

DOI: <https://doi.org/10.34069/AI/2022.49.01.2>

How to Cite:

Agonnoude, B.V.F., Adohoude, Y.S., & Nouchet, C.G. (2022). The major reforms of the TALON regime in the Republic of Benin (2016-2020). *Amazonia Investiga*, 11(49), 17-26. <https://doi.org/10.34069/AI/2022.49.01.2>

The major reforms of the TALON regime in the Republic of Benin (2016-2020)

Les grandes réformes du régime TALON en République du Bénin (2016-2020)

Received: October 29, 2021

Accepted: December 17, 2021

Written by:

Bidoley Vianney Freddy Agonnoude³<https://orcid.org/0000-0001-5807-6591>**Yaovi Sylvestre Adohoude⁴**<https://orcid.org/0000-0002-6988-3003>**Codjo Givray Nouchet⁵**<https://orcid.org/0000-0002-9214-3783>

Abstract

The objective of the article is to analyze the institutional, political, judicial and economic reforms in the Republic of Benin from 2016 to 2021. Methodology. The specificity of the research objective requires the use of the following methods: the systems approach, the comparative analysis and the institutional method. Results. The study provides an objective understanding of the aforementioned reforms which primarily aim to improve Benin's performance in the institutional, political, judicial and economic sectors. From our analysis it results that in their great majority, the reforms in Benin are likely to improve in the long term the living conditions of the populations, placing the common interests above the personal interests. Institutional, political and judicial reforms create a framework for consolidating and modernizing democracy and the rule of law in Benin. The authors draw attention to the fact that the economic performance of Benin in recent years is mainly the result of all the reforms undertaken since 2016.

Keywords: Republic of Benin, Patrice Talon, reforms, democracy, justice, socio-economic development.

Résumé

L'objectif de l'article est l'analyse des réformes institutionnelles, politiques, judiciaires et économiques en République du Bénin de 2016 à 2021.

Méthodologie. La spécificité de l'objectif de recherche nécessite le recours aux méthodes suivantes : l'approche systémique, l'analyse comparative et la méthode institutionnelle.

Résultats. L'étude offre une compréhension objective des réformes susmentionnées qui visent en premier lieu à améliorer les performances du Bénin dans les secteurs institutionnel, politique, judiciaire et économique. De notre analyse il résulte que dans leur grande majorité, les réformes au Bénin sont de nature à améliorer sur le long terme les conditions de vie des populations, plaçant les intérêts communs au dessus des intérêts particuliers. Les réformes institutionnelles, politiques et judiciaires créent un cadre de consolidation et de modernisation de la démocratie et de l'État de droit au Bénin. Les auteurs attirent l'attention sur le fait que les performances économiques du Bénin ces dernières années, sont de façon fondée le résultat de toutes les réformes entreprises depuis 2016.

Mots clés: République du Bénin, Patrice Talon, réformes, démocratie, justice, développement socio-économique.

³ PhD in Politics, Assistant at the Department of political analysis and management, Peoples' Friendship University of Russia (RUDN University), Moscow, Russia.

⁴ Postgraduate diploma in political science and regional research, Assistant at the Department of foreign languages, Peoples' Friendship University of Russia (RUDN University), Moscow, Russia.

⁵ Postgraduate student in World Economic, Assistant at the Department of World Economic, Plekhanov Russian University of Economics (PREU), Moscow, Russia.

Introduction

From the period of independence to date, the Republic of Benin has undergone many changes in terms of political governance. In the 1960s, the country was sadly famous for its repetitive coups that, among other things, led in 1974 to its Marxist experience which, for both endogenous and exogenous reasons, resulted in the democratic transition of 1990. The Conference of the Nation's Active Forces became the central event of the democratization process which paved the way for multipartyism in the country. From 1991 to 2016, Benin has had four different presidents in six presidential elections. This makes political alternation a reality and an essential element of the political culture of this West African country.

Renowned for its high democratic culture, the Republic of Benin is however facing stiff criticism under the governance of current President Patrice Talon. This is due to the various reforms initiated by the government and its leader, which do not have unanimous support within the political class, among the masses and international opinion. This raises the question of the basis of the said reforms and their impact on populations divided into supporters and opponents of the regime. This article offers an objective study of the major reforms carried out by the government of President Patrice Talon in the institutional, political, judicial and economic fields.

Literature review

The analysis of politico-economic and institutional reforms in the Republic of Benin can be found in the work of a few authors who have devoted themselves to this topic. In this scientific research, the work of Robert Dossou (2020) on the journey from monolithism to pluralist democracy was of capital importance, because they made it possible to analyze and understand the essence of what integral democracy is in the face of the new reforms undertaken by President Patrice Talon since taking office in 2016.

