



List of issues prior to reporting
Human Rights Committee
Submission on 19 August 2024

1. Authors of the report

This report was prepared by Changement Social Bénin (<https://changementsocialbenin.org>) and the International Service for Human Rights (www.ishr.ch). The report focuses on the situation of human rights defenders in Benin.

The mission of Changement Social Bénin is to work for the promotion and effectiveness of human rights. Its vision is to make Benin a country where the conditions are created for the satisfaction of all human rights without distinction of any kind, a country where every citizen can avail himself of all the rights set out in the Universal Declaration of Human Rights and participate in creating the conditions for their satisfaction. Contact: Ralmeg GANDAHO, Chairman of the Board of Directors, ralmeg.gandaho@csbenin.org

The International Service for Human Rights is an independent non-profit organization that promotes and protects human rights. ISHR aims to support human rights defenders, strengthen systems for the protection of human rights, and lead and participate in coalitions for change in the field of human rights. Founded in 1984, ISHR has offices in Geneva (Switzerland) and New York (USA), as well as a permanent presence in Abidjan (Côte d'Ivoire). Contact: Adélaïde ETONG KAME, Senior Program Manager (Africa), a.etong@ishr.ch

2. Situation of human rights defenders in Benin

- In Benin, in recent years, there have been several court decisions following complaints of violence against people belonging to the LGBTQ+ community. These include Decision DCC 21-149 of May 27 2021 handed down by the Constitutional Court in the case of Nina, née Jean Camille DJOGUE, Judgment N°370-1FD-21 of June 29 2021, Public Ministry and ABDOULAYE Sadick alias Fati, PADONOU Morel alias Kani DOSSOU Kévin alias Jennifer vs HOUNSINOUE Nel. Considering these legal findings, efforts must be pursued to ensure the assimilation of this community into society.
- Benin does not yet have a law on the protection of human rights defenders, despite the various initiatives taken during the period under review to formalize the process.
- The Committee on Economic, Social and Cultural Rights, at the end of its examination of Benin's third periodic report in 2020, had invited the State party to re-examine the legal provisions relating to assembly and the dissemination of false information in order to enable human rights defenders to work freely and without fear.
- In addition, on July 7 2023, the UN Human Rights Council adopted the final report of the fourth Universal Periodic Review of Benin. Among the recommendations accepted to contribute to the protection of human rights defenders are:

- 136.100 Examine the consequences of the application of the Digital Code and the Electoral Code to guarantee the protection of freedom of expression and political participation (Australia).
- 136.103 Guarantee the right to freedom of expression, in particular for journalists, and freedom of peaceful assembly, in accordance with the International Covenant on Civil and Political Rights (Belgium)
- 136.106 Defend the right of journalists to inform the public freely and without fear of reprisal (United Kingdom of Great Britain and Northern Ireland)

3. Questions to Benin

- Does the state have recent statistics on the detection, prosecution, and punishment of perpetrators of violence against the LGBTQ+ community? If so, please provide them.
- Is there a law on the promotion and protection of human rights defenders?
- What steps are being taken to revise the penal code and the digital code to ensure a favorable working environment for human rights defenders as recommended by the Committee on Economic, Social and Cultural Rights and the Human Rights Council?