



**Convention on the  
Rights of the Child**

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**Committee on the Rights of the Child**

**Seventy-first session**

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Item 4 of the provisional agenda

**Consideration of reports of States parties**

**List of issues in relation to the combined third to fifth  
periodic reports of Benin**

**Addendum**

**Replies of Benin to the list of issues\***

[Date received: 22 October 2015]

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\* The present document is being issued without formal editing.



## Part I

- 1. Taking account of the Committee's previous recommendations (CRC/C/BEN/CO/2, para. 10), please provide detailed information on the legislative measures taken by the State party to expedite the promulgation of the Children's Code. Please also describe the strategy for disseminating the Code and the human and financial resources allocated for its implementation.**

1. The Constitutional Court undertook a constitutional review of the Children's Code adopted on 26 January 2015 and declared certain provisions to be unconstitutional, including those relating to the central authority for intercountry adoption. The National Assembly brought the Code into line with the Constitution and adopted the amended version in plenary on 8 October 2015. This stage of the procedure takes place before the Code is sent to the Secretariat-General of the Government to be promulgated.

2. Several ministries, including the Ministry of Justice and the Ministry of the Family, are responsible for issuing decrees on implementing certain provisions of the Code before it is disseminated to the public. The staff of those ministries will carry out this task with support from NGOs and technical and financial partners.

- 2. Please clarify the respective mandates of the National Commission on the Rights of the Child and the national unit to monitor and coordinate child-protection activities, and describe the measures taken to avoid overlapping of their mandates. Please also indicate the human, financial and technical resources available to them to implement children's rights in all sectors and at all levels (national, regional and local).**

3. The National Commission on the Rights of the Child was established in 1999 to coordinate efforts to protect and promote children's rights. Its mission is set out in article 2 of Decree No. 99-559 of 22 November 1999 establishing the National Commission on the Rights of the Child.

4. This article stipulates that the National Commission on the Rights of the Child is responsible for coordinating efforts to protect and promote children's rights. As such, its mission is to:

- Promote children's rights and ensure that their interests are protected, in particular through the implementation of the Convention on the Rights of the Child;
- Develop and implement a national policy on legal protection for children and young people;
- Monitor the implementation of the Convention on the Rights of the Child;
- Coordinate and harmonize the efforts of all national and international bodies working in the field of children's rights.

5. As for the human resources available to it, the Minister of Justice, Legislation and Human Rights serves as President of the Commission, while the Minister of the Family serves as Vice-President. The Commission also comprises focal points from all ministries and representatives of civil society organizations. Its secretariat is staffed by the Office for the Judicial Protection of Children and Young People, and it has branch offices at the departmental and communal levels. The Commission meets in ordinary session twice a year. It may hold an extraordinary session at the bureau's initiative or at the request of one third of its members.

6. To enable it to carry out its functions, the Commission is allocated 20 million CFA francs from the national budget and additional funding for support projects. Another 4 million CFA francs is made available to the Commission to monitor conditions of detention for minors in conflict with the law in prisons throughout the country, in accordance with international norms and standards.
7. There is no information available on the national unit to monitor and coordinate child-protection activities.
- 3. Taking account of the Committee's previous recommendations (CRC/C/BEN/CO/2, para. 12), please provide up-to-date information on the multisectoral plan of action accompanying the National Policy on Child Protection adopted in 2014. Please specify whether this plan integrates all action plans and programmes for children, and provide information on the budget allocated for its implementation and on monitoring and evaluation procedures.**
8. The plan of action accompanying the National Policy on Child Protection focuses on seven lines of action, namely:
- Strengthening children's knowledge, skills and techniques for protecting themselves by providing them with information and training;
  - Running social campaigns targeting families and communities in order to strengthen their knowledge, skills and techniques for protecting children, especially those most at risk;
  - Offering prevention services to families and children living in their communities;
  - Strengthening mechanisms to detect cases of violence against children and report them to the appropriate authorities;
  - Expanding and improving the quality of care for children who are at high risk of or who have suffered some form of violence;
  - Strengthening the implementation of legislation protecting children and punishing crimes committed against them;
  - Building capacity to implement the policy.
9. Various activities are carried out under these different lines of action in order to achieve the policy objectives. With regard to the resources available for its implementation, the various activities will be funded through the budgets of the relevant ministries.
- 4. Please inform the Committee of measures taken to increase the budget of the Ministry of the Family, given that it is one of the least-resourced departments.**
10. No information is available.
- 5. Please provide information on the specific measures taken by the State party to ensure that the Anti-Corruption Act (2011-20) is strictly enforced, particularly in the areas of health, education and justice.**
11. In the area of justice, following the passage of Act No. 2011-20 of 12 October 2011 on combating corruption and other related offences in the Republic of Benin, the Government issued two implementing decrees to establish the National Authority to Combat Corruption. The Government has not shied away from prosecuting persons suspected of corruption. Within the civil service, the Government has established the General State Inspectorate, which has branch offices within ministries and State-owned companies, to oversee the management of public resources. The Inspectorate's

