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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Niger*

The present report is a summary of 13 stakeholders' submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.



Information provided by stakeholders

A. Background and framework

Scope of international obligations²

1. Amnesty International (AI) noted that, in 2014, Niger acceded to the OPCAT, in line with the recommendation received during its 1st UPR.³
2. AI acknowledged that, in June 2015, Niger was the first country to sign the ILO protocol to the Forced Labour Convention, against modern slavery.⁴
3. AI recommended that Niger ratify without any reservation the International Convention for the Protection of All Persons From Enforced Disappearance (ICPPED), and recognizes the Committee's competency to receive communications.⁵ The International Federation of Action by Christians for the Abolition of Torture (FIACAT) made a similar recommendation.⁶ In addition, AI recommended that Niger ratify the Convention relating to the Status of Stateless Persons.⁷
4. World Vision (WV) noted that, while Niger had ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), it had made several reservations that undermined the basic principles of the Convention's objectives.⁸ In addition, Niger had not harmonized its national laws with regional instruments aimed at protecting the rights of women and children.⁹

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

5. The National Human Rights Commission (NHRC) of Niger and AI¹⁰ expressed concern that several reports by Niger to the treaty bodies were overdue. NHRC added that the implementation of UPR recommendations was progressing slowly.¹¹

2. Cooperation with special procedures

6. AI highlighted the visit of the Special Rapporteur on contemporary forms of slavery to Niger in 2014.¹²

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

7. WV noted that birth registration in Niger had doubled between 2006 and 2012. It nonetheless encouraged Niger to step up its efforts to make the birth registration system available to all children in the country. WV also recommended that Niger should define strategic budgetary lines to ensure the efficient distribution of resources for children who were disadvantaged or particularly vulnerable.¹³

8. NHRC drew attention to the National Gender Policy that had been adopted and the National Policy on Social Development, which included a sectoral strategy on the advancement of women. It found it regrettable, however, that the country's actions in those areas were not sufficiently visible.¹⁴

2. Right to life, liberty and security of the person

9. AI stated that, in 2014, Niger approved a bill authorizing accession to the 2nd Optional Protocol to the International Convention on Civil and Political Rights (2nd

OP to ICCPR). Niger also voted in favour of the UN General Assembly's resolution to establish a moratorium on executions with a view to abolishing the death penalty.¹⁵

10. NHRC pointed out, however, that there was no official moratorium on the death penalty. The death penalty still featured in the Criminal Code and no bill aimed at abolishing it had been submitted to the National Assembly.¹⁶

11. CNDH and AI had nonetheless noted that death penalty had not been applied since 1976.¹⁷ AI recommended to abolish the death penalty,¹⁸ and pending abolition, to maintain a *de facto* moratorium on executions.¹⁹ FIACAT recommended that Niger abolish without delay the provisions allowing the death penalty for offences not categorized as "the most serious crimes" and that it speed the process of ratification of the 2nd OP to ICCPR.²⁰

12. AI stated that, over the last four years, armed groups, including Al-Quaïda in the Islamic Maghreb (AQIM) and Boko Haram, had perpetrated attacks against civilians, in different locations throughout the country,²¹ resulting in killings and kidnappings, against nationals and foreigners, including refugees.²²

13. AI indicated that, in February 2015, Boko Haram members carried out attacks against the village of Bosso and the city of Diffa. On 25 April 2015, they attacked the Isle of Karamga, killing 46 soldiers and 28 civilians, and injuring a further 9 soldiers. On 19 June, 38 people, including 14 women and 10 children, were reportedly killed in Boko Haram attacks in the villages of Lamana and Ngounao, in the region of Diffa.²³

14. NHRC noted that there was no plan of action against torture in Niger. Furthermore, national legislation and international norms on torture and ill-treatment had not been harmonized.²⁴ Collectif des organisations de la défense des droits de l'homme et de la démocratie (CODDHD) (Niger) made a similar observation.²⁵

