

REPUBLIC OF NIGER



Fraternité - Travail - Progrès

**REPORT SUBMITTED BY NIGER UNDER ARTICLE 43 (1) (b) OF
THE AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE
CHILD**

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ACRONYMS AND ABBREVIATIONS

ACT: Therapeutic Combinations Based on Artemisinin

AWCY: Association of Working Children and Youth

AEP: Drinking Water Supply

ANAJJ: National Agency for Legal and Judicial Assistance

ANAB: Nigerien Agency for Allocations and Stock Exchanges

ANBF: Nigerien Association for Family Welfare

IYCF: Infant and Young Child Feeding Strategy

ANLTP: National Agency for Combating Trafficking in Persons

ANMS: Nigerien Agency for Social Mutuality

ANTD: Nigerien Association for the Treatment of Delinquency

ARV: Anti Retro Virals

ACRWC: African Charter on the Rights and Welfare of the Child

CARENI: Autonomous Pension Fund of Niger

CARMMA: Accelerated Campaign to Reduce Maternal, Neonatal and Child Mortality in Africa

CAT: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

CCA: Food Crisis Cell

CCNEJ: National Advisory Council of Children and Youth

ECOWAS: Economic Community of West African States

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CRPD: Convention on the Rights of Persons with Disabilities
 CERD: International Convention on the Elimination of All Forms of Racial Discrimination
 CESOC: Economic, Social and Cultural Council
 CET: Technical Education Colleges
 CFPT: Professional and Technical Training Centre
 CGDES: Committees of Decentralised School Management
 CIM: Interministerial Committee
 CMCAN: Leather and Art Centre of Niger
 CNDH: National Commission of Human Rights
 CNCLD: National Coordinating Committee for the Fight against Drugs
 CNCLTP: National Coordinating Committee for Combating Trafficking in Persons CNJ:
 National Youth Council
 CONIPRAT: Nigerien Committee to Combat Harmful Traditional Practices
 CREN: Nutritional Recovery Centre
 CNSS: National Social Security Fund
 CS: Health Cases
 CSC: Higher Council of Communication
 CSI: Integrated Health Centre
 CREN: Nutritional Recovery Centre
 DCPE: Framework Document for Child Protection
 DCRE: Directorate of Curriculum and Teaching Reform
 DNPGCCA: National Disaster Prevention and Management System and Food Crises
 EAFGA: Children Associated with Forces and Armed Groups
 ECPAT: End Child Prostitution in Asian Tourism)
 EFPT: Professional and Technical Education and Training
 EPEM: Equivalents Modern Water Points
 ERA: Rural Rural Alternatives
 ESH: Children in Disability
 ESM: Mortality Survival Survey
 GARP: Results-Based Management
 HALCIA: High Authority Against Corruption and Assimilated Offenses
 ICAB: Baby Friendly Community Initiative
 HDI: Human Development Index
 IEC / CC: Information Education Communication / Communication for a Change of Behavior
 IFADEM: Francophone Initiative for the Training of Remote Masters
 IFAENF: Training Institute in Literacy and Non Formal Education
 INTIATIVE 3N: Nigeriens Nourish Nigeriens
 JLV / JNV: Local Vaccination Day / National Vaccination Day
 LOSEN: Orientation Law of the Nigerien Educational System
 FGM: Female Genital Mutilation
 ITNs: Insecticide-treated mosquito nets
 MIILDA: Long-lasting insecticidal insecticide-treated mosquito net
 SDGs: Sustainable Development Goal
 ONPEC: National Guidance for the Care of Children
 CSO: Civil Society Organisations
 ILO: International Labor Organization
 ONEF: National Observatory of Employment and Vocational Training
 NGOs: Non-Governmental Organisations
 CSO: Civil Society Organizations
 OAU: Organization of African Unity
 WFP: World Food Program

PAJED: Support Program for Justice and the Rule of Law
PARSEC: Support Program for Capacity Building of the Civil Status System
PASTAGEP: Support Program for the Development of the National Statistical System for the Promotion of Governance and Monitoring / Evaluation of Poverty
IMCI: Integrated Management of Childhood Illness
PDDE: Ten-Year Programme for the Development of Education
PDES: Economic and Social Development Plan
PDS: Health Development Plan PEM: Modern Water Points
EPI: Expanded Programme on Immunization
GDP: Gross Domestic Product
PNDIJE: National Policy for the Integrated Development of Young Children
PNEC: National Civil Status Policy
PNLP: National Programme against Malaria
PNLT: National Program for the Fight against Tuberculosis
PSEF: Sector Program of Education and Training
PMTCT: Prevention of HIV Transmission from Mother to Child
PLHIV: People Living with HIV / AIDS
RGPH: General Census of Population and Housing
SEJUP: Judicial and Preventive Educational Services
SEN: Essential Care for Newborns SIFA: Integrated Agricultural Training Sites
SMIG: Guaranteed Minimum Interprofessional Salary
SONNE: Essential Neonatal Care
SOUND: Neonatal Emergency Obstetric Care
SDS: Sahel Development and Security Strategy
SOUND: Emergency Obstetric and Neonatal Care
PHC: Primary Health Care
TAT: Theoretical Access Rate
TBA: Gross Admission Rate TBS: Gross Enrollment Rate
RDT: Rapid Diagnostic Tests
TNA: Net Admission Rate
UPCCEJ: Panafrikan Union of Child and Youth Advisory Councils
ULSS: Health Sector Struggle Unit

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INTRODUCTION

1. This report is submitted under Article 43 (1) (b) of the African Charter on the Rights and Welfare of the Child (ACRWC), ratified by Niger on 11 December 1996. It should be recalled that Niger submitted its initial report during the 18th session of the African Committee of Experts on the Rights and Welfare of the Child in Algiers in 2011 and since then the country has not been able to submit its report periodic.
2. In order to comply with its regional and international obligations, Niger has set up an inter-ministerial committee for the drafting of reports to treaty bodies and the Universal Periodic Review since 2010, coordinated by the Ministry of Justice. This report has been prepared and compiled by the Committee, with input from other actors, before being adopted by the Government.
3. The preparation of this periodic report, covering the period 2011-2016, reflects the State's determination to fulfill its obligations under the Charter by reporting to the Committee, thus closing the gap in this area.
4. This report has been prepared in accordance with the "*Guidelines on the form and content of periodic reports of States parties to be submitted in accordance with Article 43 (1) (b) of the African Charter on the Rights and Welfare of the Child*" which entered into force on 7 December 2013. It sets out the legislative, administrative and policy measures adopted since Niger submitted its initial report. It reports on progress made in the area of children's rights during the reporting period, indicating the extent to which the political and administrative authorities have given effect to the fundamental rights and freedoms set out in the ACRWC. It also responds to the Committee's observations and recommendations to the Government following the submission of its initial report.
5. The main focus of this report revolved around the collection of data and information from state institutions, some international structures and civil society organizations (CSOs) by members of the Interministerial Committee. The National Commission on Human Rights (CNDH) and civil society organizations were consulted first at the drafting stage. They then took part in the validation workshop of the report which took place from 09 to 10 February 2017 in Niamey.
6. The report is divided into two parts. The first contains general information on the evolution of the legal and institutional frameworks for the protection of human rights since the last report. The second part presents the progress made since 2011 in implementing the Charter, covering general measures of implementation, definition of the child, general principles, civil rights and freedoms, economic, social and cultural rights, family environment and alternative care,

protection of children in the most vulnerable situations, harmful practices, juvenile justice and the responsibilities of the child.

7. But before developing these two parts, we should respond to the observations and recommendations arising from the first report to the African Committee of Experts on the Rights and Welfare of the Child.

ELEMENTS OF RESPONSE TO THE OBSERVATIONS AND RECOMMENDATIONS RESULTING FROM THE SUBMISSION OF THE INITIAL REPORT

Article 1: OBLIGATIONS OF THE MEMBER STATE

Translating and popularizing the Charter in national languages.

8. The African Charter on the Rights and Welfare of the Child has not yet been widely disseminated nationally. However, this instrument has been made available to all actors in charge of child protection. In addition, 6,000 copies of the ACRWC were distributed in eight regions of the country by the Coalition of Nigerien Organisations for Children's Rights (CONIDE).

Article 2: DEFINITION OF THE CHILD

Adoption of the Children's Code

9. Niger has not yet adopted the Children's Code, but the adoption process is ongoing and is currently at the Council of State.

Article 3: NON-DISCRIMINATION

Monitor and evaluate these measures and integrate the results into the next report.

10. The Ministry for the Advancement of Women and Child Protection monitors the implementation of the recommendations resulting from the submission of the initial report. It was in this context that a workshop was held in 2013 with the participation of all stakeholders.

Developing legislations for equal treatment between legitimate and illegitimate children

11. Niger has not yet developed legislations for equal treatment between legitimate and illegitimate children. In the area of inheritance, parties have can choose the legal regime (law or custom) that will be applied to them. Thus, the Civil Code makes no distinction between legitimate and illegitimate children as opposed to the custom.

Determine an identical age of marriage for girls and boys.

12. The age of marriage is the same for girls and boys in Niger. Indeed, it is defined by Article 144 of the Civil Code as follows: "A man aged below eighteen years of age, a woman aged below fifteen years of age can not contract a marriage". Awareness campaigns conducted by the Ministry of Population, Women's Advancement and Child Protection in collaboration with NGOs on the adverse effects of early marriage have reduced the practice of early marriage.

Article 4: BEST INTERESTS OF THE CHILD

To create a legal and social environment conducive to the development and full potential of the child.

13. In order to create a legal environment favorable to the development and realisation of the child's potential, Niger adopted in 2014 Law No. 2014-72 of 20 November 2014 on the composition, organisation and functioning of the juvenile courts amending Ordinance No. 99-11 of 14 May 1999 on the establishment, composition, organisation and powers of juvenile courts. This new law introduces discriminatory treatment in favour of the child (from arrest to conviction).

14. Several measures have been taken to improve a social environment that is conducive to the development and realisation of the child's potential. These include:

- the creation and / or rehabilitation of more than 200 community child protection structures in the villages covered by the Community-based protection program and in some "convergence communities" where other similar programmes are developed, using a holistic approach;
- Sensitisation and training of the various protection actors including journalists and women's associations on the rights of the child in general and the best interests of the child in particular.

Sensitize communities on the development and protection of children.

15. Awareness-raising campaigns are carried out continuously within the communities in order to achieve behavioural change. A community-based child protection programme was implemented in villages with the support of some NGOs and UNICEF with full involvement of communities and children. This phase has had satisfactory results and the Ministry for the Advancement of Women and Child Protection is considering its imminent implementation at national level.

Article 5: SURVIVAL AND DEVELOPMENT

Reduce or even eradicate cases of infanticide.

16. Article 240 of the Criminal Code provides for infanticide in the following terms: "The murder or killing of a newborn child is infanticide". Article 243 punishes infanticide with a prison sentence spanning between ten and twenty years, although this provision is not applicable to the co-perpetrators or accomplices.

Pursue the campaign in support of the benefits of exclusive breastfeeding until six months old.

17. The Government, with the support of its development partners, has developed a national strategy called the Infant and Young Child Feeding Strategy (ANJE), which aims to promote exclusive breastfeeding. Breastfeeding is thus recognized in Niger as the first protection against child malnutrition and mortality. To promote, protect and support exclusive breastfeeding for

children aged 0-6 months, the National Infant and Young Child Feeding Strategy advocates, inter alia, for the enforcement of the ten breastfeeding requirements, extending the Baby Friendly Hospital Initiative, strengthening the Baby-Friendly Community Initiative (ICAB), extending community IMCI, and monitoring growth.

Emphasize the prioritization of the rights of the child in the definition of all national development policies, programmes and strategies.

18. The rights of the child are taken into account in all policies, programmes and strategies developed and implemented in Niger. These include:

- the Economic and Social Development Plan (2012-2015);
- the National Policy on Social Protection;
- the Framework Document for Child Protection and its Plan of Action;
- the National Policy for the Integrated Development of the Young Child;
- the Health Development Plan;
- the Declaration of the General Policy of the Government in 2016;
- Municipal Development Plans

19. The development and implementation of policies and programmes specific to the child are also noted:

- the Framework Document for Child Protection followed by the National Programme for Child Protection 2014-2018;
- the Policy on Integrated Early Childhood Development;
- the juvenile justice protection programme

Article 6: NAME AND NATIONALITY

Deploy all means necessary to cover the whole national territory of structures dedicated to record birth registrations and reinforce their capacities in order to considerably increase the rate of birth registration.

Community leaders could be called upon to play the role of registrar in order to facilitate the registration of births and deaths.

20. Niger has taken several steps to strengthen the civil registration system. These measures will be developed at paragraph

Take emergency measures in case of abandonment of children by their mothers immediately after birth.

21. Under Article 253 of the Criminal Code, the measures taken to deal with the abandonment of children by their mothers immediately after their birth are: "*those who have exposed or led to expose, abandoned or led to abandon in any place, a child or incapacitated person who is*

unable to protect himself or herself by reason of his or her physical or mental condition shall be liable to imprisonment between three months to three years and to a fine between 20,000 to 200 000 FCFA. If a non-permanent illness or disability results from exposure or neglect, the prison sentence shall be between six months to five years. If the child or the incapacitated person has remained mutilated or crippled or has a permanent disability, the prison sentence will be between two to ten years. When the exposure or neglect has caused death, the penalty shall be that of imprisonment from ten to thirty years ".

Article 7: FREEDOM OF EXPRESSION

Develop a communication policy between the various sectors and between the generations and Multiply dialogue spaces to allow children to come out and express themselves

Carry out an evaluation study of the impact of all these structures and spaces and integrate the findings of the study into its next report.

