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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional Working Group
Geneva, 21-25 May 2007

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

**List of issues to be taken up in connection with the consideration of
the second periodic report of BENIN concerning the rights referred
to in articles 1-15 of the International Covenant on Economic, Social
and Cultural Rights (E/C.12/BEN/2)**

I. PREPARATION OF THE SECOND PERIODIC REPORT

1. Please indicate whether the State party, pursuant to the recommendation contained in paragraph 48 of the Committee's concluding observations on the State party's initial report (E/C.12/1/Add.78), involved non-governmental organizations and other members of civil society in the preparation of its second periodic report.

**II. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT
IS IMPLEMENTED**

2. Please inform the Committee of the status of the Covenant in the State party's domestic law and give examples of decisions by the courts that refer to the provisions of the Covenant.

**III. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE
COVENANT (arts. 1-5)**

Article 2.2. Non-discrimination

3. Please indicate whether the State party intends to adopt a specific law prohibiting discrimination against persons with disabilities and introducing a legal obligation to guarantee persons with disabilities access to buildings.

4. Please indicate whether the State party intends to adopt a policy for the integration of refugees.

Article 3. Equal rights of men and women

5. Please indicate what measures have been taken by the State party to overcome stereotyped traditions and attitudes that have an adverse effect on women's equal enjoyment of economic, social and cultural rights (E/C.12/BEN/2, para. 68).

IV. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. The right to work

6. Please provide additional data, disaggregated by sex, age, urban and rural population, and ethnic group, on the unemployment rate in the State party (*ibid.*, paras. 57-60). Please also provide up-to-date information on the prevalence of employment in the informal sector and on the measures taken by the State party to regularize this sector (e.g. awareness-raising, information, education, training and job-creation campaigns).

7. Please provide information on the measures taken to increase job opportunities for refugees, particularly for women heads of single-parent families.

Article 7. The right to just and favourable conditions of work

8. Please indicate whether the State party intends to increase the guaranteed minimum wage so that it affords a decent standard of living for all workers and their families, in accordance with article 7, paragraph (a) (ii) (*ibid.*, paras. 128-133).

9. Please provide information on the enforcement of workplace health and safety standards in the State party (*ibid.*, paras. 136-141). Please also provide information on the implementation of the right of workers to refuse to work in dangerous conditions without the risk of dismissal.

Article 9. Right to social security

10. Please provide disaggregated statistics on the categories of workers covered by social security and on the benefits granted following the entry into force of Act No. 98-019 of 21 March 2003, on the Social Security Code (*ibid.*, paras. 166-167).

11. Please indicate whether the State party plans to ratify the ILO Convention concerning Minimum Standards of Social Security (No. 102) (*ibid.*, para. 156).

12. Please provide updated information on the development of the Mutual Social Security Association for the Informal Sector, including the number of members, the minimum retirement and sickness benefits and the prospect of extending coverage throughout the territory of the State party (*ibid.*, paras. 162-165).

Article 10. Protection of the family, mothers and children

13. Please provide information on the legal framework for combating domestic violence, including spousal rape and sexual abuse as well as violence against children in the family, and on the measures taken to prevent domestic violence, such as training of police officers and judges, awareness-raising campaigns and provision of medical, social and legal assistance to victims of domestic violence, who are often reluctant to report cases of abuse.

14. Further to the recommendation contained in paragraph 37 of the Committee's concluding observations on the State party's initial report, please report on the steps taken by the State party to end the practice of "*vidomégon*" and on their effectiveness. Please also describe the impact of the measures introduced to combat trafficking in children (*ibid.*, paras. 179-190) and indicate whether the State party also intends to adopt legislative measures to punish trafficking in adults.

15. Please inform the Committee of the measures taken by the State party, including legislative ones, to prevent and put a stop to killings of so-called "witch children", motivated by traditional beliefs that persist in some regions, and of infants with disabilities. Please also provide updated data on the number of cases of infanticide reported to the police, the number of perpetrators brought to justice and the penalties imposed on them.

16. Please provide information on the prevalence of child labour, including informal sector work, among children under 14 years of age, the effectiveness of labour inspections and the legal framework for combating child labour (*ibid.*, para. 73).

Article 11. The right to an adequate standard of living

17. Given that 29.6 per cent of the population is living below the poverty line (*ibid.*, para. 196), the State party is requested to provide additional information on the measures taken under the poverty reduction strategy for 2002-2004 and the Government's plan of action for 2001-2006, and on their effectiveness (*ibid.*, para. 6).

18. Further to the recommendation contained in paragraph 40 of the Committee's concluding observations on the State party's initial report, please provide additional information on the efforts made by the State party to introduce a consistent public housing scheme for disadvantaged and marginalized people, arrange for rents for public housing to be regulated and avoid any forced evictions without compensation or replacement housing.

19. Please provide information on the measures taken to help the homeless and those living in insanitary shanty towns (*ibid.*, paras. 224-237).

20. Please inform the Committee of the steps taken by the State party to improve prison conditions, particularly with respect to nutrition and health and medical infrastructure, and to deal with prison overcrowding.

Article 12. The right to physical and mental health

21. Please provide additional information on the measures taken to improve access to safe drinking water and sanitation in the State party, particularly in rural areas and shanty towns, and on the results achieved (*ibid.*, paras. 241-242).

22. Further to the recommendation contained in paragraph 31 of the Committee's concluding observations on the State party's initial report, please provide information on the progress made in combating genital mutilation, in particular by passing a law that makes the practice a punishable offence, by establishing mechanisms for the protection of women and through programmes of education and financial support for practitioners of excision who cease their activities.

23. Please inform the Committee of the steps taken by the State party to improve access by women and young people to reproductive health care, sex education, contraception and family planning services, particularly in rural areas.

24. Please provide additional information on the progress made in combating AIDS, particularly with respect to prevention services, education on HIV/AIDS transmission, establishment of voluntary HIV/AIDS testing services, provision of free antiretroviral drugs, and development and implementation of programmes and strategies to combat HIV/AIDS (*ibid.*, paras. 275-279).

Articles 13 and 14. The right to education

25. Please indicate whether the State party, further to the recommendation contained in paragraph 45 of the Committee's concluding observations on the State party's initial report and in accordance with article 14 of the Covenant, has adopted a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory primary education free of charge for all (*ibid.*, para. 292).

26. Please indicate the State party's budget for 2005 and the budget share for primary, secondary and higher education, and the measures taken to improve educational infrastructure and increase the number of schools and teachers. Please provide additional information on the measures adopted with a view to eliminating traditional stereotypes that hinder girls' education, guaranteeing equal access by girls and young women to all levels of education, retaining girls in school and improving literacy rates among women and girls, and on their effectiveness (*ibid.*, paras. 305 and 312).

27. Please provide additional information on the steps taken by the State party to mitigate the adverse impact on family budgets of the steep increase in registration fees at the national universities as from the beginning of the 2004/05 academic year (*ibid.*, para. 297).

Article 15. The right to participate in cultural life

28. Please inform the Committee of the measures taken by the State party to protect its linguistic heritage, pursuant to the recommendation contained in paragraph 47 of the Committee's concluding observations on the State party's initial report.