work is supplemented in the justice sector by the Inspectorate-General of Judicial Services, which continuously monitors all courts. The National Anti-Corruption Committee has also been established.

12. In the area of education, private preschools and primary schools that were not respecting the norms and standards have been shut down.

13. No information regarding the area of health is available.

**6. Taking account of the Committee's previous recommendations (CRC/C/BEN/CO/2, para. 31), please provide details of steps taken to stop the killing of children considered as "sorcerer's children" or born with a disability and to change the attitudes and beliefs leading to these murders. Please provide detailed information on legal action taken against the perpetrators of these infanticides and on the sentences handed down.**

14. The legislation currently in force in Benin punishes all forms of infanticide (Children's Code, arts. 339, 340, 341, 376 and 377).

15. Regarding the specific case of reported attacks against "sorcerer's children" in some regions of the country, concrete steps are being taken to eliminate the problem. A national forum addressing this issue was held by the NGO Franciscaïns Bénin.

16. The following measures have also been taken:

- NGOs working to combat this practice have been established in the regions where it occurs;
- Awareness-raising events have been held in the affected communities with a view to better safeguarding the right to life;
- Perpetrators have been systematically prosecuted and punished.

17. The Human Rights Directorate of the Ministry of Justice have also launched a programme to set up local human rights awareness groups and student clubs in communes and provide them with continuous training. These trained stakeholders engage in on-the-ground campaigns to publicize international and domestic human rights instruments and raise awareness among the public of the harm caused by some traditional practices.

**7. Please inform the Committee of measures taken to make the registration of births standard practice, particularly for children placed in institutions and children living in rural areas.**

18. For the past decade, birth notification and registration has posed a major challenge for government authorities. A national forum on reforming the civil registry was therefore held in July 2012 to identify the challenges facing the country's civil registry and to propose solutions for improving it and modernizing the sector.

19. Steps have been taken through the Civil Status Census to regularize the situation of unregistered children. The Civil Registry Directorate has been established within the Ministry of the Interior, and it has undertaken several initiatives to make birth registration universal. The Directorate is also working to create a birth registration database covering both urban and rural areas. The Ministry of Health has shown a keen interest in this issue through its support project to strengthen health districts. Community stakeholders have been encouraged to establish an efficient and enduring birth registration process. This new form of organization requires the involvement of local authorities as well as stakeholders in social health.

**8. Please give details of the complaint mechanisms available to child victims of abuse and violence, in particular those living in institutions, and specify how children are informed of the existence of these mechanisms. Please also inform the Committee of the specific measures taken to prevent and combat ill-treatment, negligence and abuse, including sexual abuse.**

20. In terms of universal prevention, children's access to information and participation has been strengthened through:

- The establishment of the youth parliament in 2009, which provides a forum for discussion on issues affecting children and young people;
- The reporting of child victims by their peers to combat the phenomena of child trafficking, missing children, early marriage and other forms of violence against children;
- The training of children to use local media so as to generate a dialogue about their concerns within their communities.