The work of Sylvestre Adohoude and Freddy Agonnoude (2020) on the evolution of the political system in the Republic of Benin since independence, helped to follow the evolution of political reforms adopted (for example the adoption of a multiparty system) from 1990 to 2016.

The work of Stephen Golub, Ahmadou Mbaye and John Igue (2019) helped in highlighting the

reduction in economic dependence between Benin and Nigeria after the implementation of a series of reforms.

Methodology

The methodology of this scientific research is based on a systemic approach, a comparative analysis and an institutional method. The systemic approach was used first to mention the 1990's Conference of the Nation's Active Forces and to observe its development until now. The comparative analysis in turn helped evaluate with criticisms based in fact on the words of President Patrice Talon, mentioning the limitations or imperfections of 1990's reforms. The institutional method made possible to analyze President Talon's reforms of institutions of the political system.

Results and Discussions

The political and institutional aspects of state reforms in the Republic of Benin

After taking office in 2016, President Patrice Talon, dedicated a large part of his term to reforms. These reforms touched practically all the major layers of the functioning of the state. These include reforms relating to politics, media, public administration and justice, security and defense, social protection, health and welfare, education not to mention culture, art, sport, crafts, information and communication technology (Adohoude, 2021).

In this part of our research, we will focus on institutional reforms (in particular the reform of the party system) as well as their results and appreciation by the political class in the Republic of Benin. According to the President, the main goal of the undertaken reforms is the consolidation of democracy. This same democracy that allowed the country to register more than 200 political parties (Adohoude, 2021). This high number of political parties for such a small country in size is clearly unacceptable. It is important to note that the multiparty system in the Republic of Benin was introduced in 1990 during the Conference of the Nation's Active Forces, whose purpose was to end the authoritarian regime of General Mathieu Kérékou as well as to recover the country's finances, since it was in an unprecedented economic crisis. From that moment on, Benin regained its political development in the multiparty system and was able to solve the

problems of institutional anarchies. After 26 years of governance in this system, the need to make some adjustments in order to avoid political chaos with the emergence of ethnical political parties was quite obvious.

Since 1990, none of the existing political parties was able to get one of their candidates elected to the highest office. From that moment on, President Patrice Talon deemed necessary to implement some reforms in the party system, one of the major goals of which was to reduce the number of political parties or to group them into powerful political blocs. Such a decision also aims to discourage and eliminate ethnic or regional political parties. It therefore did not get the support of some political actors, who were mainly from the opposition.

Although at the beginning, the institutional and legal reforms initiated were appreciated by the political class in its majority (opposition and supporters), opinions changed very quickly. The legislative and municipal elections held in April 2019 and May 2020 bore the brunt of the political instabilities that reigned throughout that period. In all these difficulties encountered by the institutional reforms, it is very important to note the courage and inflexibility of the President. Firstly, although the COVID-19 crisis in 2020 could have had an impact on the holding of elections, the government stood firm with its decision despite pressure from opposition who was pushing for the cancellation or postponement. Secondly, faced with the political instabilities during these elections which even led to armed clashes, the government did not back down by canceling or reviewing the institutional reforms undertaken. Such a decision has resulted in the presence of only two political parties in the Parliament. These are Union Progressist (UP) and Bloc Republican (BR) which occupy the 83 seats available in the Parliament. With regard to municipal authorities, the same observation is made. Out of 77 districts, the two aforementioned political parties have won 92% (71 districts). (Deutsche Welle, 2020). The opposition party Force Cauris pour un Benin Emergent (FCBE) won the 6 remaining districts. Let's note that FCBE was the party of former President Boni Yayi (2006-2016), one of the key figures opposing the ongoing institutional and legal reforms.

Returning to the institutional and legal reforms, for the presidential elections of April 2021, the new provisions stipulate that each candidate should be endorsed by at least 16 elected officials (parliament members and / or mayors) out of the

existing 160. It must be admitted that the path to the highest office just got much more difficult. Though many political actors have not appreciated this necessary evil that is the politico-institutional reforms, it should nevertheless be noted that these are not the only things that annoy the opposition. In fact, some articles of the Law № 2017-20 of April 20, 2018 on the Digital Code in the Republic of Benin criminalize the reporting of false information by journalists, including those of online press (Law № 2017-20 of 13 June 2017). According to François Patuel, the said law could actually participate in a major evolution of the digital sector in the country (Patuel, 2020). In application of these provisions, certain journalists and cyber activists like Aristide Fassinou, Ignace Sossou and many others were arrested. If the new law on the digital code had the merit of regulating activities of the sector, it should be said that the timing may well leave some doubts about its credibility because the said law appeared practically on the eve of the 2019 and 2020 elections.

