**COURTESY TRANSLATION**

REPUBLIC OF BENIN

Fraternity – Justice – Labor

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OFFICE OF THE PRESIDENT

OF THE REPUBLIC

ACT No. 2024 – 31 dated September 2, 2024

On the recognition of the Beninese citizenship

to Afro-descendants in the Republic of Benin

The National Assembly has conducted deliberations and passed in its session dated July 30, 2024;

The president of the Republic of Benin has enacted the law set out below:

**CHAPTER I**

**GENERAL PROVISIONS**

**Section 1**: The purpose of this Act is to define the specific terms and conditions under which the people recognized as Afro-descendants may be granted the Beninese citizenship by recognition.

**Section 2**: Under this Act, an afro-descendant is any person who, according to their genealogy, has a sub-Saharan African ancestor deported outside the continent as part of the slave trade and triangular trade.

**CHAPTER II**

**TERMS AND CONDITIONS OF THE RECOGNITION**

**Section 3:** Any afro-descendant who so requests may obtain the Beninese citizenship by recognition, provided that they meet the following conditions:

* Must be at least 18 years old;
* Be a national of a non-African state or territory;
* Provide evidence establishing their ancestry.

**Section 4**: The petitioner shall provide proof of afro-descendance by means of an official document, any testimonials established by an acknowledged instrument or any technical or scientific means, such as a DNA test performed by an organization recognized by the Republic of Benin.

**Section 5**: People of sub-Saharan Africa descent born prior to 1944 in the states or territories of deportation as part of the triangular trade are deemed to be afro-descendants under this law.

**Section 6**: Evidence of African descent may be provided by the determination of parentage with a person recognized as an afro-descendant.

**Section 7**: Any petition for Beninese citizenship by recognition shall be addressed to the Minister of Justice by the petitioner himself or herself when physically present on the territory of the Beninese Republic.

The Beninese citizenship by recognition shall be granted by decree of the Council of Ministers upon proposal by the Minister of Justice.

**Section 8**: The Beninese citizenship by recognition shall be granted on a provisional basis for a duration of three years to petitioners who did not apply on the Beninese territory.

**Section 9**: The Beninese citizenship by recognition granted on a provisional basis under the conditions laid down in section 8 of this Act shall become permanent upon justification of a stay by the petitioner on the Beninese territory within the three years starting from the date such provisional citizenship was granted.

**Section 10:** The certification of Beninese nationality under this Act shall be issued by the issuing authority of certificates of nationality following the service of administrative acts by the Minister of Justice.

**Section 11**: The provisional certificate of Beninese nationality by recognition shall be null and void when the petitioner failed to meet, during the period of its validity, the conditions set out in this Act to obtain the permanent certificate.

**CHAPTER III**

**THE EFFECTS OF THE CITIZENSHIP BY RECOGNITION**

**Section 12:** The Beninese citizenship by recognition granted on a provisional basis in the conditions laid down in section 8 of this Act entitles its beneficiary to a provisional certificate of Beninese citizenship by recognition valid for three years without the advantage of the Beninese passport.

This provisional certificate grants the beneficiary free entry to, sojourn in, and exit from the Beninese territory.

**Section 13:** The Beninese citizenship by recognition granted on a provisional basis in the conditions set out in section 8 of this Act and on a permanent basis in the conditions set out in section 9 shall produce the legal effects of the provisions of section 14.

**Section 14**: The Beninese citizenship by recognition grants the beneficiary free entry to, sojourn in, and exit from the Beninese territory.

The beneficiary is entitled to the issuance of a certificate of Beninese citizenship by recognition and a Beninese passport.

The Beninese citizenship by recognition is transmittable to the descendants.

**Section 15**: The beneficiaries of the Beninese citizenship by recognition may, at any time, obtain full citizenship and all associated rights, in accordance with the citizenship legislation.

**Section 16**: Upon proposal by the Minister of Justice, the Beninese citizenship by recognition shall be revoked by decree adopted by the Council of Ministers from the beneficiaries who failed to meet the requirements provided for in section 15 of this Act:

1. If it was established that the Beninese citizenship by recognition was obtained by falsehood or fraudulently and that since its issuance, no possession of Beninese citizenship or assimilation into the Beninese community can be determined;
2. If the beneficiary was convicted for an act considered as a crime or an act compromising the interior or exterior State security, the nation’s fundamental interests or an act of terrorism;
3. If the beneficiary engaged in acts for the benefit of a foreign state incompatible with his or her status as Beninese;

**Section 17**: The decision to withdraw the Beninese citizenship by recognition shall be notified to the relevant authorities and to the party concerned. It shall be published in the Official Journal. However, failure to publish shall have no effect.

**CHAPTER IV**

**FINAL PROVISIONS**

**Section 18:** The conditions for repudiation and reinstatement shall be set forth in accordance with the legislation currently in force regarding citizenship.

**Section 19**: The implementing provisions for this Act shall be specified by decree of the Council of Ministers.

**Section 20**: This Act shall be enforced as State law

Done in Cotonou, on September 2, 2024

By the President of the Republic,

Head of State, Head of Government

*-illegible signature-*

**Patrice TALON**

The Minister of Foreign Affairs The keeper of the Seals, Minister of

*-Illegible signature-* Justice and Legislation

**Olushegun ADJADI BAKARI**  *-illegible signature-*

**Yvon DETCHENOU**

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