21. In the field of education, children can lodge complaints through the following channels:

- Counselling centres established in all middle schools and high schools throughout the country;
- A hotline for reporting cases of violence;
- Many NGOs working in the field of child protection;
- Legal complaint mechanisms (the police, gendarmerie, courts, etc.).

22. Pursuant to Act No. 2006-19 of 5 September 2006 on sexual harassment and the protection of victims in the Republic of Benin, the Ministry of Secondary Education and Technical and Vocational Training has taken steps to organize awareness-raising events in middle schools and high schools with a view to informing stakeholders in the education system about the provisions of the Act, placing particular emphasis on protection and complaint mechanisms.

23. Order No. 16/MEPS/METFP/CAB/DC/SGM/SA of 1 October 2003 on sanctions for perpetrators of sexual abuse in public or private, general, technical or vocational secondary schools or educational establishments has also been issued.

24. Act No. 2011-26 of 9 January 2012 on the prevention and punishment of violence against women strengthens complaint mechanisms and punishments for perpetrators of all forms of violence.

**9. With regard to reports of the widespread practice of placing children in informal care in the State party, please give information on the measures taken to provide the necessary assistance to families in order to prevent children from being taken into care.**

25. Article 121 of the Children's Code provides for social assistance for low-income parents. With a view to protecting the best interests of the child, the State provides social assistance to parents from the poorest sectors of society.

26. Article 133 provides for the establishment of children's shelters and protection centres in every department, taking into account the needs of the local population and the standards set by the Ministry of the Family. These shelters are also responsible for caring for and housing street children, abused children, and children who have been rejected or abandoned.

27. Decree No. 2012-416 of 6 November 2012 establishing the norms and standards applicable to children's shelters and protection centres in Benin sets out the conditions for establishing a shelter and lays down the norms and standards that apply to those shelters.

**10. In the light of the Committee's previous recommendations (CRC/C/BEN/CO/2, para. 50), please indicate the measures taken to eliminate the discrimination and stigmatization of children with disabilities and to facilitate their full integration into regular schools. Please also provide information on the measures implemented to ensure effective access for children with disabilities to health, social services and leisure activities.**

28. Articles 175 to 178 of the Children's Code provide for the protection of children with disabilities. Article 175 states as follows: "Children with mental or physical disabilities have the right to a decent life in conditions that ensure dignity, promote self-reliance and facilitate their participation in community life." Article 176 states that children with disabilities are entitled to enjoy all human rights and fundamental freedoms on an equal footing with other children without any discrimination.

29. Article 177 also stipulates that children with disabilities receive special care and are entitled to free education in mainstream schools and, whenever possible, in schools near where they live.

30. The Observatory for the Family, Women and Children has also commissioned a study with a view to better protecting the rights of children with disabilities.

**11. With reference to the State party report (CRC/C/BEN/3-5, paras. 212 and 213), please provide further information on the state of health of children under the age of 5 years, and explain in particular the reasons for the increase in the infant mortality rate and the decline in health indicators, and planned measures to remedy the situation.**

31. According to the demographic health survey, the infant mortality rate stands at 42 per cent for children less than 1 year old and 70 per cent for children under 5 years of age; it is higher in rural areas and among the poor.

32. The rate for children less than 1 year old in rural areas is 81 per cent; they are thus at greater risk of dying than those living in Cotonou, where the rate is 67 per cent, or in urban areas in general, where the rate is 59 per cent.

33. Malaria and anaemia alone account for 62.7 per cent of cases in which children under 5 years of age are hospitalized. Hospitalizations and doctor's visits can be categorized according to illness as follows:

- Malaria: 45.1 per cent;
- Acute respiratory infections: 18.2 per cent;
- Anaemia: 8.2 per cent;
- Other gastro-intestinal illnesses: 6.5 per cent;
- Diarrhoea: 4.8 per cent.

34. In the light of this situation, the measures being taken include the following:

- Free health care is provided to children under 5 years of age;
- Insecticide-treated nets are distributed to the public;
- Vaccination campaigns are conducted;

- Caesarean sections are performed free of charge;
- A universal health insurance scheme is in place.