Referring to the words of the President, about the consolidation of the practice of democracy, we see that there is a great deal of work that has been done on the institutional and legal level. This is seen in the consequent decrease in the number of political parties after the implementation of the party system reform.

Recalling the words of Professor Robert Dossou, it is clear that the Beninese integral multiparty system has somewhat lost its value in favor of the reform of the party system (Dossou, 2020). From the point of view of international observers, this looks like a democratic decline, which is also mentioned by the New York Center for Foreign Policy Affairs (NYCFPA) (Arouna, 2021).

The key aspects of judicial reforms

The judicial reforms announced in the Government Action Program for 2016-2021 (Programme d'Actions du Gouvernement) aimed to promote an independent justice, which guarantees individual freedom and the rule of law in Benin. To this end, a number of actions have been defined to strengthen the national judicial coverage and the digitization of services. To this must be added the endowment of the administration of Justice with infrastructures, quality control system, financial means and qualified personnel to effectively serve the population, administration and business. Thus, the law № 2020-08 of 23 April 2020 on the modernization of justice (which came into effect)

summarizes the main lines of the actions considered by the Government of Benin (Tribunal commerce cotonou, 2020). It should be noted that with the aim of improving the business climate in the country, the law № 2016-15 of July 28, 2016 on the establishment of commercial courts was passed. This law has had a positive impact on the handling of commercial disputes and the business world as a whole. Obviously, this progress has established itself as a strong argument in the context of the promotion of the aforementioned law on the modernization of justice. The law comprises seventeen articles divided into three groups: amending provisions, various provisions, transitional and final provisions. In practical terms, the innovations of the law on the modernization of justice in Benin relate to:

- the introduction of changes in the law on judicial organization in order to compensate for the delay in setting up certain courts (Law № 2020-08 of 23 April 2020, art. 2);
- the creation of small claims chambers before the courts of first instance in order to render justice inexpensive and rapid (Law № 2020-08 of 23 April 2020, art. 3);
- better compliance with the rule of reasonable time in the application of the provisions of the Code on civil, commercial, social, administrative and accounts procedure (Law № 2020-08 of 23 April 2020, art. 3);
- the removal, before the labor courts, of the chamber of conciliation which has become, in practice, a source of delays detrimental to the social partners (Law № 2020-08 of 23 April 2020, art. 3);
- the introduction of a standard procedure for the settlement of small claims not exceeding five million (5,000,000 FCFA) francs XOF, thus exempting litigants from the formalities of stamps in civil and commercial disputes by using the means of electronic communication (Law № 2020-08 of April 23, 2020, art. 3);
- reducing the formalities governing the implementation of legal appeal procedures in the application of the Land and State Code (Law № 2020-08 of 23 April 2020, art. 4);
- the expansion of the scope of intervention of the Training School of Legal Professions to the theoretical initial training of notaries, bailiffs and auctioneers (Law № 2020-08 of 23 April 2020, arts. 8 to 11);
- the gradual digitization of legal proceedings concerning referral to courts, monitoring of proceedings and electronic payment of related costs (Law № 2020-08 of 23 April 2020, art. 3 and 6);
- the creation of referral offices for litigants in order to allow them to be better informed of the functioning of justice and to benefit from adequate assistance in the completion of their formalities (Law № 2020-08 of April 23, 2020, art. 12 to 15) (Hounkpe, 2020).

It is clear that these various innovations take into account the central place of the individual in judicial processes. This gives them some social character, as they also benefit the citizens. Other innovations are the legal transcription of the result of the concrete improvements brought about by the actions of the Government in the judicial sector.

In terms of achievements, it should be noted that at the end of President Patrice Talon's first five-year term (2016-2021), a modernization and better functioning of the Beninese judiciary can be noticed. The 2021-2026 Program also mentions the bold reforms and strong actions carried out by the Government. We can cite among others:

- The framing of the right to strike in order to avoid the paralysis of courts, detrimental in particular to citizens;
- The revitalization of the Superior Council of Magistracy and the Inspection of Judicial Services;
- The recruitment of judicial staff and the allocation of new offices of notaries and bailiffs;
- The creation of three new courts of first instance;
- The creation of specialized courts such as the Cotonou Commercial Court and the Court for the Repression of Economic Infractions and Terrorism (CRIET);
- The creation of the National Agency for Equipment and Housing Stock of Justice;
- The creation of the Judicial Professions Training School;
- The creation of the Benin Penitentiary Agency;
- The adoption of various pieces of legislation intended to improve the functioning of the judicial system (Talon-Talata, 2021).

