



## **BENIN**

### **Submission to inform the Committee on the Elimination of All Forms of Discrimination against Women on its consideration of the periodic report of Benin under the CEDAW Convention**

**Submitted by: PLAN INTERNATIONAL, ESAM, SOS Children's Villages Benin**

The present paper has been developed by Plan International, together with ESAM and SOS Children's Villages Benin to inform the Committee on the Elimination of All Forms of Discrimination against Women on the occasion of the consideration of Benin at its 56<sup>th</sup> pre-sessional working group, in March 2013.

The information contained in this submission comes from a variety of sources within Plan, and the proposed recommendations are grounded on the work that Plan carries out in Benin, with girls, boys, their families and their communities.



CHILD TRAFFICKING	
ISSUE	<b>Child trafficking is widespread in Benin and affects girls disproportionately</b>
BACKGROUND	<p>I. Benin is considered as a country of supply, transit, and destination for children victims of trafficking.<sup>1</sup> The number of children victims of trafficking aged 6-17 years has been estimated at 40.317, representing 2% of children in that age range. <b>A study on child trafficking conducted by the Ministry of Family showed that 86% of children who are trafficked on the Beninese territory are girls.</b><sup>2</sup></p> <p>II. The National investigation on Child Labour (ENTE) showed that some children victims of trafficking are touched not only by phenomena as mortality, early marriage, sexually transmittable diseases and HIV/AIDS, but also and especially by economic exploitation and child labour.<sup>3</sup></p> <p>III. In general, child victims of trafficking come from families living in poverty. Most of them have never attended school (70.7%), or completed an average of three years of schooling (29.3%). The main activities that trafficked children engage in are domestic work; agriculture; and trade. Trafficked children often work all days (24/7) of the week, and 1 out of 2 sleeps in the workplace. Trafficked girls are mainly involved in “<i>vidomegon</i>” domestic service<sup>4</sup>, manual trades and commerce while the boys work in quarries, on plantations and in manual trades. One of the main causes of trafficking is poverty, which leads families to send their children to work, instead of sending them to school.<sup>5</sup></p> <p><b>IV. The high prevalence of denial of education to girls constitutes a great factor of risk to becoming victims of trafficking.</b> To encourage girl’s access to school, the government took the measure to exempt girls from the payment of school fees as a preventive strategy to fight child trafficking.<sup>6</sup> However, the phenomenon persists due to poverty, <i>de facto</i> school-related fees, as well as traditional gender roles and discriminatory perceptions that often lead parents not to send girls to school and to giving preference to the education of boys. During the period 2010-2011, there were 5.30 points difference between the net school enrolment ratio of boys and girls in favour of boys.<sup>7</sup></p> <p>V. At its last Universal Periodic review (UPR) in December 2012, the Government of Benin accepted the recommendation n° 108.72 to ‘finalise and enact draft legislation that prohibits all forms of human trafficking and that trafficking in children is effectively investigated and prosecuted.’<sup>8</sup></p>

<sup>1</sup> *Plan d'action nationale de lutte contre la traite des enfants à des fins d'exploitation de leur travail*, report by the Ministry of Family and the ILO, 2008.

<sup>2</sup> *Etude nationale sur la traite des enfants : rapport d'analyse*, octobre 2007, p.12.

<sup>3</sup> *Enquête nationale sur le travail des enfants au Bénin*, ILO, INSAE, 2009.

<sup>4</sup> *Vidomegons* are children from family living in poverty placed in wealthier households.

<sup>5</sup> Summary of stakeholders' information prepared by the Office of the High Commissioner for Human Rights for the UPR of Benin, [A/HRC/WG.6/14/BEN/3](#) § 24, p.4

<sup>6</sup> Article 13 of Constitution of the Republic of Benin reads as follows: «L'Etat à l'éducation de la jeunesse par des écoles publiques. L'enseignement primaire est obligatoire. L'Etat assure progressivement la gratuité de l'enseignement publique». In the [Plan décennal de développement du secteur de l'éducation 2006-2015](#) it is stated that «faire en sorte que d'ici à 2015 tous les enfants, notamment les filles, les enfants en difficultés et ceux appartenant à des minorités ethniques, aient la possibilité d'accéder à un enseignement primaire obligatoire et gratuit de qualité et de le suivre jusqu'à son terme». P. 27.