15. AI and FIACAT recommended to incorporate a definition of torture in the Penal Code, in line with CAT Convention; open related investigations and bring to justice suspected perpetrators. They also encouraged Niger to adopt a national action plan against torture. AI further recommended to ensure that confessions obtained through torture are not admitted in court, and that all victims are provided with full reparation.²⁶

16. In a 2014 report, CODDHD had described poor detention conditions in Niger and the existence of places where persons were detained without prior investigation by the judicial system.²⁷ AI stated that prisons remained overcrowded. It referred to information according to which, at the end of 2014, the Niamey civil prison held three times its capacity of prisoners, and people had died in different prisons due to a lack of access to medical care. In addition, in a high security prison, acts of violence had been frequently perpetrated against prisoners.²⁸ AI recommended to establish a national independent mechanism to inspect detention centres; eliminate overcrowding in prisons and provide access to adequate food, sanitation and medical assistance, in accordance with international standards.²⁹

17. NHRC³⁰ and CODDHD noted efforts to prohibit harmful traditional practices against women and children — notably female genital mutilation (FGM) — through awareness-raising activities, which had achieved positive results in some areas. CODDHD referred in particular to the case of the Makodolindi community, which had issued a public statement announcing its decision to abandon excision. Nonetheless, CODDHD considered that further efforts were required.³¹ WV expressed regret that, despite the enactment by the Government of Act No. 2003-25 condemning harmful practices, FGM remained a widespread practice in the Gurma, Peulh and Arab communities and the regions of Tillabéry, Diffa and Niamey.³²

18. AS noted with concern that the “Wahaya” or 5th wife was a form of slavery still practised in Niger, mainly in the Tahoua region. This practice entailed the purchase of a woman or a girl under the guise of “marriage”. “Wahayu” women not only faced regular rape and physical abuse from their master, but were constantly mistreated by the legitimate wives.³³

19. WV expressed concern that Niger had one of the highest rates of early marriage. It was a problem that entailed serious risks to girls’ health. WV recommended that Niger should strengthen measures to eradicate FGM and other practices harmful to the physical and mental health of women, including the dissemination and implementation of existing legislation that punished it.³⁴

20. CODDHD noted that Niger had set up the National Coordination Commission to Combat Trafficking in Persons and the National Coordination Agency to Combat Trafficking in Persons. NHRC considered that, despite those positive measures and the adoption of the Human Trafficking Act in 2010, practical difficulties prevented victims from actually benefiting from rehabilitation measures.³⁵

21. CODDHD indicated that, despite the efforts that had been made, children were widely exposed to several forms of danger: begging, life on the streets, domestic violence, trafficking, armed conflict and sexual exploitation.³⁶ NHRC expressed concern about child workers, who were reportedly used in rural areas to work in the fields and in small-scale gold mines, and in towns as domestic workers and street vendors.³⁷

22. Global Initiative to End All Corporal Punishment of Children stated that in Niger, corporal punishment of children was lawful, despite recommendations to prohibit it by CRC and those accepted by Niger during its 1st UPR.³⁸ A draft Children’s Code was under discussion. It recommended that the draft Children’s Code clearly prohibit all corporal punishment of children in all settings including the home and is enacted as matter of priority.³⁹

23. CODDHD pointed out that slavery and discriminatory practices remained a reality in Niger.⁴⁰ AI recalled that, during its 1st UPR, Niger accepted several recommendations relating to the eradication of all forms of slavery.⁴¹ However, while actions had been taken to improve the related legal framework, little had changed in the lives of people concerned.⁴²

24. Anti-Slavery (AS), while acknowledging, among other measures to eradicate slavery, the National Action Plan on Combatting Human Trafficking, adopted in 2014,⁴³ it expressed concern that people living in slavery are still subjected to abuses including rape.⁴⁴ In addition, when a person in slavery died, the master was able to claim the inheritance.⁴⁵ Furthermore, persons living in slavery had limited opportunities for education.⁴⁶ ASI recommended that Niger fully implement the recommendations of the SR on slavery,⁴⁷ including those aimed at ensuring access to education for children of slave descendent. In particular, more primary and secondary schools in areas affected by slavery should be built.⁴⁸