It should be noted that the existence of the CRIET comes in a context of economic reforms and an atmosphere of insecurity in the region, caused in particular by the actions of terrorist groups such as Boko Haram in Nigeria, Al-

Qaeda in the Islamic Maghreb (AQIM), the National Movement for the Liberation of Azawad (MNLA), the Movement for Unity and Jihad in West Africa (MUJAO) and Ansar Dine in Mali (Dossa, 2019).

In general, the analysis of these different actions cited above allows us to agree that they cover on the one hand the social well-being of the populations and on the other hand the improvement of the performance of the justice sector as a whole. The framing of the right to strike in order to avoid the paralysis of courts, for example, deserves a positive assessment. Thus, contrary to the harsh criticism that the regime is subjected to in this area, we believe that the aforementioned innovations should be subject to rigorous support and monitoring by civil society and political actors.

Today in Benin, there is an ethics guide for law officers. The document adopted in 2018, provides a legal basis for Beninese law officers in their function by providing them with a view of the duties and behavioral requirements that the position of judge calls for. For the High Judicial Council, a disciplinary body for law officers, this guide intends to constitute a reference standard, a framework for sanctioning deviant behavior. It also highlights values such as competence, dignity, diligence, discretion, honor, impartiality, independence, integrity, prohibitions, loyalty, reserve, respect for legality, humanity, wisdom, and sanctions (Ministry of Justice and Legislation, 2021). In our opinion, these are all values whose respect will ensure a positive image of judges and of the judiciary as a whole. The adoption of this guide is also a significant step forward.

Despite the noble and relevant reforms undertaken, it is still important to draw attention to the persistent gap in the impartiality of the judiciary in a constitutional context favorable to the influence of the executive branch on the judicial. Indeed, under the Constitution of the Republic of Benin, the presidency of the High Judicial Council is ensured by the President of the Republic (Law No. 94-027 of March 18, 1999). In his work "The statutory ambiguity of judicial power in the Constitutions of African States with a French legal tradition" published in 2014, Professor Joseph Djogbenou (currently president of the Constitutional Court) rightly qualifies this situation as a structural malaise resulting from the organization of the judiciary in the Constitutions of African States. He underlines that in all the constitutions of the reference States, the guarantee of "judicial

power" is ensured by a competing power, the executive and, in particular, by its holder, the President, who chairs the Supreme Council of the Magistracy (Nonnou, 2018). In our opinion, this undermines any initiative to exercise sovereign judicial power. We believe that the presidency of the High Judicial Council by the Head of State is an attack on the independence of the judiciary. This is what motivated President Patrice Talon to adopt a position denouncing the "overpowering" character of the Head of State. During his election campaign in 2016, the then candidate Patrice Talon promised to sever this link between the executive and the judiciary. Once elected, his position on the issue remained unchanged. But the set of reforms subject to the approval of the Parliament including that of the High Judicial Council was rejected. The President then deemed it appropriate to revert to the constitutional provisions in force which make him the President of the High Judicial Council. It can therefore be concluded that there was a clear will on the part of the Head of State, through constitutional reform, to confer independence to the Beninese justice system.

It is important to draw attention to the creation of the CRIET which, it must be admitted, is subject to contention within the Beninese public. Indeed, the CRIET faces a fairly mixed assessment. Some people qualify this new institution (which was created by the Law № 2018-13 of July 2, 2018, amending and supplementing the Law № 2001-37 of August 27, 2002 on the organization of the judiciary in the Republic of Benin) as a political instrument. On the one hand, it seems fair to us to recognize the justified nature of the initiative to create this Court when we take into account the evil of the economic crimes from which Benin suffered since 1990, in particular under the rule of presidents Kérékou and Yayi. It is thus assumed that the CRIET will help deter and reprimand this type of behavior in the future. This in principle helps promote good governance and fight against economic crimes in the country. On the other hand, the political or pseudo-political nature of the cases handled by this Court should not be ignored, in the sense that indeed a number of cases of fierce political opponents of the regime are being processed at the CRIET. It is for example those of the professor of law Joël Aïvo who failed to register for the last presidential elections or Reckya Madougou, a minister under the former President Boni Yayi. Given that they were arrested in a tense electoral context, one can assume that there is an involvement of the government in the handling of these cases. All the same, light deserves to be shed on the presumed political cases being

processed at the CRIET because its integrity depends on it. Our position is that the establishment of the Court is justified as long as it is not used for political purposes.