<sup>7</sup> «Annuaire Statistique du Ministère des Enseignements Maternel et Primaire Bénin» 2011.

<sup>8</sup> Report of the Working Group on the Universal Periodic Review, Benin, document [A/HRC/22/9](#).



QUESTIONS	RECOMMENDATIONS
<p>1. <i>What are the concrete actions taken by the government of Benin to effectively combat children trafficking – which girls are the primary victims?</i></p> <p>2. <i>In particular, what actions have been taken or are envisaged to follow-up to the 2012 UPR recommendations, accepted by the government of Benin, to prohibit all forms of human trafficking and to effectively investigate and prosecute perpetrators of trafficking of children?</i></p>	<p>1. <b>Benin should ensure that adequate measures are put in place for the effective implementation of Law n° 2006-04 on “travel conditions of minors and repression of child trafficking”<sup>9</sup>.</b></p> <p>2. <b>Benin should develop and effectively implement national strategies promoting girl’s access and retention at school. Such strategies should include, <i>inter alia</i>:</b></p> <ul style="list-style-type: none"> <li>• <b>Provisions to ensure that education is effectively free of charge, including by taking into account the indirect costs of education for girls and the <i>de facto</i> fees that persist and constitute a great barrier to girl’s education especially among families living in poverty.</b></li> <li>• <b>Plans to ensure that all girls, boys, parents, teachers, community leaders are aware of on the risks related to lack of education for girls, including trafficking</b></li> <li>• <b>Measures to ensure that the legislation exempting girls from school fees is effectively implemented and applied by public schools authorities.</b></li> </ul>
<p>3. <i>What measures are taken by the government of Benin to fight against gender stereotypes and to reducing social and economic factors at the heart of child trafficking, including child poverty?</i></p>	<p>3. <b>The government of Benin should elaborate and implement national strategies aiming at reducing child poverty and ensure that gender-based power relations based on traditions and stereotypes are addressed in a manner that involves society at large.</b></p>

<sup>9</sup> Law n. 2006-04 portant conditions de déplacement des mineurs et de répression de traite en République du Bénin.



CORPORAL PUNISHMENT	
<b>ISSUE</b>	<b>Violence against girls, including sexual violence is widespread in Benin. Girls are particularly threatened by corporal punishments<sup>10</sup>.</b>
<b>BACKGROUND</b>	<p>I. Despite the existing legal framework on child protection, <b>violence against children continues to be a reality in all settings</b>. Corporal punishments are frequent in families particularly for <i>vidomégons</i><sup>11</sup> girls. Corporal punishment of children is widespread in domestic settings, and it is considered by many parents as the most valid and effective educational method.<sup>12</sup> Beatings are the primary source of violence against girls in Benin concerning the 88,1% of girls.<sup>13</sup></p> <p>II. On the occasion of its UPR, Benin accepted recommendations to explicitly prohibit all corporal punishment of children in all settings, including at home and in schools, in the context of adopting the new Children's Code, and promote alternative forms of discipline; and to revise its legislation to prohibit and sanction corporal punishment imposed on children at home and in schools and step up its efforts on raising awareness about the negative effects of this practice"<sup>14</sup>.</p> <p>III. Schools constitute the second place where violence against children is in practice. In Benin, recent research found that 54.8 per cent of children had been victims of corporal punishment in schools.<sup>15</sup></p>
QUESTIONS	RECOMMENDATIONS
<p>1. <i>What are the measures taken by the government of Benin to protect children, in particular girls against corporal punishment at home and at school?</i></p> <p>2. <i>What actions have been taken or are envisaged to follow-up to the 2012 UPR recommendations, accepted by the government of Benin, to increase girls attendance and completion of quality education?</i></p>	<p><b>1. The government of Benin should strengthen its efforts to raise awareness among children, families, communities, teachers and all professional working with children on the harm caused by corporal punishments and train them on alternative non-violent forms of discipline.</b></p> <p><b>2. The government should strengthen existing mechanisms to ensure that the perpetrators of violence against children, including corporal punishment, are promptly brought to justice.</b></p> <p><b>3. The government should also strengthen its efforts to ensure that anonymous and free reporting mechanisms are available and accessible for all children in the country, and that victims are provided with the necessary assistance and access to services.</b></p>

<sup>10</sup> [Les violences faites aux femmes au Bénin](#), study report prepared by the Ministry of Family and National solidarity together with UNFPA, la Coopération Danoise au Bénin, la Coopération Suisse au Bénin, WHO, UNICEF, Plan Benin, Care International Benin, Ambassade des Pays-Bas. October 2009, p.61,

<sup>11</sup> Children from family living in poverty are placed in wealthier households to perform domestic work.

