



NIGER:

A roadmap for the new authorities based on respect for fundamental rights

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Article 3: Everyone has the right to life, liberty and security



Introduction	4
I – The new Nigerien legal arsenal	7
A) The Constitution of the Seventh Republic	7
B) The new Electoral Code	8
II – The new authorities’ priorities for the protection of Human Rights	10
A) Guarantee the respect for civil liberties	10
B) Guarantee the respect for Human Rights	12
C) Fight against the practice of slavery	13
D) Protect and respect economic, social and cultural rights	14
E) Work towards peace and security in the North	16
Recommendations	18

Introduction

Nearly one year after the military coup d'état of February 18, 2010 that ousted President Mamadou Tandja, who was desperately and illegally clinging to power, the junta of the Supreme Council for the Restoration of Democracy (*Conseil suprême pour la restauration de la démocratie* - CSRD), led by Army Corps General Salou Djibo, succeeded in the adoption of a new constitution, new institutions and in the organization of general elections.

In mid-2010, FIDH led a mission to Niger to meet the putsch authorities, the political parties and the civil society organisations in order to understand the profound political and constitutional changes that were being put in place by the CSRD. During this mission FIDH was one of the few organisations that were able to meet the deposed President, Mamadou Tandja, who was held in extra-judicial detention, and to examine the situation of liberties in Niger.

At the time Nigeriens are going to the polls to elect their representatives, including a new President, FIDH and ANDDH re-examine the political crisis started by Mamadou Tandja, the political transition led by the ruling junta nearly a year ago, take stock of the challenges and make recommendations to the new authorities that will result from the elections in order to set Niger on the way to re-establishing the Rule of Law and the advent of the calm practice of democracy.

The Origin of the crisis: Mamadou Tandja Forces the Issue

Following the presidential and parliamentary elections in Niger in 1999 and 2004, which respectively led to the victory of Mamadou Tandja and his party the National Movement for the Development of Society (*Mouvement national pour la société de développement* - MNSD), the process of establishing the democratic institutions provided for in the Constitution of the Fifth Republic, promulgated on August 9, 1999 after many years of political instability, was completed with the adoption in 2002 of the law that created the Economic, Social and Cultural Council (*Conseil économique, social et culturel* - CESOC) and promulgation of the 2005 decree to create the High Council of Territorial Authorities (*Haut conseil des collectivités territoriales* - HCCT). The nomination in 2008 by President Tandja of a national mediator responsible for “*receiving and investigating complaints of all kinds from all citizens who feel that their rights are infringed and for trying to find amicable solutions*” was also seen as an additional stage in stabilising and consolidating the national institutions.

On May 5, 2009, the announcement made by President Mamadou Tandja of his intention to hold a referendum to permit him to seek a third term as president, contrary to the provisions of the Constitution of the Fifth Republic¹, largely contributed to damaging this process. On the basis of supposedly spontaneous demonstrations by the people calling for his re-election as part of the *Tazartché*² movement, Mamadou Tandja did everything in his power, including using anti-constitutional means, to organise the referendum: dissolution of the National Assembly, dissolution of the Constitutional Court, granting of full powers, all measures that were denounced and strongly condemned by civil society and political opponents, despite the repression to which they were subjected³.

1. Under the provisions of the Fifth Republic, the President is elected for 5 years by universal suffrage and may only be re-elected once (Article 36).

2. A Hausa term meaning “continuity” or “to continue without stopping”.

3. See Observatory Urgent Appeals for the protection of human rights defenders, a joint FIDH and OMCT programme, <http://www.fidh.org/-Niger,72->

The International Federation for Human Rights (FIDH), in partnership with its member organisation, the Nigerien Human Rights Association (*Association nigérienne pour la défense des droits de l'Homme* - ANDDH) went to Niger in July 2009 to meet the authorities there and demand an end to repression against human rights defenders and respect for civil liberties and constitutional provisions⁴.

In spite of the condemnations and threats of sanctions expressed by the international community, on August 4, 2009, the referendum on the reform of the Constitution was organised, with a 90% “yes” vote according to official sources. On August 18, 2009, the Constitution of the Sixth Republic was promulgated, confirming that there were no restrictions on presidential terms, the extension by two years of the presidential term and the change from a semi-presidential to a presidential regime. On October 20, 2009, the parliamentary elections, which were organised in spite of constant warnings by the international community, especially ECOWAS⁵ and which were boycotted by the opposition parties, led to the victory of MNSD⁶.

The Coup d'état and Political Transition

On February 18, 2010, the Niger defence and security forces, united within the Supreme Council for Restoration of Democracy (*Conseil suprême pour la restauration de la démocratie* - CSRD) led by Army Corps General, Salou Djibo, overthrew President Mamadou Tandja and placed him under extra-judicial detention, suspended the Constitution of the Sixth Republic and dissolved all the bodies it had created, in order to, in their own words, “*end the tense political situation*”⁷.

In June 2010, a few months after the coup d'état, FIDH organised a mission to Niger in partnership with ANDDH to meet the representatives of the military junta and to ensure that they were committed to re-establishing constitutional order as soon as possible, to organising free, transparent, democratic and pluralist presidential and parliamentary elections, and to placing respect for fundamental rights at the heart of the legislative and institutional reforms planned during the transition period.

The FIDH mission included Professor Mabassa Fall, the Permanent FIDH Representative before the African Union and Mr. Edgar Szoc, General Secretary of the Belgian Human Rights League (*Ligue des droits de l'Homme belge*), who were able to meet representatives of the transition bodies, civil society, the political parties and foreign diplomats. The FIDH mission delegates and the ANDDH representatives were also some of the few people who were authorised to interview Mamadou Tandja and his Minister of the Interior, Albadé Abouba, both held under extra-judicial detention at the time of the mission.

The CSRD, which, after taking power, made a commitment to “*clean up political and economic life, reconcile Nigeriens and restore democracy*”, gave itself legislative and executive powers until new democratic institutions were set up⁸ and undertook to organise free and transparent elections in which “*personnel from the defence and security forces [including the President and*

4. <http://www.fidh.org/Un-coup-d-Etat-qui-ne-dit-pas-son-nom>

5. Economic Community of West African States. In a press release issued the day after the vote, ECOWAS announced the suspension of Niger from its bodies until constitutional order was re-established.