**12. Please provide information on measures taken to implement an effective ban on female genital mutilation, to specifically dissuade communities from continuing the practice, to help child victims, and to impose penalties on practitioners and traditional and religious leaders who perpetuate the practice. Please also provide information on measures taken to prohibit early and forced marriages, exchange marriages and the placement of children in convents.**

35. Current legislation in Benin punishes all forms of female genital mutilation (Children's Code, arts. 372 to 375), as it incorporates the provisions of the Act on the Punishment of Female Genital Mutilation of 2003. Nevertheless, in order to effectively deal with the pockets of resistance that persist in some parts of the country, informational and awareness-raising sessions are organized on a regular basis, both by State institutions and by civil society organizations, to further protect the health of girls.

36. In the area of education, following the enactment of Act No. 2003-03 of 3 March 2003 on the punishment of female genital mutilation and Act No. 2003-04 of 3 March 2003 on sexual and reproductive health, each year the Ministry of Secondary Education holds meetings with all school staff in middle schools and high schools to spread information about those Acts.

**13. Please provide information on measures taken to combat underage pregnancy and to ensure that adolescent girls have access to sexual and reproductive health care, including contraception, safe abortion and post-abortion care. Please also inform the Committee of measures taken to combat the spread and effects of HIV/AIDS.**

37. The Maternal and Child Health Directorate of the Ministry of Health takes the following actions:

- Raising awareness both within and outside schools, targeting craftspersons and apprentices in all trades (such as tailoring, hairdressing, welding, etc.) in coordination with an NGO (APESA) that works to raise awareness about underage pregnancy with the aim of encouraging young people to wait longer to begin having sex and thereby avoid early and unwanted pregnancies. The subjects discussed at these awareness-raising sessions include reproductive health, drug use, smoking and nutrition;
- Holding briefing sessions at which it offers a free family planning method with a view to preventing early and unwanted pregnancies;
- Providing free and voluntary HIV/AIDS testing;
- Upgrading family planning services and post-abortion care, so as to provide adequate care to users of these services.

**14. Please indicate the measures taken to reduce school dropout rate and increase the school retention rate of girls at primary and secondary level, including pregnant girls, especially in rural areas, and to enhance the quality of education. Please also inform the Committee of measures taken to develop and improve access to early childhood education.**

38. The following measures are being taken:

- All girls enrolled in middle school are exempt from paying school fees;
- Pregnant girls remain in school;

- Awareness-raising sessions are held to explain to girls the importance of staying in school;
- Summer camps are organized for the best female students in each grade of middle school and high school, and gifts are distributed;
- Sex education is included in curricula.

**15. Please inform the Committee of the concrete measures taken to eliminate the economic exploitation of children and child labour and to monitor the working conditions of children, including in the informal sector, and indicate whether the decisions taken by the national steering committee to combat child labour are being implemented and whether it has been allocated sufficient resources. Please also describe the measures taken to remove children from the worst forms of child labour as a matter of great urgency, including domestic work, working in mines and the exploitation of children for begging purposes, and to punish persons who exploit children in these ways.**

39. The following actions have been taken in this regard:

- The National Plan of Action to Eliminate the Worst Forms of Child Labour in Benin 2012-2015 and a decree establishing a list of hazardous jobs in the Republic of Benin have been adopted;
- A study was conducted in 2013 in the country's three main markets (Dantokpa, Ouando and Azèrkè) on the economic exploitation of children;
- A charter for marketgoers on combating child labour was signed by the relevant ministries (the Ministry of Justice, the Ministry of the Family, the Ministry of Labour and the Ministry of the Interior);
- Training on the topic of child labour was given in national languages in several regions across the country;
- A documentary was filmed on the economic exploitation of children and child labour in the main markets of Benin. It should be noted, however, that the resources allocated to the national steering committee are insufficient.

