

NIGER

1. PRESENTATION¹

Basic Facts ²	
Name of Country	Republic of Niger (Niger)
Capital	Niamey
Population	12,525,094
Area	1.267 million sq km
Average Life Expectancy	43.76 years
Ethnic Groups	Hausa 56%, Djerma 22%, Fula 8.5%, Tuareg 8%, Beri Beri (Kanouri) 4.3%, Arab, Toubou, and Gourmantche 1.2%, about 1,200 French expatriates
GDP per Capita PPP	\$900

Community of Democracies	
Previous Participation	Warsaw 2000: Participant Seoul 2002: Participant Santiago 2005: Participant

Timeline of Recent Major Events

- **2005** March 5 - Although Niger criminalized slavery in 2003, about 43,000 people are still thought to be held as slaves. A planned public ceremony freeing 7,000 slaves is cancelled at the last minute with the government denying that slavery exists in the country.³
- **2005** April - Leaders of the protests against the 19 percent value added tax (VAT) on basic goods and services arrested and charged with “plotting against the state” are released after the President’s intervention. Several days later, demonstrations come to an end with negotiations on what the 19 percent VAT addition would be applied to.⁴
- **2005** April 29 - The government weekly "Sahel Dimanche" first reports the food crisis caused by drought and locust infestations.⁵ Later in July 2005, the UN warns that millions of people face severe malnutrition because of food shortages.
- **2005** October 14 - Ten years after the Niger government and insurgents signed an accord to end a Tuareg rebellion, authorities launch an economic assistance

¹ Principal author: Center for Democratic Development - Ghana

² CIA World Factbook, <http://www.cia.gov/cia/publications/factbook/index.html>, accessed on July 5, 2006.

³ United Nations Office for the Coordination of Humanitarian Affairs, Integrated Regional Information Networks (IRIN) Africa: West Africa: Niger, http://www.irinnews.org/S_report.asp?ReportID=46200&SelectRegion=West_Africa, accessed on October 4, 2006.

⁴ United Nations Office for the Coordination of Humanitarian Affairs, IRIN Africa, http://www.irinnews.org/report.asp?ReportID=46466&SelectRegion=West_Africa&SelectCountry=NIGER and http://www.irinnews.org/report.asp?ReportID=46528&SelectRegion=West_Africa&SelectCountry=NIGER and http://www.irinnews.org/report.asp?ReportID=46738&SelectRegion=West_Africa&SelectCountry=NIGER, accessed on October 4, 2006.

⁵ International Freedom of Expression eXchange, <http://www.ifex.org/en/content/view/full/69348/>, accessed on October 4, 2006.

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- programme for more than 3,000 ex-combatants in the north, the final phase as laid out in the peace pact.⁶
- **2005** November - World Food Programme warns that three million people could run out of food within months.
 - **2006** June 15 - Unions call a national strike to protest against the high cost of living.
 - **2006** June 20 - Thousands of students, teachers and disgruntled citizens take to the streets of the capital Niamey to denounce mismanagement and lack of funding for the country's main university, currently closed due to protests.⁷
 - **2006** June 27 - Niger's ministers for health and education are dismissed following allegations of corruption by donors and development partners.⁸
 - **2006** September 1 - Newspaper's publisher and editor get 18 months in prison and heavy fines for criticising Prime Minister.⁹
 - **2006** September 22 - United Nations sends food relief in response to the famine caused by heavy flooding.

2. BACKGROUND

Currently in its Fifth Republic, progress in Niger has not been continuous due to disruptions in the democratic transition from long periods of authoritarian rule by a dominant military. After gaining independence from France in 1960, Niger was governed for 30 years by one-party and military regimes dominated by leaders of the Hausa and Djerma ethnic groups. Since voters approved a new constitution in July 1999, a clearer consensus among the major political actors on the goals of maintaining political stability, as well as the common belief of elections as the fundamental way to decide on who should govern the country, has come to the forefront. The stability of stateness remains unpredictable caused by the lack of control over peripheral regions.

The first democratic election of Niger on December 4, 2004 resulted in incumbent President Mamadou Tandja winning a second term. These free and fair general elections clearly indicate political progress. Crucial preparations were made leading up to the polling involving a new electoral code, the delimitation of electoral districts, and an updated electoral register by the independent electoral commission, leading to an

⁶ United Nations Office for the Coordination of Humanitarian Affairs, IRIN Africa, http://www.irinnews.org/report.asp?ReportID=49575&SelectRegion=West_Africa&SelectCountry=NIGER, accessed on October 4, 2006.

⁷ United Nations Office for the Coordination of Humanitarian Affairs, IRIN Africa, http://www.irinnews.org/report.asp?ReportID=54060&SelectRegion=West_Africa&SelectCountry=NIGER, accessed on October 4, 2006.

⁸ United Nations Office for the Coordination of Humanitarian Affairs, IRIN Africa, http://www.irinnews.org/report.asp?ReportID=54253&SelectRegion=West_Africa&SelectCountry=NIGER, accessed on October 4, 2006.

⁹ Committee to Protect Journalists, http://www.rsf.org/article.php3?id_article=18746, accessed on October 4, 2006.