6. For detailed information on the organisation of the referendum and the parliamentary elections on October 20, 2009 see the ANDDH report published with FIDH support, *Niger, La démocratie confisquée. Observation du processus référendaire du 4 août 2009 et des élections législatives du 20 octobre 2009*. <http://www.fidh.org/Niger-la-Democratie-confisque>

7. CSRD proclamation, February 18, 2010.

http://www.presidence.ne/index.php?option=com_content&view=category&layout=blog&id=16&Itemid=24

8. Ordinance n°2010-001, February 22, 2010 relating to the organisation of civil government during the transition period. http://www.presidence.ne/index.php?option=com_content&view=category&layout=blog&id=45&Itemid=25

the other CSRD members], the Prime Minister and Ministers of the Transitional Government are ineligible”⁹.

The government presided by Salou Djibo, which has since operated essentially on the basis of decrees and ordinances issued by the latter, has set up various institutions, some of which have been made responsible for contributing to the different institutional and legislative reforms carried out during the transition. It is in this context that the National Consultative Council (*Conseil consultatif national* - CCN), the Transition Constitutional Council and the Fundamental Texts Committee (*Comité des textes fondamentaux*) have, in one way or another, contributed to developing initial drafts for the Constitution, the Electoral Code, the Charter for political parties, a Charter for access to public information, etc. The National Observatory for Human Rights and Fundamental Freedoms (*Observatoire national des droits de l’Homme et des libertés fondamentales*), the Commission against Economic, Financial and Fiscal Delinquency, the State Court and the National Communications Observatory are also amongst the principal institutions set up during the transition.

The National Independent Electoral Commission (*Commission électorale nationale indépendante* - CENI) came into operation in June 2010; the Constitution to create the Seventh Republic was approved by almost 90% during the referendum organised on October 31, 2010 and promulgated on November 25; the new Electoral Code was adopted in December and the first “post-transition” elections – the municipal and regional elections – were held peacefully on January 11, 2011. Everything now seems to be ready for the long-awaited organisation of the presidential and parliamentary elections on January 31.

Now that the official election campaigns have begun and with the examination of Niger by the United Nations Human Rights Council under the Universal Periodic Review (UPR) at the beginning of February, FIDH and ANDDH review their main concerns concerning the Human Rights situation in Niger and make recommendations to the Nigerien authorities that will result from these polls so that they may take concrete measures to reinforce the Rule of Law and respect for Human Rights in the country.

9. Ordinance n°2010-03 of March 11, 2010 on the ineligibility of personnel of the defence and security forces and members of the Transitional Government.
http://www.presidence.ne/index.php?option=com_content&view=category&layout=blog&id=47&Itemid=36

I – The new Nigerien Legal Arsenal

A) The Constitution of the Seventh Republic

Approved by over 90% of the vote during the referendum on October 31, 2010 and promulgated on November 25, the Constitution of the Seventh Republic of Niger¹⁰ contains a certain number of provisions relating to respect for Human Rights, some of which already appeared in the 1999 Constitution. It guaranteed a number of fundamental rights such as the right to life, health, education, property, work, information, freedom of thought, opinion, religion, association, freedom of assembly and to demonstrate, and banned the practice of torture, cruel, inhuman and degrading treatment and slavery.

Some provisions relating to Human Rights are nevertheless particularly innovative and differ from those included in the 1999 Constitution in this respect. In particular, the new Constitution adopts the principle of the elimination of all forms of discrimination against women and the combat against the violence of which they are victims and so complies with the commitments made by the Nigerien authorities that ratified the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1999. As provided for in Article 22 of the Constitution, the State must now attend to “*the elimination of all forms of discrimination against women, young girls and people with disabilities [...]. Amongst other things, the State is taking steps to combat violence against women and children in public and private life*”.

In addition the Constitution provides for the implementation of specific policies intended to guarantee that women have access to public institutions. Article 10 reaffirms the principle of equality of rights and duties for all Nigeriens but specifies that “*the access of certain categories of citizens to electoral mandates, elective office and public sector jobs may be fostered by special measures provided for in law*” and Article 22 calls on the State to guarantee women “*equal representation in civil institutions through the national gender policy and respect for quotas*”. On this last point, it is worth remembering that in 2000 a law was adopted on quotas for women in political life, permitting an increase in the proportion of women in Parliament from 1.2% (1 woman out of 83 deputies) to 12.3 % (or 14 women out of 113 deputies) between the 1999 election and that of 2004. However, since then, these percentages have remained very low and the government and the administration have themselves fallen short of the legal minima¹¹.

Concerning economic, social and cultural rights, substantial advances that our organisations have recommended for very many years are provided for in the new Constitution. As an example, the inclusion of the “*right to a safe and adequate supply of food*” (Article 12) represents appreciable progress for a country that is subject to recurrent food crises and to concentration of the distribution circuits for foodstuffs. Similarly, the scandal of the contamination of the water of the children of Tibiri condemned by FIDH and ANDDH since 2002¹² was contributory to the inclusion of the “*right to safe drinking water*” (Article 12) and the obligation incumbent on national and international enterprises to respect environmental legislation in force. Under Article 37, enterprises “*are required to protect human health and to contribute to safeguarding*

10. Constitution of the Seventh Republic of Niger, <http://www.conseilconsultatif-niger.org/images/stories/constviirep.pdf>

11. See Dossier of Claims Africa for Women’s Rights: Ratify and Respect, <http://www.fidh.org/IMG/pdf/dossierofclaims0803eng.pdf>

12. See in particular the FIDH report de la FIDH “The Children of Tibiri: when water turns into poison” (*Enfants de Tibiri : quand l’eau se transforme en poison*), October 2002, <http://www.fidh.org/Droit-a-l-eau-potable-au-Niger>

and improving the environment”¹³. More general provisions relating to protection of the environment and the exploitation of natural resources also feature in the new Constitution.

From an institutional point of view, the principle of limitation of the Presidential mandate is reaffirmed: the President of the Republic is elected for 5 years, may be re-elected only once and it is now recorded that “*under no circumstances may anyone carry out more than two Presidential mandates or extend the mandate for any reason whatsoever*” (Article 47). In addition, the definition of high treason by the President of the Republic has been extended to other areas and includes the refusal “*to comply with a decree of the Constitutional Court*” (Article 142)¹⁴.

As for the Constitutional Court, although it retains the same responsibilities (to rule on the constitutionality of laws, to interpret the provisions of the Constitution, to supervise the legality of elections, to judge electoral disputes, to announce the final results, etc.), it may not now be dissolved and no provision of the Constitution relating to it may be suspended (Article 135).