**16. In the light of the Committee's previous recommendations (CRC/C/BEN/CO/2, para. 74), please describe the steps taken to combat the phenomenon of *talibé* children living, working and begging on the streets.**

40. A national forum was held that brought together religious leaders, traditional leaders, policymakers and stakeholders in the education system to discuss this form of education that is based on religious beliefs. Following the forum, a number of awareness-raising sessions were organized for religious teachers. Nowadays, this practice is becoming increasingly rare, since education is mandatory and free of charge. Furthermore, article 338 of the Children's Code establishes penalties for encouraging children to beg.

**17. In the light of the information provided in paragraphs 38 and 39 of the State party report, please inform the Committee of the outcome of the consultation on setting a minimum age for sexual consent.**

41. The minimum age for sexual consent is 16 years, and any sexual activity with a person under 16 years of age is considered to be rape, pursuant to article 3, paragraph 12, of Act No. 2011-26 of 9 January 2012 on the prevention and punishment of violence against women, which addresses the issue of rape.



**18. Please provide further information on measures taken to ensure that the State party has a national plan of action to combat all forms of sexual exploitation and child-trafficking.**

42. The United Nations Special Rapporteur on the sale of children, child prostitution and child pornography visited Benin in November 2013. The mission report subsequently issued contained strong recommendations directed at Benin. An action plan for implementing the Special Rapporteur's recommendations was drawn up at the first annual session of the National Commission on the Rights of the Child in 2014. The action plan provides for, inter alia, establishing a unified strategic framework for the comprehensive protection of children; combating impunity by ensuring the implementation of the laws in force that lay down severe penalties for perpetrators of sexual exploitation; and establishing a system for identifying children that is well-known and universally applied.

43. A bill on the exploitation of persons that covers more than just child trafficking has also been drafted.

**19. Please provide information on the reform of the juvenile justice system and indicate whether the minimum age of criminal responsibility has been revised in accordance with international standards. Please describe the measures taken to ensure that children in conflict with the law are only placed in detention as a measure of last resort and for as short a period as possible, to remove children from adult detention facilities as a matter of great urgency, and to ensure that children in detention have access to educational and leisure activities during the whole period of their detention, both in prisons and in correction centres.**

44. Act No. 2012-15 of 30 March 2012 containing the Code of Criminal Procedure in the Republic of Benin not only incorporates most of the recommendations of human rights treaty bodies, particularly those made by the Committee against Torture and the Committee on the Rights of the Child following the submission of periodic reports in November 2007 and September 2006 respectively, it also incorporates the provisions of international human rights instruments.

45. The Act's general provisions, specifically articles 60 and 654 to 723 on the prosecution of crimes committed by minors under 18 years of age, set out the underlying principles guiding criminal procedure as it applies to children in conflict with the law. Thus, when minors must be taken into custody, they are placed under the effective supervision of the prosecutor and in separate premises (art. 60).

46. Any minor charged with an offence comes under the jurisdiction of the children's courts, whose members sit as a bench comprising one presiding judge and two assessors.

47. Children can be held criminally responsible from the age of 13 years (art. 655); children under 13 years of age are subject only to appropriate protection, assistance or educational measures ordered by the children's courts.

48. Children under 15 years of age are subject to criminal conviction if the circumstances require it (art. 655, para. 3).

49. Children between 13 and 15 years of age may be placed in pretrial detention only in the following cases:

- If they have committed a crime of murder, homicide, lethal assault or rape (art. 656, para. 2);
- If they have voluntarily evoked obligations of judicial supervision, including placement in an educational centre (art. 656, para. 3).