22. Niger has not yet developed a communication policy between the various sectors and between generations. Nevertheless, the Programme entitled "Supporting the Future" and "the Community-Based Child Protection Programme" have been implemented to promote the participation of children through the creation of children's clubs.

23. In addition, the Ministry of Cultural Renaissance, Arts and Social Modernisation has launched the "Tree of Palabres" project, which is a space for inter-generational dialogue, notably through narratives of lives and sharing of ideas, experiences in which each person contributes to national construction.

24. There are frameworks of expression for children, notably community radio and the Youth Parliament created on the model of the National Assembly composed of youth aged between 15 to 17 years.

To reduce the disparities between urban and rural children and youth with regard to these spaces of dialogue.

25. The spaces for dialogue concern all children; thus reducing disparities between urban and rural children and youth.

Article 8: FREEDOM OF ASSOCIATION

Encourage the creation of children's associations and assist NGOs and CSOs in these settings in order to foster the development of children.

26. The right and freedom of association are guaranteed by Article 9 of the Constitution: "*In the context of freedom of association recognised and guaranteed by this Constitution, political parties, political party groups, trade unions, non-governmental organisations and other associations or groups of associations shall be formed and carry out their activities freely, in accordance with the laws and regulations in force ...*". Thus, the State promotes the creation of children's associations.

27. From the perspective of the community-based approach and child participation, children's associations and clubs are set up so that children can take ownership of their interest in knowing their rights and duties in order to raise awareness among their peers.

28. It is also noted that the experience of "school governments" has led to the development of a students' organisation, which is similar to the institutions of the country, in order to promote accountability as well as the free and full participation of children in the development of schools and their community.

Establish formal structures at community level for the promotion of the youth in order to avoid wrongdoings.

29. In order to ensure the formal supervision of young people at the community level, the Government has launched the process of developing a national leisure policy and revising the statutes of youth centers and culture. These youth centres are dedicated to popular education for individual and collective empowerment.

Article 9: FREEDOM OF THOUGHT, AWARENESS AND RELIGION

Conduct campaigns in support of these freedoms for the development and well-being of the child.

30. Niger has not campaigned for freedom of conscience for the development and well-being of the child. This freedom is enshrined in Article 30 of the Basic Law, which provides: "*Everyone has the right to freedom of thought, opinion, expression, conscience, religion and worship. The State guarantees the free exercise of worship and the expression of beliefs. These rights shall be exercised with due regard for public order, social peace and national unity*".

31. The analysis of article 9 will elaborate on the enjoyment of freedom of thought, conscience and religion in children.

Article 10: PROTECTION OF PRIVACY

Conduct awareness campaigns targeting parents and the community for the recognition of children's privacy within the limits of their age.

32. At this level, it is noted that child protection structures carry out awareness-raising campaigns on children's rights, including the right to privacy of children.

Article 11: EDUCATION

Implementing the provisions of the Law on the Orientation of the Nigerien Educational System (LOSEN): "Education is compulsory for every Nigerien citizen without discrimination of gender, race or religion" with the support of national and international education partners; the return of boarding schools and canteens with the support of WFP and FAO in order to combat school failure, repetition and drop-out by providing assistance to poor parents.

33. In accordance with the provisions of the Law on the Orientation of the Nigerien Educational System (LOSEN), the State, in collaboration with national and international partners, has set itself the following objectives:

- make compulsory education free of charge until the age of 18;
- to build 3,000 classes with sustainable construction materials per year;
- recruit 2,500 teachers in the civil service per year.

34. Other measures have also been taken to combat school failure, repetition and drop-out. Among other things, it can be noted:

- referral to continuing vocational training centres and apprenticeship
- the creation of technical colleges at the level of each commune to accommodate flows of leavers of CM2 (Grade 5);
- creation of trade centres;
- creation of rural colleges;
- creation of second chance schools, alternative education centres and bridging classes.

35. Accordingly, with regard to access, 2,256 primary schools, 2,141 pre-schools have been set up. In terms of school infrastructure, between 2011 and 2015, 7,884 classrooms with sustainable construction materials were built by the State. In order to significantly reduce failure, repetition and drop-out of children from underprivileged backgrounds, 1,117 school canteens were created thanks to cooperation with the World Food Program (WFP).

Mener une réflexion approfondie sur la situation de l'école Nigérienne et assurer de sa disponibilité à soutenir l'Etat dans les démarches auprès de donateurs internationaux afin d'améliorer les conditions de vie et d'éducatons des enfants, aussi bien filles que garçons

Conduct a thorough reflection on the situation of the Nigerien schools and ensure their availability in supporting the State in its engagement with international donors in order to improve the living conditions and education of children, both girls and boys

36. The State had implemented the Ten-Year Programme for the Development of Education (PDDE, 2003-2012), which has set itself the objectives of improving access to and quality of education over this period of 10 years. The evaluation of this programme pointed out that there are still challenges to be addressed in order to reach the EFA goals. This situation has led the State and the international community to set up the Sectoral Programme for Education and Training (PSEF) for the period 2014-2024, which aims to pursue universal primary education. Periodic reviews are organized as part of the monitoring and evaluation of this programme.

Address spatial disparities and sexual discrimination.

37. In order to address spatial disparities, the Government opts for a gradual extension of rural-oriented education.

Indeed, the Sectoral Education and Training Programme (PSEF) 2014-2024 endorsed by Niger and its partners aims to extend educational coverage, especially in favour of rural areas. For this purpose, the following is planned:

- establishment of alternative rural schools (ERAs) in sparsely populated areas (the conclusive experience of the PDDE encourages the use of this option in dispersed settlements and for the care of nomadic childcare);
- study the adaptation of school provision to the demands of families in rural areas (methods of organisation, timetables, start-up dates, etc.).

For example, the number of primary schools in rural areas has increased from 13,627 in 2014 to 14,061 in 2015, an increase of 434 schools in rural areas in one year. In terms of access to education in rural areas, the gross primary school enrollment rate has changed from 72.7 to 76.7 between 2014 and 2015.

38. In order to address sexual discrimination, the government has been experimenting since 2014 a national strategy to accelerate school enrollment, which aims to reduce gender disparities in access to school and school attendance. The objectives of this national strategy for girls' education are:

- accelerating access and girls' attendance in all education and training cycles;
- increased social demand for education and training in general and for girls in particular;
- improving the institutional framework for girls' education and training.

Thanks to the implementation of this strategy, 887 primary schools and junior secondary schools are implementing local action plans focusing on girls' education. These local action plans were drawn up in 2015 on the basis of a community diagnosis carried out in consultation with the Decentralized Management Committees of Schools, local leaders, Associations of Mothers Educators and the deconcentrated national education staff to identify the specific causes of girls' non-access to school and early abandonment and to bring solutions.

39. In order to promote a change in behaviour conducive to girls' education, a community outreach campaign was conducted in 1560 villages in 2016. This campaign reached 65,520 people.

Platforms to encourage religious and customary leaders' engagement in the promotion of girls' education are being carried out at the regional and departmental levels.

40. In September 2016, the MEP / A / PLN / EC organised a National Day of Excellence in order to support the 25 female students of Niger's public primary schools, who performed best during the school year 2015 -2016.

In addition, the process of submitting the bill to protect school girls is currently being revitalised through the planning of a Parliamentary Information Day during the March 2017 session.

Develop measures to promote school attendance by focusing on measures that meet the learning conditions that are adapted to the specific needs of girls.

41. In order to improve the learning conditions that are conducive to the specific needs of girls, the following measures have been initiated:

- - introduction of a tutoring system for girls in school;
- - distribution of dry rations to the mothers of school girls in order to reduce the other costs associated with their schooling;
- - development of a national strategy for girls' education aimed at reducing the gaps between girls and boys in terms of access, attendance and academic achievement.

Take measures for the development of pre-school education.

42. The Government has included in the Sectoral Education and Training Programme a plan to triple enrollment and pre-school coverage by 2024, with approximately 245,000 young children cared for, representing a gross pre-schooling rate of 15 per cent. This extension will take place mainly in favour of rural areas, where community structures will progressively take charge of these new flows. In 2024, for example, 60% of pre-school children will be in a community structure. The measures taken are:

- The allocation of hygiene kits, pedagogical and educational materials and consumables to public and community structures, according to a standard calculated per child;
- A 45-day initial training module for community facilitators, supervised by the preschool inspection body, will be conducted before each school year from 2013;

- The construction of approximately 70 classrooms on average per year throughout the implementation of the PSEF for public preschool structures. Particular attention is given to setting up of these classes with priority for the rural environment.

Make efforts for children better access to information and NICTs in rural areas.

43. At the moment, Niger does not have a programme for children's access to information and NICTs in rural areas. However, it should be noted that in the context of the implementation of the programme: Francophone Initiative for the Distance Training of Teachers (IFADEM), the State distributed tablets to some 500 teachers without training as an experiment, for improving their performances.

Make functional the body responsible of censorship of information harmful to children and its dissemination.

44. The Higher Council for Communication (CSC) is responsible, inter alia, for the regulation of audiovisual communication, promotion and development of information and communication technologies. It also ensures "*the promotion of children and adolescents in the programmes broadcast by public and private audiovisual and electronic communication companies*" (article 157 of the Constitution). It is endowed with financial, material and human resources for its proper

Article 12: LEISURE, RECREATIONAL AND CULTURAL ACTIVITIES

Allocate a substantial budget for the construction of new structures while considering a better regional distribution and taking into account regional cultural identity.

45. As part of the promotion of the cultural sector, through the professionalisation of Nigerien artists, the Ministry of Culture has allocated FCFA 25 million to the artists' aid fund. For the year 2014, 17 of the 55 applications were selected (in the fields of literature, festivals, music and capacity building of cultural actors).

Article 13: CHILDREN WITH DISABILITIES

Intensify awareness-raising campaigns for the community and increase the number of childcare and care facilities for children with disabilities

46. With a view to bringing about a change in communities' behaviour towards children with disabilities with regard to socio-cultural barriers, the Ministry of Population has carried out significant advocacy and awareness-raising activities celebration of the Week of the Nigerien Child and the Day of the African Child.

In 2016, Niger had 56 inclusive classes for the education of children with disabilities.

Ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

47. Niger ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol on 24 June 2008.

Article 14: HEALTH AND HEALTH CARE

Intensify efforts to improve the health of the child, in particular through good nutrition, especially in rural areas, access of children and families to drinking water, and education of communities in general hygiene and food hygiene in particular.

48. Niger has adopted a comprehensive approach to nutrition issues as part of a national nutrition policy for 2012-2021, targeting all major categories of people most affected by malnutrition

(pregnant women and breastfeeding women, children under five) in all its forms (under nutrition, anemias, micronutrient deficiencies, over-nutrition).

49. The country has recently adopted a National Nutritional Safety Policy for the period 2016-2025 in a multisectoral framework. Its aim is to enable it to achieve certain Sustainable Development Objectives (SDGs), in particular SDG 2: Eliminate hunger, ensure food security, improve nutrition and promote agriculture.

50. Thus the promotion of nutrition knowledge in the field of child nutrition is developed through several documents, including the National Child Survival Strategy in 2008, the Health Development Plans (PDS) (2011- 2015), the Accelerated Plan for the Reduction of Maternal and Neonatal Mortality (2006-2015), the Strategic Plan for the Extension of IMCI (2009-2013), the National Protocol for the Management of Acute Malnutrition Revised in 2011, and in particular the Infant and Young Child Feeding Strategy (IYCF). The goal of this Strategy is to improve nutritional status, growth and development, health, and infants and young children survival through optimal nutrition.

The main strategic axis includes promoting appropriate infant and young child feeding, promoting supplementary feeding for children aged between 6-24 months and older, promoting a healthy diet of infants and young children, adolescent, pregnant and breastfeeding women, health promotion (IEC / CC) on nutrition, combating micronutrient deficiencies, legal protection for breastfeeding; strengthening food security; improved dietary practices.

51. In order to improve hygiene and sanitation conditions, Niger has emphasized hygiene in schools through the construction of latrine blocks and the promotion of handwashing. Thus, from 2011 to 2015, 3668 latrine blocks were built in primary schools. Efforts have also been made to improve the access of children and families to drinking water. Details will be provided on these efforts from paragraphs 348 to 352.

Establish a plan for the recruitment of health personnel with the support of international partners and integration of basic health service programmes into national development plans.

52. In 2012, 1784 staff were recruited including 536 doctors, 767 nurses, 232 midwives and 185 other senior staff. 207 physicians recruited, are assigned to the Integrated Health Centres (CSI) type II. With 42 doctors assigned to the District Hospitals, 38 of the 42 health districts (90%) have also recorded a higher number of doctors.

Ensure a better geographical distribution of health centres

53. The 2017-2021 health development plan foresees an extension of the current health coverage from 47.47% to 60% by 2021. This extension will be done in an equitable manner, taking into account the current level of coverage in different regions. The main actions to be implemented to extend health coverage are: transformation of health huts into CSIs, construction of new CSIs, upgrading of existing CSIs, intensification of mobile activities, carnivals and other strategies innovative.

54. Implementation of the recommendations on access to safe drinking water, immunisation and care for children affected by HIV / AIDS will be addressed at paragraphs **182-187** and **348-352**.

Article 15: CHILD LABOUR

Implement commitments to which Niger has subscribed by making functional the National Steering Committee against Child Labour.

55. The National Steering Committee against Child Labour will be functional with the adoption of the National Plan of Action against Child Labor.

Article 16: PROTECTION AGAINST ABUSE AND MISTAKES

Accelerate and improve the implementation of these measures in order to better protect the rights of the child for his/her well-being.