While FIDH and ANDDH welcome these advances as a whole, our organisations deeply regret that the proposal made by the National Consultative Council to insert a provision to allow Human Rights organisations to seize the Constitutional Court on any law that attacks the fundamental rights guaranteed by the Constitution was not retained in the final version “*in order to prevent congestion of the said Court to the extent of effecting its functioning*”. In fact, while such a concern may turn out to be legitimate, congestion of the Constitutional Court could easily have been prevented by an adequate system of admissibility of motions and requests and by the jurisprudence of the Supreme Court itself. The possibility of seizing the highest state would in effect have created a legal way for the active forces of Nigerien civil society to ask, in law, fundamental questions relating to Nigerien civil life freedoms. Such procedures permit institutional, social and legal changes that enable a state to develop the legal framework in accordance with developments in society and its needs.

The new Constitution, some of whose provisions clearly aim to avoid as far as possible any manipulation of the constitution or the institutions for the purpose of attracting votes, was welcomed overall by the whole of the political class and Nigerien civil society. Mamadou Tandja’s tactics left a lasting impression on Nigerien political history and the constitutional safeguards to prevent such abuses again in the country may easily be seen in this new text. For Marou Amadou, the President of the National Consultative Council, “*this will remind statesmen that this text cannot be interfered with any old how and that it is our fundamental law from now on*”¹⁵. But, although from now on it is established that “*any attack on the Republican form of the State and the democratic institutions is a crime of high treason that may be punished as such in law*”, Article 185 still stipulates that “*amnesty is granted to the authors, co-authors and accomplices of the coup d’état of February 18, 2010*”, a provision that was also included in the 1999 Constitution regarding the authors of the coups d’état of January 27, 1996 and April 9, 1999.

B) The New Electoral Code

Initially promulgated on May 27, 2010, the final version of the Electoral Code was adopted on December 28, 2010 after having been brought into conformity with the new Constitution. There are several notable differences between the two versions: the duration of the Presidential term and of the legislature is extended from 4 to 5 years, candidates for election as President

13. See below *The case of the children of Tibiri*.

14. Similarly under Article 53, “*the same consequences apply to absolute disability, the refusal of the President of the Republic to comply with a decree of the Constitutional Court ascertaining a violation by the former of the provisions of the present Constitution*”.

15. <http://www.rfi.fr/afrique/20101126-viie-republique-vu-officiellement-le-jour-niger> ns_mchannel=SEM&ns_source=Google&ns_campaign=RFI%20FR_Afrique&ns_linkname=Niger%20-%20Nouvelle%20constitution_niger%20constitution&ns_fee=0)

are no longer obliged to be educated to a level equivalent to the Baccalaureate + 3 years, nor to be under 70 years old, and the minimum age for standing as a Presidential candidate has been lowered from 40 to 35 years old. Candidates standing for office of deputy are no longer obliged to have passed the Baccalaureate but the various candidates' lists must include at least 75% of candidates who hold the *Brevet d'études de premier cycle* – BEPC (a junior high school diploma). The minimum age to stand as candidate is lowered from 28 to 21 years old and it is no longer compulsory to be aged less than 70 years old.

The new Code also adopts the responsibilities, the composition and the methods of organisation and operation of the National Independent Electoral Commission (*Commission électorale nationale indépendante* - CENI). Amongst the members of the CENI are representatives of the political parties, the various ministries, Human Rights associations, trade unions, the media and representatives of all the collectives of women's associations. It is also worth noting that the position of second Vice-President of the CENI has now been given to a representative of the collectives of women's associations.

Regarding the candidates, 10 people are now in the running for the Presidency. These include a sole woman, the first to stand for the Presidency, Ms. Bayard Mariama Gamatié, candidate for the Independent Candidates' Rally for a New Niger (*Rassemblement des candidats indépendants pour un Niger nouveau* - RACINN). The list also includes a former President of the Republic, Mr. Mahamane Ousmane for the Social and Democratic Convention (*Convention démocratique et sociale* – CDS), former Prime Ministers such as Mr. Hama Amadou for the Nigerien Democratic Movement (*Mouvement démocratique nigérien* – Moden), Mr. Cheiffou Amadou for the Social Democrat Rally (*Rassemblement social démocrate* – RSD), Mr. El Hadj Seini Oumarou for the National Movement for the Development of Society (*Mouvement national de la société de développement* – MNND) and Amadou Boubacar Cissé (also former President of the Islamic Development Bank). Mr. Mahamadou Issoufou for the Nigerian Party for Democracy and Socialism (*Parti nigérien pour la démocratie et le socialisme* – PNDS), a challenger of Mamadou Tandja in the 1999 and 2004 Presidential elections, is also in the running.

The parliamentary elections, a single round vote using the proportional representation system, should permit political representation for all the main Nigerien political parties. The return of the parties to the Nigerien political game is good news for democratic debate. However, there may be a risk of parliamentary and government instability if parliamentary coalitions need to be found that are too complicated to obtain a parliamentary majority and guarantee government policy.

After the announcement of a three-day delay of the regional and municipal elections that were initially set for January 8, 2011, due to the delay in election material reaching some of the regions, the CENI had to take measures to guarantee the opening of nearly 20,000 polling stations throughout the country on January 11, to permit over 6 million electors to go to the polling stations to elect their local representatives. With a budget set at around 30 billion CFA francs, there is more pressure than ever on CENI to do all it can to guarantee the successful operation of the coming polls, which are eagerly awaited by Nigerien citizens. There is also considerable pressure on the authorities that are the outcome of the various elections, in line with the Nigeriens' expectations in terms of reinforcing the rule of law and respect for their fundamental rights.

II – The New Authorities’ Priorities for the Protection of Human Rights

A) Guarantee the Respect for Fundamental Freedoms

Individual freedoms have been under gradual attack since 1999 as Mamadou Tandja strengthened his hold on state structures in order to remain in power: occasional attacks targeting political parties, using the fight against corruption to eliminate potential political opponents, attacks and occasional muzzling of the press, freedoms under the control of civil society associations, etc. The regime clearly became more radical during 2008 and particularly in 2009 when the former President stated his intention of changing the Constitution so as to seek a third term. In order to manipulate national public opinion, the Tandja camp orchestrated a huge political, media and security-focused campaign known as “tazartché”, a Manichaean presentation of the President’s achievements and his government as a defence against instability and under-development. Considerable obstacles were put in the way of individual and collective freedoms from the start of the “tazartché” project. All demonstrations or rallies by political parties and associations hostile to the referendum proposed by Mamadou Tandja were banned regularly.