25. CODDHD recommended extensive campaigns against slavery, against involving the key actors, which should lead to considerable progress being made.⁴⁹

26. AI observed that two cases of slavery had never been successfully prosecuted in a Niger court. However, further concerted efforts were needed to identify and prosecute all offenders and assist victims.⁵⁰

3. Administration of justice, including impunity, and the rule of law

27. NHRC regretted that no independent mechanism had been established with a mandate to investigate all allegations of human rights violations and acts of violence

by security forces and armed opposition groups.⁵¹ AI recommended to open impartial and effective investigations into all allegations of crimes under international law, in order to identify those suspected of criminal responsibility; prosecute and sanction the perpetrators.⁵²

28. As for the question of justice, NHRC observed that, the founding of the Court of Cassation, the Constitutional Court, the Court of Audit and the Conseil d'Etat (supreme administrative court), and the holding of a forum on justice, had contributed to improved governance. Nonetheless, NHRC expressed regret that the National Agency for Legal and Judicial Assistance was not actually operational, which called into question the right to a fair trial.⁵³

29. NHRC indicated that, despite the legal and institutional framework in force in Niger, impunity persisted, owing to corruption and political patronage.⁵⁴

30. AI indicated that a state of emergency in the region of Diffa was extended for a second time for three months on 26 May 2015. AI recommended that Niger ensure that the state of emergency imposed does not violate the human rights of the population, including displaced persons. AI also recommended to ensure equitable distribution of food supplies in the region.⁵⁵

4. Right to privacy

31. AI noted with concern that, due to the state of emergency in the region of Diffa, officers have the authority to do house searches at any time day or night.⁵⁶

5. Freedom of movement

32. AI indicated that the state of emergency could have a negative impact on the right of movement against farmers who export their products within the country.⁵⁷

33. Maloca International (MI) drew attention to the barring of access to grazing areas in 85,000 km² of the territory of Niger due to uranium extraction activities. The mining areas operated by transnational corporations harmed nomadic populations that used these areas to migrate with their herds in search of grass during the dry season. Furthermore, one corporation had denied herders of the Kel Fadey tribes access to water wells.⁵⁸

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

34. According to ADF International, previously good relations between Christians and Muslims are now being threatened by growing radicalization of Islam.⁵⁹ Despite the fact that the Constitution guarantees freedom of religion, Christians' places of worship and homes were targeted by vandalism and destruction.⁶⁰ It recommended that Niger bring to justice the perpetrators⁶¹ and promote religious tolerance, including through access to education.⁶²

35. Media Foundation for West Africa (MFWA) stated that since its 1st UPR, Niger had made commendable efforts in promoting and protecting freedom of expression.⁶³ In particular, in 2010, Niger decriminalized media offences. In addition, prison sentences were replaced with fines for the offences of libel and the publication of false information.⁶⁴ Furthermore, in 2011, the President of Niger was the first head of State to endorse the Declaration of Table Mountain, which called both for the repeal of criminal defamation and insult laws and for greater press freedom across Africa.⁶⁵ Also in 2011, regulation on access to information was addressed at administrative bodies, making Niger one of the six countries in West Africa with such a regulation. However, access to information remained a challenge for the population.⁶⁶

36. International Service for Human Rights (ISHR) recalled that, during its 1st UPR; Niger accepted all six recommendations in relation to freedom of expression, and human rights defenders (HRDs).⁶⁷ In this regard, CIVICUS was concerned at the failure of Niger to meaningfully implement these recommendations.⁶⁸ ISHR noted that HRDs, in particular those working on corporate accountability and transparency issues, faced arrest, arbitrary detention and spurious charges. It was reported that in January 2014, following a warning of a crackdown, several journalists critical of the Government were arrested and charged with threatening national security.⁶⁹

37. MFWA was concerned at the fact that, over the last five years, journalists had also been subjected to excessive punitive fines, and censorship.⁷⁰ Based on 30 cases reported, MFWA, concluded that the majority of these violations were committed by state actors.⁷¹ CODDHD expressed particular concern about sanctions against some radio stations and newspapers and even bans on the publication of some newspapers.⁷² CIVICUS and AI expressed similar concerns.^{73,74}