56. Niger has taken several steps to better protect the rights of the child for his/her well-being. This includes strengthening the legal framework for the protection of children. Indeed, on 17 November 2003, Niger ratified the Optional Protocol to the Convention on the Rights of the Child on the sale, prostitution of children and child pornography.

57. Law No. 2014-72 of 20 November 2014 determining the competences, powers and functioning of juvenile courts has also been adopted with a view to improving the criminal procedure applicable to minors and to strengthening protective measures for juvenile victims.

58. It should be pointed out that Law No. 2015-36 of 26 May 2015 on the illegal trafficking of migrants provides for the following specific protection measures for migrant children:

- the best interests of the child must be privileged in all actions taken by public officials, public bodies and courts concerning a migrant subjected to trafficking who is a child;
- where there is uncertainty as to the age of a migrant subjected to trafficking and where there are grounds for believing that he/she is a child, he/she is deemed to be a child pending verification of his /her age;
- any interview or hearing with a migrant child who is subjected of trafficking is carried out by a specially trained professional in a suitable environment in a language which the child practices and understands in the presence of his/her parents, guardian or support person;
- Migrant children trafficked have the right of access to education, which can not be denied or restricted because of their entry or irregular status in the country or that of their parents.

59. In addition, within the context of protection against abuse and ill-treatment, training schools of the police and defense and security forces have developed training modules on children's rights and these modules are currently taught in their respective schools.

60. A module on the role of women leaders in child protection was prepared by the Ministry for the Advancement of Women and Child Protection. A central service for the protection of women and minors was also set up at the central police station in Niamey. The existence of juvenile brigades in police stations is also noted.

Article 17: ADMINISTRATION OF JUVENILE JUSTICE

Increase the number of judges and judicial staff in charge of children as well as juvenile courts.

61. The administration of juvenile justice has evolved since the submission of the first report. The number of juvenile judges increased with the existence of juvenile judges specialised in terrorism and the existence of a substitute in charge of juvenile cases at the level of the prosecution, which was not the case before. These reforms were introduced with a view to dealing with juvenile cases more expeditiously.

62. With the creation of 27 courts following the administrative division in 2011, the number of juvenile judges increased by 26.

63. The judicial system in charge of children has also increased with the recruitment in 2014 of 15 social workers responsible for leading the social services of the courts.

Take accompanying measures to facilitate the social reintegration of children

64. Several accompanying measures have been taken to facilitate the social reintegration of children, in particular:

- training in penal institutions in various fields (sewing, carpentry, motorcycle repair, computer science, electricity in buildings, weaving, jewelery);
- the granting of kits to trained juvenile detainees when they leave prison;
- reintegration into training workshops;
- family reintegration of certain minors into their families.

65. Toutes ces formations ont été réalisées grâce au concours des partenaires. Certains mineurs présumés terroristes de Boko Haram détenus à la maison d'arrêt de Niamey ayant bénéficié de la liberté provisoire ont été réintégrés.

65. All these training courses were carried out with the help of partners. Some juveniles allegedly terrorists of Boko Haram detained at the Niamey prison have been reinstated.

Article 18: PROTECTION OF THE FAMILY

Take all appropriate measures to strengthen the protection of the family, which is the basic unit for the protection of the rights of the child.

66. Article 21 of the Constitution provides that "*marriage and the family constitute the natural and moral basis of the human community. They are under the protection of the State. The State and public authorities have a duty to ensure the physical, mental and moral health of the family, especially the mother and the child*".

67. As part of the reinforcement of the protection of the family, Niger celebrates the International Family Day every 15 May of the year. On this occasion, awareness-raising and social mobilisation of the communities are carried out.

68. The adoption of the National Policy on Social Protection, taking into account the improvement of the living conditions of families, represents a significant step in this direction as well as the creation of a national solidarity directorate.

69. Thus, through the social safety net programme, the government provides cash-for-work support, with the support of Essential Family Practices, which enable the most vulnerable populations to improve their living conditions.

Article 19: CARE AND PROTECTION BY PARENTS

Improve labour legislation and extend social security to all sectors of society.

70. Niger has improved its legislation on labour and social protection by adopting a new Labour Code- Law No. 2012-45 of 25 September 2012 on the Labour Code in the Republic of Niger. The Ministry of Social Welfare is carrying out activities in the context of the implementation of the ILO Recommendation No. 202 on the social protection floor.

71. In 2016, Niger, in collaboration with the International Labor Organization (ILO), initiated the development of a second phase of the Decent Work Country Program (DWCP).

72. Niger has adopted a National Social Protection Policy, notably through Decree No. 2011-443 bis / PRN / MP / PF / PE of 16 September 2011. The main challenge in the field of the right to social security is the exclusion of the majority of the population from the social protection system due to the predominance of the informal sector and the failure to respect decent work standards in the sector. In addition, there is the agricultural sector whose labour is not covered by the social security system. The State still considers the extension of social protection to these excluded sectors and especially that of the informal economy.

Article 20: PARENTAL RESPONSIBILITY

Find adequate solutions for better implementation of the provisions of the Charter and national texts.

Support structures for the care of street children who are more vulnerable than others.

73. As regards street children, the State has set up care structures called Judicial and Preventive Educational Services (SEJUP), structures specialising in the care of children in situations of vulnerability towards social reintegration, and empowerment.

The State supports these centres within the limits of its means.

Support to childcare facilities or services is mainly:

- training of the staff of these structures, on child protection and on the new structuring of social services; from 2015 to 2016, 85 social workers were trained on these issues;
- financial allocation for the care of children at risk and / or victims of violence, abuse and exploitation;
- equipping these services with equipment, supplies and vehicles.

74. By the end of December 2016 this support led to the following results included in the tables below

Table n°1 : Number of children identified by the SP or reported, referred or self-referred

	< 5 years		6 to 12 years		13 to 15 years		> 15 years		TOTAL
	M	F	M	F	M	F	M	F	
1. Victim of anonymous abandonment, separated, unaccompanied									224
2. Neglect									185
3. Ill treatment									172
4. Sexual abuse (sexual assault/rape)									139
5. Exploitation and worst forms of child labour									63
6. Commercial sexual exploitation									4
7. Trafficking									35
8. Threat or child marriage									138
9. Behaviour at risk									400
10. TOTAL									1360

Source: annuaire statistique MPF/PE

75. These are children at high risk and / or victims of abuse, violence and exploitation (high risk means that if there is no intervention for this type of children, the likelihood of physical and psychological harm is very high). 435 children in a vulnerable situation were apprenticed and autonomized from 1 January to 31 December 2015 by Services called Educative, Judicial and Preventive Services (SEJUP).

76. These services (SEJUP), which are created to work exclusively within the framework of the judicial protection of the child, are now being transformed into a Centre for the Prevention, Promotion and Protection of Persons, especially Women and Children (CEPPP), following the validation of the Document restructuring the Social Action Services in 2014. The CEPPP is a deconcentrated technical service of the Ministry for the Advancement of Women and the Protection of Children. This restructuring was carried out to extend the mandate of the SEJUP so that the objectives of the other policies of the Ministry (Social Protection, Integrated Youth Development Policy, Women's Policy) can be taken into account in this new structure, i.e. the CEPPP. However, human resource issues are a challenge for effective implementation of this reform.

Ensure that social security can also take care of children whose parents are not employees.

77. The national social protection policy of 2011 developed by Niger takes this concern into account.

Pursue the Policy for Implementing the Poverty Reduction Strategy.

78. The Government has initiated and implemented a number of policies and strategies to combat poverty. These include:

- The Development Strategy for Poverty Reduction adopted in 2003. Its objective is to improve

the living conditions of Nigeriens. This strategy has been replaced by the PDS.

- the Economic and Social Development Plan (PDES) for the period 2012-2015, which is mainly aimed at accelerating growth and significantly improving the living conditions of the population. The PDES is part of an overall objective to promote the economic, social and cultural well-being of the population. It focuses on five complementary strategic axes: consolidating the credibility of public institutions, creating the conditions for the sustainability of balanced and inclusive development, food security and sustainable agricultural development, competitive and diversified economy for accelerated and inclusive growth and the promotion of social development.

79. The annual report on the follow-up to the implementation of the PDES covering the period 2012 and the first half of 2013 showed a significant mobilisation of human and financial resources in several sectors to ensure the implementation of the different programmes of the PDES Priority Plans. The analysis of the economic situation reveals a real growth rate of gross domestic product (GDP) of 10.8% in 2012, well above the target of 8% in the PDES basic scenario against a growth rate of 2.3% in 2011.

80. Similarly, the 2012 report shows that at the sectoral level, significant achievements are observed in the different intervention sectors. Specifically, positive developments are recorded for indicators of justice, decentralisation, the 3N Initiative (Nigeriens Feed the Nigeriens), education, water supply, civil service and infrastructure.

81. Despite these efforts, there are still challenges to the implementation of the PDES and the government is working to provide urgent answers.

Article 21: PROTECTION AGAINST NEGATIVE SOCIAL AND CULTURAL PRACTICES

Ensure the effective enforcement of legislations and laws and carry out intensive information and education campaigns in order to put an end to these traditional practices, particularly through advocacy with traditional leaders.

82. In order to combat negative traditional practices, a communication plan has been developed and community leaders are trained on child protection.

83. Negative social and cultural practices are mainly observed in rural areas. It is in the light of this observation that the National Child Protection Policy has made a component known as "Prevention in rural areas" in terms of prevention of abuse, violence and exploitation against children. The aim of this component is to promote community-based protection programmes, which have two components:

- social facilitation (building the capacity of members of village protection committees on various protection issues such as child marriage, child labour, genital mutilation, strengthening their capacity on communication techniques and on the basic techniques of prevention and care. These village committees, whose members are elected by their respective communities, carry out awareness-raising activities in their villages;
- support for local development through IGAs among other strategies.

84. Several Community programmes are being developed in the context of combating these harmful practices for the health and development of children. These include,

- the programme for the promotion of human rights and the abandonment of female genital mutilation with a holistic approach in the Tillabéry region;
- the project of promoting human rights and abandoning early marriages in the Zinder and Maradi regions, also based on a holistic approach;

- the community-based child protection programme, which focuses on the right to protection (all forms of abuse, violence and exploitation). Within the framework of this programme, 100 village protection committees were set up, led by adult women and men and 80 children's clubs trained and who are carrying out awareness-raising activities for children.

85. In addition, the Nigerien Committee against Traditional Harmful Practices has set up 286 Village Vigilance Brigades. In this context, 193 circumcisers were converted between 2000 and 2016. 3300 villages, islands and hamlets were reached out by awareness-raising activities. Similarly, four judgments resulted in convictions between 2010-2014.

Article 22: ARMED CONFLICT

To develop the educational and social reintegration of children and find lasting solutions to restore security, especially in the North of the country.

86. Niger has ratified the Optional Protocol on the involvement of children in armed conflict. Following the armed conflict in the south-east of the country, the allegedly implicated children, numbering 84, benefited from the protective measures for their educational and social reintegration. Four centres have been set up to host them under the supervision of social workers.

Article 23: REFUGEE CHILDREN

Allocate a substantial budget for investigations towards family reunification and

87. Data not available.

Opening a new line in the state budget for the integration of social workers into the corps of civil servants.

88. Social workers are an integral part of the civil service.

Article 24: ADOPTION

Strengthen the legislative and regulatory Framework in order to take into account the best interests of the child and ensure that reintegration into the community is possible before considering international adoption for the child.

89. In the area of adoption, Niger applies the principle of subsidiarity. In practice, wherever possible, simple or full adoptions are preferred. Article 344 of the Nigerien Civil Code provides that "*adoption is only permitted to persons of either age over forty years of age. However, it can be requested jointly by two spouses non-separated in fact of which at least one is over thirty-five years old if they have been married for over ten years and have not had children of their marriage.*

The adoptive parents must have, on the date of adoption, neither legitimate children nor descendants. The existence of children legitimised by adoption does not preclude adoption "

90. To take into account the best interests, the Ministry responsible for child protection established by Decree No. 051 / PM / FP / EP / ECD of August 25, 2011 a technical committee responsible for studying and analysing applications for full adoption.

91. Agreements have also been signed with Agencies approved for intercountry adoption (PAIDIA of France, Children of Mandé of Québec, LARISSA of Belgium).

Ratify the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption.

92. Niger is not a party to The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993, but steps are under way for the ratification of this Convention.

Article 25: SEPARATION FROM PARENTS

Take appropriate measures to address the situation and integrate groups of children into structures that would promote their educational and social reintegration.

93. Niger's current option is not to encourage the creation of institutions for the care of children in difficulty, but rather to support them in open environments. That is why the Educational, Judicial and Preventive Services (SEJUP) have been created, whose educators are specialised in this type of support.

From January to December 2016, the protection services took care of 224 children who had been abandoned anonymously, separated, unaccompanied. Services provided to children who are victims of this type of violence are mainly:

- emergency placement in an alternative care setting (institution or foster family);
- referral to health services
- counselling / psychosocial support;
- search for parents;
- home visit;
- family mediation;
- family reintegration and social reintegration.

94. The following measures have been taken to ensure quality care for residents of care settings:

- adoption on 4 June 2010 by the Government of a Decree laying down the conditions for the establishment and operation of private institutions for care, counselling, guidance and accommodation of children;
- organisation of periodic supervision missions by ministry officials to verify the conformity of the practices which prevail there with the standards laid down by this decree;
- training in 2013 of 25 workers of the care institutions in order to improve their services.

95. Regarding the juvenile judicial protection, Law No. 2014-72 of 20 November 2014 on the composition, organisation and functioning of juvenile courts, provision is made for the creation of foster families in the communities of the country for the temporary care of children separated from their families.

