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## FREEDOM OF THE PRESS

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# Benin

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Benin has traditionally been ranked among the best-performing African countries for press freedom, with freedom of speech protected by the constitution and largely respected by the government in practice. However, a number of disturbing trends have persisted since the 2006 election of current president Thomas Boni Yayi, including the use of legal and regulatory structures to restrict media freedom.

The 1997 Press Law criminalizes libel and defamation, and although some judges are hesitant to pursue prosecution, journalists continue to face charges. Berthe Cakpossa, director of the private television station Canal 3, was charged with criminal defamation in September 2012 for authorizing the broadcast of comments considered defamatory toward the president; the case was ongoing at the end of the year. The trend of state interference in media content has been particularly evident in the behavior of the official regulatory body, the High Authority for Audio-Visual Media and Communications (HAAC). The HAAC requires all broadcasters to submit weekly lists of their planned programming, and publishers to submit copies of all their publications, though most outlets did not comply with this regulation during the year. The daily *Le Potentiel* was suspended for three months in March 2012 for a column alleging wrongdoing by a former public prosecutor. The HAAC also suspended two shows on Canal 3 in November on the recommendation of the president, who accused the station of undermining national unity by covering a corruption scandal involving the president's aides. One program was suspended for three months, a debate segment on a daily news show was suspended for two weeks, and as noted above, the station's director was charged with defamation by the officials implicated in the coverage. The station appealed the action in court, but no decision had been taken by the end of the year. An independent media ethics commission also censured some journalists during the year for unethical conduct.

Journalists typically have difficulty accessing information from the government. The constitution and other laws provide for freedom of information, but no specific procedures have been created for releasing or obtaining public documents. The penal code prohibits civil servants from divulging professional secrets.

The private press carries a wide variety of opinions and criticism of the government, and the government does not censor content on the internet. However, several types of potential restrictions on coverage are in place. For example, the law bars both citizens and the press from declaring or predicting election results. Political influence over media content is also an issue, particularly at state-controlled broadcast outlets. Opposition political parties continue to have little or no access to the state-run media, and the government is known to engage in editorial oversight at the state broadcaster.

While physical harassment of journalists is unusual in Benin, a number of such incidents have occurred in recent years, particularly in 2011 ahead of the presidential election. However, no overt harassment was reported in 2012.

Print media outlets are predominantly private, while the broadcast sector has a mixture of state-run and private radio and television stations. The many radio stations, roughly 78 of which are privately owned, remain the primary source of news and information, though the state broadcaster, which lacks independence in its coverage, is the only one with national reach. The government controls broadcast ranges, and the HAAC awards limited ranges to private stations. Benin's numerous, well-established print outlets have a history of providing aggressive reporting and robust scrutiny of both government and opposition leaders. However, the media market became especially saturated in 2006 due to the large number of politicized publications that emerged in the month preceding that year's highly contentious presidential election. These newspapers, many of which have continued to publish, are little more than propaganda vehicles for political parties or particular politicians, and they frequently rely on direct funding from their backers. Indeed, most media outlets are dependent on their owners or other financial supporters, as they lack sufficient revenue from subscriptions and advertising. The lack of transparency in the system of media ownership is an area of concern. Many journalists are also susceptible to bribes from politicians and other influential actors. Subsidies and advertising contracts from the government are both used to influence media content. The government gave approximately 350 million CFA francs (\$700,000) in financial assistance to private media outlets during the year.

## 2013 SCORES

PRESS STATUS

**Partly  
Free**

PRESS FREEDOM SCORE

**34**

LEGAL ENVIRONMENT

**11**

POLITICAL ENVIRONMENT

**12**

ECONOMIC ENVIRONMENT

**11**