50. The case is referred to the court in the place of residence of the minor's parents on the basis of territorial jurisdiction.
51. During the trial, the best interests of the child are paramount. Article 672, paragraph 5, expressly provides that the President of the court may excuse the child from appearing in court in cases where it is in the best interests of the child.
52. An exception can also be made to the principle of open hearings when in the best interests of the child, pursuant to article 16 of Act No. 2001-37 of 27 August 2002 on the organization of the judiciary in Benin.
53. Anonymity must be respected when disseminating court decisions; thus, decisions concerning minors under the age of 15 are not included in their criminal record.
54. Decisions concerning minors over 15 years of age, however, are included in their criminal record but are communicated only to judicial authorities.
55. Similarly, a minor over 15 years of age cannot be sentenced to more than half the sentence applicable to persons over 18 years of age.
56. In criminal matters, due urgency is required; the children's court that hears criminal matters must sit every three months (art. 684). It is located at the seat of the Court of Appeal and is chaired by the President of that Court, who is accompanied by two judges, one of whom must be a children's judge — preferably the one who conducts the investigation — and two assessors.
57. Minors are liable only to fixed-term prison sentences; they cannot be sentenced to life imprisonment or a penalty imposed for a felony, such as forced labour.
58. Temporary custody measures and probation are also regulated by the Code of Criminal Procedure, with a view to facilitating the minor's social reintegration. In protection centres, children's life aspirations are taken into account when placing them in apprenticeships. Once the minors have completed their training, the State ensures their effective reintegration by providing them with a kit tailored to the specific trade they studied during their apprenticeship.

## **Part II**

### **Update on the information presented regarding:**

#### **(a) New bills and laws, and their respective regulations**

59. The following is a list of new bills and laws, and their respective regulations:
- Act No. 2011-26 of 9 January 2012 on the prevention and punishment of violence against women;
  - Act No. 2012-15 of March 2012 containing the Code of Criminal Procedure in the Republic of Benin;
  - Act No. 2015-08 of 26 January 2015 containing the Children's Code in the Republic of Benin;
  - Decree No. 2012-416 of 6 November 2012 establishing the norms and standards applicable to children's shelters and protection centres in Benin, which regulates the establishment of children's shelters and protection centres and sets out their guiding principles (preventing the separation of families, providing alternative care for children while taking into account their best interests), the conditions under which children may be placed in such establishments and the rehabilitation

and reintegration measures to be taken, and the rights and obligations of children living in such institutions (with regard to health care, education and training, sports and recreation, and the right to information, to be heard and to participate).

**(b) New institutions and their mandates, and institutional reforms**

60. With regard to institutional reform, the main reform undertaken is the establishment of courts that are aware of and adapted to the needs of children in conflict with the law and child victims or witnesses of abuse, violence or exploitation. To that end, and with support from the United Nations Children's Fund (UNICEF), facilities were installed as a pilot project in two courts (Abomey-Calavi and Abomey) in 2014 to facilitate children's access to the courts. An action plan on implementing this reform is currently being developed.

**(c) Recently introduced policies, programmes and action plans, and their scope and financing**

61. In this regard, the following should be noted:

- The adoption in June 2014 of the National Programme for the Development of the Justice System for the period 2015-2019, which calls for significant reforms, especially with regard to the promotion and protection of human rights and of children's rights in particular, in cooperation with all State actors, NGOs and technical and financial partners. Planned actions include drafting a national plan to prevent juvenile delinquency, establishing courts and police and gendarmerie units in three jurisdictions (Cotonou, Abomey and Parakou), providing adapted services based on an awareness of children's needs, establishing alternatives to the prosecution and imprisonment of minors, and training foster families to care for children in conflict with the law;
- The adoption in October 2014 of the National Child Protection Policy, which is a focus paper to guide integrated measures to protect children. It calls for coordinated action among all stakeholders involved in child protection and encourages children's participation in decision-making, in establishing general rules of community life, and in combating abuse and exploitation to prevent future violence. An action plan covering the period 2016-2018 has been developed for this policy and focuses on efforts to prevent violence and protect victims.

62. At its two most recent sessions, the National Commission on the Rights of the Child also drew up two action plans — one for following up on the recommendations made during the universal periodic review of Benin and another to implement the recommendations of the World Congress on Juvenile Justice held in Geneva from 26 to 30 January 2015, in which Benin participated.

63. The implementation of these action plans is funded by the Government and by technical and financial partners.

**(d) Recent ratifications of human rights instruments**

64. In this regard, the following international instruments have recently been adopted:

- The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, was ratified on 5 July 2012;

- The Convention on the Rights of Persons with Disabilities was ratified on 5 July 2012;
- The ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption is currently under way.