96. It should be noted that the country has a care centre for children in family difficulties which hosts children from birth to 3 years of age and a centre for the social reintegration of children in conflict with the law.

97. In addition, there are some 20 centres set up on the initiative of NGOs and Associations under

the supervision of the State structures responsible for child protection.

98. Two centres for the socio-economic reintegration of street children are under construction and a third is considered.

Effective enforcement of court decisions, especially on maintenance, following parental separation.

99. In order to make judicial decisions, particularly concerning maintenance payments, effective after parental separation, the Criminal Code criminalised the non-payment of child support by virtue of Article 261. Courts may order a deduction from pay for the benefit of the child.

Article 27: SEXUAL EXPLOITATION

Develop awareness campaigns on legislations, significantly reduce the precariousness and impoverishment of the population.

100. Concerning the legislations, awareness-raising sessions are carried out regularly by the State structures responsible child protection and by NGOs / associations. Awareness-raising campaigns were conducted with hotel managers.

101. There is also the project Prevention, Protection and Advocacy against the sexual exploitation of children in Niger. This project has been implemented since 2014 by the Nigerien Association for the Treatment of Delinquency (ANTD) in partnership with ECPACT France and ECPACT Luxembourg. The objective of this project is to combat the commercial sexual exploitation of children in Niamey and the Tillabéry and Dosso regions on the basis of a human rights-based approach. It has three axes:

- identification and social reintegration of children victims of sexual exploitation;
- community mobilisation and strengthening of the Community system for the care of children victims and in situations of vulnerability;
- expertise and advocacy. The expected result of this axis is the improvement of the knowledge of the actors on this issue and the visibility of the problem.

102. With regard to poverty reduction, see paragraphs 78 to 80 of the Economic and Social Development Programme.

Improve the conditions for the care of victims in care centres, especially concerning psychosocial care.

103. There are no specialised centres for the psychosocial care of victims of sexual exploitation. The care is provided in health facilities and through the intervention of some NGOs.

Article 28: CONSUMPTION OF DRUGS

Effective enforcement of laws and regulations

Make all necessary arrangements for the implementation of the national plan against drugs.

104. The State of Niger has adopted appropriate legislation to combat drug trafficking. This includes Ordinance No. 99-42 of 23 September 1999 on the fight against drugs in Niger, articles 94 to 102 of which provide for the punishable offenses of international trafficking, trafficking, supply, holding and sale. Article 107 of the said Ordinance provides for an increase in the penalties, which shall be doubled in the event of the use or involvement of minors in any of the above-mentioned offenses.

105. There are two specialised agencies in the field of drug control. These include the Central Office for the Suppression of Narcotic Drugs and the National Commission for the Coordination of Drug Control (CNCLD). The latter has a Plan of Action.

106. The activities of these institutions are complemented by those of NGOs active in the field.

Article 29: SALE, TRAFFICKING, KIDNAPPING AND BEGGING

Ensure better effectiveness of the signed and / or ratified texts and conventions and expedite the procedures for the adoption of the bill against trafficking in persons. Take the necessary measures to put an end to it.

107. As part of the measures taken to combat trafficking in persons, the Government adopted Ordinance No. 2010-86 of 16 December 2010 on combating trafficking in persons. Following this order, a National Commission for the Coordination of the Fight against Trafficking in Persons (CNLTP) by Decree No. 2012-082 / PRN / MJ of 21 March 2012 and a National Agency for the Fight against Trafficking in Persons (ANLTP) by Decree No. 2012- 083 / PRN / MJ of 21 March 2012 have been put in place. Following the adoption of the CNLTP Action Plan 2014-2019, the Agency carried out several activities, including:

- 10 training sessions organised by the ANLTP, involving 315 stakeholders involved in the fight against trafficking in persons;
- 16 awareness-raising and training sessions for magistrates, SDS agents, traditional leaders, community radio and CSO facilitators. It should also be noted that in 2014, 142 cases of trafficking were prosecuted by the courts.

108. Sensitization campaigns are carried out within the framework of the fight against begging by state structures as well as by NGOs and associations, especially through the preaching of religious associations. There was also the organisation of a forum on begging in 2015, after which a Committee was set up.

Article 30: CHILDREN OF IMPRISONED MOTHERS

109. There was no progress since the presentation of the last report.

Article 31: RESPONSIBILITIES THE CHILD

Allocate a substantial budget so that all measures can have an impact on the development of the child and especially on his/her social and civic responsibility.

110. The budget allocation is based on the State's resources.

Create an interdepartmental and crosscutting structure for this purpose.

111. There is as yet no inter-ministerial structure created for this purpose.

Develop civic education in curricula from the primary level.

112. Civic education programmes are being developed in primary school curricula.

PART ONE : GENERAL INFORMATION ON NIGER

1.GENERAL DATA

A.DEMOGRAPHIC, SOCIAL AND CULTURAL CHARACTERISTICS

113. The estimated population of Niger is 17 129 076 inhabitants (according to the General Population and Housing Census-RGPH, 2012). Children under the age of 18 represent 56% of the population (UNICEF, 2012). This population is 80% rural and the life expectancy at birth is 58.4 years. Estimated at 3.9%, Niger's population growth rate is one of the highest in the world in a context characterized by low levels of human development. This rapid growth leads to a doubling of the population in 18 years.

114. Niger has a cosmopolitan population composed of nine (9) ethnic groups living harmoniously together. They are: Hausa, Djerma, Touareg, Fulani, Arab, Kanuri, Toubou, Gourmantché and Boudouma. But this population is unevenly distributed among the eight regions of the country. The wider region, Agadez, occupies 53% of the national territory and is home to only 2.8% of the total population. The smallest region, Niamey, is home to 37% of the urban population.

Table 2: Presentation of the main preliminary results of the fourth (4th) General Population and Housing Census (RGP / H) 2012, by region and by department

Region/ Département	REFERENCE PERIOD					Taux d'accroissement intercensitaire annuel moyen %	
	1988	2001	2012			1988-2001	2001-2012
	All	All	All	Male	Female		
Agadez RegionA	208 82	321 63	481 98	244 69	237 283	3,4	3,6
Arlit	68 979	98 170	103 36	53 246	50 123	2,8	2,9
Bilma	8 928	17 080	17 459	8 458	9 001	5,1	0,2
Tchirozerin	130 92	206 389	241 00	121 78	119 222	3,6	4,1
Aderbissina			35 465	18 358	17 107		4,1
Iferouane			32 864	16 018	16 846		2,9
Ingall			51 818	26 834	24 984		4,1
Diffa Regio	189 09	346 59	591 78	300 93	290 854	4,8	4,7
Diffa	76 852	148 15	155 21	77 936	77 275	5,2	4,0
Maine Soro	83 414	143 39	133 00	67 760	65 240	4,3	4,3

Region/ Département	REFERENCE PERIOD					Taux d'accroissement intercensitaire annuel moyen %	
	1988	2001	2012			1988-2001	2001-2012
N'guigmi	28 825	55 047	73 073	37 051	36 022	5,1	7,4
Bosso			78 038	40 361	37 677		4,0
Goudoumar			100 40	51 100	49 309		4,3
N'gourti			52 057	26 726	25 331		7,4
Région Dosso	101889	1 505 8	2 040 6	999 64	1 041 0	3,1	2,7
Boboye	205 92	270 18	253 07	121 71	131 359	2,1	2,4
Dogondout	314 60	494 35	371 07	182 48	188 591	3,5	2,3
Dosso	246 47	353 95	495 32	242 17	253 153	2,8	2,9
Gaya	164 30	253 44	261 69	128 90	132 784	3,4	3,4
Loga	87 588	133 92	176 67	85 800	90 873	3,3	2,4
Dioundiou			109 65	54 683	54 971		3,4
Falmey			103 85	50 947	52 903		2,4
Tibiri (Doutchi)			269 35	132 92	136 424		2,3
Région Maradi	138943	2 235 5	3 404 6	1 662 8	1 741 7	3,7	3,7
Aguie	172 96	276 93	246 16	119 22	126 936	3,7	3,4
Dakoro	258 09	434 92	631 42	310 62	320 806	4,1	4,0
GuidanRou i	210 61	348 32	524 40	254 79	269 608	3,9	3,6
Madarounfa	306 21	439 43	449 90	218 11	231 789	2,8	4,3
Mayahi	227 81	392 25	559 00	268 76	290 247	4,3	3,1
Tessaoua	213 73	343 70	516 22	252 03	264 192	3,7	3,6
Bermo			52 121	26 725	25 396		4,0
Gazaoua			160 49	78 463	82 027		3,4
Ville			264 89	134 13	130 764		4,3

Region/ Département	REFERENCE PERIOD					Taux d'accroissement intercensitaire annuel moyen %	
	1988	2001	2012			1988-2001	2001-2012
Maradi							
Région Tahoua	130859	1 972 9	3 327 2	1 647 4	1 679 8	3,2	4,6
Abalak		80 955	255 91	131 61	124 304	0,4	10,5
BirninKonr	253 87	363 17	313 78	156 70	157 075	2,8	3,6
Bouza	180 80	277 78	445 65	219 75	225 905	3,4	4,2
Illela	175 08	263 83	334 75	165 84	168 911	3,2	3,8
Keita	159 67	218 33	337 63	164 53	173 102	2,4	3,8
Madaoua	214 02	319 37	544 21	271 94	272 266	3,1	4,7
Tahoua	240 18	359 99	434 29	208 09	226 205	3,2	4,2
Tchintabara n	84 950	89 457	143 59	71 684	71 914	0,4	7,5
Bagaroua			73 692	35 709	37 983		3,8
Malbaza			232 99	116 98	116 012		3,6
Tassara			24 365	12 454	11 911		7,5
Tillia			39 067	19 838	19 229		7,5
Ville Tahoua			147 29	72 295	74 996		4,2
Région Tillabéry	132828	1 872 4	2 715 1	1 334 3	1 380 8	2,7	3,2
Filingue	285 97	406 33	306 24	150 94	155 300	2,7	2,7

Region/ Département	REFERENCE PERIOD					Taux d'accroissement intercensitaire annuel moyen %	
	1988	2001	2012			1988-2001	2001-2012
Kollo	234 58	308 62	465 30	230 35	234 95	2,1	3,1
Ouallam	190 17	281 82	323 93	156 78	167 152	3,1	2,8
Say	163 37	232 46	174 21	87 323	86 888	2,7	3,9
Tera	295 96	425 82	337 43	164 93	172 501	2,8	3,9
Tillabéri	158 20	217 37	226 76	109 48	117 280	2,5	2,2
Abala			139 81	68 134	71 678		2,7
Ayerou			54 201	26 525	27 676		2,2
Balleyara			108 36	51 769	56 597		2,7
Banibangou			63 844	31 700	32 144		2,8
Bankilare			84 543	42 546	41 997		3,9
Gothéye			241 40	118 23	123 162		3,9
Torodi			189 12	95 603	93 521		3,9
Région Zinder	141100	2 080 2	3 556 2	1 770 0	1 786 1	3,0	4,7
Goure	162 27	227 40	332 27	167 34	164 932	2,6	4,3
Magaria	355 15	496 87	579 18	286 66	292 518	2,6	5,6
Matameye	164 10	246 49	401 01	196 65	204 362	3,2	4,3
Mirriah	536 69	770 63	506 16	252 59	253 572	2,8	4,7
Tanout	192 83	338 84	439 74	218 04	221 695	4,4	4,1
Belbedji			97 484	49 008	48 476		4,1
Damagaran kaya			240 96	119 79	121 171		4,7
Dungass			350 44	175 28	175 155		5,6

Region/ Département	REFERENCE PERIOD					Taux d'accroissement intercensitaire annuel moyen %	
	1988	2001	2012			1988-2001	2001-2012
Takeita			249 03	12295	126085		4,7
Tesker			38128	19 676	18 452		4,3
Ville Zinder			321809	162 03	159 776		4,7
Ville Niamey	397 43	725 03	1 011 2	501 45	509 818	4,7	2,9
Ensemble Niger	725162	11 060 29	171290	8 461 4	866763	3,3	3,9

Source : Institut National de la Statistique, 2012

115. It should be noted that a large part of the Niger population is poor. According to the Household Living Conditions and Agriculture Survey (ECVMA 2011), 48.2% of the population live below the poverty line, compared with 59.5% according to the Survey on Budget and the Households Consumption carried out in 2007-2008 by the National Institute of Statistics.

Table n° 3 : Distribution of population according to poverty status in percentage and by region in 2005/2011

REGIONS	2005 QUIBB		2007/2008 ENBC		ECVMA-2011	
	poor	Not poor	poor	Not poor	poor	Not poor
Agadez	45,9	54,1	16,1	83,9	20,7	79,3
Diffa	18,8	81,2	18,3	81,7	34	66
Dosso	67,3	32,7	66,9	33,1	52,9	47,1
Maradi	79,7	20,3	73,4	26,6	57,8	42,2
Tahoua	45,9	54,1	57,6	42,4	47,9	52,1
Tillabéri	68,9	31,1	71,7	28,3	56	44
Zinder	71	29	53,8	46,2	47,7	52,3
Niamey	27,1	72,9	27,8	72,2	10,2	89,8
TOTAL	62,1	37,9	59,5	40,5	48,2	51,8

Source : Niger in figures, 2014.

B. ECONOMIC CHARACTERISTICS

116. Niger has significant natural resources such as uranium, coal, iron, gold, phosphate and oil. It should be noted that Niger is an oil producer (about 20,000 barrels per day) and oil exporter since November 2012. In addition, the operation of a fourth uranium site in Imouraren is expected to place the country at the second rank in the world.