<sup>12</sup> *Les violences faites aux femmes au Bénin*, cit. p.60

<sup>13</sup> *Ibid*, p. 17.

<sup>14</sup> Report of the Working Group on the Universal Periodic Review, Benin, document [A/HRC/22/9](#), paragraphs 108.67 and 108.68.

<sup>15</sup> ["Too often in silence : a report on school-based violence in west and central Africa"](#), Plan International, Save the Children Sweden, UNICEF, Actionaid, 2009, p. 19.



SEXUAL VIOLENCE IN SCHOOLS – “SEX FOR GRADES”	
<b>ISSUE</b>	<b>Sexual violence against girls by teachers is prevalent. Sexual gender-based violence is one of the main causes of school non-attendance and drop out. Girls who are victims of sexual violence in schools are often excluded by the educational system if they become pregnant<sup>16</sup>.</b>
<b>BACKGROUND</b>	<p>I. Sexual abuse exists in all levels of education and both in urban and rural areas. It affects 9.3% of pupils/students interviewed. The abuse involves touching of genital parts of a girl child by a classmate, induced abortions and sexual harassment. The perpetrators can be found both among students (2% of cases) and teachers (75% of cases) and among individual outside the school (students, workers, politicians and other).</p> <p>II. <b>Some teachers use their position of power to force girls into sexual acts in return for better grades and their access to next school levels<sup>17</sup>.</b> Violence against girls, including sexual violence often results in school non-attendance, school drop-out and social exclusion because of undesired pregnancies<sup>18</sup>. Suicide cases are not rare but it is difficult to gather precise data on this issue.<sup>19</sup></p> <p>III. In its National report for the UPR of 2012, the Government of Benin has acknowledged that working to improve enrolment and retention in school among girls remains a challenge to overcome.<sup>20</sup></p> <p>IV. In October 2012, the Government of Benin accepted the UPR Working Group’s recommendations to promote educational strategies that aim to improve the quality education and increase enrolment rates, especially for women (...), and to continue promoting the national policy for the promotion of women through working for the enrolment and retention of girls in school.<sup>21</sup></p> <p>V. Resources allocated to child protection are inadequate; the great lack of awareness about the consequences of gender-based violence in schools, including sexual violence, among girls themselves and the society at large, contribute to the continuation of the phenomenon.</p>
<b>QUESTIONS</b>	<b>RECOMMENDATIONS</b>
<p>1. <i>What are the actions taken by the government of Benin to put an end to sexual violence against girls at school?</i></p>	<p><b>1. The government of Benin should establish a child-sensitive mechanism aiming at receiving and investigating complaints of sexual abuse at school.</b></p> <p><b>2. The government of Benin should provide teachers, school’s personnel and all professionals working with children information and trainings on the harm of sexual violence committed against children.</b></p> <p><b>3. The government should develop strategies to ensure that the perpetrators of violence in schools are promptly brought to justice. This should be done including by establishing and rendering efficient community-based mechanisms and ensure that an anonymous reporting mechanism is put in place and made available and accessible for all children.</b></p>

<sup>16</sup> *Les violences faites aux femmes au Bénin*, cit., p. 61.

<sup>17</sup> *Ibid.*, p.61.

<sup>18</sup> *“Too often in silence. A report on school-based violence in West and Central Africa”*, cit., p.7.

<sup>19</sup> *Les violences faites aux femmes au Bénin*, cit.

<sup>20</sup> Benin - National Report submitted for the UPR, document [A/HRC/WG.6/14/BEN/1](#) p. 17.

<sup>21</sup> Report of the Working Group on the Universal Periodic Review, Benin, document [A/HRC/22/9](#), paragraphs 108.104 and 108.102.