During the month of August 2009, several demonstrations were violently repressed by the defence and security forces, leading to numerous arrests. There were recurrent violations of the rights of human rights defenders: for having condemned the referendum on August 4 and called for general mobilisation to defend the benefits of democracy, many actors of civil society were arrested or held in arbitrary detention and several of them were the target of judicial harassment¹⁶. Furthermore, there was regular censorship of statements, interviews, press releases and other briefings by media opposed to the referendum. Private media that broadcast these opinions were subject to all kinds of judicial and administrative harassment.

Whilst reiterating their condemnation of the coup d’état of February 18 for contravening the principles of the Constitutive Act of the African Union and the instruments for the protection of Human Rights, FIDH and ANDDH have acknowledged the efforts of the transition stakeholders with regard to respect for Human Rights and have stressed that no systematic violations of civil liberties were noted during their mission in June 2010. Our organisations welcomed certain major developments that occurred even during their mission, including the decriminalisation of press offences.¹⁷

Nevertheless, FIDH and ANDDH deeply regret the unfavourable ruling issued by the National Consultative Council on December 17, 2010 concerning the draft ordinance on the abolition of capital punishment due to lack of consensus agreement between its members. FIDH and ANDDH recall that capital punishment is inconsistent with the essential notions of human dignity and liberty enshrined in particular in the new Constitution. Furthermore, it has so far

16. For a reminder of the facts and for information on specific cases, see the urgent appeals published by the Observatory for the Protection of Human Rights Defenders, a joint FIDH and OMCT programme, <http://www.fidh.org/-Niger,307->

17. See FIDH press release: “Niger: At the Halfway Point in the Transition Process, Momentum must be Maintained to Ensure that it Remain Inclusive and Consensual in the lead up to the Elections”, June 15, 2010, <http://www.fidh.org/Niger-At-the-Halfway-Point-in-the-Transition>

demonstrated that it is totally ineffective as a means of dissuasion. This is why maintaining the death penalty cannot be justified on grounds or considerations of effectiveness.

The case of Mamadou Tandja and his “clan”

Former President Mamadou Tandja was placed under extra-judicial detention after the coup d'état in February 2010. In June 2010, FIDH and ANDDH were among the first of the rare organisations to be able to interview him, in the presence of representatives of the junta. During this interview Mamadou Tandja said that he was “treated well and in good health”. FIDH and ANDDH called on the transition government early on to begin regular judicial proceedings against him and to guarantee him the right to a fair, transparent and equitable trial, or to release him if no charges were to be made against him.

Seized by members of the Tandja family, the ECOWAS Court of Justice issued a ruling on November 8, 2010 confirming the arbitrary nature of the arrest and detention of the former President and demanding his release. The transition authorities, who said that they were surprised by this ruling, on December 19, 2010 announced that the State Court had withdrawn the immunity of Mamadou Tandja, opening the way for legal proceedings against him for presumed acts of misappropriation of funds. “This withdrawal of immunity of the former President comes after checks on various bodies and companies had revealed irregularities that officials of these companies imputed to him directly or indirectly”, declared the government spokesman, Laouali Dan Dah.

The former Nigerien President left the *Villa Verte*, in the grounds of the Presidential Palace, where he had been living since the army putsch that had ousted him last February, and on Sunday December 16 he was taken to the civil prison in Kollo, south of Niamey. “Before this he was heard by a judge, who charged him and placed him under committal order”, said Laouali Dan Dah. The principle charges against him are “misappropriation of public funds and violation of the constitution”.

Financial misappropriation

Funds amounting to over 64 billion CFA francs (nearly 98 million euros) had been misappropriated over a ten year period during the Tandja regime according to a state report of investigation published at the end of 2010, highlighting the direct responsibility of the former President in a series of cases.

A Commission against Economic and Financial Crime, set up by the head of the junta, General Salou Djibo, is responsible for notifying the accused of the amounts to be repaid. Enquiries have already led to the imprisonment of several senior officials, in particular a former minister and the former Treasury head, as well as one of the sons of Mamadou Tandja.

“Endangering State security”

Several military officers were arrested following the coup d'état in February 2010, and were recently found guilty of “endangering State security”. They have since been held in different towns in the country: they are colonels Badié Abdoulaye (Ouallam prison), Diallo Amadou (Bimi prison), Issa Sidikou (Niamey Hospital) and Sanda Boubacar (Say prison).

In the context of these proceedings, FIDH and ANDDH call on the Nigerien judicial authorities to guarantee the right to a fair trial and the right to defence of former President Mamadou Tandja and the military officers arrested after the coup d'état, in accordance with international and regional instruments on the matter, in particular the International Covenant on Civil and Political Rights.

The new authorities must take all necessary steps to guarantee respect for civil liberties in accordance with Niger's national and international commitments. Frequently undermined by

the authorities in power, freedom of expression, association, the right to information, to liberty of movement and the right to a fair trial must be protected effectively. Particular attention must be given to respect for the rights of human rights defenders (liberty of expression, respect for their physical and moral integrity, etc).

B) Guarantee the Respect for Human Rights

At the time of ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Nigerien authorities entered so many reservations that their commitment was left devoid of meaning. As an example, Niger refused to agree to “*refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation*” and to “*take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women*”. Niger has still not ratified the Protocol to the African Charter on Human and Peoples’ Rights on women’s rights in Africa (Maputo Protocol), which also includes many provisions aimed at combating discrimination against women. FIDH and ANDDH welcome the inclusion in the Constitution of the Seventh Republic of the principle of the elimination of all forms of discrimination against women and call on the Nigerien authorities to withdraw all reservations relating to the CEDAW Convention as soon as possible and to ratify the Maputo Protocol.

The overlapping of different sources of law, the lack of regulations concerning marriage and divorce; harmful traditional practices such as forced and early marriages and female genital mutilation; trafficking in women and girls, the persistence of slavery, of which women are the principal victims; their restricted access to education, to the labour market and to justice are all obstacles to the respect for the rights of Nigerien women that FIDH and ANDDH have been condemned for many years. A family code has been in preparation since 1976. Despite amendments made to the act regulating certain aspects of personal and family law according to customary rules (Act n°62-11), several discriminatory provisions remain with regard to divorce, child custody and inheritance. Polygamy is authorised, as is repudiation, although the draft Family Code envisages its prohibition.

Female Genital Mutilation (FGM) is punished by a fine and a jail sentence, and it is estimated that between 1998 and 2006 its practice on women aged 15 to 49 was halved (from 5% to 2.2%). However, ethnic and regional disparities remain which are detrimental to the region of Tillabéri, the urban community of Niamey and Diffa, in the western part of Niger, where 66% of women are victims of these practices.