117. These various resources, combined with those generated by oil, should improve the living standards of the population. Today, from the point of view of the Human Development Index (HDI), Niger is ranked among the poorest countries in the world, with a nominal GDP per capita of \$ 937.7 in 2014. It is ranked 187/187, according to the HDI of 2014. The following table provides information on economic data.

Table n°4 : Economic data

Macroeconomic indicators	2011	2012	2013
Évolution du Produit Intérieur Brut (PIB)			
Nominal GDP (in billions FCFA)	3 024,3	3 414,3	3 659,6
Nominal GDP / hbt (in thousands FCFA)	183,7	199,3	205,6
Real GDP growth / hbt (%)	2,3	11,1	4,1
GDP growth rate by sector of activity (in%)	-5,5	6,7	0,2
GDP growth rate by sector of activity (in%)			
Primary sector	-3,0	13,2	0,0
Agriculture	-6,7	19,5	-2,0
Cattle rearing	4,5	2,8	4,2
<i>Forestry and logging</i>	2,5	1,7	1,7
<i>Fishing, fish farming, aquaculture</i>	3,5	3,0	3,9
Secondary sector	5,3	42,3	7,3
Extractive activities	16,4	106,5	7,2
Manufacturing activities	4,1	30,6	9,9
Production and distribution, electricity, gas, and water	-12,1	5,7	-5,7
<i>Construction</i>	4,3	7,5	6,0
Tertiary sector	5,6	5,5	6,7
<i>Trade</i>	4,7	5,0	5,2
Transportation and warehousing	7,0	3,9	5,8
Accommodation and restaurant activities	4,0	8,9	4,0
<i>Communication</i>	6,5	3,2	5,5
Financial and insurance activities	15,4	5,9	5,2
Real estate and business activities	1,5	4,4	3,9
Public administration activities	5,9	5,4	12,8
<i>Activities of other services</i>	6,8	3,9	3,8
Education	10,2	1,5	2,7
Human health activities and social action	10,2	3,4	2,4
OTHER services n.c.a	6,7	4,4	8,0
Taxes on products	13,2	-16,7	10,8

Other Ratios and national economy indicators			
Gross national income (in billions FCFA)	3000,3	3372,5	3606,1
Gross domestic savings rate (in%)	11,5	16,7	16,4

Investment rate (in%)	38,4	34,9	34,4
Private consumption as% of GDP	74,1	70,7	70,1
Share of overall informality in GDP (in%)	63,3	62,5	60,7
Share of agriculture (broadly defined) in GDP (in%)	38,2	38,9	37,2
Annual average inflation (%)	2,9	0,5	2,3
GDP deflator change (%)	1,4	0,7	1,1
Negotiated price of uranium Kg (FCFA)	70000	73000	73000
Budget revenue as% of GDP	17,0	15,9	16,5
Tax revenue as% of GDP	16,1	14,5	15,2
Total expenditure as% of GDP	22,6	23,3	28,4
Current expenditure as% of GDP	15,3	11,4	13,3
Outstanding external debt as% of GDP	16,4	17,7	21,7
FOB trade balance as% of GDP	-15,4	-7,7	-5,4
Foreign trade coverage rate%	43,7	57,1	56,4
Credits to the economy (in billions of FCFA)	402,6	500,0	519,8
Liquidity rate of the economy (%)	20,2	23,5	24,1
Currency circulation speed	5,0	4,3	4,1

Source : Comptes économiques de la Nation/INS- 2014

C. CONSTITUTIONAL, POLITICAL AND LEGAL STRUCTURE OF THE STATE

118. Niger gained independence on 3 August 1960. The country started its democratic process from 1991 onwards with the holding of a sovereign national conference after which Niger opted for a full multiparty system.

119. But from 1991 to 2010, Niger experienced political instability. Indeed, the democratic process was interrupted by three military coups (in 1996, 1999 and 2010), thus creating the advent of the fourth, fifth and sixth republics.

120. It should be recalled that the 1999 legislative and presidential elections brought to power the candidate of the National Movement for the Development Society (MNSD), Mr. Mamadou Tandja, supported by a coalition of political parties, gathered in the Alliance of Democratic and Republican Forces (AFDR).

121. In 2004, President Mamadou Tandja was re-elected for another five (5) year term. The National Assembly was also renewed with a majority of seats favorable to the President of the Republic.

122. On 31 May 2007, a vote of no confidence overturned the government led by Mr. Hama Amadou who was replaced by Mr. Seyni Oumarou.

123. On 4 August 2009, President Mamadou Tandja held a referendum to change the Constitution notwithstanding the opinion, followed by the ruling of the Constitutional Court which declared the initiative illegal. This referendum led to a constitutional change which granted the President of the Republic an extension of his term by 3 years which consequently entrenched the 6th republic of Niger. The contested organisation of this constitutional referendum resulted in a military coup d'état on 18 February 2010. This coup was perpetrated by

the Supreme Council for the Restoration of Democracy (CSRD), headed by squadron leader Salou Djibo, who appointed a civilian prime minister, Mahamadou Danda, who coordinated the activities of the transitional government.

124. From 18 February 2010 to 06 April 2011, the institutions resulting from the military coup, namely the CSRD and the transitional government, exercised executive power in accordance with Order No. 2010-001 of 22 February 2010 on the organization of public authorities during the transition.

125. The military junta in power followed the logic of compliance with the principles of democracy and the rule of law. This commitment has been realized through the establishment of the transitional government, the National Observatory of Human Rights and Fundamental Freedoms (ONDH / LF), the National Observatory of Communication (ONC) the Constitutional Council, the Court of Auditors, the Court of State and the National Consultative Council (NCC), which is the ad hoc legislative body of the transition.

126. The political transition was marked mainly by the establishment of the Independent National Electoral Commission (INEC), which organised six polls from October 31, 2010 to March 12 2011. These include the constitutional referendum on 31 October 2010, the municipal and regional elections on 11 January 2011, the parliamentary elections coupled with the first round of the presidential election on 31 January 2011 and the second round of presidential elections on 12 March 2011.

127. At the end of these elections, which were recognised as free and transparent by national and international observers and political actors, Mr. Mahamadou Issoufou was elected President of the Republic of Niger. He appointed BrigiRafini to the post of Prime Minister. The latter presented his Declaration of General Policy (DPG) to the National Assembly on 16 June 2011.

128. All the institutions provided for in the Constitution of 25 November 2010 and the other laws of the Republic have been put in place, including the National Human Rights Commission (CNDH), which is in line with the Paris Principles.

129. At the end of the five-year term of the President of the Republic, Mr. Mahamadou Issoufou, the Independent National Electoral Commission (CENI) held legislative elections coupled with the first round of presidential elections on 26 February 2016 and the second round of presidential election on 20 March 2016.

130. After these inclusive and peaceful elections, Mr. Mahamadou Issoufou was re-elected President of the Republic of Niger with 92.4% of the votes. He appointed BrigiRafini to the post of Prime Minister. The latter presented his Declaration of General Policy (DPG) to the National Assembly on 11 June 2016.

2.LEGAL AND INSTITUTIONAL FRAMEWORK FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

A. LEGAL FRAMEWORK

131. The Republic of Niger, in line with the respect for and promotion of universal human rights values, has subscribed to almost all international and regional legal instruments. Niger has also taken several legislative and regulatory measures in support of human rights.

a) At international level:

- - the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), adopted on 21 December 1965, ratified by Niger on 27 April 1967.
 - - the International Covenant on Civil and Political Rights, adopted on 16 December 1966, Niger acceded to it on 7 March 1986;
 - - the International Covenant on Economic, Social and Cultural Rights, adopted on 16 December 1966, to which Niger acceded on 7 March 1986;
 - - the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted on 18 December 1979, to which Niger acceded on 8 October 1999;
 - - the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted on 20 December 1984. Niger ratified the Convention on 5 October 1986;
 - - the Convention on the Rights of the Child, adopted in November 1989. Niger ratified it on 30 September 1990.
 - - the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ratified by Niger on 27 January 2009;
 - - the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol, ratified on 24 June 2008.
 - - the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted in June 2000, ratified on 13 March 2012;
 - - the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography ratified by Niger on 26 October 2004.
 - - the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted in November 2000, ratified by Niger on 30 September 2004, supplementing the United Nations Convention against Transnational Organized Crime;
 - - the Convention on Consent to Marriage, the Minimum Age for Marriage and the Registration of Marriages to which Niger acceded on 1 December 1964;
- ILO Convention 182 on the Prohibition of the Worst Forms of Child Labor, ratified on 4 August 2000;
- - the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, adopted in December 1949, ratified by Niger on 10 June 1977;
 - - the Convention on the Suppression of the Traffic in Women of Full Age, adopted in October 1933, accepted by Niger on 25 August 1961;
 - - ILO Convention No. 100 on equal remuneration for men and women workers for work of equal value, it was ratified in 1966;
 - - the Convention on Slavery, adopted at Geneva in September 1926; succession of Niger on 25 August 1961;
 - - Protocol amending the Convention on Slavery, adopted in October 1953, accepted by Niger on 7 December 1964;

- - the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, adopted in April 1956 and ratified on 22 July 1963;
 - - the four (4) Geneva Conventions (1949) on International Humanitarian Law, accession of Niger on 16 August 1964;
 - - the Convention on the Political Rights of Women, adopted in March 1953, accession of Niger on 7 December 1964;
 - - ILO Convention No. 29 concerning Forced Labour, adopted on 28 June 1930, ratified on 23 March 1962;
- the Convention against the Taking of Hostages, adopted in December 1979, ratified on 17 December 2003;
- - the Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime, ratified on 18 March 2009;
 - - the declaration on the human rights of persons who are not nationals of the country in which they live, adopted in December 1985, ratified on 27 January 2009;
 - - the Convention against Discrimination in Education adopted on 14 December 1960, Niger acceded to it on 16 July 1968;
 - - the International Convention against Apartheid in Sports, adopted in December 1985, ratified on 2 September 1986;
 - - the International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted in November 1973 and ratified by Niger on 28 June 1978;
 - - ILO Convention No. 98 on the Right to organize and Collective Bargaining, adopted in 1949, ratified on 23 March 1962;
 - - ILO Convention No. 105 concerning Discrimination (Employment and Occupation), adopted in 1958, ratified on 23 March 1962;
 - - ILO Convention No. 138 on Minimum Age, adopted in 1973, ratified on 4 December 1978;
 - - the Convention on the Smuggling of Migrants by Air, Land and Sea and the Protection of Migrant Workers and their Families, ratified on 30 September 2004;
 - - the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratified on 7 November 2014;
 - - the International Convention for the Protection of All Persons from Enforced Disappearance, ratified on 24 July 2015.
 - - The International Convention for the Protection of All Persons from Enforced Disappearance Convention relating to the Status of Stateless Persons, Niger acceded on 7 November 2014;
 - - The 2014 Protocol to ILO Convention No. 29 on Forced Labor, ratified on 29 June 2015;
 - - ILO Convention No. 150 on Labor Administration, ratified on 29 June 2015;
 - - ILO Convention No. 181 on private employment agencies, ratified on 14 May 2015.

132. The State of Niger is not yet party to certain instruments, including:

- the Second Optional Protocol to the International Covenant on Civil and Political Rights on the Death Penalty. A draft law authorising the ratification of this protocol was sent to the National Assembly for consideration;
- the Optional Protocol to the International Convention for the Protection of All Persons from Enforced Disappearance, signed in 2007;
- the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, ratified on 07 November 2014

b) At Regional level :

- the African Charter on Human and Peoples' Rights, adopted on 27 June 1981, ratified on 21 July 1986.
- the African Charter on the Rights and Welfare of the Child, adopted in July 1990, ratified on 11 December 1999;
- the OAU Convention Governing the Specific Aspects of the Problems of Refugees in Africa, adopted in September 1969, ratified on 21 September 1971;
- the OAU Convention on the Elimination of Mercenarism in Africa, adopted in 1977, ratified on 19 June 1980;
- the African Charter on Democracy, Elections and Governance, signed on 17 June 2008;
- the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) signed on 23 October 2009 and ratified on 10 May 2012; - the ECOWAS Protocol on the free movement of persons, the right of residence and establishment, adopted in May 1979, ratified on 29 November 1979.