Economic reforms

With the aim of creating an attractive environment for investments and promoting sustainable economic development, the government of Benin has since 2016 tackled many problems, in particular those facing the vast majority of African countries: the lack of infrastructure and the high cost of electricity. In the Government Program for 2016-2021, eight projects representing a global investment of nearly 3 billion Euros are devoted to transport, logistics and trade infrastructure (Government Action Program, 2016). Between 2016 and 2020, the road network was densified and modernized through the rehabilitation and strengthening of 835 km and the construction of 989 km. The general condition index of the classified road network rose from 46% in 2016 to 63% in 2020, thanks to improved maintenance of the road network and rural tracks. To ensure efficient management and maintenance of these infrastructures, the government created the Benin Road Infrastructure Company, by Order № 2018-133 of April 18, 2018. The Port of Cotonou, nicknamed "the economic heart of Benin", accounts for around 80% of the country's tax revenue and contributes more than 60% to the GDP. To improve its performance, the government entrusted the management of the port in January 2018 to the Port of Antwerp International (PAI), a subsidiary of the Port of Antwerp for a period of three years, renewable twice. The aim is to improve the efficiency of management and services so as to increase profitability. A year and a half after the implementation of several reforms, an increase in turnover of almost 16.35% was noted. In 2020, the implementation of a 450 million Euros investment plan aimed at modernizing port facilities was started. It will not only revitalize the port sector, but also help compete with the ports of neighboring countries, given the strong growth in trade in West Africa.

In the field of air transport, the government has rehabilitated and brought up to international standards the Cardinal Bernardin Gantin International Airport in Cadjehoun. It has also restructured the air sector by revitalizing the National Civil Aviation Agency. The Benin Airports Company, which is in charge of the management of the country's airports and airfields, was also created. Another major

government action is the start of preparatory work for the construction of a new international airport at Glo-Djigbé.

The infrastructure sector in Benin is changing rapidly thanks to investments made by the government. The reforms at the port level should help increase state revenue by making it more competitive. Until 2016, Benin suffered from a chronic electricity deficit and owed a massive debt to its suppliers, its neighboring countries. Benin's own energy production capacity was low, forcing the country to import 96% of the energy consumed (African Development Bank, 2019). The December 2020 report on the implementation of the Government Program, states that the government has cleared the debts, built a new dual fuel thermal power station "Maria-Gléta 2" with a capacity of 127 MW, rehabilitated and put back into service 3 small power plants of 30MW (Gouvernement of Benin, 2020). To ensure better results in this sector, the management of the Beninese Electricity Energy Company (SBEE) was entrusted to the Canadian company Manitoba Hydro International and the Beninese Electricity Production Company was created. This restructuring at the management level of the SBEE resulted in a 20% increase in the number of customers. A new electricity code has also been adopted, serving as a basis for the establishment of an incentive framework aimed at the development of renewable energies. All these actions have made it possible not only to make energy more available but to reduce dependency by increasing production capacities, which have gone from 2-3% to 60% in 4 years. The reforms undertaken helped to move from a 32% electricity access rate in 2018 to 43.1% in 2020 according to the World Bank. This rate exceeds the average of 40% in sub-Saharan Africa. Several investments in renewable energies have also been made. (Kudryashova, Venger, & Zakharova, 2019)

In order to have a more competitive energy sector, the Beninese parliament passed in February 2020 a law ending the monopoly of the SBEE in terms of production, transport, distribution and marketing of electric energy. (Akincho, 2020) With this liberalization, independent producers will be able to support the SBEE in the race to electrify the entire national territory. This law also gives the Electricity Regulatory Authority the mandate to issue operating licenses for independent producers wishing to invest in the sector. The Authority is also in charge of monitoring compliance with the various regulatory and technical standards established.

The energy sector in Benin has become more dynamic in several aspects. Thanks to investments made by the government, technical and financial partners, it is clear that Benin is on the right track to achieve energetic autonomy.

