In view of the 14th Universal Periodic Review of the United Nations Human Rights Council, the World Coalition Against the Death Penalty (WCADP), would like to communicate several points concerning the situation of the death penalty in Benin.

The World Coalition Against the Death Penalty (WCADP) gathers 132 members: human rights organizations, professional associations and local authorities on the five continents who have united to campaign for the universal abolition of the death penalty. It was founded in 2002 in Rome. Its actions include the World Day Against the Death Penalty, a ratification campaign of the United Nations Protocol aiming at the abolition of the death penalty, and a campaign for the implementation of the UNGA moratorium resolution.

**Death penalty**

1. Benin is a de facto abolitionist country. The last execution in Benin took place in 1987. On 18 August 2011 the National Assembly of Benin counted 54 votes in favour of ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, with only 5 votes against and 6 abstentions. Benin also demonstrated its commitment as regards abolition of the death penalty by co-sponsoring the three UN General Assembly resolutions for a moratorium on the use of the death penalty in 2007, 2008 and 2010.

2. Benin accepted the recommendations made during its UPR in 2008 to consider the abolition of death penalty and to consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. In its midterm assessment dated 7 March 2012, Benin indicated that the ratification process was ongoing.

3. However, as of 1st April 2012, Benin has not yet ratified or acceded to the Second Optional Protocol (the instruments of ratification/accession have not yet been deposited with the UN Secretary General).
There are no obstacles to such ratification: according to Article 7.3 of the Protocol, it “shall be open to accession by any State that has ratified the Covenant or acceded to it.” Benin acceded to the International Covenant on Civil and Political Rights in 1992 and it is therefore competent to accede to this Protocol. Among the obligations incumbent upon Benin following accession to the Protocol are the prohibition of executions and withdrawal of the death penalty from internal criminal law. Benin had not executed anyone since 1987 and can therefore ratify it.

4. The WCADP thus urges Benin to ratify/accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and to deposit the instrument of ratification/accession with the UN Secretary General as soon as possible. It also urges Benin to abolish the death penalty in its legislation as soon as possible, as stated in Article 1 of the Protocol: “Each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction.”