133. Niger is not a party to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women (Maputo Protocol).

c) At national level

Constitutional and legal measures

- the Constitution of 25 November 2010;
- Law No. 2004-50 of 22 July 2004 establishing the organisation and jurisdiction of the courts in the Republic of Niger and its subsequent amending acts;
- Law No. 2006-12 of 15 May 2006 on the fight against tobacco;
- Law No. 2006-16 of 21 June 2006 on Reproductive Health in Niger;
- Law 2006-26 of 9 August 2006 amending Ordinance No. 93-16 of 2 March 1993 on the Mining Law supplemented by Ordinance No. 99-48 of 5 November 1999;
- Law No. 2007-08 of 30 April 2007 on the prevention, management and control of the Human Immunodeficiency Virus (HIV);
- Law No. 2007-026 of 23 July 2007 on the general status of the civil service of the State;
- Law No. 2007-24 of 3 July 2007 amending Law No. 98-12 of 1 June 1998 on the orientation of the Nigerien educational system;
- Law n ° 2008-10 of 30 April 2008 on the general health insurance scheme in the Republic of Niger;

- Law No. 2008-22 of 23 June 2008 amending and supplementing Ordinance No. 93-28 of 30 March 1993 on the Status of the traditional chieftaincy of Niger;
- Law No. 2008-37 of 10 July 2008 amending and supplementing Act No. 61-37 of 24 November 1961 regulating expropriation for public utility and temporary occupation;
- Law No. 2008-42 of 31 July 2008 on the organisation and administration of the territory of the Republic of Niger;
- Ordinance n ° 2010-09 of 1 April 2010 on the Code of Water in Niger; - Ordinance No. 2010-028 / P / CRSN of 20 May 2010 amending and supplementing - Ordinance No. 93-012 PRN / MDS / P / PF / PE of 2 March 1993 on Minimum Rules for the Social Protection of Persons with Disabilities;
- Ordinance No. 2010-35 of 4 June 2010 governing the freedom of the press; - Ordinance n ° 2010-54 of 17 September 2010 on the general Code général of local authorities of the Republic of the Niger;
- Ordinance n ° 2010-73 of 4 November 2010 on the creation of a public institution of a social nature known as the Niger Leather and Art Craft Centre (CMCAN);
- Ordinance No. 2010-84 of 16 December 2010 on the Charter of Political Parties;
- Ordinance No. 2010-86 of 16 December 2010 on combating trafficking in persons;
- Ordinance No. 2010-96 of 28 December 2010, establishing the Electoral Code; - Ordinance No. 2011-12 of 27 January 2011 amending and supplementing Law No. 61-27 of 15 July 1961 establishing the Criminal Code;
- Ordinance No. 2011-13 of 27 January 2011 amending and supplementing Law No. 61-33 of 15 August 1961 establishing the Code of Criminal Procedure;
- Law No. 2011-20 of 8 August 2011, determining the general organization of the civil administration of the State and setting out its tasks;
- Law n ° 2011-22 of August 8, 2011 erecting the old administrative posts into departments and fixing the names of their chief towns;
- Law No. 2011-40 of 7 December 2011 determining the powers, composition, organization and functioning of the Economic, Social and Cultural Council (CESOC);
- Law No. 2011-42 of 14 December 2011, laying down the rules applicable to legal and judicial assistance and creating a public administrative entity known as the "National Agency for Legal and Judicial Assistance";
- Law No. 2012-08 of 26 March 2012 determining the powers, composition, organisation and functioning of the Court of Auditors;
- Law n ° 2012-24 of 2 May 2012 on the creation of a public institution of a social nature known as the National Observatory on Employment and Vocational Training (ONEF);

- Law No. 2012-34 of 7 June 2012 on the composition, powers, organisation and functioning of the Higher Council for Communication;
- Law No. 2012-35 of 19 June 2012 determining the organization, functioning and procedure of the Constitutional Court;
- Law No. 2012-44 of 24 August 2012 determining the composition, organisation, prerogatives and functioning of the National Commission on Human Rights (CNDH); - Law No. 2012-45 of 25 September 2012 on the Labour Code of the Republic of the Niger;
- Law No. 2012-48 of 25 September 2012 on the Labour Code of the Republic of the Niger;
- Law No. 2012-69 of 31 December 2012 establishing a public institution of a social nature called the "Autonomous Pension Fund of Niger";
- Law No. 2013-02 of 23 January 2013 determining the composition, organisation, powers and functioning of the Council of State;
- Law No. 2013-03 of 23 January 2013 determining the composition, organization, powers and functioning of the Court of Cassation;
- Organic Law n ° 2004-50 of 22 July 2004, laying out the organisation and prerogatives of the courts in the Republic of Niger, amended and supplemented by Law n ° 2013-29 of 12 June 2013;
- Law No. 2011-18 of 8 August 2011 establishing a Mediator of the Republic, amended and supplemented by Law No. 2013-30 of 17 June 2013;
- Law No. 2014-50 of 23 October 2014 relating to the legal interest rate;
- Law No. 2014-51 of 23 October 2014 defining and repressing wear and tear;
- Law No. 2014-60 of 5 November 2014 amending Ordinance No. 84-33 of 23 August 1984 establishing the Nigerien Nationality Code, as amended by Order No. 88-13 of 18 February 1988 and Ordinance No. 99-17 of 14 June 1999;
- Law 2014-61 of 05 November 2014, which provides for the autonomous status of the staff of the services;
- Law No. 2014-72 of 20 November 2014 determining the powers, powers and functioning of juvenile courts in Niger;
- Law No. 2015-02 of 13 January 2015 on the establishment, composition, organization and competence of a judicial center and the specialized chambers in economic and financial matters;
- Law No. 2015-08 of 10 April 2015 establishing the organization, competence, procedure and functioning of the commercial courts in the Republic of Niger;
- Law No. 2015-23 of 23 April 2015 on the Code of Civil Procedure;

- Law No. 2015-36 of 26 May 2015 on the smuggling of migrants;
- Law 2016-19 of 16 June 2016 amending Law 2004-50 on the organisation and jurisdiction of courts in the Republic of Niger;
- Law 2016-22 of 16 June 2016 amending the Criminal Code;
- Law 2016-21 of 16 June 2016 amending the Code of Criminal Procedure.

d) Regulatory measures

- Decree No. 2014-003 / PRN / MJ of 03 January 2014 laying out the conditions, qualifications and competences required to be entitled to provide legal assistance services
- Decree No. 2014-004 / PRN / MJ of 03 January 2014 laying out the criteria and modalities of proof of indigence for legal assistance
- Decree No. 2014-408 / PRN / MJ of 04 June 2014 amending and supplementing Decree No. 2014-250 / PRN / MJ of 08 April 2014, on granting pardon
- Decree No. 2014-488 / PRN / MJ of 22 July 2014 adopting the document "National Action Plan to Combat Trafficking in Persons"
- Decree No 2014-503 / PRN / MJ / MC / PSP of 31 July 2014 applying the provisions of Articles 10, 11, 31 and 314 of the Uniform Act relating to the law of commercial companies and economic interest grouping.
- Decree No. 2016-449 / PRN / MJ of 11 August 2016 determining the bodies responsible for the management and control of legal and judicial assistance funds.
- Decree No. 2016-382 / PRN / MJ of 22 July 2016 on the organisation of the Ministry of Justice;
- Decree No. 2004-030 / PRN / PM of 30 January 2004 establishing a National Council for Political Dialogue (CNDP);
- Decree No. 2005-64 / PRN / MFPT of 11 March 2005 approving the Statutes of the National Social Security Fund (CNSS);
- Decree 2005-316 / PRN / MSP of 11 November 2005 granting free services related to caesarean sections provided by public health establishments;
- Decree No. 2007-261 / PRN / MSP of 19 July 2007 instituting free services related to female cancers provided by public health establishments;
- Decree No. 2008-030 PRN / MJ of 31 January 2008 on the organisation and functions of the central services of the Ministry of Justice;

- Decree No. 2008-226 / PRN / MFPT of 17 July 2008 defining the organisation and the modalities of the operation of the Support Fund for Continuing Vocational Training and Learning (F.A.F.P.C.A.);
- Decree No. 2008-244 / PRN / MFP / T of 31 July 2008 laying out detailed rules for the application of Act No. 2007-026 of 23 July 2007 on the general status of the state civil service;
- Decree no. 2009-224 / PRN / MU / H of 12 August 2009 laying out detailed rules for the application of the special provisions of Law No. 61-37 of 24 November 1961 regulating expropriation for temporary public occupation, as amended by Law No. 2008-37 of 10 July 2008, concerning the involuntary displacement and resettlement of populations;
- Decree No. 2011-443 bis / PRN / MP / PF / PE of 16 September 2011 adopting the National Policy on Social Protection;
- Decree No. 2012-543 / PRN / MJ of 13 December 2012 determining the statutes of the National Agency for Legal and Judicial Assistance;
- Decree No. 2012-082 / PRN / MJ of 21 March 2012 determining the organisation, composition and functioning of the National Commission for the Coordination of the Fight against Trafficking in Persons (CNCLTP);
- Decree No. 2012-083 / PRN / MJ of 21 March 2012 determining the organisation, composition and functioning of the National Agency for the Fight against Trafficking in Persons (ANLTP);
- Decree No. 2012-358 / PRN / MFP / T of 17 August 2012 fixing the minimum wages by occupational categories of workers regulated by the Collective Interprofessional Convention;
- Decree No. 2012-359 / PRN / MFP / T of 17 August 2012 fixing the new hourly rate of the minimum guaranteed interprofessional wage (SMIG);
- Decree No. 2012-329 / PRN / MP / AT / DC of 1 August 2012, adopting the Economic and Social Development Plan 2012-2015;
- Decree No. 2012-400 / PRN / MP / AT / DC of 21 September 2012, adopting the Priority Actions Plan of the Economic and Social Development Plan 2012-2015;
- Decree No. 2013-247 / PRN / MP / PF / PE of 5 July 2013 adopting the national policy document on the integrated development of young children in Niger and its action plan (PNDIJE age group 0 to 8 years) ;
- Decree No. 2013-344 / PRN / MP / PF / PE of 23 August 2013 adopting the framework document on the protection of children in Niger and its action plan;
- Decree No. 2014-004 / PRN / MJ of 3 January 2014 laying out the criteria and procedures for proving indigence for legal aid;
- Decree No. 2014-117 / PRN of 17 February 2014 on the functions, organisation and functioning of the High Authority for the Consolidation of Peace;

- Order No. 0015 / MSP / LCE / DGSP of 27 January 2006 laying out detailed rules for the implementation of the Caesarean Section Decree;
- Order No. 65 / MSP / DGSP / DPHL / MT of 7 April 2006 granting free contraceptive and preservative products;
- Order n ° 079 / MSP / MFE of 26 April 2006 granting free prenatal consultations and taking care of children aged 0 to 5;
- Order No. 0013 / MJ / DH / DDH / AS of 17 March 2010 establishing a Committee for the preparation of reports to Treaty Bodies.

B. INSTITUTIONAL FRAMEWORK

134. The institutional architecture comprises structures falling within the three constitutional powers and institutions that are essential to the proper functioning of democracy and the rule of law.

C. THE THREE POWERS

1°) The executive power

135. It includes:

- the President of the Republic, who is the guardian of national independence, national unity, territorial integrity, respect for the Constitution, treaties and international agreements. He ensures the regular functioning of the public authorities and the continuity of the State.
- Government: It is led by a Prime Minister, Head of Government, who coordinates the government action. It ensures the enforcement of laws.

2°) The legislative power

136. The legislative power is exercised by a single chamber, called the National Assembly, whose members bear the title of national deputies. The National Assembly votes the laws and approves taxes. It controls the action of the Government.

3°) The judiciary

137. In Niger, the judiciary is independent of the legislature and the executive. The judicial power is exercised by the Constitutional Court, the Court of Cassation, the Council of State, the Court of Auditors, the Courts and tribunals.

138. **The Constitutional Court:** it is the relevant jurisdiction in constitutional and electoral matters. It is responsible for deciding on the constitutionality of laws, ordinances and the compliance of international treaties and agreements with the Constitution. It interprets the provisions of the Constitution. It controls the regularity, transparency and genuine character of the referendum, presidential and legislative elections.

139. **The Court of Cassation:** this Court is the highest court of the Republic in terms of judicial matters.

140. **The Council of State:** the Council of State is the highest administrative jurisdiction. It considers issues related to administrative authorities' abuse of power in the first and last resorts, as well as requests for interpretation and appreciation of the legality of administrative acts.

141. **The Court of Auditors:** it is the highest court of audit in terms of public finances. It has judiciary, control and advisory jurisdiction.

142. **The High Court of Justice:** The High Court of Justice is the court that has the mandate to try the President of the Republic on account of the facts described as high treason in the performance of his duties. It also has the mandate to try members of the Government on account of the acts qualified as crimes or offenses committed in the exercise of or during their functions.

143. **Courts and tribunals:** There are two (2) Courts of Appeal, ten (10) District Courts and thirty (30) Courts of Instance. However, it should be clarified at this level that the judicial map was amended with the adoption of Law No. 2013-29 of 12 June 2013 to take into account the new administrative organisation of the country which created 27 new departments. The concern for bringing jurisdictions into line with the new entities has led the lawmaker to set up courts of first instance and to respond to the need to bring justice closer to litigants.

A. OTHER INSTITUTIONS AND COMMITTEES:

144. **The Economic, Social and Cultural Council (CESOC):** a constitutional institution regulated by Law No. 2011-40 of 7 December 2011 (determining the powers, composition, organisation and functioning of the Economic, Social and Cultural Council), it assists the President of the Republic and the National Assembly in the economic, social and cultural areas. It gives its opinion on economic, social and cultural bills, excluding finance laws.

145. **The Higher Council for Communication (CSC):** a constitutional institution regulated by Law No. 2012-34 of 7 June 2012 on the composition, powers, organisation and functioning of the Higher Council for Communication. It is an independent administrative authority whose mission is to ensure and guarantee the freedom and independence of audiovisual media, print and electronic media, in compliance with the law. The CSC is the previous National Communications Observatory (NAC) set up in 2010.

146. **The National Commission on Human Rights (CNDH),** a constitutional institution regulated by Law No. 2012-44 of 24 August 2012, its missions are provided by articles 19, 20 and 21. It deals with the examination of complaints, self-referral and investigation of human rights violations, respect for the effectiveness of human rights, public awareness of citizens on their rights, development and implementation of human rights education programmes among others. This Commission is the previous National Observatory of Human Rights and Fundamental Freedoms (ONDHL / F) set up in 2010.

147. **The Ombudsman of the Republic:** It is established by Law No. 2011-18 of 8 August 2011, amended and supplemented by Law No. 2013-30 of 17 June 2013. It is an independent authority which receives complaints concerning the functioning of State administrations, local authorities, public establishments and any other body with a public service mission in their dealings with citizens, within the conditions laid out by the law,.