These numerous investments strengthen the government in its vision of making Benin a land of opportunity and serve as a basis for the promotion of the industrial and commercial sectors. The major role of small and medium-sized enterprises in economic development is a known fact. (Kudryashova, Zakharova, & Kharlampenkov, 2017) The major actions of the government have therefore been to adjust the legislative framework which resulted in a new investment code, and the creation of the Agency for the Promotion of Investments and Exports (APIEx). The role of this agency is mainly to improve the business climate and attract investment. It is responsible for simplifying the procedure for setting up businesses, supporting and guiding investors and businesses. One of the major actions of the agency was the creation of an electronic platform allowing to carry out the procedure of company creation and the reception of certification documents in less than three hours. This makes Benin the world №1 in the ease and speed of starting a business ahead of New Zealand, Georgia and Hong Kong, China (Richards, 2020). For comparison, the average period of time is three days in the EU and seven in New York. The commissioning of this tool has resulted in more than 15% growth in business start-ups. APIEx also acts as the Administrative Authority for Special Economic Zones and the Export Information and Facilitation Center. The government has proceeded to the creation of some special economic zones, some of which are already operational.

Thanks to the actions of the Government through the APIEx, Benin has seen an improvement in its position in the Doing Business ranking. It went from 155 in 2016 to 149 in 2019. The results of all these reforms are also felt at the macroeconomic level.

Benin has strengthened its capacity to mobilize internal resources and diversified its sources of financing. Better management of public finances made it possible to issue the country's very first bond on the international market in 2019. The series of reforms in terms of public debt management, have earned it not only a distinction from the World Bank after an evaluation in 2020, but also the Global Markets Awards 2019 for "Best sovereign debt manager

in Sub-Saharan Africa ". In January 2021, Benin completed Africa's first international bond transaction by issuing a one billion euros bond, in two installments with final maturities of 11 and 31 years (Ministry of Economy and Finance, 2021). In June 2021, Benin issued its first international bond dedicated to financing projects with high impact. The government was able to secure 500 million euros, with a repayment deadline set in 2035. The funds will be used exclusively to finance various social and environmental projects contributing to Benin's commitments to achieve the UN SDGs. It should be noted that this bond is the first of its kind for an African country.

Much effort has also been put into modernizing customs and anti-fraud services. This helped reduce the influence of smuggling on the national economic statistics. Indeed, smuggling represents a large part of trade between Benin and Nigeria, which made the former's economy dependent on the latter's market. (Golub, Mbaye, & Igué, 2019) When in August 2019, Nigeria in a unilateral decision closed its borders with Benin and its other neighbors, many feared serious consequences for economic activities. Thanks to the reforms undertaken by the government, Benin has shown relative resilience (Nouchet, 2021). The World Bank noted a deceleration to 6.4% in 2019, down from 6.7% in 2018, i.e., a GDP per capita growth rate of 3.5%. Another consequence is the reduction in official trade between the two countries, but the state coffers have not suffered too much from the official cessation of smuggling activities. In September 2020, the Directorate General of Customs announced a 75% achievement of revenue forecasts for the first eight months of 2020, while the IMF in its review projected 60% most (Vidjingninou, 2020). This resilience is the result of the deep reforms carried out at all levels since 2016 and which affected the structure of Benin's economy.

Benin had an average economic growth of 4.1% over the period 2001-2016 and then a solid growth rate of 5.7% in 2017. This rate accelerated significantly to 6.7% in 2018. This trend continued in 2019 with GDP up 6.9%, despite the closure of the Nigerian border in August 2019 (Directorate General of the Treasury, 2020) and Benin has achieved one of the strongest growths in the region, above the 4.5% average in sub-Saharan Africa. In 2020, Benin was however confronted with two exogenous shocks, that of the crisis with Nigeria and the COVID-19 pandemic. Despite projections of around a 2% growth rate in 2020,

Benin achieved a real growth rate of 3.8% according to World Bank (World Bank, 2021). The revival of the world economy in 2021, is expected to help achieve a 4.8% growth rate in 2021 and 6.5% in 2022 - stimulated by agriculture, trade and transport (African Development Bank, 2021).

In view of these performances, we can affirm that the reforms carried out by Benin government since 2016 are bearing fruit. Their effects can be felt in the lives of people, although there is much left to be done.

Conclusions

The goal of any reform, be it political, legal or economic, is to create a stable environment, favoring the functioning of institutions and by extension development. Benin is putting much effort into creating such an environment by implementing a program that offers concrete solutions to problems that prevent economic development.

The reforms in the party system have not remained without consequences because it has enabled two political parties to occupy the majority of seats in various state institutions (parliament, town halls etc...). Reforming the party system is not a bad thing, but considering that the political parties "Bloc Républicain" and " Union Progressiste" are both supporters of the government (which implies a certain proximity to the Head of State), the reorganization of the practice of democracy mentioned by President Patrice Talon can be questioned. Thus, the adoption of the Law N° 2017-20 of April 20, 2018 on the digital code in the Republic of Benin, which is one of the major reforms for the proper functioning of institutions, finds itself not getting full credibility. Nevertheless, it is worth noting that the institutional and legal reforms undertaken are of utmost importance for the development of the country, but their instrumentalization in favor of a single political side should be avoided.