Extract from the *Africa for Women’s Rights: Ratify and Respect Campaign Dossier of Claims* <http://www.fidh.org/IMG/pdf/dossierofclaims0803eng.pdf>

In May 2007, the CEDAW Committee made recommendations to Niger for priority actions to end the persistent violations of women’s rights, repeating the principal recommendations made by FIDH and ANDDH. The Committee regretted the persistent gender stereotypes that legitimise harmful traditional practices and the insufficient and weak application of existing laws to protect women’s rights. The Committee had urged the State of Niger to adopt the Family Code as soon as possible and had also stressed the importance of setting up systems to facilitate women’s access to justice before the courts. There has been no response to the majority of these recommendations to date.

C) Fight Against the Practice of Slavery

Despite the adoption on June 13, 2003 of Law n°2003-25, making slavery a crime in Niger, the practice persists in several regions of the country and criminal proceedings for slavery are almost inexistent. Several regional and international human rights protection mechanisms have condemned this persistent practice and called on the Nigerien authorities to take all necessary measures to eliminate all forms of slavery and ensure that the authors are effectively brought to justice.

In 2007, the CEDAW Committee deplored the persistent **practice of slavery**, of which women remain the principal victims, and called on the authorities to take steps to prevent and wipe out this phenomenon. In 2009, the United Nations Committee on the Rights of the Child said that it was “*deeply concerned that the State party’s report lacks information about caste-based slavery practices while those practices exist throughout the country and perpetrators are not prosecuted and punished*”. The Committee had called on the Nigerien authorities in this regard to “*adopt a National Plan of Action to combat slavery, including effective measures to free victims of traditional slavery practices, and provide children with rehabilitation, psychological recovery and assistance to be reintegrated into their families, as well as awareness-raising campaigns on the provisions of the new law against slavery*”.

The case of Hadijatou Mani Koraou

On October 27, 2008, the Court of Justice of the Economic Community of West African States (ECOWAS) issued a decree holding the Republic of Niger “responsible for the inaction” of its administrative and legal services in the case of Hadidjatou Mani Koraou. Seized for the first time for a case of slavery, this body considered that the Nigerien judges had not fulfilled their mission to protect the victim.

Hadijatou had been sold as a fifth wife at the age of 12 for 240,000 CFA francs (366 euros). According to the Court of Justice ruling, “this transaction occurred in the name of the “Wahiya”, a current practice in Niger consisting of acquiring a young girl, generally a slave, to work as a servant as well as a concubine. The slave woman who is bought under these conditions is called “Sadaka” or fifth wife, i.e. a wife who is not one of the legally married wives, the number of which cannot exceed four (4), according to Islam’s Recommendations.” The ruling also explains that the *Sadaka* generally “does housework and is at the “master’s” service. He can, at any time, day or night, have sexual relations with her”. Hadijatou was held as a slave for nearly 9 years, had been a victim of forcible sexual relations since the age of 13 and endured other acts of violence by her “master”.

This historic ruling has opened the way to legally challenge these practices that the Nigerien authorities do not do enough to combat.

The new Constitution of Niger reaffirms the ban on slavery (Art.14). The new authorities must do all they can to guarantee respect for this provision in compliance with the recommendations made by the various Human Rights mechanisms.

D) Protect and Respect Economic, Social and Cultural Rights

Niger's economic and social situation is particularly fragile since the country is largely dependent on international aid. Its economy mainly relies on an agriculture that is regularly faced with an unpredictable climate that is the reason for the particularly severe, recurrent food crises. Niger is 167th out of 169 in the UNDP Human Development Index (HDI), just ahead of the Democratic Republic of Congo and Zimbabwe¹⁸.

The SOMAIR uranium dikes accident in Arlit

On December 13, 2010, the rupture of dikes at the SOMAIR industrial site caused more than 50 million litres (50,000 m³ according to the company) of radioactive liquid to spill over nearly 20 hectares in the direction of the city of Arlit.

*The SOMAIR (AREVA)
open-pit uranium
mine in Arlit where the
pollution occurred.
(Photo credits: AREVA)*

The break in the chain of the dikes for the three ponds (ponds 1, 2 and 6) that store effluents, which come from the processing of the uranium ore extracted from the open-pit mines, caused the contamination of around 20 hectares on the site. These effluents are residual liquids that result from an industrial process for treating uranium ore.



SOMAIR is a subsidiary of the French nuclear industry group AREVA, which since 1971 has exploited several uranium reserves in north-western Niger, several kilometres from the city of Arlit. While the company intends to gradually increase its production to reach 3,000 tonnes in 2012¹⁹ this incident demonstrates the particularly dangerous nature of the exploitation and its effect on the local environment.

The company describes the incident on its Internet website.²⁰ According to this, *“The affected area, which measures approximately 20 hectares, is located within the confines of our mine site and is thus several kilometers away from the town of Arlit”*. The company describes the steps that were taken to contain the pollution: *“As soon the incident was noticed, SOMAIR personnel immediately took the necessary measures to seal the dikes, pump up the spilled effluent, strip the identified ground and carry out the initial environmental analyses. (.....) Virtually all of the effluent has now been recovered and transferred to the adjacent ponds. The affected ground has been stripped to a depth of up to 50 cm”*. According to the company, *“Initial investigations indicate that there is no contamination of drinking water or health risk”*.

Things are not so evident to the Coordination of Arlit Civil Society. Its president, Almoustapha Alhacen, wrote to the company on January 20 to express the importance *“of continuing to take steps to avoid any contamination of nature that is prejudicial to human, animal and environmental health and in addition to reassure the people”*. The NGO also made a number of requests in order to be able to check the industrial company's reassuring statement in the field:

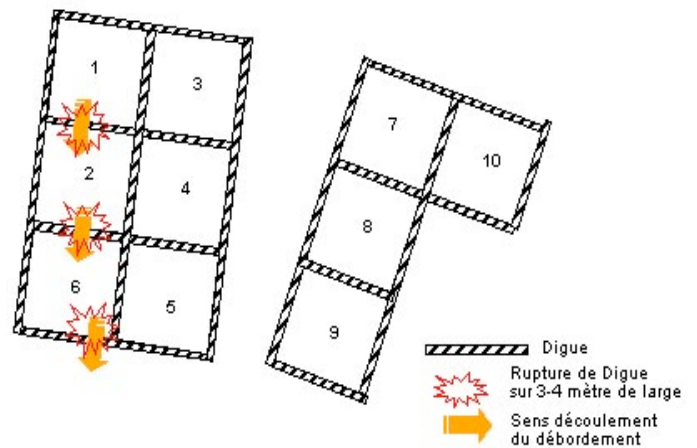
- a) to provide us with a map locating the piezometers [wells to check groundwater and its elements] and the ponds at the site of the accident.*
- b) to provide us with the results of the piezometer radiological analyses (uranium 238, thorium 230, radium 226, lead 210, plutonium 210), depths and types of aquifer.*
- c) to provide us with the piezometer readings and chemical analyses for nitrates, sulphates, chloride, bromide, iron, manganese, molybdenum, tungsten, selenium.*
- d) to provide us with the exact quantities of uranium and other metals in the spilled liquid.*