FEMALE GENITAL MUTILATIONS(FGM)	
<b>ISSUE</b>	<b>Female genital mutilations are widespread phenomenon, deeply rooted in traditional practices in certain regions in Benin</b>
<b>BACKGROUND</b>	<p>I. The practice of FGM has been prohibited with the adoption of Act No. 2003-03 of 2003, and some practitioners have abandoned this practice. However, an estimated <b>16.8% of Benin female population aged 15-49 years have been subjected to FGM, in the form of excision.</b><sup>22</sup></p> <p>II. Female Genital Mutilations are an integral part of a system of beliefs and practices rooted in tradition in some regions. Excision is considered necessary for a woman to be accepted by some communities. Excision is a rite of social inclusion, among others, in the Fulani, Baatonu, Yowa and Lokpa ethnic groups. The practice of FGM is strongly integrated in attitudes, customs and sometimes is even justified with arguments related to its allegedly beneficial properties: preparation for labour pains, religious respect, and ethical (ensure fidelity of wives by reducing their sexual sensitivity).<sup>23</sup></p> <p>III. On the occasion of its last UPR, the Government of Benin has accepted recommendations n° 108.50 'to step up efforts aimed at improving the situation of women, also through education and specific awareness-raising campaigns about the perils of FGMS<sup>24</sup>.</p>
QUESTIONS	RECOMMENDATIONS
<p><i>I. What measures are taken by the government to follow up to the UPR recommendations to ensure proper and wide information of the population on the dangers of FGMS, in order to put an end to such practices?</i></p>	<p><b>1. The government of Benin should live up to its commitment under the UPR, and speedily design and implement strategies to ensure awareness-raising of harmful practices including FGM. Such activities should ensure that girls, boys, women and men, as well as community leaders and the society at large are sensitized about the risks and dangers of FGMS for the health, survival and development of children, especially girls.</b></p> <p><b>2. The government of Benin should ensure a widespread dissemination of the requirements of legislation prohibiting FGM in all communities and areas and in all languages.</b></p> <p><b>3. The government should finalise and adopt the standard operational procedures on gender based violence currently being elaborating with support of technical and financial partners.</b></p>

<sup>22</sup> Eliminating female genital mutilation: an interagency statement, WHO, 2008, p. 29

<sup>23</sup> Les violences faites aux femmes au Bénin, p.150

<sup>24</sup> Report of the Working Group on the Universal Periodic Review, Benin, document [A/HRC/22/9](#), para §108.50.



DOMESTIC VIOLENCE	
ISSUE	<b>Domestic violence remains a major issue in Benin</b>
BACKGROUND	<p>I. Notwithstanding the measures taken to disseminate the laws enacted for the enhancement of the status of women<sup>25</sup>, the phenomenon of violence against women is prevalent in Benin.<sup>26</sup></p> <p>II. Women most affected by domestic violence are those living in poverty. Indeed, domestic violence affects disproportionately uneducated women (89%), women living in polygamous unions (87%) and women (86%) and girls between 2 and 14 years of age (83%) living in poverty.</p> <p>III. Violence against women is primarily committed by spouse/partner (69, 5%) and parents/family (25%).<sup>27</sup> Stereotypes and power relations see women being often relegated to a reproductive role in communities, while men generally operate in the sphere of production. The analysis of the current situation shows that little has changed in women's status and roles, especially as regards gender-based violence and power relationships between men and women, where their perception as minors and 'men's property' persists.<sup>28</sup></p> <p>IV. In its national report submitted in August 2012 for the Universal Periodic Review, the government of Benin recognised that reducing poverty and increasing the empowerment of women, ensuring gender equality and equity and eliminating all gender-based violence and all discrimination on the grounds of sex remain challenges to overcome in the country.<sup>29</sup> Benin accepted recommendations to ensure due implementation of measures aimed at addressing persistent domestic violence, including marital rape<sup>30</sup>; and to adopt all necessary measures against harmful traditional practices violating the rights of the child<sup>31</sup>.</p>
QUESTIONS	RECOMMENDATIONS
<p><i>I. What are the measures taken by the government of Benin to inform the population and the officials of the danger of domestic violence and encourage change in traditional attitudes?</i></p>	<p><b>1. Benin should speedily develop and implement strategies to tackle the phenomenon of violence against women and girls in all forms, including domestic violence, by:</b></p> <ul style="list-style-type: none"> <li>• Raising awareness among women, men, girls and boys, families, communities, traditional leaders through the media and education programmes, of the fact that all forms of violence against women and girls are a form of discrimination under the Convention and therefore in violation of women's rights.</li> <li>• Ensure appropriate human, financial and technical resources are put in place and strategies are developed for the prevention of violence against women, and for the protection of victims and their families</li> <li>• Undertake trainings for all professional of the judiciary, public officials, enforcement personnel and all health services providers so as to ensure their knowledge of all forms of violence against women</li> </ul>

