, the school dropout rate for children of migrant workers, whether in a regular or an irregular situation.**

Right to vote and to be elected in the State of origin

45. The Committee is concerned about the lack of information on this subject and notes that practical difficulties, due in particular to a lack of resources, are hindering the implementation of migrant workers' right to vote and to be elected. The Committee notes the lack of information on the right of migrant workers residing in Benin to vote and to participate in public affairs.

46. **The Committee recommends that the State party take steps to strengthen the capacity of the competent authorities, particularly in diplomatic offices abroad, by providing them with adequate human, financial and technical resources, and create the necessary conditions for all migrant workers and members of their families living abroad, particularly in countries where Benin has no diplomatic representation, to exercise their right to vote and to be elected. It also recommends that the State party provide, in its next periodic report, information on the right of migrant workers residing in Benin to vote and to participate in public affairs, both in their country of origin and in the State party.**

Family reunification

47. The Committee notes that the State party issues one-year visas to children of migrant workers and that these visas are renewable for as long as necessary. However, the Committee is concerned about the lack of information provided on the exercise of migrant workers' right to family reunification and about the fact that security restrictions may prevent family reunification.

48. **The Committee recommends that the State party provide, in its next periodic report, information on the measures taken to facilitate the reunification of migrant workers with their spouses or persons with whom they have a relationship that, according to applicable law, produces effects equivalent to marriage, as well as with their minor dependent unmarried children, in accordance with article 44 of the Convention. The Committee also recommends that the State party endeavour to remove all obstacles, including security-related restrictions, to the family reunification of migrant workers.**

Right to transfer earnings and savings

49. The Committee notes that remittances by nationals living abroad account for between 3 and 4 per cent of gross domestic product (GDP). However, the Committee is concerned about the lack of precise information on trends and data with respect to transfers of funds by Beninese migrant workers to Benin and by migrant workers from the State party to their countries of origin through formal financial institutions and informal systems. The Committee is also concerned about the lack of information on any strategy to involve migrants in the development of the State party.

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

(a) **Provide detailed information on trends, procedures and costs in relation to transfers of earnings and savings by Beninese migrant workers abroad and by foreign migrant workers in Benin;**

(b) **Develop partnerships with financial institutions to facilitate transfers of funds and provide information on such collaboration;**

(c) **Take the necessary measures to make savings more accessible and reduce the costs of sending and receiving funds, including by applying preferential rates, in line with target 10 (c) of the Sustainable Development Goals;**

(d) **Intensify its efforts to develop effective strategies concerning the role of migrants in the development of the State party and to help recipients of remittances acquire the necessary abilities to invest them in sustainable income-generating activities.**

4. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64–71)

51. The Committee notes the cooperation agreements and memorandums of understanding on migration concluded with France, Kuwait, the Niger, Burkina Faso, Senegal and Nigeria, the agreements currently being negotiated with Qatar and Gabon, and the application of the treaty establishing the Economic Community of West African States, which advocates the free movement of citizens of member States and their goods within the corresponding West African economic zone. The Committee is concerned, however, about the effective implementation of the cooperation agreements and the capacity of law enforcement agencies and officials to further improve conditions for migrant workers and combat any violations of their rights. The Committee is also concerned about the lack of information on measures authorizing and regulating private employment agencies that recruit Beninese nationals to work abroad and on efforts to monitor such agencies, which may resort to unethical recruitment practices or exploitation of migrant workers.