When it comes to the judiciary, we note that between 2016 and 2020, several reforms have been implemented by the Government. They were followed by strong and daring actions, placing both the interests of citizens and that of the justice sector at their center.

Benin's economic performance in recent years is clearly the result of all the reforms undertaken since 2016 at all levels. This testifies to the fact that Benin is firmly moving towards economic

development, with the main goal of improving the living conditions of its populations.

Bibliographic References

- Adohoude, Y. S. & Agonoude, B. V. F. (2020). The Evolution of Beninese Political System, C. 1960-2020. *Journal of Politics and law*, 13(4), 164 – 168. <https://doi.org/10.5539/jpl.v13n4p164>
- Adohoude, Y. S. (2021). Features of political and economic reforms in the Republic of Benin under President Patrice Talon (2016-2021). *Science Today*, 67(3), 895–900. Doi: 10.35775/PSI.2021.67.3.035
- African Development Bank (2019). Rural Electrification Project (PERU). Evaluation report. AfDB. Retrieved from: <https://www.afdb.org/fr/documents/benin-projet-delectrification-rurale-peru-rapport-devaluation>
- African Development Bank (2021). Economic prospects in Benin. AfDB. Retrieved from: <https://www.afdb.org/fr/pays-afrique-de-louest-benin/perspectives-economiques-aubenin#:~:text=Le%20d%C3%A9ficit%20budget%C3%A9taire%20devrait%20s,cours%20de%20ces%20deux%20ann%C3%A9es>
- Akinochi, G. J. (2020, February 5). Benin: Parliament adopts a new law which liberalizes the production and distribution of electricity. Agence Ecofin. Retrieved from: <https://www.agenceecofin.com/electricite/0502-73548-benin-le-parlement-adopte-une-nouvelle-loi-qui-liberalise-la-production-et-la-distribution-de-l-electricite>
- Arouna, O. (2021, February 19) The Backsliding of democracy and the deconstruction of democratic institutions. NYCFPA. Retrieved from: <http://nycfpa.org/02/19/current-state-of-affairs-in-benin-the-backsliding-of-democracy-and-the-deconstruction-of-democratic-institutions/>
- Deutsche Welle (2020, December 17). Benin: political and institutional reforms that divide. DW. Retrieved from: <https://www.dw.com/fr/b%C3%A9nin-les-r%C3%A9formes-politiques-et-institutionnelles-qui-divisent/av-55978343>
- Directorate General of the Treasury (2020, December 15). Benin, economic and financial situation. DGT. Retrieved from: <https://www.tresor.economie.gouv.fr/Pays/BJ/conjoncture>
- Dossa, E. C. (2019). The Economic Crimes and Terrorism Repression Court (CRIET). *KAS African Law Study Library*, 6(4), 516 – 522. <https://doi.org/10.5771/2363-6262-2019-4-516>