148. **The National Commission for the Coordination of the Fight against Trafficking in Persons:** It is created by Decree No. 2012-082 / PRN / MJ of 21 March 2012 determining the organisation, composition and functioning of the National Commission for the Coordination of the Fight against Trafficking in Persons (CNCLTP). It is the driving force for the design and development of policies and programmes related to the prevention of trafficking in persons.

149. **The National Agency for the Fight against Trafficking in Persons (ANLTP),** created by Decree No. 2012-083 / PRN / MJ of 21 March 2012, is the operational structure for the execution and implementation of policies and national strategies adopted by the CNCLTP, as well as the implementation of the related action plan.

150. **The National Committee for the preparation of reports to Treaty Bodies:** It is established by Order No. 013 / MJ / DH / DDH / AS of 17 March 2010 establishing a National Committee for the drafting of reports to the treaty bodies. This committee is responsible for drafting the initial and periodic reports to the treaty bodies and the Universal Periodic Review (UPR), as well as the follow-up of the recommendations resulting from the submission of these reports. From 2010 to 2016, the Committee has made up for the delays of more than 80 per cent of Niger's reports.

151. **The National Agency for Legal and Judicial Assistance:** created by Law No. 2011-42 of 14 December 2011, laying down the rules applicable to legal and judicial assistance and creating a Public Institution of an Administrative character called " National Agency for Legal and Judicial Assistance ", its mission is to make legal and judicial assistance available to certain categories of vulnerable persons and those who do not have the required income to meet the costs of a trial .

152. **The High Authority for the Consolidation of Peace,** created in 2011, is responsible, under Decree No. 2014-117 / PRN of 17 February 2014, for the allocation, organisation and functioning of the High Authority for the Consolidation of Peace. Peace, to cultivate a spirit of peace, dialogue between the various communities of the country and to maintain a spirit of mutual trust, tolerance and respect in a common will to live together " .

153. **The High Commission for the 3N Initiative (Nigériens feed Nigériens):** created by Decree No. 2011-407 / PRN on 6 September 2011, it is based on a coherent set of nominative measures and investment actions to be carried out in the short, medium and long term. The 3N initiative should enable Niger to make a qualitative leap both from the point of view of investment in the rural development sector and related sectors of agri-food and trade in local agro-sylvo-pastoral products.

154. **The High Authority for Combating Corruption and Assimilated Offenses (HALCIA):** it is a permanent organ of the State established by Decree No. 2011-215 / PRN / MJ of 26 July 2011, as amended by Law no. ° 2016-44 of 6 December 2016 and located under the President of the Republic. The mission of HALCIA is to:

- contribute to the development of policies and strategies for the prevention of corruption;
- promoting campaigns to raise citizens' awareness of behaviour change;

- to propose to the public authorities any legislative, regulatory or administrative reforms relating to its field of competence;
- participate in the dissemination of all texts and programmes to combat corruption and related offenses;
- contribute to strengthening the capacities of associations and other actors involved in the fight against corruption and related offenses.

155. **The Office of the High Commissioner for State Modernisation**, established by Decree No. 2005-361 / PRN / PM of 30 December 2005, it is responsible, in relation to the relevant ministries, for designing, supervising, coordinating, monitoring and evaluating all actions aimed at modernising the State and local authorities in accordance with the guidelines laid down by the Government. It is also responsible for implementing the State Modernisation Policy document adopted by Decree No. 2013-249 / PRN / PM / HCME of 12 July 2013.

156. **Traditional chieftainship**: it is regulated by Ordinance No. 93-28 of 30 March 1993 on the status of chieftaincy as amended by Act No. 2008-22 of 23 June 2008, the new article 15 of which states "the traditional Chief has conciliatory power over the parties in terms of customary, civil and commercial matters. It regulates, according to the custom, the use by families or individuals of lands of pastoral cultures and areas, on which the customary community for which it is responsible, have recognized customary rights. In all cases, it draws up the minutes of these reconciliations or non-conciliations, which must be recorded in an ad hoc register, the extract of which is addressed to the administrative authority and to the relevant court. The conciliation minutes, signed by the parties may become enforceable through the court of relevant jurisdiction at the request of one of the parties ".

157. **The Nigerien Social Mutuality Agency**: created by decree n ° 2015-474 / PRN / MET / SS of 4 September 2015 establishing a public institution of a social character called "Nigerien Agency for Social Mutuality (ANMS) ". ANMS's mission is the monitoring and control of approved social mutuals.

158. **The Autonomous Pension Fund of the Niger (CARENI)**: created by Law No. 2012-69 of 31 December 2012 establishing a public institution of a social nature known as the "Autonomous Pension Fund of Niger", whose mission to grant, liquidate and pay the pensions granted to the officials of the Republic of Niger.

159. **The National Council for Political Dialogue (CNDP)**: created by decree n ° 2004-030 / PRN / PM of 30 January 2004, the CNDP is a permanent framework for the prevention, settlement of political conflicts and consultation among members around issues of national interest. In December 2016, the CNDP included 105 legally recognised political parties.

160. **The National Unit for Financial Information Processing (CENTIF)**: it was created by Act No. 2004-41 of 8 June 2004 on the fight against money laundering. Its mission is to collect and process financial intelligence on money laundering and terrorist financing circuits.

PART TWO: GENERAL MEASURES OF IMPLEMENTATION (Article 1 (1))

15. Under this section, the State Party shall provide relevant and up-to-date information on measures taken or anticipated by it to implement Article 1 (1) of the Charter, which concerns the measures taken to recognize and give effect to the rights, freedoms and duties enshrined in the Charter. The State Party shall provide, in particular, up-to-date information on:

(a) The Constitutional, Legislative and Policy Framework for the Promotion and Protection of the Rights and Welfare of the Child: The State Party shall indicate the changes in the constitutional, legal and political framework that occurred during the reporting period or especially the changes that have affected the realisation of rights in accordance with the Charter.

161. Niger has adopted several texts to strengthen the protection of the rights of the child. These include:

- Law No. 2014-72 of 20 November 2014 determining the jurisdiction, powers and functioning of juvenile courts in Niger;
- Law No. 2016-19 of 16 June 2016 amending the Organic Law No. 2004-50 of 22 July 2004 establishing the organisation and jurisdiction of the courts in the Republic of Niger;
- Law No. 2016-21 of 16 June 2016 amending and supplementing Law No. 61-33 of 14 August 1961 establishing the Code of Criminal Procedure;
- Law No. 2016-22 of June 16, 2016 amending and supplementing Law No. 61-27 of July 15, 1961 establishing the Penal Code
- Order No. 2010-86 of 16 December 2010 on trafficking in persons; - Law No. 2012-45 of 25 September 2012 on the Labour Code of the Republic of Niger, which incorporates the provisions of ILO Convention No. 182 on the worst forms of child labour, ratified by Niger;
- the adoption of national policies for juvenile judicial protection and child protection is attached to the National Justice and Human Rights Policy adopted on 1 June 2015;
- the national social protection policy adopted in 2011;
- the framework document for the protection of the child adopted by Decree No. 2013-344 / PRN / MP / PF / PE of 23 August 2013;
- the National Policy for Integrated Development of the Youth, adopted by Decree No. 2013-247 / PRN / MP / PF / PE of 05 July 2013.

These different documents aim to ensure better protection of the child and promote their rights through action plans.

The State Party shall also provide information on:

• **Whether to invoke the Charter before its courts, if so, to what extent?** 162. Since Niger is a country with a monist tradition, it is permissible to invoke international legal instruments before national courts once they have been ratified.

• **The nature and scope of legal recourse for violations of children's rights;** 163. Where a child is presumed to have committed criminal offenses, the recourse available to him may be after the trial at first instance, i.e. the appeal in the case of an adversarial judgment and the “opposition” when the judgment sentenced him. When the case has been served on appeal, the appeal is open to a higher-level appeal (*cassation*).

164. If the child is a victim, he may apply to the juvenile court in civil matters to obtain compensation for the damage suffered. He may also sue on the basis of the provisions of Law No. 67-13 of 18 March 1967 on the defense of the civil interests of minors before the criminal courts.

• **Customary rights and regulations that affect the réalisation of the rights of the child in his/her jurisdiction;**

165. Customary rights and regulations that affect the enjoyment of the rights of the child are:

- Ordinance No. 93-28 of 30 March 1993 on the status of chiefdoms amended by Law No. 2008-22 of 23 June 2008;
- Law 2004-50 of 22 July 2004 establishing the organisation and jurisdiction of the courts in the Republic of Niger and its subsequent amendments.

(b) The Institutional Framework for the Promotion and Protection of the Rights and Welfare of the Child: The State Party should specify which government agencies are involved in the implementation of the Charter and which has full responsibility for monitoring and coordinating such implementation. The State Party should indicate whether there is a specific body that receives complaints from children and their representatives.

166. The ministries involved in the implementation of the Charter are:

- the Ministry for the Promotion of Women and the Protection of Children
- the Ministry of Justice;
- the Ministry of Population;
- the Ministry of Primary Education, Literacy, Promotion of National Languages and Civic Education;
- Ministry of Secondary Education
- the Ministry of Vocational and Technical Education;
- the Ministry of Health;
- the Ministry of Cultural Renaissance, Arts and Social Modernisation;
- the Ministry of Employment, Labour and Social Protection;
- the Ministry of the Interior, Public Security, Decentralisation and Customary and Religious Affairs;
- the Ministry of National Defense;
- the Ministry of Agriculture;
- the Ministry of Youth and Sports.

167. The responsibilities are shared among the ministries mentioned above and the coordination framework is multi sectoral.

The state should also provide information on the establishment or not of a national human rights institution (NHRI). If so, what role does this institution play in promoting and protecting the rights of children? The State Party should provide the detailed contacts of the institutions mentioned in this clause

168. The bodies that are qualified to receive complaints are the police and gendarmerie services in respect of offenses under the criminal law; these services constitute an essential link in the criminal chain and it is up to them to carry out the necessary investigations before any referral to the judicial authority.

169. In Niger, the functions of prosecution, investigation and judgment are separated; it is the prosecutor's office that initiates prosecution and supports the investigation until judgment.

170. Alongside judicial bodies, there are quasi-judicial bodies such as the National Human Rights Commission (CNDH), which is also empowered under the law that created it to receive complaints and reporting. However after handling these complaints, the commission forwards them to the relevant authority along with recommendations.

171. The mandate of the CNDH is to protect and defend human rights in accordance with article 19 of Law No. 2012-44 of 24 August 2012 determining the composition, organisation, powers and functioning of the CNDH. This article indicates among other missions that the CNDH:

- receive complaints and expedite investigations into cases of human rights violations;
- provides or facilitates legal assistance to victims of human rights violations, especially women, children, the elderly, persons with disabilities and all other vulnerable persons;
- ensures throughout the national territory, the promotion of human rights in general and in particular the rights of women, children, persons with disabilities and all other vulnerable persons through, inter alia, information, education and communication.

172. For contacts see the annex.

c) Budget allocation and actual expenditures: The State party should indicate the amount of resources allocated to programmes and activities relating to the rights of the child and the actual expenditures incurred in this context.

173. The following table provides information on budget allocations for child protection in 2014-2016

Table n°5 : Budget allocated to child protection MP / PF / PE 2014-2016

allocations Years	Items	Voted allocation	Allocations granted	Allocations spent	Implementation rate
2014	Framework document on child protection	100 000 000	100 000 000	90 000 000	90%
	Youth integrated development policies	67 414 383	67 414 383	67 380 174	99,94%
	Care centre	23 598 541	19 517 346	19 288 011	98,82%
2015	Framework document on child protection	30 000 000	30 000 000	26 885 593	89,61%
	Youth integrated development policies	47 190 068	6 000 000	1 516 000	25,26%
	Care centre	40 383 424	37 899 343	37 895 967	99,99%
2016	Framework document on child protection	33 160 563	5 000 000	0	0%
	Youth integrated development policies	23 115 392	4 000 000	0	0%
	Care centre	40 403 227	36 561 643	35 324 691	96,61%

Source : MPF/PE

174. In the education sector: in 2015, the budget allocation for the elementary school enrollment component was 78,975,442 FCFA. The actual expenses incurred were 58,110,189 CFA francs. In 2016, this budget was 58 706 189 CFA francs. For early childhood education, the budget allocation was 81 010 425 FCA in 2015. It was 60 218 888 FCA in 2016.

175. In the health sector: the State and its partners put a lot of effort into the development of child health in Niger, as shown in the table of expenditure in 2015.

The following table shows the current spending situation by age group

Table n°6 : Current health expenditure by age group in 2015 in billion FCFA

AGE.1	< 5 years	260 767 685 429,95
AGE.1.1	below 1 year old	1 977 368 944,87
AGE.1.2	1 to 5 years old	145 495 210 424,72
AGE.1.nec	1 to 4 years old	113 295 106 060,36
AGE.2	≥ 5 years old	41 939 746 828,78
AGE.2.2	15 to 49 years old	40 069 064 242,82
AGE.2.3	Above 49 years old	184 152 302,63
AGE.2.1	5 to 14 years old	449 483 856,13
AGE.2.nec	Above 14 years old	1 237 046 427,20
All AGE	Age	302 707 432 258,73

Source : annuaire statistique Ministère de la Santé Publique

176. The distribution of current health expenditure by age shows that the under-5s ranked first in terms of health expenditure with 86.15% in 2015.

(d) Cooperation with non-state actors: The state should provide information on its cooperation with non-state actors, including non-governmental organisations, children and youth groups, UN agencies, faith-based organisations, the business community, the private sector and traditional governance systems (e.g. village councils) and to what extent they are involved in the planning and monitoring of the implementation of the Charter.

