



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the fourth periodic report of the Republic of Benin, at the Committee's fifty-sixth session, held in October 2013. At the end of that session, the Committee's concluding observations (CEDAW/C/BEN/CO/4) were transmitted to your Permanent Mission. You may recall that in paragraph 49 on follow-up on the concluding observations, the Committee requested the Republic of Benin to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 29 (e) and 33 (a) of the concluding observations.

The Committee welcomes the follow-up report received with a 23-months delay in September 2017 (CEDAW/C/BEN/CO/4/Add.1) under the CEDAW follow-up procedure. At its sixty-eighth session, held in November 2017 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 29** of the concluding observations, that the State party “regulate and monitor the working conditions of girls employed as *vidomegons* in order to protect them from exploitative child labour, through increased inspections and fines for employers”: The State party indicated that Benin has adopted the Children's Code on 8 December 2015. It indicated that some of the Act's provisions, specifically sections 3, 4, and 5, regulate the work of *vidomegons*, and that individuals who violate those provisions are liable to imprisonment or a fine of between 150 000 and 500 000 FCFA, as set out in articles 353, 362, and 363 of the Children's Code. The State party also indicated that the social legislation in place does not provide for mechanisms allowing to monitor the working conditions of children employed as *vidomegons*. It however informed that its national action plan to combat the worst forms of child labour, which includes the monitoring of children, aims to eliminate these forms of labour by 2015. It added that the plan is to be evaluated in 2017. The State party further reported on the conduct of a national survey in 2013 on child labour in the three main markets of Benin, and that it adopted a national child protection policy, together with a plan of action, in 2016.

His Excellency
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The Committee welcomes the adoption of the Children's Code, which regulates the work of *vidomegons* and increases fines for their employers. It also welcomes plans to evaluate its action in terms of monitoring and combating the worst forms of child labour through the corresponding National Action Plan. Regretting that the social legislation in place does not yet provide a mechanism allowing to monitor the working conditions of children employed as *vidomegons*, the Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

In relation to the recommendation that the State party "integrate girls employed as *vidomegons* into the educational system": The State party reported that it has taken measures in regards to girls' enrolment in school, such as their exemption from school fees, as well as measures to keep economically vulnerable girls in school.

The Committee takes note of the measures taken by the State party in regards to girls' enrolment in school, such as their exemption from primary and secondary school fees and measures to keep economically vulnerable girls in school. The Committee is however concerned at the absence of measures directly aiming the integration of girls employed as *vidomegons* into the educational system. It considers that the State party has taken some steps to implement the recommendation. It considers the recommendation **has been partially implemented**.

Regarding the recommendation that the State party "consider ratifying the International Labour Organization Domestic Workers Convention (Convention No. 189) of 2011": The State party reported that it has yet to ratify the International Labour Organization Domestic Workers Convention, 2011 (No.189). It however added that it has asked the International Labour Office for technical and financial support in order to carry out a study on the compliance of its national legislation.

The Committee welcomes measures taken by the State party to carry out a study on the compliance of its national legislation with the International Labour Organization Domestic Workers Convention (Convention No. 189) of 2011. The Committee however regrets that the State Party has not yet ratified this Convention. It considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to **paragraph 29** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Introduce a mechanism allowing the monitoring of working conditions for girls employed as *vidomegons*.
2. Take targeted measures to integrate girls employed as *vidomegons* in the educational system.
3. Take steps to ratify the International Labour Organization Convention (No. 189) on Domestic Workers (2011).

With regards to the recommendation made in **paragraph 33** of the concluding observations, that the State party "take all measures necessary to effectively implement Act No. 2005-31 of 10 April 2006 on the prevention, treatment and control of HIV/AIDS, by urgently adopting its implementing decree": The State party reported that Act No. 2005-31 of 10 April 2006 on the prevention, treatment and control of HIV/AIDS is being revised.

The Committee welcomes the information on the revision of the Act. No 2005-31 on the prevention, treatment and control of HIV/AIDS. It is however concerned that the State party has privileged revisiting the act, rather taking action for its implementation. The Committee considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

In relation to the recommendation that the State party “increase the provision of free antiretroviral treatment to all women and men living with HIV/AIDS”: The State party reported that the national coverage of antiretrovirals is at 55 per cent, with the number of persons living with HIV/AIDS having increased from 25,000 in 2014 to 40,000 in 2017. It added that pregnant women living with HIV/AIDS who are receiving regular antenatal care are given free care to prevent the transmission of HIV/AIDS to their children.

The Committee welcomes the State party’s increased national coverage of antiretrovirals. It also welcomes the information provided that pregnant women living with HIV/AIDS are receiving free regular antenatal care to prevent the transmission of HIV/AIDS to their children. Regretting that not all women and men living with HIV/AIDS are benefitting of free antiretroviral treatment, the Committee considers that the State party has taken some steps to implement the recommendation. The Committee considers the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “raise the awareness of mothers and fathers living with HIV/AIDS regarding the importance of preventing mother-to-child transmission and conducting educational programmes on sexual and reproductive health and rights directed at both women and men, including the essential responsibility of men in preventing the spread of the disease.”: The State party reported that awareness- raising activities continue, targeting fathers and mothers, religious leaders, students, local elected officials, workers and others, with the support of non-governmental organizations, government ministries and persons living with HIV/AIDS. The State party added that these activities are supported by the Abidjan-Lagos Corridor Project, which aims to increase access to services for the prevention and care of sexually transmitted infections and HIV/AIDS.

The Committee welcomes the State party’s awareness raising campaigns that, in collaboration with NGOs, target various segments of the population. It however regrets that these campaigns do not address the essential responsibility of men in preventing the spread of the HIV/AIDS. The Committee thus considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to **paragraph 33** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Implement the act on the prevention, treatment and control of HIV/AIDS, including by adopting an implementing decree.
2. Increase the free provision of antiretroviral medication and guarantee its access to all women and men living with HIV/AIDS.
3. Continue educational programs and awareness raising activities regarding HIV/AIDS, sexual and reproductive health, and mother-to-child transmission, and include the essential responsibility of men in preventing the spread of the disease.



Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Hilary Gbedemah'.

Hilary Gbedemah
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women