

Niger

Country:

[Niger](#)

Year:

2016

Freedom Status:

Partly Free

Political Rights:

3

Civil Liberties:

4

Aggregate Score:

52

Freedom Rating:

3.5

Overview:

In December 2015, President Mahamadou Issoufou announced that his government had foiled a coup attempt that was organized by high-ranking military officers, including a former army chief of staff; the commander of an air force base in the capital, Niamey; and several counterterrorism chiefs. The announcement came in the context of high political tension due to alleged government attempts to disrupt the organization of the opposition ahead of elections set for 2016, and the November arrest and imprisonment of Hama Amadou, a former prime minister and president of the National Assembly and one of Issoufou's most serious challengers in the presidential race. Tensions mounted against a backdrop of a deteriorating security situation in the region where Islamic insurgent groups continue to perpetrate violence in nearby countries while threatening to encroach on Niger.

Although Niger has so far managed to maintain a precarious stability, it has undermined civil liberties in the process. The fight against the militant group Boko Haram has led the government to declare states of emergency in the Diffa region near the border with Nigeria, allowing the army to engage in mass arrests and detain those suspected of links with terrorist organizations.

Political Rights and Civil Liberties:

Political Rights: 24 / 40 (-2) [Key]

A. Electoral Process: 8 / 12 (-1)

A 2010 military coup that removed increasingly authoritarian president Mamadou Tandja from power led to the adoption of a new constitution that year. Drafted in broad consultation with civil society, the charter reinstated executive term limits, curbed executive power, and provided amnesty

for the coup leaders. Under the constitution, the president is elected by popular vote for up to two five-year terms. Members of the 171-seat, unicameral National Assembly, who also serve five-year terms, are elected through party-list voting in eight multimember regional constituencies, eight single-member constituencies reserved for ethnic minorities, and five constituencies to represent Nigeriens living abroad.

The last presidential, legislative, and municipal elections were held in January 2011. The Party for Democracy and Socialism (PNDS), headed by Issoufou, won 37 legislative seats. The National Movement for a Developing Society (MNSD)—led by former prime minister Seini Oumarou—placed second with 26 seats, while Amadou's Nigerien Democratic Movement for an African Federation took 25. Five smaller parties divided the remainder. In the first round of the presidential election, Issoufou and Oumarou emerged as the top two candidates; Issoufou then claimed victory with 58 percent of the vote in a March runoff election. Both the presidential and legislative elections were declared free and fair by international observers, despite minor irregularities. The PNDS and MNSD won the majority of positions across the country in local elections.

Presidential, legislative, and local elections are scheduled to take place in 2016, but the opposition has raised concerns over the electoral process in advance of the polls. In January 2015, opposition parties cast doubt over the independence and impartiality of the Constitutional Court, which approves the list of candidates and validates the election results. These parties staged a protest in November 2015 to demand a reconfiguring of the court, an international audit of the electoral list, and the rescheduling of the local elections, threatening a boycott if their grievances went unaddressed. In December, the Electoral Commission requested an independent audit of the candidate lists from an international monitor in an effort to address one of the opposition's demands.

B. Political Pluralism and Participation: 9 / 16 (-1)

Since assuming power in 2011, Issoufou has appointed former opponents and members of civil society to high positions in government to foster inclusivity, and a reshuffling of the government in 2013 continued this pattern, though it left most key posts in the hands of Issoufou's allies.

As the 2016 elections approach, tensions between the opposition and the government have increased. In April 2015, reports indicated that the government had instigated high-profile defections from the major opposition parties and replaced opposition party representatives in national political bodies with opposition dissidents who had been enticed to support the regime. In November 2015, Amadou was arrested upon his return from exile and accused of involvement in a human trafficking scandal involving newborn babies from Nigeria.

The constitution reserves eight special constituency seats to ensure ethnic minorities' representation in the National Assembly. Such minorities, including the nomadic population, continue to have poor access to government services. A law adopted in 2014 created five parliamentary seats for the representation of Nigeriens living in the diaspora. Under the same law, political parties must allocate enough seats on their electoral lists to ensure at least 15 percent of their winning representatives are women.

C. Functioning of Government: 7 / 12

Corruption remains a serious problem in Niger, and observers have raised concerns regarding uranium-mining contracts. In recent years, Chinese corporations have played an increasing role in the country's uranium-mining industry, and locals have accused them of flouting regulations and

exploiting Nigerien resources and labor while the government reinvests almost none of the profits in the local economy. The 2010 constitution provides for greater transparency in government reporting of revenues from the extractive industries as well as for the declaration of personal assets by government officials, including the president; nevertheless, accusations of graft persist. In November 2015, the opposition introduced a measure in parliament to impeach Issoufou for inappropriately profiting from mining concessions, though it was defeated by the president's allies. In 2011, the government created the High Authority to Combat Corruption and opened an anticorruption hotline.

In October 2014, former president Tandja was stripped of his legal immunity and charged with corruption, as authorities began investigating the disappearance of nearly 400 billion francs (\$800 million) of public money that Tandja had claimed were in the state treasury when he was overthrown.