38. CIVICUS urged Niger to create an enabling environment for journalists and civil society to operate in accordance with the rights enshrined in the Constitution of Niger, ICCPR, and the UN Declaration on Human Rights Defenders.⁷⁵ It also recommended to stop harassment against journalists and human rights defenders, carry out independent investigations in cases of abuses against journalists and human rights defenders; bring the perpetrators to justice; and that senior governmental officials publicly condemn attacks or threats against journalists and human rights defenders.⁷⁶ ISHR made similar recommendations.⁷⁷ AI also recommended that Niger seek the advice of the Special Rapporteurs on Freedom of Expression, and Assembly, and cooperate fully with his recommendations.⁷⁸ CIVICUS made a similar recommendation.⁷⁹

39. MFWA stated that actions taken by the police and security forces during demonstrations had not been conformed to international principles on crowd control.⁸⁰ CODDHD said that violence had been directed against young people from the village of Goudal in Niamey during demonstrations in September 2013, against students of Abdou Moumouni University who were calling for student grants in May 2014 and during anti-Charlie demonstrations on 16 and 17 January 2015 in Zinder and Niamey.⁸¹ MFWA reported that, in some cases, those abuses had resulted in the death of demonstrators,⁸² including by use of tear gas.⁸³

40. MFWA recommended that Niger develop and implement guidelines for police and security forces on crowd control conform to international standards and principles.⁸⁴ They also recommended to provide training to them and hold them accountable for excessive use of force through internal and external mechanisms.⁸⁵

41. CODDHD said that inequality between men and women persisted in Niger in the sphere of political and administrative decision-making. Only 14 per cent of national deputies and 2 per cent of mayors were women and there was no female governor of a region or prefect. CODDHD noted that, according to a study carried out in 2013, despite the revision of the Quota Act,⁸⁶ the representation of women on the decision-making bodies of political parties remained low.⁸⁷

7. Right to social security and to an adequate standard of living

42. CODDHD pointed out that, despite the commitments made by Niger, the food and nutrition situation remained very worrying.⁸⁸ In recent years, Niger had experienced severe cyclical food crises with increasing frequency. The problem was linked to grain and fodder shortages, inappropriate eating behaviours, structural poverty among certain social groups and poor coordination of action to prevent and/or manage the crisis.⁸⁹

43. WV recommended that Niger should take specific measures in cooperation with the international community and the specialized programmes of the United Nations to ensure access to adequate food. It took the view that Niger should intensify efforts aimed at making nutrition a national priority and mobilizing appropriate resources to integrate programmes on malnutrition into public health facilities. Poverty reduction plans and strategies to provide the most vulnerable families with adequate food and drinking water should also be implemented.⁹⁰

44. MI indicated that the uranium industry in the north of Niger had had a negative impact on the right to water. For example, the Tarat aquifer was currently 70 per cent depleted. The great fossil aquifer of Agadez was also threatened. The depletion of the region's water resources was accelerating its desertification, hindering the pursuit of pastoral activities and limiting career opportunities for displaced Tuareg populations. MI was of the opinion that, if new mining projects went ahead, the effect would be to jeopardize not only the future of nomadic herders but the town of Agadez and its 130,000 inhabitants, who could find that the water had dried up in the not too distant future.⁹¹

8. Right to health

45. WV stated that, following its 1st UPR, Niger had made a commitment to the Global Strategy for Women's and Children's Health and undertaken to increase its budget.⁹²

46. CODDHD indicated that, according to a document issued by the Ministry of Health in 2012, the health budget allocated per person was much lower than the World Health Organization (WHO) standard and was therefore far from meeting health needs.⁹³ In addition, and among other challenges, the poor coordination of sanitation activities and inadequate provision of services prevented Niger from achieving universal coverage for health care and services. Furthermore, in 2015 Niger had suffered a meningitis epidemic and the crisis had not been properly managed.⁹⁴

47. WV recommended results-based budgeting and government oversight of a transparent system to guarantee improved health care for women and children. It also recommended increasing allocations to the free health-care programme through the introduction of alternative funding measures, and adopting a human rights-based approach.⁹⁵