<sup>25</sup> Benin has adopted Act No. 2011-26 of 9 January 2012 on the prevention and punishment of violence against women. In addition, the Head of State launched the official dissemination of the Act on 8 March 2012.

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<sup>27</sup> Ministère de la famille et de la solidarité nationale, Les violences faites aux femmes au Bénin, Rapport octobre 2009, p.18

<sup>28</sup> Ibid, p. 31

<sup>29</sup> National Report Benin, p. 17, 6 August 2012, doc A/HRC/WG.6/14/BEN/1

<sup>30</sup> Report of the Working Group on the Universal Periodic Review, Benin, document [A/HRC/22/9](#), para. §108.47.

<sup>31</sup> Report of the Working Group on the Universal Periodic Review, Benin, document [A/HRC/22/9](#), para. §108.58.



	<p>and that can adequately answer to it.</p> <ol style="list-style-type: none"><li>2. The government of Benin should take actions empowering women and challenging stereotypical attitudes on the roles and responsibilities of women in the family and society-</li><li>3. The government of Benin should effectively implement on violence against women and ensure that perpetrators are prosecuted and punished.</li></ol>
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## INFORMATION ABOUT THE SUBMITTING NGOS

**Plan International:** Founded in 1937, Plan is one of the world's largest child-centered community development organizations. Plan works with children, their families and communities in 68 countries across Africa, Asia, Europe, Oceania and the Americas, building the skills, the structures, and the resources to give all children an equal voice and an equal chance to develop into healthy, educated, and responsible adults<sup>32</sup>.

On the occasion of the First ever UN International Day of the Girl Child, on October 11<sup>th</sup>, 2012, Plan officially launched its 'Because I am a Girl' global campaign, which aims at promoting girls' access and completion of 9 years of quality education and eliminating all forms of gender-based violence by involving both boys and girls in all decision making processes affecting their lives<sup>33</sup>. Plan has been working in Benin since 1994, helping poor children to access their rights to health, nutrition, education and protection. Plan Benin's programmes benefit more than 16,000 children in 110 communities. Currently, Plan is also assisting communities to put in place appropriate local child protection system against child abduction and child trafficking<sup>34</sup>.

**SOS Children's Villages:** SOS Children's Villages is an international organization that helps children grow in the warmth of a home, surrounded by their parents or persons responsible for them. We believe that all children need a loving home to thrive, and our goal is to help families around the world to help those children. Through our direct actions and with the help of our community partners, we enable children to live with their parents or persons responsible for them and grow with their brothers and sisters in a loving home. We help families to create a warm home in which a child can be a child, to care for their children and when children cannot live in their own homes, we provide them with one care quality replacement. We focus on the care, education and overall development of each child and youth, in the long term, so that he/she can meet the challenges he/she will meet in his/her life.

**Enfants Solidaires d'Afrique et du Monde (ESAM)** is a non-profit and non-governmental organization with an international focus. Founded in 1987, it works to contributing to personal development through the promotion of sustainable development. It aims to promote the integral development of the child (survival, education, protection, law, health, national and international solidarity). ESAM's mission is to work for the defence of child rights through education, integrated education and empowerment of parents, especially women and heads of household. Its vision is of a world where human rights are respected and in which all children can thrive.

<sup>32</sup> Plan holds ECOSOC consultative status since 1981. For more information, please visit: [www.plan-international.org](http://www.plan-international.org)

<sup>33</sup> For more information about the campaign see <http://plan-international.org/girls/plans-goals.php?lang=en>

<sup>34</sup> <http://plan-international.org/where-we-work/africa/benin/what-we-do>