

WHITE & CASE



IFRC COVID-19 Emergency Decree Pro Bono Research: Benin

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- *Questions to be answered by close of business Friday, 27 March are listed below.*
- *Please be sure to include English translations of relevant text where possible.*

1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

The Benin government is encouraging private actors to aid in the Covid-19 response through “solidarity initiatives.”¹ The government is publicizing these initiatives on its coronavirus website following a screening process that begins with an online form.²

The government has also asked financial donations to be made out by check in the name of the Public Treasury or transferred to “account No. BJ6600100100000104337563-COVID 19-COTONOU” which has been opened in the General Directorate of the Treasury and Public Accounting. Donations of medical equipment are to be addressed to the Minister of Health.³

2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?

The Beninese government’s Covid-19 response materials do not appear to reference the Red Cross specifically. The government has asked that international organizations present in the sanitary cordon areas stay in close contact with the Ministry of Foreign Affairs. Further, the government has asked these groups to invest in a Covid-19 awareness and information campaign in all languages spoken in Benin.⁴

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

The government of Benin took measures to prevent the spread of Covid-19 in Benin on 17 March 2020. Those relating to cross-border travel are:

- Measure 1: Limitation of entry and exit at the country’s borders to only where there is extreme necessity” Only essential crossings will be authorized in conjunction with the authorities of neighbouring countries.
- Measure 2: Restriction on the issuance of entry visas to Benin.

¹ <https://www.gouv.bj/actualite/586/coronavirus-initiatives-solidaires-encouragees-gouvernement/>

² <https://www.gouv.bj/coronavirus/initiatives/7/>

³ <https://www.gouv.bj/actualite/576/coronavirus---communique-relatif-dispositions-dons-financiers-equipements-intrants-medicaux/>

⁴ <https://www.gouv.bj/actualite/572/coronavirus--guide-mieux-comprendre-cordon-sanitaire/>

- Measure 3: Systematic and compulsory quarantine of anyone coming to Benin by air. Benin-nationals will have quarantine costs insured by the State, non-nationals must bear these costs themselves.
- Measure 4: Business trips outside the country for members of the Government and for executives of public administration are suspended, except in the case of absolute emergency. The government recommends private sector companies and individual to observe the same caution⁵

There is no clarification on whether the exception of “extreme necessity” would apply to the Red Cross team or other humanitarian organizations or whether such teams would have to comply with the quarantine measures (Measure 3) on arrival.

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/ humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

A quarantine was established on March 30, 2020, around Benin’s major urban areas, namely (1) Cotonou, (2) Abomey-Calavi, (3) Allada, (4) Ouidah, (5) Sèmè-Podji, (6) Porto-Novo, (7) Akpro-Missérété, and (8) Adjara.

Travel in and out of the health cordon is prohibited “except for emergencies”⁶ or upon authorization of the prefect.⁷ Movement of vehicles transporting goods is also allowed⁸ to ensure the distribution of health and food supply. It is unclear whether the whether the movement of RC/humanitarian organizations to access vulnerable populations would qualify as an “emergency” or assimilated to the distribution of health and food supply. Otherwise, the movement of RC/humanitarian organizations to access vulnerable populations would have to be authorized by the prefect.

No further curfew measures have been taken as of yet.⁹

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

Based on our research of publicly available sources, no special legal facilities or exemptions appear to have been put in place for the importation of medical aid or other relief items or personnel from foreign countries.

We note however that Minister Benjamin Hounkpatin welcomed donations of medical equipment from Chinese non-profit organisation, the Jack Ma Foundation, received on March 28, after the measures were in place.¹⁰ This may indicate a willingness to accept the importation of aid for the country.

6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

Based on our research of publicly available sources, Benin has not yet restricted the operations of businesses and their opening hours.

7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).

The government adopted several other measures to ensure social distancing namely:

⁵ <https://sgg.gouv.bj/cm/2020-03-17/> (PDF in French – translatable webpage text can be found [here](#)).

⁶ <https://bj.usembassy.gov/info-covid19/>

⁷ <https://www.gouv.bj/actualite/571/>

⁸ <https://www.gouv.bj/actualite/571/>

⁹ <https://www.gouv.bj/coronavirus/mesures/> - list of current measures

¹⁰ <https://www.gouv.bj/actualite/574/coronavirus-ministre-benjamin-hounkpatin-receptionne-materiels-fondation-jack-ma/>

- Measure 5: Suspension of all demonstrations and all other non-essential sports, cultural, religious, political and festive events.
- Measure 7: Distance and hygiene measures encouraged for users of public transporters.
- Measure 8: Limits on funerals to a strict minimum.
- Measure 9: Recommendation to religious leaders to enforce, during worship, distance of one meter between worshipers and to avoid any physical contact including handshakes.
- Measure 20: Distance and hygiene measures encouraged for customers and users of banks, supermarkets, bars, restaurants and other establishments open to the public.

Notably, President Talon announced that Benin could not enforce a lockdown as it lacks the means to do so.¹¹ The government however recommended that, for populations throughout the national territory, movement be reduced to the minimum necessary.¹²

8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

Based on our research of publicly available sources, the government of Benin has not adopted any ban on the export of protective medical equipment so far.

¹¹ <https://www.brecorder.com/2020/03/29/584615/benin-says-it-does-not-have-the-money-to-confine-the-population/>;
<https://www.vanguardngr.com/2020/04/benin-rep-we-lack-the-means-to-enforce-lockdown-%E2%80%95-president-talon/>

¹² <https://www.gouv.bj/actualite/571/>