- Dossou, R. (2020). Audacity, truth and hope. The National Conference: what I have said of it in thirty years. Editions Ruisseaux d'Afrique [African streams]. pp. 256
- Golub, S.S., Mbaye, A.A. & Igué, J. O. (2019). Benin's Informal Trade with Nigeria, Benin Institutional Diagnostic. Economic Development and Institutions. Retrieved from: <https://edi.opml.co.uk/resource/benin-the-economic-relationship-with-nigeria/>
- Gouvernement of Benin (2020, December 16). Status of implementation of the Government Action Program. Retrieved from: <https://www.gouv.bj/actualite/1069/>
- Government Action Program (2016). ACTION PROGRAM, Infrastructure Retrieved from: <http://revealingbenin.com/programme-dactions/programme/infrastructures/>
- Houkpe, J. C. (2020). Benin: a law to modernize justice. Justice Village. Retrieved from: <https://www.village-justice.com/articles/benin-une-loi-pour-moderniser-justice,35673.html>
- Kudryashova, I., Venger, M., & Zakharova, N. (2019). Ecological Aspects of Coal Mining Enterprises Activity in Conditions of Digitalisation. E3S Web of Conferences, 105, 02005. <https://doi.org/10.1051/e3sconf/201910502005>
- Kudryashova, I., Zakharova, N. & Kharlampenkov, E. (2017). Innovation production of polyvinylchloride on the basis of vertical integration of business and cluster organization. E3S Web of Conferences, vol 21, 02016. <https://doi.org/10.1051/e3sconf/20172102016>
- Law № 2001–37. On the organization of the judiciary in the Republic of Benin. Presidency of the Republic of Benin of August 27. <https://www.droit-afrique.com/uploads/Benin-Loi-2001-37-organisation-judiciaire-MAJ-2016.pdf>
- Law № 2016-15. On the establishment of commercial courts. Presidency of the Republic of Benin of July 28, 2016. <https://sgg.gouv.bj/doc/loi-2016-15/>
- Law № 2017-20. On the digital code in the Republic of Benin of June 13, 2017. https://apdp.bj/wp-content/uploads/2019/04/CODE-DU-NUMERIQUE-DU-BENIN_2018-version-APDP.pdf
- Law № 2017-20 On the digital code in the Republic of Benin of April 20, 2018. <https://www.afapdp.org/wp-content/uploads/2018/06/Benin-Loi-2017-20-Portant-code-du-numerique-en-Republique-du-Benin.pdf>
- Law № 2018–13. Amending and supplementing Law No. 2001-37 of August 27, 2002 on the organization of the judiciary in the Republic of Benin as amended and the creation of the court for the repression of economic offenses and terrorism of July 2, 2018. <https://sgg.gouv.bj/doc/loi-2018-13/>
- Law № 2020-08. On judicial organization, art. 2 of April 23, 2020. <https://sgg.gouv.bj/doc/loi-2020-08/>
- Ministry of Economy and Finance (January 2021). Benin carries out the first international bond transaction in Africa of the year with the issue of one billion euros, in two tranches with final maturities of 11 years and 31 years. Retrieved from: <https://finances.bj/communiqués/le-benin-realise-la-premiere-operation-obligataire-internationale-dafrique-de-lannee-avec-lemission-dun-milliard-deuros-en-deux-tranches-de-maturites-fina/>
- Ministry of Justice and Legislation (2021). The provisions of articles 276 and following of the penal code and the notions of delicacy, suitability of one's condition, obligation of prudence and disciplinary fault. Retrieved from: <https://justice.gouv.bj/article/5/les-dispositions-articles-suivants-code-penal-notions-delicatesses-convenance-etat-obligation-prudence-faute-disciplinaire/>
- Nonnou, E.G (2018). The Superior Council of the Judiciary and the independence of the judiciary in the French-speaking States of Africa. The Notebooks of Justice, 4, 715-733. <https://doi.org/10.3917/cdlj.1804.0717>
- Nouchet, C. G. (2021) The current state and development trends of Benin and Nigeria economic relations. Economic relations [Ekonomicheskie otnosheniya], 11(3), 505–520. <https://doi.org/10.18334/eo.11.3.113422>
- Order № 2018-133. Establishing the Benin Road Infrastructure Company (SIRB S.A) Presidency of the Republic of Benin of April 18, 2018. <https://sgg.gouv.bj/doc/decret-2018-133/>
- Organic Law No. 94-027 relating to the Superior Council of the Judiciary of March 18, 1999. <https://legis.cdij.bj/index.php/loi-organique-n-94-027-du-18-mars-1999-relative-au-conseil-sup-rieur-de-la-magistrature>
- Patuel, F. (2020, January 20). Benin. At least 17 people prosecuted in less than two years. Amnesty. Retrieved from: <https://www.amnesty.org/fr/latest/news/2020/01/benin-au-moins-personnes-poursuivies-en-moins-de-deux-ans/>

- Richards, I. (2020, November 30). How the UN helped Benin become the world's fastest place to start a business on a mobile phone. UNCTAD. Retrieved from: <https://unctad.org/news/how-un-helped-benin-become-worlds-fastest-place-start-business-mobile-phone>
- Talon-Talata (2021). Program 2021-2026. Retrieved from: <https://talontalata.bj/programme/>
- Tribunal commerce cotonou (2020) Commercial Court of Cotonou. CCC. Retrieved from: <https://www.tribunalcommercecotonou.bj/documentation/textes-nationaux/1896-loi-n-2020-08-du-23-avril-2020-portant-modernisation-de-la-justice/file>
- Vidjingninou, F. (2020, December 21). Benin, the lessons of resilience against the giant Nigeria. Young Africa [Jeune Afrique]. Retrieved from: <https://www.jeuneafrique.com/1093936/economie/benin-les-lecons-dune-resilience-face-au-geant-nigerian>
- World Bank (2021). GDP growth (annual %) – Benin. Retrieved from: <https://donnees.banquemondiale.org/indicateur/NY.GDP.MKTP.KD.ZG?locations=BJ>