18. http://hdr.undp.org/en/media/HDR_2010_EN_Table1_reprint.pdf

19. <http://www.aveva.com/EN/operations-675/somair-seeking-greater-competitiveness.html>

20. <http://www.aveva.com/EN/operations-4124/update-on-action-taken-following-the-dikes-break-at-somair-mine-in-niger.html>

e) to permit us to take samples from: the stripped sites, the liquid in the ponds, piezometers from the accident site, the drinking water wells in the vicinity of the accident.” In all events, FIDH and ANDDH call on SOMAIR and AREVA to take all the action and steps required to contain the effects of this pollution and to cooperate fully with the NGOs to ensure complete transparency with regard to this incident. The local and national authorities must guarantee protection of the civilian populations and that SOMAIR and AREVA respect constitutional and legislative provisions with regard to social and environmental concerns.



Plan of the dikes

rupture / Sources /

Credits: SOMAIR /

AREVA

The case of the children of Tibiri

In October 2002, FIDH published an international fact-finding mission report²¹ that clearly established that the state-owned company that supplied water to the village of Tibiri had knowingly poisoned the inhabitants of this village for over 15 years with water from a well that had been dug in 1983 and put into operation in 1985. FIDH had also provided documents proving that the national water company had precise knowledge of the poisoning, had hidden it for many years from the people affected, and had taken no steps to remedy this “administration of a toxic substance”. Children were mainly affected due to their sensitivity to fluoride. The quantities of fluorides (over 3mg/litre, sometimes reaching 6.4 mg/litre), far greater than the level of 1.5 mg/litre recommended by the World Health Organisation (WHO), resulted in handicaps in a whole generation of children aged from 15 months to 15 years, ranging from tooth enamel discoloration during the mineralisation period, to cases of nearly 500 children with extremely serious bone malformation.

Since then, and in spite of proceedings opened by the victims and their families with the support of FIDH and ANDDH, the case has reached a deadlock. The company has been privatised and the Nigerien courts, with hearings that are constantly delayed, is still deciding where responsibility lies, although this has been clearly established in the documents presented by FIDH and ANDDH. The last hearing to date, on March 4, 2009, once again demonstrated the obvious reluctance of the Nigerien legal authorities to handle a case that is extremely sensitive for the State. Legal obstacles to recognising the State’s responsibility via the national water company have prevented the victims from being compensated in accordance with their suffering and from recovering their legitimate right to truth and justice and seeing that those responsible are prosecuted.

The new Constitution takes account of this situation and makes a number of innovative provisions relating to people’s right to drinking water and to a healthy environment. It is clearly stipulated that national and international corporations are required to protect human health and to contribute to safeguarding and improving the environment (Article 37). FIDH and ANDDH welcome this positive development but expect the new authorities to demonstrate their willingness to respect these innovative provisions by following up the case of the children of Tibiri in order to render justice to the victims, in particular children who have, for the most part, become adults and who have to live with a handicap that is due to an economic and ecological criminal act.

21. See FIDH report, *Enfants de Tibiri: quand l’eau se transforme en poison. Privatisation de la distribution de l’eau: un processus à surveiller*. <http://www.fidh.org/Droit-a-l-eau-potable-au-Niger>

The right to a safe and adequate supply of food and the right to economic and social economic and social development

The UNDP 2010 Report on Human Development states that “*more than 7 out of 10 people surveyed in Niger say there were times in the past year when they did not have enough money to buy food for their families*”²². Food crises are recurrent in Niger. According to the joint report of Nigerien civil society organisations (CSOs) drawn up for the UPR, in 2005 “*nearly 3 million people were victims of famine and 7,800,000 people were affected by the food crisis in 2009*”. This report also states that “*in some regions, in particular in Maradi, Zinder and Tahoua, thousands of children have severe malnutrition*”.

The scale of the phenomenon is such that the right to a safe and adequate food supply is now enshrined in the Constitution of Niger (Art. 10). More generally, considerable room is given to economic and social development in the provisions of the new Constitution. The Nigerien Constitution now specifies that “*The State’s action with regard to economic and social development policy is based on a strategic vision. The State makes the creation of wealth, growth and the fight against inequality a major area of action. Public policies must promote food sovereignty, sustainable development, access to all social services and improved quality of life*” (Art. 146).

E) Work Towards Peace and Security in the North

The peace agreements signed in 1995 between the Nigerien government and the rebels in the north put an end to the conflict that had raged in this part of the country between 1991 and 1995. Implementation of these agreements was placed under the responsibility of the High Commission for Peace (*Haut commissariat de la Paix*) and was variously appreciated by the range of stakeholders (government, former rebels and the people). The Niger Justice Movement (*Mouvement des nigériens pour la justice - MNJ*) considered that the authorities did not respect the 1995 agreements and in February 2007 Niger experienced a resurgence of the rebellion in the north. The decentralisation process that should have permitted the communities in the north to be better represented in the political and economic administration of their region had not been implemented. The movement also called for more equal distribution of the natural resources in the northern regions, including uranium.

The fighting that occurred from February 2007 between the MNJ and the Nigerien armed forces caused the deaths of around one hundred people and contributed to an increase in the abduction of expatriates who worked for the big nuclear industry groups. In July 2007, the MNJ kidnapped an executive of the Chinese group CNEC (*China Nuclear Engineering and Construction Corporation*). On June 22, 2008, four managerial staff from the French nuclear group AREVA were kidnapped from a uranium mine by members of the MNJ. According to their statements, the rebels wished to send a message to the authorities stating that “*nothing can be done with regard to prospection and exploitation until the problems in the north of the country are resolved*”. MNJ representatives were referring to the partnership agreement signed in mid-January 2008 between the government of Niger and the group AREVA on uranium exploitation and purchasing. The group’s employees have since been released.

FIDH and ANDDH have, on several occasions, condemned the situation of freedom of opinion and expression in Niger when it comes to communication on the conflict between the State of Niger and the Niger Justice Movement (*Mouvement des Nigériens pour la Justice - MNJ*). The renewed fighting in 2007 had led to restrictions on freedom of expression, of which the principal victims were journalists.