48. NHRC took note of positive action to facilitate access to health-care services for women and children, such as the introduction of free care for children under 5 years old, the recruitment of doctors, awareness-raising campaigns and the implementation of new community-based strategies.⁹⁶

49. WV indicated that the programme for free maternal and infant health care had generated increased demand for health care. Although the results demonstrated remarkable progress, further work was needed. A considerable number of patients were still outside the system, because it was underfunded.⁹⁷

50. ADF International stated that Niger is estimated to have one of the highest maternal mortality ratios (MMR) in the world at 630 deaths per 100,000 live births.⁹⁸ It recommended that Niger improves the health-care system infrastructure and women's access to health care facilities, and skilled birth attendants.⁹⁹

51. WV noted with concern that 26 per cent of deaths among children under 5 in Niger occurred in the first 28 days of life and that poor mothers were six times less likely to have an attended delivery than better-off mothers. It recommended improving the accessibility of health centres.¹⁰⁰

52. JS1 noted that, according to information provided by a mission to uranium mining areas, radioactive and chemical waste had been observed in the area, endangering the health of communities. The findings demonstrated that, owing to the mismanagement of solid and liquid waste, human and animal populations in the region had been exposed to carcinogenic and genotoxic pollutants.¹⁰¹ MI noted with concern that radioactive particles from the mines had led to a mortality rate from respiratory infections that was twice as high in Arlit as in the rest of Niger.¹⁰² JS1 recommended that the mismanagement of radioactive and chemical waste in uranium mining areas should be corrected as soon as possible, given the health risks to all living beings in the area.¹⁰³

9. Right to education

53. CODDHD stated that significant progress had been made in access to education, with a 79.2 per cent rate enrolment in primary schools in 2012.¹⁰⁴ Nonetheless, the number of years of schooling remained low, owing to high failure rates, the early marriage of young girls and negative perceptions of the value of school education.¹⁰⁵

54. NHRC expressed concern at the persistence of disparities between girls and boys and the impact of food insecurity on children's education. NHRC also expressed regret at the difficulties due to access infrastructures, since supply did not meet demand. NHRC also noted that the quality of education was poor owing to reliance on unqualified teachers and a reduction in State support for school supplies.¹⁰⁶

10. Persons with disabilities

55. NHRC said that the introduction of the National Policy on Social Development had facilitated the implementation of a number of projects for persons with disabilities, particularly in the regions of Tillabéry, Dosso and Niamey. Those projects would appear to be insufficient, however.¹⁰⁷

56. CODDHD said that, although Niger possessed a legislative framework that was supportive of the rights of persons with disabilities, there were numerous obstacles to ensuring that those rights were realized.¹⁰⁸ CODDHD noted with regret that the lack of basic social infrastructure and equipment had a negative impact on the right of persons with disabilities to information, a fair trial, education, health and work. It took note of the lack of translation to enable persons who were deaf or hearing impaired to understand television news or to assert their right to due process before the courts.¹⁰⁹ Similarly, CODDHD noted the shortage of specialized centres for children with disabilities. According to CODDHD, adult students were similarly affected.¹¹⁰ Furthermore, the National Fund to Support Persons with Disabilities was not properly resourced.¹¹¹

57. CODDHD observed that the requirement that employers should reserve 5 per cent of posts for persons with disabilities was not always met.¹¹²

11. Minorities and indigenous peoples

58. JS1 indicated that Niger had accepted a recommendation on the rights of nomadic pastoralists during its 1st UPR. Nonetheless, a single recommendation could hardly cover all problems relating to the rights of pastoralists. It was the view of JS1 that the matter should be reconsidered during the 2nd UPR.¹¹³

59. Cultural Survival (CS) stated that the nomadic pastoralist lifestyle had become increasingly difficult for indigenous peoples in Niger, due to climate changes and violence in the region.¹¹⁴ In addition, land grabbing had also had a negative impact on the indigenous people's rights. In particular, Tuareg communities living near uranium mines were not adequately consulted in projects that affected their rights. Specially,

the process of uranium excavations exposed the nearby indigenous peoples to harmful radiation.¹¹⁵