### **Part III**

#### **Data, statistics and other information, if available**

**1. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical area, covering the past three years on the number of:**

**(a) Cases of abuse and violence against children, including all forms of corporal punishment, with additional information on the type of assistance given to victims and follow-up action taken, including prosecution of perpetrators and sentences imposed;**

65. According to the Multiple Indicator Cluster Survey 2015, 21.1 per cent of girls under 14 years of age have undergone some form of female genital mutilation, 91.1 per cent of children have suffered abuse or corporal punishment, 52.5 per cent are involved in child labour, and 8.8 per cent of girls are married before they reach 15 years of age.

66. With regard to care for victims, the transit shelter run by the Central Office for the Protection of Minors takes in thousands of child victims, who are then referred to the children's shelters and protection centres for follow-up care. Of the 8,301 cases of criminal offences involving children registered by the Central Office for the Protection of Minors between 2009 and 2013, it appears that only 354 cases have been referred to the courts, representing a 4.26 per cent referral rate.

**(b) Cases of female genital mutilation in the State party, disaggregated by age and region, with information on follow-up in these cases, including sentences imposed on perpetrators, and redress and compensation granted to the victims;**

67. See the figures provided above.

**(c) Investigations into alleged cases of sexual violence and rape, and the outcome of trials, including information on sentences imposed on perpetrators, and redress and compensation given to victims;**

68. Analyses show that 81 per cent of offences committed against minors are ordinary offences, while 19 per cent are serious offences.

69. Generally speaking, offences committed against minors are punished with an unconditional sentence. Out of 128 decisions rendered by the courts, 104 were unconditional sentences, and of those 83 were for ordinary offences and 21 for serious offences. In addition, concerning cases of offences against minors there have been a total of eight stays of execution decisions, one decision to partially discontinue criminal proceedings and two acquittals. As at 31 December 2014, 77 complaints concerning offences against minors had been registered, of which 49 (or 64 per cent) had been investigated by the criminal police.

70. An analysis by age group and by sex shows that 39 per cent of the complaints relate to offences against minors under 13 years of age (29 per cent in the case of girls and 10 per cent in the case of boys). In addition, 31 per cent of complaints involve children between 13 and 15 years of age (19 per cent in the case of girls and 12 per

cent in the case of boys), and 30 per cent involve children 15 years of age or older (14 per cent in the case of girls and 17 per cent in the case of boys).

71. Moreover, 61 per cent of complaints investigated by the criminal police involve offences committed against girls.

**(d) Cases of child marriage, including information on follow-up.**

72. According to the Multiple Indicator Cluster Survey 2015, 8.8 per cent of girls are married before they reach 15 years of age.

**2. Please provide data on the number of reported cases of ritual murders.**

73. No information is available.

**3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical area, on the situation of children deprived of a family environment, covering the past three years, with regard to the number of children:**

**(a) Separated from their parents;**

74. No information is available.

**(b) Living on the streets;**

75. No information is available.

**(c) Placed in institutions;**

76. In Benin there are currently three Centres for the Protection of Children and Adolescents, established by Decree No. 2009-708 of 31 December 2009 under the jurisdiction of each Court of Appeal. Of these three centres, only the one in Agblangandan is a custodial centre for minors in conflict with the law. Twenty-six children were placed in the centre in 2012, 19 in 2013 and 30 in 2014.

77. The Central Office for the Protection of Minors, which is part of the Ministry of the Interior, also runs a transit centre that houses children in moral danger for up to three days.

78. In addition, private shelters help to alleviate the shortage of public shelters. They are regulated by Decree No. 2012-416 of 6 November 2012 establishing the norms and standards applicable to children's shelters and protection centres in Benin.