22. UNDP, Human Development Report 2010. The Real Wealth of Nations: Pathways to Human Development. http://hdr.undp.org/en/media/HDR_2010_EN_Complete_reprint.pdf

Similarly, since 2007 FIDH and ANDDH have been concerned about the consequences that failure to resolve the Tuareg conflict in Niger might have on the problem of extremist Islamic terrorism in the Sahel. Thousands of demobilised MNJ fighters, whose future has not been taken into account to enable them to return to civilian life, are choice recruits for the various Islamist groups that are making headway in the Sahel region, in particular the group Al Qaida in the Islamic Maghreb (AQMI)

Furthermore, since the FIDH mission took place, insecurity in the north of the country has been marked especially by the increasing threat of Al Qaida in the Islamic Maghreb (AQMI). This group has carried out several abductions of foreign citizens, and numerous clashes with the Nigerien armed forces have occurred, causing more than twenty deaths. The kidnapping by AQMI On December 14, 2008 of Robert Fowler, the United Nations Secretary General's Special Envoy to Niger, his colleague and their driver, in the Tillabery region, 40 km west of Niamey, was a reminder that this threat was not concentrated solely in the north of the country. The abduction on January 7, 2011 of two French nationals in a restaurant in Niamey, who, according to initial information, were killed during fighting between their kidnappers, the Nigerien national guard and French military, contributed to the civilian population's fear that the threat of terrorism now extended to the capital.

Recommendations

Transition authorities

FIDH and ANDDH call on the transition authorities to:

- Take all necessary measures to ensure that the current election process is conducted correctly, in accordance with Niger's international and regional instruments commitments and in particular the provisions of the ECOWAS Additional Protocol on democracy and good governance, the Protocol to the African Charter on Democracy, Elections and Governance and Article 25 of the Covenant on Civil and Political Rights guaranteeing “genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors”. FIDH and ANDDH in particular call on the junta to comply with its commitment to return power to civilians following the outcome of the various elections;
- Guarantee the right to a fair trial and the right to defence of former President Mamadou Tandja and the military arrested after the coup d'état in February 2010, in accordance with the relevant international and regional instruments, particularly the International Covenant on Civil and Political Rights.

The Nigerien authorities elected as a result of the ballots on January 11 and 31, 2011

FIDH and ANDDH call on the Nigerien authorities that will be elected as a result of the ballots on January 11 and 31, 2011 to:

- Adopt the draft law on capital punishment in Niger as soon as possible, in accordance with the provisions of the Constitution of November 25, 2010 and the international and regional human rights instruments guaranteeing the right to life;
- Ratify as soon as possible the African Charter on Democracy, Elections and Governance, the Protocol to the African Charter on Human and Peoples' Rights on women's rights in Africa (Maputo Protocol), the Protocol to the International Covenant on Economic, Social and Cultural Rights establishing a complaints mechanism at international level for persons whose economic, social and cultural rights have been violated and the International Convention for the Protection of all Persons from Enforced Disappearance;
- Make a declaration under Article 34.6 of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights allowing NGOs to seize the Court;
- Withdraw all reservations to the United Nations Convention on the Elimination of all Forms of Discrimination against Women in compliance with the provisions of the Constitution of November 25, 2010;
- Take all measures to guarantee effective respect for fundamental freedoms (freedom of expression, association, the right to information, liberty of movement, etc). In particular, to undertake to guarantee respect for the rights of human rights defenders in accordance with the United Nations Declaration adopted in 1998;
- Allocate an adequate budget for the justice sector to improve the capacity of the courts, to improve training and ensure the independence of its staff; take measures to

guarantee legal aid for victims; comply with the United Nations Basic Principles on the Independence of the Judiciary;

- Take immediate, concrete measures to implement the provisions of the Constitution of November 25, 2010 and the 2003 law on the criminalisation of slavery;
- Reform all laws that discriminate against women, in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women and the Constitution, in particular the Family Code, the Law on Nationality and the General Status of the Civil Service; harmonise statutory law and customary and religious law with the provisions of CEDAW;
- Take all necessary measures to combat all forms of violence against women, to include public awareness campaigns; training programmes for representatives of the State, members of the judiciary, and health care and social workers; take measures aimed at providing victims with legal, medical and psychosocial support; as well as legal proceedings and punishing those who commit acts of violence against women;
- Take measures to ensure the access of women to justice, including training for judges, lawyers, prosecutors and police officers on the contents of the national and international texts protecting women's rights; simplify and disseminate these texts in order to make them more accessible and comprehensible to the whole population, particularly in rural areas; set up centres to provide legal aid and financial aid to enable victims of violence and discrimination to seek justice;
- Intensify efforts in the combat against trafficking, forced labour, slavery and sexual exploitation of women and girls;
- Take all necessary measures to guarantee the access for girls and women to education and work, to include a guarantee of compulsory, free schooling up to the age of 15 years; take measures to encourage girls to enrol for higher education, to eliminate stereotypes in the roles of women and men in study programmes and school manuals; take measures to encourage literacy among women, particularly in rural areas; adopt a quota mechanism, if necessary, to encourage the access of women to work in all sectors;
- Implement the recommendations made in 2007 by the CEDAW Committee;
- Comply with the International Covenant on Economic, Social and Cultural Rights.

FIDH and ANDDH call on the **United Nations Human Rights Council**, which will examine the report submitted by the State of Niger during the 10th Session of the Universal Periodic Review (January 24 –February 4, 2011), to formulate these recommendations to the Nigerien authorities.

European Union

FIDH and ANDDH call on the European Union to:

- 1) Ensure that its election observation mission to Niger publishes as quickly as possible the findings of its report on the election process with the aim of providing objective information on the credibility of the coming votes, which are fundamental for the future of this country.
- 2) Do everything in its power to guarantee respect for fundamental rights in Niger in particular

by:

- Designating a focal point for human rights within a European diplomatic representation to be responsible for monitoring and coordinating European action in the field;
- Enforcing the European Union Guidelines on the protection of human rights defenders, on violence against women and on the elimination of all forms of discrimination in its relations with Niger;
- Regularly expressing its serious concerns regarding human rights violations in all its political dialogue with the Nigerien authorities, so respecting the commitment made in the EU Guidelines on human rights and international humanitarian law;
- Supporting the action programmes to promote women’s rights and more generally the programmes to promote respect for human rights by promoting the programmes of civil society organisations;
- Financing women’s rights and human rights support programmes, particularly in the framework of the European Instrument for Democracy & Human Rights (EIDHR);
- Supporting the Nigerien authorities in the combat against recurrent food crises;
- Doing everything in its power, in the framework of its trade relations and its aid for cooperation with Niger, to guarantee that the trade agreements that are current or that will be concluded (economic partnership agreements and others) between the EU and Niger, and which form the trade chapter of the Cotonou Agreement, do not contravene the Essential Elements provided for in Article 9 of this framework agreement, that is “respect for and promotion of all human rights” and the parties’ international commitments with regard to human rights.