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intervention by the constitutional court in April 2004, declaring the plans unconstitutional.

At present, key indicators of democracy such as free and fair elections and establishing a competitive electoral regime, improving political integration, freedom of association, and checks and balances in the political system are fairly well-developed. However, major problems, such as the restrictions that have been imposed on the press, interference of the executive branch with the judiciary, and the inefficiency of public administration, hinder further democratic development. Since the Santiago Ministerial in April 2005, the control of the government on reporting has had severe implications. Most notably, the on-going food crisis, in which news of the famine was curbed by the government, delayed international attention and therefore foreign assistance which had gross effects on the health and nutrition of civilians and resulted in a large death toll.

3. ANALYSIS

Elections and Democratic Participation

Citizens of Niger can change their government democratically. Universal suffrage and the right to campaign for office, as well as sound implementation of elections, largely have been present since 1999. All major ethnic groups are represented at all levels of government. Quotas have been established to ensure that women and minority groups are included in the political space. Nevertheless, cultural restrictions inhibit women's right to vote and gain political influence. Altogether democratic institutions perform their basic functions. However, persistent deficiencies that pertain to administrative irregularities and lack of resources are high.

The Constitution guarantees freedom of association and assembly and these are generally respected. Political and civic groups can form freely; although, recently, protests by civil servant unions and student groups occasionally trigger restrictions on the freedom of association when demonstrations are forcibly dispersed by police. Human rights and other nongovernmental organizations operate openly and freely in Niger and tend to publish reports often highly critical of the government's activities. Freedom of religion is also respected, although, at times, dominant religions have not been tolerant of the rights of members of minority religions in the practice of their faith. Islamic extremists, albeit with limited influence, do not accept fundamental parts of the democratic and secular constitution. A renewed Tuareg rebellion may challenge, to a lesser extent, the democratic process especially the constitutional order.

After the 2004 legislative elections, the party system displays moderate fragmentation. Due to a split in the CDS and some smaller parties winning a few seats, the number of "effective parties" remains limited. The three biggest parties suffered only slight losses and the government and the opposition block (Alliance of Democratic Forces, AFD vs. Coordination of Democratic Forces, CFD) remain relatively stable,

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which it owes mainly to ethnic and regional roots in society. Severe constraints on the party system's functionality can be attributed to low organizational resources and a lack of adequate programmatic profiles.

Furthermore, corruption by officeholders remains a serious problem in the country; according to pertinent indicators, it is rampant at all levels, including public administration and high-ranking officials. Niger ranked 126 out of 158 countries surveyed in Transparency International's 2006 Corruption Perceptions Index. Corrupt officeholders regularly attract adverse publicity, but are not prosecuted consistently under the law. Thus an efficient administration is not guaranteed.

Separation of Powers

The constitution provides for an independent judiciary, but other influences such as inefficiency coupled with a widespread public perception of corruption in the executive and legislative branches have undermined the judicial process. The judiciary is overburdened and subject to executive interference and other outside influence. In light of these violations, the National Commission on Corruption has set priorities to investigate and efforts at reform are underway.

Rule of Law and Basic Freedoms

Democratic change of government is guaranteed in the Constitution. In practice, civil liberties are violated partially but there is only limited legal recourse owing to the aforementioned judicial deficiencies. Constitutional protections for freedom of expression are guaranteed, but these rights are not always respected in practice. The government has continued to demonstrate that they attach little value to honouring the freedoms of speech and the press. Although the constitution provides for freedom of expression, a libel law prohibiting criticism against the state has led to imprisonment of journalists and self-censorship by journalists. Thus freedoms of speech and the press are subject to the most significant constraints on democratic principles of participation. Freedom House regards the media landscape in Niger as only "partly free".

Arbitrary Arrest, Torture, and Criminal Justice

The law prohibits arbitrary arrest and detention without charge in excess of 48 hours; police at times violated these provisions. There were serious backlogs in the judicial system. Despite legal limits to the pre-trial confinement period of indicted persons, detention frequently lasted months or years; some persons have been waiting as long as six years to be charged. Human rights observers, including the International Committee of the Red Cross (ICRC), were granted unrestricted access to prisons and detention centers and conducted visits during the year. Conditions in all 35 of the country's prisons were poor and life threatening. Prisons were under-funded, understaffed, and overcrowded. Pre-trial detainees were held with convicted prisoners. Corruption among prison staff was rampant.

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In spring 2006, the government arrested five leaders of the Coalition Against the Rising cost of Living, which had organized popular protests against the January imposition of a higher VAT (see section 2.b.). The five were charged with conspiracy against state security, call to armed gathering, and unauthorized creation of an association. During the preliminary hearings, the judge reportedly offered to free the detainees in exchange for their commitment not to talk publicly or call for further protests; however, the five rejected the offer and were placed under preventive detention in separate prisons. On April 7, the men were released, but charges were still pending at year's end.

