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Freedom in the World 2012 - Benin

2012 Scores

Status: Free
Freedom Rating: 2.0
Civil Liberties: 2
Political Rights: 2

Overview

In March 2011, President Boni Yayi was reelected to a second five-year term in a vote that was considered free and fair by international observers but heavily criticized by the opposition. Demonstrations against the result led by the opposition were forcefully dispersed by police. Yayi's coalition gained a majority in free and fair April legislative elections.

Six decades of French rule in Benin lasted until 1960. Twelve years later, Mathieu Kérékou took power, ending a series of coups and counter-coups and imposing a one-party Marxist-Leninist government that lasted nearly 20 years. However, by 1990, economic hardship and rising internal unrest forced Kérékou to hold a national conference that eventually ushered in a peaceful democratic transition. Following his defeat by Nicéphore Soglo in the 1991 presidential election, the country's human rights record improved. Kérékou returned to power in 1996 through a democratic election, and he secured another term in 2001 after his two main opponents boycotted a runoff due to administrative problems and alleged fraud. The 2003 legislative elections, which were generally considered free and fair, gave the ruling coalition a majority in the National Assembly.

The 2006 presidential election – for which both Kérékou and Soglo were ineligible due to their ages – was won by Boni Yayi, an independent candidate and former president of the regional development bank. He pledged transparency, a hard line on corruption, decentralization of government, and the privatization of state companies.

A coalition of parties supporting Yayi, led by the Cowrie Forces for an Emerging Benin (FCBE), won 35 of 83 seats in generally free and fair 2007 legislative elections. In 2009, this loose alliance began to break apart, posing a challenge to Yayi's efforts to enact electoral and economic reforms. By 2010, a number of FCBE members had defected to the opposition, causing the alliance to lose its majority and effectively blocking any new legislation.

In August 2010, more than half of the National Assembly's members called for Yayi's impeachment, accusing him of involvement in a high-profile Ponzi scheme in which a large investment firm was found to have stolen \$130 million in savings from more than 100,000 people. Although parliament was unable to secure the necessary two-thirds majority to impeach Yayi, the president's reputation suffered greatly. The scandal also unified the opposition, bringing together the five major political parties of the south for the first time since independence to form the Build the Nation Union (UN), which put forward a single candidate for the 2011 election, Adrien Houngbédji.

Benin's poverty and limited infrastructure have often caused technical and logistical problems during elections. Electoral reforms have been slow to come about, but a new electronic voter list was implemented by the Autonomous National Electoral Commission (CENA) for the 2011 presidential and legislative polls. The opposition harshly criticized the new system, alleging that more than one million voters had been left off the rolls, and demanded a postponement of the February 27 presidential election. With backing from the United Nations and the African Union, the government agreed to a delay. The election was held March 13, and CENA soon after announced that Yayi had won with 53 percent. International observers deemed the election free and fair. Houngbédji, who received 36 percent, refused to accept the results and appealed to the Constitutional Court. On March 21, the court confirmed Yayi's victory, leading to mass opposition demonstrations that were dispersed with tear gas and other police violence. In July, the government convened a national consultative meeting with legislators, former CENA members, and union and civil society leaders to establish guidelines to better manage future election-related disputes.

Houngbédji's refusal to accept the results appears to have divided the opposition, undermining its campaign for the April legislative polls. Yayi's coalition gained a majority, winning 49 of 83 National Assembly seats, with 41 going to his core party, FCBE, in an election that international observers believed to be fair.

Political Rights and Civil Liberties

Benin is an electoral democracy. Despite delays, serious problems with the new electronic voting system, and doubts about the performance of CENA, the 2011 presidential and legislative polls were both considered largely free and fair by the international community. The president is elected by popular vote for up to two five-year terms and serves as both the chief of state and head of government. Delegates to the 83-member, unicameral National Assembly serve four-year terms.

Historically, Benin has been divided between northern and southern ethnic groups. President Boni Yayi's support comes primarily from the north, while the main opposition parties hail primarily from the south. All political parties, regardless of ethnic or regional affiliation, normally operate freely throughout the country.

Yayi came to power in 2006 on an anticorruption platform and subsequently enacted a number of measures to combat corruption, including an internationally praised audit of 60 state-run companies. However, these efforts were undermined by the 2010 Ponzi scheme scandal. In August 2011, the National Assembly voted unanimously to pass an antigraft law initially proposed by Yayi in 2006, which requires government employees to declare their assets when they enter and leave office.

Constitutional guarantees of freedom of expression are largely respected in practice. A pluralistic and frequently politicized press publishes articles that are highly critical of both government and opposition party leaders. While media outlets were largely able to cover the elections unhindered, a number of troubling incidents were reported. A local journalist was beaten by the National Assembly speaker's private security in February, and another was beaten by police while covering an opposition demonstration in March. Also in March, the authorities disrupted Radio France Internationale's transmission as it was about to begin airing a popular call-in show on the disputed election; it was the second such disruption in two years. The government does not restrict access to the internet, but a 2011 regulation requires mobile phone users to register and undergo an identity check.

The government actively seeks to ensure religious and academic freedoms. While the majority of Beninese identify themselves as either Muslim or Christian, many also practice some form of voodoo. Confrontations between religious groups are rare. The state plans to provide free universal primary education by 2015.

Freedom of assembly is respected, and requirements for permits and registration have often been ignored. In 2011, demonstrations were held on a variety of issues, including problems with the voter roll and the electronic voting system, police violence against journalists, and the Constitutional Court's confirmation of Yayi's election victory. Police cracked down on the post-election demonstrations, using tear gas and batons to disperse hundreds of opposition protesters in Cotonou after the court's announcement. Police arrested a number of the protesters, including opposition officials, citing a directive from the security ministry banning such demonstrations.

Nongovernmental organizations and human rights groups operated freely in 2011. The right to organize and join labor unions is constitutionally guaranteed, even for government employees and civil servants. Unions played a central role in the country's democratization and were a vocal force supporting Houngbédji in 2011. A number of civil servant unions went on strike in June demanding a 25 percent pay increase, halting the strike when the government agreed to negotiate.

The judiciary's independence is generally respected by the executive branch, but the courts are highly inefficient and susceptible to corruption, largely due to their serious and persistent lack of funding. Nevertheless, the constitutional court demonstrated remarkable independence in 2010, in its rulings on a number of complex issues regarding electoral reform. The court appeared to maintain this independence during the 2011 presidential election controversy. Prisons are harsh and overcrowded, and criminal cases are rarely processed on time.

Relations among Benin's ethnic groups are generally amicable, although regional divisions occasionally flare up, particularly between the north and south. Minority ethnic groups are well represented in government agencies, the civil service, and the armed forces.

Although the constitution provides for gender equality, women enjoy fewer educational and employment opportunities than men, particularly in rural areas. A family code promulgated in 2004 improved women's inheritance, property, and marriage rights, and prohibited forced marriage and female genital mutilation, but these laws have not yet been well enforced. In April 2009, to address the country's high maternal mortality rate, the government began helping women pay for caesarean births, a project that continued into 2011.

Human trafficking is widespread in Benin; the vast majority of victims are girls trafficked inside the country from rural to urban areas. A law formally outlawing the trafficking of children was passed in 2006, but there is no legislation in Benin that specifically addresses the trafficking of adults.

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