



Freedom in the World 2013 - Benin

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2013 Scores

Status: Free

Freedom Rating: 2.0

Civil Liberties: 2

Political Rights: 2

Overview

Tensions between the government and the opposition remained high in 2012 due to perceived irregularities in the 2011 presidential poll, in which President Boni Yayi won reelection. In October, the country was stunned by the arrest of three people for an alleged assassination attempt on the president. More promisingly, the National Assembly passed legislation abolishing the death penalty and banning torture.

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. 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. The 2003 legislative elections 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 and former president of the regional development bank. A pro-Yayi coalition, 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, several 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. Although parliament was unable to secure the necessary two-thirds majority to impeach Yayi, the president's reputation suffered greatly.

The scandal unified the five major opposition parties of the south for the first time since independence to form Build the Nation Union (UN), which fielded former prime minister Adrien Houngbédji as its candidate in the 2011 presidential election. Nonetheless, in March 2011 Yayi was reelected with 53 percent of the vote. The election had been delayed by nearly a month due to alleged irregularities, including problems with a new electronic voting system, but was eventually deemed free and fair by international observers. Houngbédji, who received 36 percent, refused to accept the results and appealed to the Constitutional Court. The court confirmed Yayi's victory, leading to mass opposition demonstrations that were dispersed with tear gas and other police violence.

Houngbédji's refusal to accept the results undermined the opposition's 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. This majority is enough to push through legislation but not constitutional reform, assuaging concerns that Yayi would seek to amend the constitution to allow for a third term. At the end of 2011, the position of prime minister, abolished since 1998, was reinstated, with the intention of preventing the centralization of power in the presidency that many feared. The new prime minister, Pascal Koupakpi, had been serving in Yayi's administration and already effectively held many responsibilities of the post.

In October 2012, Yayi's niece, his doctor, and a former commerce minister were arrested for allegedly trying to poison the president. Patrice Talon, a wealthy businessman, is believed by the administration to have coordinated the assassination attempt. Talon, formerly a staunch Yayi supporter and funder of his campaigns, had recently become a vocal opponent of the president. All three remained in prison at year's end.

Tens of thousands of people were displaced by floods in Benin's south in June, and more than 35,000 refugees fled over the border escaping the violence in Mali, straining already limited resources in the north.

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 the Autonomous National Electoral Commission, the 2011 presidential and legislative polls were considered largely free and fair by international observers. 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 and the prime minister all 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, and small ethnic groups are well represented in government bodies.

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. 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. Despite frequent accusations from opposition politicians that Yayi has himself been involved in corruption, he has managed to maintain a reputation, both domestically and abroad, for being tough on corruption.

Constitutional guarantees of freedom of expression are largely respected in practice, though they were more at risk around the 2011 elections as the High Authority of Broadcasting (HAAC) handed out sanctions and suspensions with particular ease. Domestic respect for the HAAC has declined since 2011, when the president appointed a new chairman whom many considered to be a Yayi partisan, in a process that lacked

transparency. The HAAC suspended one station, the private television station Canal 3, in 2012 at the request of the president for "undermining national unity". Libel and defamation remain criminalized in Benin, though they are rarely used. A pluralistic press publishes articles that are highly critical of both government and opposition leaders, though most media outlets receive direct financial support from politicians and few are considered genuinely independent.

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. Benin reportedly has the world's fastest growing Roman Catholic population, and the president is frequently criticized by the opposition for favoring the evangelical Christian population, though these criticisms are generally thought to be unfounded.

Freedom of assembly is respected, and requirements for permits and registration have often been ignored. Nonetheless, demonstrators encountered more problems than usual surrounding the 2011 elections, as widespread opposition demonstrations were at times violently suppressed by the police. Police also arrested a number of the protesters, including opposition officials, citing a directive from the security ministry banning such demonstrations. No such events were reported in 2012.

Nongovernmental organizations and human rights groups operated freely in 2012. The right to organize and join labor unions is constitutionally guaranteed, even for government employees and civil servants. The right to strike, however, is more limited; in October 2011 a new law extended a ban on the right to strike for military personnel and police officers to include customs officers and water and forestry workers. Unions played a central role in the country's democratization and were a vocal force supporting Houngbédji in 2011. Civil servant unions went on strike in June 2011 demanding a 25 percent pay increase, halting the strike when the government agreed to the increase a month later. In February 2012, the teachers' union went on strike for two months, complaining that they had been omitted from the deal, before returning to work without an immediate pay raise in response to the government's assertion that they had indeed received the 2011 increase.

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, when it ruled on a number of complex issues regarding electoral reform, and in 2011, during the election controversy. Prisons are harsh and overcrowded, and criminal cases are rarely processed on time. In March 2012, the National Assembly unanimously passed a law in keeping with the recommendations of the UN Committee Against Torture. There have been no executions in Benin for 25 years, and in July the country ratified a UN treaty abolishing the death penalty.

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 and a national gender promotion policy aims to achieve gender equality by 2025, 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.

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 specifically addressing the trafficking of adults.

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