Niger was ranked 99 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 28 / 60 (-2)

D. Freedom of Expression and Belief: 11 / 16

In 2010, the National Assembly adopted a new press law that eliminated prison terms for media offenses and reduced the threat of libel cases that journalists had faced under Tandja. In 2011, Issoufou became the first head of state to sign the Table Mountain Declaration, which calls on African governments to promote press freedom. Journalists sometimes face police violence while covering protests, as well as sanctions for critical or controversial reporting. In January 2015, demonstrations against the French satirical magazine *Charlie Hebdo* erupted in Niamey after it published a cartoon of the prophet Mohammed following an attack on the magazine's Paris offices by gunmen claiming affiliation with Islamic extremists. During the protests, police stormed the offices of pro-opposition media outlets, assaulting at least eight journalists and disrupting their coverage of the events. Between October and November 2015, 10 journalists were temporarily detained and their recording materials confiscated by the police. In December, 20 private radio and television stations shut down their programs for two hours to protest recurring violations against journalists during the year.

Censorship of the internet and social media has emerged as a mean to restrict the growing critiques of Issoufou's regime. In January 2015, the government blocked access to Facebook, Twitter, and SMS messaging services in an attempt to curb criticism of Issoufou's participation in a memorial commemorating the *Charlie Hebdo* attack in Paris and his statements of support for the publication. While the block was intended to last several days, the government later reversed course and restored access after just a few hours.

Freedom of religion is generally respected in this overwhelmingly Muslim country. However, the anti-*Charlie Hebdo* protests in January 2015 also resulted in rare instances of intercommunal violence between Muslims and Niger's small Christian minority, who generally coexist peacefully. At least 45 churches were set on fire, as well as Christian schools and orphanages, leading to at least 10 fatalities.

Academic freedom is guaranteed but not always observed in practice.

E. Associational and Organizational Rights: 6 / 12 (-2)

Constitutional guarantees of freedoms of assembly and association are largely upheld, though the government has used force to break up demonstrations in the past. During 2015, the government refused to authorize several public protests, citing security concerns due to the increased threat from militant groups. Opposition and civil society protests are met with police brutality and tear gas. In October 2015, at least 79 people were arrested at a student-led protest in Niamey, where students were demanding better conditions in high schools and universities. Police used tear gas to disperse the crowds.

The government does not generally restrict the operations of nongovernmental organizations (NGOs), though a lack of security in the north impedes their functioning in the region. In May 2015, two civil society activists who denounced military abuses perpetrated during the state of emergency in Diffa were arrested and accused of complicity with Boko Haram.

While the constitution and other laws guarantee workers the right to join unions and bargain for wages, a large portion of the workforce is employed in subsistence agriculture and small trading. In April 2015, hundreds of workers at a uranium mine launched a three-day strike demanding full payment of a promised bonus; the enforcement of regulations and respect for labor rights in the mines are notoriously weak. Union and civil society activism has declined due to the cooptation of their leader by Issoufou's government, although recently new leaders have started to emerge.

F. Rule of Law: 5 / 16

The constitution provides for an independent judiciary, and courts have shown some autonomy in the past, though the judicial system has at times been subject to executive interference. The Ministry of Justice supervises public prosecutors, and the president has the power to appoint judges. Judicial corruption is fueled partly by low salaries and inadequate training. Prolonged pretrial detention is common, and police forces are underfunded and poorly trained. Prisons are characterized by overcrowding and poor health conditions.

Insecurity continues to plague many parts of the country. Recently, Boko Haram has intensified its assaults on the Diffa region. In February 2015, the group attacked two border towns in the area, leading to heavy clashes with Nigerien security forces. In June, another attack killed at least 38 people. By October, some 60 attacks by Boko Haram had been carried out since the beginning of the year, in addition to other abductions and explosions.

The crises in neighboring countries have led to a massive influx of refugees fleeing violence by Islamist militants. By December 2015, there were 68,000 Nigerian refugees and 56,000 Malian refugees present in the country. This influx has raised pressure on food supplies.

While two ethnic groups, Hausa and Djerma, still dominate many government and economic positions, minority groups are represented and their rights are protected by law. Same-sex sexual activity is not illegal in Niger, but same-sex relationships are highly stigmatized, and there is no protection against discrimination based on sexual orientation.

G. Personal Autonomy and Individual Rights: 6 / 16

The constitution guarantees freedom of movement and property rights and these are generally respected throughout the country, though bribery remains an issue for both.

Although the 2010 constitution prohibits gender discrimination, women suffer discrimination in practice. Family law gives women inferior status in property disputes, inheritance rights, and

divorce. Sexual and domestic violence are reportedly widespread. Female genital mutilation was criminalized in 2003 and has declined, but it continues in a small percentage of the population.

While slavery was criminalized in 2003 and banned in the 2010 constitution, it remains a problem in Niger, with up to 44,000 individuals still in slavery. Niger remains a source, transit point, and destination for human trafficking, and was downgraded to Tier 2 Watch List status in the U.S. State Department's 2016 *Trafficking in Persons Report* due to its declining efforts to assist increasing numbers of trafficking victims.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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