60. JS1 noted the steady decline of the rights of nomadic pastoralists and transhumant herders in both agricultural and pastoral areas.¹¹⁶ MI indicated that, with the development of the uranium industry, the ability of Tuareg populations in the north of Niger to maintain their ancestral way of life was threatened. While the current situation was serious, it would soon, given the proliferation of concessions granted to uranium companies by the Government of Niger, become irreversible.¹¹⁷

61. MI noted with concern that there were mining concessions in practically all Tuareg territories in Aïr. MI expressed regret that, having been forcibly displaced without fair compensation, the members of the Tuareg community had then been excluded from the decision-making process that determined their future and from the judicial system, which was not accessible to them and even, owing to its structure, placed them at a disadvantage.¹¹⁸ MI recommended that Niger should highlight the role of the Tuareg as key contributors to ecological harmony in their territory. MI also recommended improved access to justice for Tuaregs, in order that they could defend themselves against the harm to which they had been subjected and, where appropriate, could request reparation.¹¹⁹

62. CS on its side recommended that Niger ratify the ILO Convention 169 and recognize the rights of Indigenous peoples in its constitution. It also recommended that Niger ensure that future extractive industry does not proceed in indigenous territories without their free, prior, informed consent of the concerned communities. CS also recommended that Niger adopt a national action plan to ensure indigenous peoples' participation in the decision-making process and equal representation in the governance of the country.¹²⁰

63. JS1 recommended the establishment of a working group to stimulate discussion on the status of grazing land and to make specific proposals to the Government on improving the protection of herders' land rights while preserving their special way of life.¹²¹ JS1 also recommended communicating the findings of environmental studies conducted in mining areas and introducing protection measures for local populations.¹²²

64. NHRC observed that, despite the existence of preventive mechanisms, conflicts between herders and farmers took place frequently, particularly at times when livestock was moved to new pastures. The disagreements led to human rights violations, including physical violence and damage to or loss of property.¹²³

12. Migrants, refugees and asylum seekers

65. CODDHD commented that the geographical location of the Agadez region of Niger, combined with the recent discovery of gold in the Aïr Mountains had led to an escalation in the smuggling of migrants. In recent years, networks of smugglers had illegally transported migrants departing from neighbouring countries. The smuggling had had serious consequences: in 2015, 48 migrants had been found dead near Dirkou, while, in 2012, 92 — including 7 men, 48 children and 32 women — had been found in the Sahara.¹²⁴ According to CODDHD, those migrants had been victims of abuse by members of the defence and security forces at checkpoints on the main Agadez-Arlit-Assamaka road and the main Agadez-Dirkou-Madama road, forcing them to take other routes. CODDHD had added that 92 migrants had been found dead in the desert in Niger in 2012, the majority of whom had been women and children.¹²⁵

66. AI noted that in 2015, over 64,000 refugees fled the crisis in neighbouring countries.¹²⁶

13. Internally displaced persons

67. According to AI, following the Boko Haram attack on the Isle of Karamga in April 2015, a forced evacuation of islands in Lake Chad was ordered for security reasons. There were at least 14 deaths among those fleeing due to hunger, thirst and heat during the long march towards the camp of N'guigmi. Defence and security forces were reported to have prohibited local transporters from taking the people fleeing to the camp. Furthermore, the authorities made no arrangements for the reception and resettlement of the displaced people. Notably, there was a lack of essential resources such as water and food upon arrival.¹²⁷ AI recommended that Niger provide shelter, food, water, and health care, to those IDPs.¹²⁸

14. Right to development, and environmental issues

68. CODDHD stated that the majority of the development projects and programmes implemented had not produced the expected results or made a sufficiently positive impact on the lives of the people of Niger.¹²⁹

69. MI observed that several NGOs and independent expert groups from civil society had highlighted the alarming levels of radioactivity found close to the uranium mines of Aïr. Such pollution, which was long-lived and highly dangerous to humans and the entire ecosystem, had been detected in the air, water and ground in the area of Arlit and Akokan.¹³⁰ CS expressed a similar concern.¹³¹