**(d) Placed with foster families;**

79. With regard to children deprived of a family environment, Terre des Hommes has established a foster care system in partnership with the Ministry of the Family, UNICEF and the Central Office for the Protection of Minors. Between January 2011 and August 2014, 44 host families were recruited and subsequently hosted and rehabilitated 747 children, of whom 396 were girls and 351 were boys in difficult circumstances. (Source: a report on the benefits to be derived from the host family approach, January 2011 to August 2014).

**(e) Placed informally within the extended family or in another family;**

80. No information is available.

**(f) Adopted in Benin or abroad.**

81. In 2014, a total of 29 adoptions were registered in the following six jurisdictions: the court of first instance of Cotonou (23), Abomey (1), Lokossa (1), Parakou (1), Kandi (1) and Natitingou (1). (Source: juvenile justice database, 2014).

82. It has been noted that single women adopt children more often than single men or couples. Generally speaking, girls are adopted more often than boys. Of the 29 children adopted, 15 were adopted by women, and of those 11 were girls and 4 were boys. Simple adoption is the most common form in the jurisdictions for which data were collected, accounting for 23 of the 29 registered cases. Couples request full adoption more often than single individuals (five of the six cases of adoption by couples were full adoptions).

83. Of the 29 children, 16 were adopted by Beninese citizens. As for age groups, children under 13 years of age are the most likely to be adopted, representing 15 of the 29 cases.

**4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical area, for the past three years, on the number of children with disabilities:**

- (a) Living with their families;**
- (b) In institutions;**
- (c) Attending regular primary schools;**
- (d) Attending regular secondary schools;**
- (e) Attending special schools;**
- (f) Not enrolled in school.**

84. No information is available.

**5. Please provide data, disaggregated by, inter alia, age, sex, socioeconomic background and ethnic origin, for the past three years, on:**

- (a) The enrolment and completion rates (by sex and in percentages) of the relevant age groups in pre-primary, primary and secondary schools;**
- (b) The number and percentage of school dropouts;**
- (c) The number of children attending private schools.**

85. No information is available.

**6. Please provide data, disaggregated by age, sex, socioeconomic background and ethnic origin, for the past three years, on the number of children who are:**

- (a) Victims of abuse, including sexual abuse, specifying the number of children who have had access to rehabilitation and social reintegration services, what legal proceedings have been brought against the perpetrators of such offences, and the outcomes of those proceedings over the period in question;**
- (b) Victims of economic exploitation, in particular the number of child domestic workers, specifying the number of prosecutions against the perpetrators of such economic exploitation and sentences imposed;**

86. No information is available.

**(c) Living or working on the streets, and the number of these street children covered by social reintegration programmes.**

87. No information is available.

**7. Please provide data, disaggregated by, inter alia, age, sex, ethnic origin and type of offence, for the past three years, on the number of children:**

**(a) Who are suspected of having committed an offence and have been reported to the police;**

**(b) Who have been sentenced, specifying the type of punishment or sanction imposed, and the length of deprivation of liberty;**

**(c) Who have been held in juvenile detention facilities and in adult detention centres.**

88. Children are particularly vulnerable to the harmful effects of detention, which include not only the loss of their liberty but also isolation from their usual social environment and an increased risk of ill-treatment. International standards clearly stipulate that children should be placed in detention only as a last resort.

89. As at 31 December 2014, 482 children, including 9 girls, were incarcerated in civilian prisons. Almost all of these children (96 per cent) were being held in pretrial detention.

90. An analysis by type of offence shows that the majority (72.82 per cent) of the children were being detained for serious offences and 13.18 per cent for ordinary offences as at 31 December 2014.

91. As for comparing different age groups, the majority (67.63 per cent) are 15 years of age or older.

92. Source: the results of the study conducted to track juvenile justice indicators.

**8. Please inform the Committee of any information in the report which may have been rendered obsolete by more recent data collected or a change in the situation.**

93. None.

**9. In addition, the State party is invited to specify the issues affecting children that it considers to have priority with regard to the implementation of the Convention.**

94. The State party considers the following issues to be matters of priority:

- Educating children in school;
- Preventing violence and crime;
- Combating forced and early marriage;
- Combating maternal and infant mortality;
- Combating child labour.