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

(a) **Intensify its efforts to conclude further bilateral and multilateral agreements with destination and transit countries to promote regular migration, and effectively implement existing agreements to ensure sound, equitable, humane and lawful conditions for migrant workers and provide them with procedural guarantees that will enable them to assert their rights and obtain redress, where appropriate, through competent entities having the necessary capacity and means to support them;**

(b) **Strengthen the regulatory regime for private recruitment agencies and set up mechanisms to monitor their activities in order to identify and punish illegal practices and exploitative practices by recruiters, while ensuring that measures taken following the detection of such practices never result in economic or criminal penalties for migrant workers.**

Trafficking in persons and smuggling of migrants

53. The Committee takes note of the measures taken by the State party to combat trafficking in persons, particularly the prohibition in article 372 of the Criminal Code of all forms of trafficking and smuggling. The Committee notes with concern, however, that the State party is a country of origin, destination and transit for trafficking in persons. It also notes with concern:

(a) The lack of a comprehensive law on trafficking in persons and people smuggling consistent with the Protocols to the United Nations Convention against Transnational Organized Crime;

(b) The scale of trafficking in persons, particularly for the purposes of sexual exploitation;

(c) The exploitation of women and girls in Benin as a source country in the West African region and the inadequate implementation of the bilateral agreement concluded with the Congo to combat trafficking in persons and of the tripartite agreement concluded with Burkina Faso and Togo;

(d) The limited information available on the number of investigations undertaken, prosecutions conducted and convictions handed down in relation to trafficking in persons and sexual exploitation;

(e) The lack of information and data, disaggregated by sex, age and origin, on migrant workers and members of their families in an irregular situation in the State party who

have benefited from the support measures put in place to combat trafficking in persons and people smuggling.

54. The Committee recommends that the State party:

(a) **Strengthen and expand the legislative framework so that it comprehensively covers trafficking in persons and people smuggling, in order to effectively combat the consequences of these practices and the risks they pose to migrant workers;**

(b) **Tackle the root causes of demand and supply in relation to trafficking in persons for purposes of sexual exploitation, and provide assistance and protection to migrant workers and members of their families who are victims of serious crimes, including rape and gender-based sexual violence, by offering them adequate rehabilitation and medical and psychosocial services;**

(c) **Effectively implement the agreements concluded with countries in the region, such as the Congo, Togo and Burkina Faso, in particular by strengthening cross-border law enforcement capacities, and accelerate the conclusion of agreements with other relevant countries in order to boost anti-trafficking mechanisms throughout the region;**

(d) **Provide police officers, border guards, judges, lawyers and other relevant staff with appropriate training to enable them to identify potential victims of trafficking and to refer them immediately to assistance services, while ensuring that victims of trafficking are never regarded as criminals;**

(e) **Collect data, disaggregated by age, sex and origin, on the scale and root causes of trafficking in persons, on the number of investigations undertaken, prosecutions conducted and convictions handed down, and on migrants who are victims of trafficking in persons and people smuggling receiving assistance services.**

5. Dissemination and follow-up

Dissemination

55. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels, including to government ministries, the legislature, the judiciary and relevant local authorities, as well as to non-governmental organizations and other members of civil society.

Technical assistance

56. The Committee recommends that the State party further avail itself of international and intergovernmental assistance for the implementation of the recommendations contained in the present concluding observations in line with the 2030 Agenda for Sustainable Development. It also recommends that the State party continue its cooperation with United Nations specialized agencies and programmes of the United Nations. The Committee remains at the State party's disposal, particularly for follow-up to the present concluding observations and the preparation of its second periodic report.

Follow-up to concluding observations

57. The Committee requests the State party to provide, within two years (that is, by 1 January 2027), written information on the implementation of the recommendations contained in paragraphs 17 (data collection), 31 (labour exploitation and other forms of ill-treatment), 44 (education) and 50 (transfer of earnings and savings) above.

Next periodic report

58. The State party's second periodic report is due by 1 January 2030. The Committee will adopt a list of issues prior to reporting under the simplified reporting

procedure at one of its sessions preceding this date, unless the State party explicitly opts for the traditional reporting procedure. The Committee draws the State party's attention to its harmonized treaty-specific guidelines.⁵

59. The Committee invites the State party to update its common core document, which dates to 1997, in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted at the fifth inter-committee meeting of the human rights treaty bodies held in June 2006. In the light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 42,400 words for such documents.

⁵ [HRI/GEN/2/Rev.6](#).