70. ISHR recommended that Niger ensure that companies conducting operations in its territory respect human rights in line with the United Nations Guiding Principles on Business and Human Rights.¹³²

15. Human rights and counter-terrorism

71. AI noted that the 2011 Law against Terrorism did not adhere to international human rights standards.¹³³ AI recommended to define “terrorist act” in antiterrorism legislation in line with human rights.¹³⁴

72. According to AI, several people accused of being members of AQIM, Boko Haram and a Nigerian Islamist armed group suspected of terrorist activities, were ill-treated during arrest or shortly afterwards in an attempt to extract confessions. AI stated that, during a mission to Niger in 2012, it collected testimonies of prisoners who were tortured in this context.¹³⁵

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADFI	ADF International (Switzerland);
AI	Amnesty International;
AS	Anti-Slavery;
CIVICUS	CIVICUS;
CODDHD	Collectif des organisations de la défense des droits de l'homme et de la démocratie (Niger);
GIECCPC	Global Initiative to End All Corporal Punishment of Children;
CS	Cultural Survival (USA);
FIACAT	International Federation of Action by Christians for the Abolition of Torture (France);
ISHR	International Service for Human Rights;
MI	Maloca International (Switzerland);
MFWA	Media Foundation for West Africa (Ghana);
WV	World Vision.

Joint submissions:

JS1 Association pour la Redynamisation de l'Élevage au Niger, CARE, Collectif des Associations Pastorales, Association pour la Promotion de l'Élevage au Sahel et en Savane, Organisation de Défense des Droits et Libertés Humains, Fédération Nationale des Éleveurs du Niger, Plateforme Coordination Nationale, Réseau des Organisations pour la Transparence et l'Analyse Budgétaire, Alternative Espace Citoyen, Réseau des Organisations Pastorales et des Éleveurs du Niger, Réseau Billital Maroobé d'Éleveurs Pasteurs de l'Afrique.

National human rights institution(s):

CNDH Commission Nationale des Droits de l'Homme (Niger).

² The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ AI, page. 1. For the full text of recommendations see the report of Working Group of the Universal Periodic Review: Niger, A/HRC/17/15, 21 March 2011, at: (<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/123/06/PDF/G1112306.pdf?OpenElement>) para. 78.1 (France).

⁴ AI page 3.

⁵ AI, page 7.

⁶ FIACAT page 5.

⁷ AI page 7.

⁸ World Vision page 1.

⁹ World Vision page 2.

¹⁰ AI page 1.

¹¹ CNDH, page 17.

¹² AI page 1.

¹³ World Vision page 3.

¹⁴ CNDH, p.10.

¹⁵ AI, page 6.

¹⁶ CNDH, page 7.

¹⁷ AI, page 1.

¹⁸ AI, page 6.

¹⁹ AI, page 7.

²⁰ FIACAT page 6.

²¹ AI page 3.

²² page 3.

²³ AI, page 3.

²⁴ CNDH, page 4.

²⁵ CODDHD, para. 18.

²⁶ AI, p. 7.

²⁷ CODDHD, para. 15.

²⁸ AI, p. 4 and 5.

²⁹ AI, p. 7.

³⁰ CNDH, page 9.

³¹ JS, para. 5.