French authorities

FIDH and ANDDH call on the French authorities to:

- Remain vigilant concerning the forthcoming election processes; to take the success of the election processes into consideration in their relations with the authorities that are the outcome, including in the issues relating to development aid;
- Support the Nigerien civil society recommendations within the different multilateral bodies during Niger’s coming Universal Periodic Review by the United Nations Human Rights Council; and also in the context of European Union policies;
- Appeal to the new authorities to implement all the recommendations, in particular those relating to justice administration, respect for women’s rights and fundamental freedoms; draw up a technical assistance programme especially in the field of justice in order to contribute effectively to the independence and impartiality of the Nigerien judicial system; pay particular attention in this respect to the conditions in which the trial of Mamadou Tandja will be organised;
- Support the Nigerien authorities in the combat against the recurrent food crises;
- Support the Nigerien authorities in the fight against terrorism, respecting international human rights law.

The International Organisation of La Francophonie (OIF)

FIDH and ANDDH call on the International Organisation of La Francophonie to:

- Remain vigilant regarding the current election processes; and to take the success of the election processes into consideration in their relations with the authorities that are the outcome;
- Support the Nigerien civil society organisations in their work to promote and protect Human Rights;
- Contribute to strengthening Niger's institutions by appealing to the new authorities to adopt laws relating to respect for fundamental rights, especially on the issues of protection of women's rights, justice administration and respect for fundamental freedoms;
- Pay particular attention to the conditions in which the trial of Mamadou Tandja will be organised and will take place.

African Commission on Human and Peoples' Rights

FIDH and ANDDH call on the African Commission on Human and Peoples' Rights, which will shortly conduct a promotion mission in Niger to:

- Together with the new authorities, examine issues relating to the protection of women's rights, justice administration, respect for the rights of human rights defenders, abolition of capital punishment, the combat against slavery and, more generally, respect for fundamental freedoms; call on them to take all necessary measures, including legislative and institutional, to fight against the obstacles placed in their way;
- Call on the new authorities in particular to ratify as soon as possible the Protocol to the African Charter on Human and Peoples' Rights on women's rights in Africa, the African Charter on Democracy, Elections and Governance, and to make a declaration under Article 34.6 of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights allowing NGOs to seize the Court;
- Place importance on interviews with civil society representatives during their mission.

African Union

FIDH and ANDDH call on the African Union:

- To remain vigilant concerning the current electoral process; and to take the success of the election processes into consideration in their relations with the authorities that are the outcome.

Regional and international instruments ratified by Niger:

- African Charter of Human and Peoples' Rights – 1986
- African Charter on the Rights and Welfare of the Child – 1996
- Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights – 2004
- International Covenant on Civil and Political Rights – 1986
- International Covenant on Economic, Social and Cultural Rights – 1986
- Convention on the Elimination of All Forms of Discrimination Against Women – 1999

International and regional instruments not ratified by Niger:

- Protocol to the African Charter on Human and Peoples' Rights on women's rights in Africa (Maputo Protocol)
- African Charter on Democracy, Elections and Governance
- Protocol to the International Covenant on Economic, Social and Cultural Rights
- International Convention for the Protection of all Persons from Enforced Disappearance

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Keep your eyes open

Establishing the facts – Investigative and trial observation missions

Through activities ranging from sending trial observers to organising international investigative missions, FIDH has developed, rigorous and impartial procedures to establish facts and responsibility. Experts sent to the field give their time to FIDH on a voluntary basis.

FIDH has conducted more than 1 500 missions in over 100 countries in the past 25 years. These activities reinforce FIDH's alert and advocacy campaigns.

Supporting civil society – Training and exchange

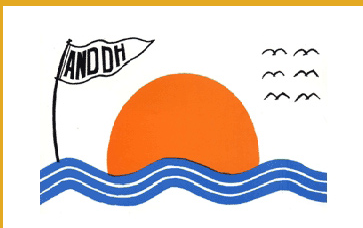
FIDH organises numerous activities in partnership with its member organisations, in the countries in which they are based. The core aim is to strengthen the influence and capacity of human rights activists to boost changes at the local level.

Mobilising the international community – Permanent lobbying before intergovernmental bodies

FIDH supports its member organisations and local partners in their efforts before intergovernmental organisations. FIDH alerts international bodies to violations of human rights and refers individual cases to them. FIDH also takes part in the development of international legal instruments.

Informing and reporting – Mobilising public opinion

FIDH informs and mobilises public opinion. Press releases, press conferences, open letters to authorities, mission reports, urgent appeals, petitions, campaigns, website... FIDH makes full use of all means of communication to raise awareness of human rights violations.



ANDDH

The Association nigérienne pour la défense des droits de l'Homme (ANDDH) is a human rights NGO founded in 1991. Its mission is to promote, defend and protect political, civil, economic, social and cultural rights.

It also seeks to promote and defend individual and collective freedoms set forth in the 1948 Universal Declaration of Human Rights, the 1981 African Charter on Human and Peoples' Rights and the other national and international legal instruments to which Niger is a State party. The ANDDH is particularly active in the organisation of trainings and civic education (legal assistance, teaching of human rights, organisation of radio broadcasts to raise awareness, participation in advocacy workshops on human rights, creation of a documentation center, etc). The ANDDH also undertakes fact-finding missions on the human rights situation in Niger.

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FIDH represents **164** human rights organisations on **5** continents



of person. Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Article 6: Everyone has the right to recognition everywhere as a person before the law. Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law. Article 9: No one shall be subjected to arbitrary arrest,

ABOUT FIDH

- FIDH takes action for the protection of victims of human rights violations, for the prevention of violations and to bring perpetrators to justice.

- A broad mandate

FIDH works for the respect of all the rights set out in the Universal Declaration of Human Rights: civil and political rights, as well as economic, social and cultural rights.

- A universal movement

FIDH was established in 1922, and today unites 164 member organisations in more than 100 countries around the world. FIDH coordinates and supports their activities and provides them with a voice at the international level.

- An independent organisation

Like its member organisations, FIDH is not linked to any party or religion and is independent of all governments.

fidh

International Federation for Human Rights

Find information concerning FIDH 164 member organisations on www.fidh.org