Gender and Minority Rights

In certain areas of the criteria for Community of Democracies participation, Niger still falls short of the minimum threshold for a socially integrated society. Influential traditional structures remain a formidable obstacle for the marginalized minorities to demand their rights. In spite of the ban on slavery by parliament in June 2003, some groups still cannot participate fully in public life given their de facto social status. According to Timidria (a local human rights group) eight percent of the population are living under conditions of forced labour.¹⁰

The number of interest groups in the country is limited and important social interests, especially on the part of women and the rural population, are under-represented. Women suffer extensive societal discrimination, domestic violence, and practices of Female Genital Mutilation (FGM), especially in rural areas. Family law gives women inferior status in property, inheritance rights, and divorce. Several women's rights organizations operate in the country, and the government has begun a project aimed at improving gender equality. Again the lack of organization and funding challenge the efforts to halt the trafficking of women and children.

4. SUGGESTIONS FOR IMPROVEMENT

Niger has shown a good level of commitment to its democratic development efforts and a high degree of international cooperation. The deficiencies observed in Niger's democratic process may be attributed in part to the lack of substantial economic advancement. The government is committed to democracy and a market economy, with the constraints already mentioned, but has not always had complete success in implementing its announced reforms. The government of Niger needs to take an especially careful look at the capacity of the judiciary.

¹⁰ BBC News, <http://news.bbc.co.uk/1/hi/world/africa/3972669.stm>, October 5, 2006
and

United Nations, Office for the Coordination of Humanitarian Affairs, IRIN: Africa, http://www.irinnews.org/report.asp?ReportID=47813&SelectRegion=West_Africa&SelectCountry=NIGER, October 5, 2006.

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The political leadership sets and maintains strategic priorities, but there are signs that these goals are not always fully internalized, especially with regard to the government's respect of freedom of the press. The role of a vibrant, independent media in a democracy cannot be overemphasized; hence there is the need for government to take steps towards properly guaranteeing as well as respecting press freedom.

Obviously, Niger's peculiar case connotes a situation where its political stability and economic progress will remain closely interlinked. Niger's geographical landlocked position makes the economy dependent on political developments in neighbouring countries, putting constraints on export potential, especially in the case of crisis in Algeria, Nigeria and the Côte d'Ivoire. Such a development will also inadvertently affect the country's political and democratic development.

Generally, Niger will need strong external support from donors and international financial institutions to strengthen its achievements in the economic arena. An increased focus on capacity-building and transparency is crucial to make substantial progress in resource efficiency and good governance. Donors should also encourage the authorities to strengthen political dialogue, extending from the leadership to civil society. A roundtable dialogue with militant organizations such as student groups and trade unions may be a first step toward reducing social protest. At the same time, donors should note that violation of civil liberties, as in the case of press freedom, if it continues will further delay the process. Likewise, developments in the north as well as activities of Muslim and other extremists should be observed carefully.

5. COUNTRY STATISTICS AND INDICATORS

World Bank Institute Governance Indicators 2005	Niger Score	Key
Voice and Accountability	44.9	Range 0-100 (Lower value indicates weak voice and accountability; higher value indicates strong voice and account)
Political Stability and Absence of Violence	28.8	Range 0-100 (Lower value indicates weak political stability and high violence; higher value indicates opposite)
Government Effectiveness	24.4	Range 0-100 (Lower value indicates weak government effectiveness; higher value indicates strong govt. effectiveness)
Regulatory Quality	31.2	Range 0-100 (Lower value indicates weak regulatory quality; higher value indicates strong regulatory quality)
Rule of Law	23.2	Range 0-100 (Lower value indicates weak rule of law; higher value indicates strong rule of law)
Control of Corruption	22.7	Range 0-100 (Lower value indicates weak control of corruption; higher value indicates strong control of corruption)

Freedom House: Freedom in the World 2007	Niger Score	Key
Political Rights	3	Range 1-7 (Lower value indicates good system of political rights; higher value indicates bad system political rights)
Civil Liberties	3	Range 1-7 (Lower value indicates good system of civil liberties; higher value indicates bad system civil liberties)

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Status	Partly Free*	3 Categories: F (Free); PF (Partly Free); NF (Not Free) / (*) Indicates electoral system
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Bertelsmann Transformation Index 2006	Niger Score	Key
Stateness	6.8	Range 0-10 (Lower value indicates negative democratic development; higher value indicates positive democratic development)
Political Participation	7.5	
Rule of Law	6.3	
Stability of democratic Institutions	7.5	
Political and Social Integration	4.7	
Total Score Political Transformation	6.53↑	Range 0-10 (Lower value indicates negative democratic development; higher value indicates positive democratic development) / Arrow shows trend in democratic development (↑ Improved; ↓ Worsened)
Total Score Political Management	6.13	Range 0-10 (Lower value indicates lower quality of political management; higher value indicates higher quality of political management)

Corruption Perceptions Index 2006	Niger Score	Key
Total Score	2.1	Range 0-10 (lower value indicates high corruption; higher value indicates lower values of corruption)

Freedom House: Freedom of the Press 2006	Niger Score	Key
Legal Environment	21	Range 0-100 (Lower value indicates total free press; higher value indicates less freedom) / 3 Categories: F (Free); PF (Partly Free); NF (Not Free)
Political Environment	19	
Economic Environment	16	
Total Score	56 PF	

6. SOURCES

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