- ³² World Vision page 3.
- ³³ AS, para. 10.
- ³⁴ World Vision page 4.
- ³⁵ CNDH, pages 6 and 7.
- ³⁶ CODDHD, para. 10.
- ³⁷ CNDH, page 11.
- ³⁸ For the full text of recommendations see the report of Working Group of the Universal Periodic Review: Niger, A/HRC/17/15, 21 March 2011, at: (<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/123/06/PDF/G1112306.pdf?OpenElement>) para.
- ³⁹ GI, page 1.
- ⁴⁰ CODDHD, para. 8.
- ⁴¹ For the full text of recommendations see the report of Working Group of the Universal Periodic Review: Niger, A/HRC/17/15, 21 March 2011, at: (<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/123/06/PDF/G1112306.pdf?OpenElement>) paras. 76.37, 76.44 (Switzerland); 76.38 (Sweden); 76.39 (Norway); 76.40 (Poland) 76.41 (Spain); 76.41 (Luxembourg); 76.42 (Luxembourg); 76.45 (Slovakia); 76.46 (Sweden); 76.48 (The United States of America).
- ⁴² AS para. 3.
- ⁴³ AS, para. 15.
- ⁴⁴ AS, para. 6.
- ⁴⁵ AS, para. 7.
- ⁴⁶ ASI, para. 22.
- ⁴⁷ ASI, para. 22 (4).
- ⁴⁸ ASI, para. 22 (4).
- ⁴⁹ CODDHD, para. 9.
- ⁵⁰ AS para. 3.
- ⁵¹ CNDH, page 12.
- ⁵² AI, p. 7.
- ⁵³ CNDH, page 16.
- ⁵⁴ CNDH, page 16.
- ⁵⁵ AI, page 6.
- ⁵⁶ AI page 4.
- ⁵⁷ AI page 4.
- ⁵⁸ Maloca International page 3.
- ⁵⁹ ADF International para. 7.
- ⁶⁰ ADF International para. 13.
- ⁶¹ ADF International para. 14.
- ⁶² ADF International para. 15.
- ⁶³ MFWA, para. 18.
- ⁶⁴ MFWA, para. 6.
- ⁶⁵ MFWA, para. 7.
- ⁶⁶ MFWA, para. 8.
- ⁶⁷ ISHR page 1.
- ⁶⁸ CIVICUS, para. 4.
- ⁶⁹ ISHR page 1.
- ⁷⁰ MFWA, paras. 20 and 41.
- ⁷¹ MFWA, page 1.
- ⁷² CODDHD, para. 21.
- ⁷³ AI, page 5.
- ⁷⁴ CIVICUS, para. 1.4.
- ⁷⁵ CIVICUS, para. 4.
- ⁷⁶ CIVICUS, para. 4.
- ⁷⁷ MFWA, paras. 20 and 41.
- ⁷⁸ AI, page 6.
- ⁷⁹ CIVICUS, para. 4.3.
- ⁸⁰ MFWA, para. 44.
- ⁸¹ CODDHD, para. 17.
- ⁸² MFWA, paras. 45-51.
- ⁸³ MFWA, para. 52.
- ⁸⁴ MFWA, para. 56.

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- 85 MFWA, para. 57.
86 CODDHD, para. 7.
87 CODDHD, para. 6.
88 CODDHD, para. 30.
89 CODDHD, para. 31.
90 World Vision page 3.
91 Maloca International page 4.
92 World Vision, page 1.
93 CODDHD, para. 27.
94 CODDHD, para. 29.
95 World Vision page 2.
96 CNDH, page 18.
97 World Vision page 2.
98 ADF International para. 16.
99 ADF International para. 29.
100 World Vision page 2.
101 JS1 para. 45.
102 Maloca International page 7.
103 JS1, para. 46.
104 CODDHD, paras. 24 and 25.
105 CODDHD, para. 11.
106 CNDH, page 15.
107 CNDH, p. 13.
108 CODDHD, para. 33.
109 CODDHD, para. 33.
110 CODDHD, para. 33.
111 CODDHD, para. 34.
112 CODDHD, para. 35.
113 JS1, paras. 10 and 11.
114 Cultural Survival, page 3.
115 CS, p. 4.
116 JS1, para. 7.
117 MI page 1.
118 MI, p. 1.
119 MI, p. 1 and 2.
120 Cultural Survival, page 5.
121 JS1, para. 50.
122 JS1, para. 51 a).
123 CNDH, page 11.
124 CODDHD, paras. 13 and 14.
125 CODDHD, para. 17.
126 AI, p. 5.
127 AI, page 6.
128 AI, page 7.
129 CODDHD, para. 36.
130 MI, p. 6 and 7. CS p. 4.
131 Cultural Survival, page 4.
132 ISHR, para. 6.
133 AI page 3.
134 AI, page 6.
135 AI page 4.
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