177. The State cooperates with non-governmental organisations, children's and youth groups, United Nations agencies, faith-based organisations, the business community, the private sector and traditional governance systems. For the Agencies of the United Nations system, this cooperation is reflected in the implementation of a work plan that includes actions to be carried out, sector by sector. The planning and monitoring of the implementation of the work plan is done in part.

e) Implementation of the Committee's decisions and other relevant regional bodies: the State Party shall, where appropriate, indicate whether it complies with, or implements:

• A decision of the Committee made in a communication pursuant to Article 44 of the Charter;

178. Niger, as a State Party, will comply with a decision of the Committee made in a communication pursuant to Article 44 of the Charter. However, there is no case of individual complaint in the form described by Article 44 involving Niger for violations of the rights of the child. In this regard, Niger recognising the compulsory and automatic competence of the Committee will not obstruct cooperation.

- **A recommendation that the Committee made following a fact-finding or observation mission**

179. Niger undertakes to implement the recommendations made by the Committee following a fact-finding or observation mission.

f) The implementation of relevant programmes and plans of action of the African Union: the State Party shall indicate whether it respects or implements the programmes and plans of action of the African Union on children's rights, including:

The Accelerated Campaign for the Reduction of Maternal, Newborn and Child Mortality in Africa (CARMMA);

180. The CARMMA was launched in 2011 by the President of the Republic of Niger in accordance with the recommendation of the African Union. Since then Niger celebrates every year under the patronage of the first lady (Ambassador against maternal mortality) the week against maternal and neonatal mortality.

Call for accelerated action on the implementation of the Plan of Action - towards an Africa fit for children; and

181. Niger has adopted and implemented a number of policies and programmes to reduce child mortality that have had significant positive effects on some indicators. Thus, infant mortality, which was 318 per thousand in 1992, is only 126 per thousand in 2015, a very significant annual average decline of 8.3 points. Infant mortality decreased from 123 per thousand in 1992 to 51 per thousand in 2015, an average annual decline of 3.1 points.

182. Among the actions implemented to reduce child mortality it should be noted:

- the extension of the health coverage of the country;
- the implementation of the policy of free prenatal consultations, caesareans and care of children under 5;
- the Expanded Programme on Immunization (EPI) and vaccination campaigns (99% reduction in measles morbidity and 97% in mortality from measles);
- intensification of the fight against various forms of malnutrition;
- Vitamin A distribution and impregnated mosquito nets;
- the construction of new health facilities;
- the increase of health personnel.

183. With regard to the fight against HIV / AIDS, the national seroprevalence of HIV infection in the population aged 15 to 49 is 0.4%. In 2016, the total number of people on ARVs was 14 729 for an estimated number of 51,150 supported persons, that is a coverage of 28.8% (Results Based Management (GARP) 2016, Data 2016)

184. Children under five and young people under 20 represent 3% and 8.5% of people on ARVs, respectively

- **The Abuja Call for Accelerated Action Towards Universal Access to HIV / AIDS, Tuberculosis and Malaria Services in Africa.**

185. The State and its partners, with the Global Fund in the forefront, have made the fight against HIV / AIDS, tuberculosis and malaria a priority, deploying significant resources. 21.36% of health expenditure was devoted to the fight against these three diseases.

186. Several policies and programmes are implemented in the fight against malaria, tuberculosis and HIV / AIDS. These are :

- the National Malaria Control Programme (NMCP) whose objective is: a wide distribution of insecticide-treated mosquito nets (ITNs) to households while prioritising children under 5 and pregnant women, chemo prevention seasonal malaria, intermittent preventive treatment and case management;

- the National Tuberculosis Control Programme (NTP), which is responsible for designing, coordinating and evaluating strategies for combating tuberculosis.

- the strategic framework for combating STIs / HIV / AIDS 2013-2017 through the inter-sectoral coordination of the fight against AIDS and a sectoral unit hosted by the MSP.

187. The existence of a national communication framework for STI / HIV / AIDS, the adoption of a law protecting people living with HIV / AIDS (PLWHA); their care at the decentralised level in certain Integrated Health Centres; and free ARVs are remarkable advances in Niger.

(g) Dissemination of the Charter and previous concluding observations of the Committee: the State party should provide information establishing the actions taken to disseminate the Charter widely and the Committee's previous comments to relevant stakeholders and the general public.

188. As part of the dissemination of the observations and recommendations arising from the submission of the previous report, the Ministry of Women's Empowerment and Child Protection organised in October 2013 a workshop on the implementation of the recommendations. This workshop brought together the representatives of ministries involved in the protection of the rights of the child, the National Human Rights Commission, civil society organisations that are active in the area of child defense and protection. (CONAFE, CONIDE) and Technical and Financial Partners.

16. The State Party will provide data on:

(a) The allocation of resources and the actual expenditure incurred during the given period for the following social services:

- ***Health services, especially primary health services; Early childhood development;***

189. This information has been comprehensively provided through the other sections relating to health.

Child protection measures including prevention of violence, child labour, sexual exploitation and rehabilitation programmes.

190. In Niger, there are laws that provide for and punish violence, child labour and sexual exploitation of children. This concerns the Penal Code, the Labour Code, Ordinance No. 2010-86 on Trafficking in Persons and Law No. 2014-72 of 20 November 2014 determining the powers, duties and operation of juvenile courts in Niger.

191. There is also the adoption of the Child Protection Framework Document and its plan of action.

192. In the context of preventing and combating violence, abuse and exploitation of children, Niger implements community-based protection programmes for children. Since 2011, a community-based protection programme has been implemented in the Maradi, Tillabery and Tahoua regions.

193. Similarly, a programme to combat child marriage has been implemented in the Maradi and Zinder regions. The strategy used is the holistic approach that focuses on a set of child rights with strong community involvement. In 2013, 128 villages were involved in the process of abandoning harmful practices.

194. In addition, another programme to combat violence in schools has been conducted in the same communities. From 2012 to 2013, 158 schools had a committee against violence and 5743 cases of violence in schools were reported according to the annual review of UNICEF 2013.

195. The following table provides information on the care of children in vulnerable situations from 2012 to 2014.

Table n°7: Management of children in vulnerable situations

Indicators	2012	2013	2014
Number of functioning child care facilities for children in vulnerable situations	130	283	ND
Number of children (G, B) in vulnerable situations receiving protection services (access to health care, school support, reunification with the family, etc.)	6263	20781	
Number of children in conflict with the law receiving support (monitoring SEJUP, G, B)	437	850	936
Number of children (G, B) placed in apprenticeship / those who became independent	537	1692	649

Source revues annuelles UNICEF/P/PF/PE Niger, 2013 ; 2014

(b) Training of professionals working with and for children, including judicial personnel, law enforcement, teachers, medical personnel and social workers.

196. The different categories of professionals working with and for children were provided with several trainings aimed at strengthening their capacities in various areas. In the past two years, at least 50 magistrates, juvenile judges and prosecutors have been trained on the rights of the child, case management techniques and juvenile judicial protection in the jurisdiction of both appeal courts - with funding from UNICEF and the NGO Save the Children. These trainings were extended to the social workers of the courts, workers of the social action and prisons managers. It should be noted that during these trainings, compiled documents of international and national instruments were made available to these actors in order to strengthen their capacities in terms of care.

197. As for law enforcement officers, they are provided with child rights training modules that are integrated into the curricula of their training schools. During the same period, several prison wardens who are part of the prison administration staff were trained on the Human Rights Manual to be used by the National Guard.

198. With regard to teachers, the Ministry of Primary Education, in partnership with UNDP, has developed human rights training modules and is considering training teachers on these modules for better integration of the rights of the child.

199. In addition, as part of the implementation of the Child Protection Framework Document and the Social Services Reform, the Ministry for the Promotion of Women and the Protection of Children conducted a series of training to build the capacity of social workers on child protection.

200. The table below shows the statistics on the trained agents from 2012 to 2014.

Table n° 8: Number of social workers trained in child protection

Years	Number of trained agents
2012	215
2013	923
2014	231

Source_: revue annuelle UNICE/P/PF/PE 2013 ; 2014

III. Definition of the Child (article 2)

17. In this section, the information provided by the State will have to prove that it has complied with the provisions of Article 2 of the Charter, which defines, in accordance with the laws and regulations, the term 'child'. If, under one of its laws or regulations, its definition of child is not in compliance with that of the Charter, the State Party should indicate the reasons for this non-compliance and specify the measures taken to bring the Act or Regulation in compliance with the Charter.

201. In Niger, there are texts which establish the definition of the child as resulting from the CRC and the ACRWC. These are the penal code and the law 2014-72 of 20 November 2014 determining the powers, duties and functioning of juvenile courts in Niger which define a juvenile as any human being under the age of 18.

202. Beside these laws there are specificities in each subject which makes the definition different. This is the case in civil cases where the civil code sets the age of marriage at 15 for girls and 18 for boys; in electoral matters the age is 18 years old. In the social field, the Labour Code sets the minimum age for admission to employment at 14 years.

18. The State Party will provide disaggregated data as indicated in paragraph 13 above on the number and proportion of children living in its territory.

203. Niger's population is estimated at 17.1 million people (according to the General Census of Population and Housing (RGPH) 2012) and children aged under 18 account for 56% of the population (UNICEF) .

IV. General Principles (articles 3, 4, 5, and 26)

19. Under this heading, the State will provide relevant information on: (a) Non-discrimination (articles 3 and 26): the State will provide information on measures taken to prevent discrimination and to ensure the full and equal enjoyment of the rights and freedoms recognised and guaranteed by the Charter, especially concerning disadvantaged children, including girls, children with disabilities, children from minority groups and indigenous people

204. Non-discrimination is a principle enshrined in article 10 of the Constitution, which states that "all Nigeriens are born and remain free and equal in rights and duties". All citizens have free access to public services (health, education, justice, employment ...) As stated in Article 12 of the Basic Law "Everyone has the right to life, health, physical and moral integrity , to a healthy and sufficient food, drinking water, education and instruction under the conditions defined by the law. The State ensures that everyone fulfill their essential needs and services as well as a full development. Everyone has the right to liberty and security in the conditions defined by law. » The rights enshrined in this provision are exclusive of all discrimination and guaranteed to all Nigeriens.

205. Article 21.2 of the Constitution states that "*the State and the public authorities have the duty to ensure the physical, mental and moral health of the family, particularly the mother and the child.* ". This article is reinforced by the provisions of Article 22 which obliges the State to ensure the elimination of all forms of discrimination against women, girls and persons with disabilities and to take measures to combat violence against women and children in public and private life.

206. It should also be noted that Niger is a party to the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, all of which provide for the principle of non-discrimination against girls and disabled children.

207. Reference to Law No. 98-12 of 1 June 1998 on the Orientation of the Nigerien Education System (LOSEN), as amended and supplemented by Law No. 2007-24 of 30 July 2007, shows

that the right to education is recognised to all Nigerien children without distinction. According to its article 2, "*Education is a right for every citizen of Niger. The State guarantees education to children from four (4) to eighteen (18) years of age.*" Furthermore, article 8 states that "*The right to education is recognised for all without distinction as to age, sex, social, racial, ethnic or religious origin*".

208. Thus, to ensure the education of children of nomadic populations, the government initiated, in 2004, a schooling strategy called " Alternative Rural Schools" (ERA) which is based primarily on the multi-grade of the basic cycle1.

209. It should be added that an international forum on nomadic education was organised in 2013. The recommendations of the forum are subject to a particular monitoring by the ministries in charge of education and the Executive Secretariat of the Strategy on Development and Security in the Sahel (SDS).

210. The aim of this strategy is to provide a full cycle of primary education in order to improve access to educational services for children in nomadic and dispersed rural areas. The ERA are integrated schools that link the needs of the community to the education provision and enhance the quality of education in rural areas. They develop interrelationships between students, parents, teachers and the community. To enable teachers in these schools to cope with their teaching / learning activities, the Ministry of Primary Education, Literacy, Promotion of National Languages and Civic Education has developed teaching tools adapted to these schools called " Self/ Learning Units " (UA). The programmes that the ERA students study are the same as those of traditional classes.

211. The pilot phase of the ERAs started in 2006-2007 in twenty (20) schools of Filingué and Ouallam departments. The positive results of the evaluation of these schools enabled the Ministry of National Education to proceed, at the start of the 2007-2008 school year, to an initial phase of extension of this type of school in the departments of Filingué, Ouallam, Abalak, Chintabaraden, Chirozerine and Arlit. This brought the number of the concerned schools to seventy-five. After this first phase of expansion, the Directorate of Curriculum and Teaching Reform (DCRE) embarked on a second phase of expansion which involved one hundred (100) new schools. In 2012, the ERA innovation involved 175 schools established in sixteen (16) primary education inspections across six regions namely: Agadez, Diffa, Maradi, Tahoua, Tillabery and Zinder.

(b) The best interests of the child (article 4): The State will provide information that will demonstrate, if and how, the principles of the best interests of the child are guaranteed in practice.

212. In order to promote and guarantee the principles of the best interests of the child, Niger has not only ratified international legal instruments on the rights of the child, but has also drawn up and adopted several documents. These include the National Policy for the Integrated Development of the Youth (PNDIJE), the Child Protection Framework Document (DCPE) and its Plan of Action on National Guidelines for the Care of Children (ONPEC). The Juvenile Courts Act has also been revised to take into account the best interests of the child. The

information provided throughout the report shows how the principles of the best interests of the child are guaranteed in practice.

(c) The right to life, survival and development (article 5): the State party should provide information on the measures taken to ensure that every child has an inherent right to life and that his rights are protected by law.

213. The right to life is enshrined in article 11 of the Constitution, which states that "*the human being is sacred. The state has an absolute obligation to respect and protect it.*" Article 12 of the Basic Law explicitly mentions the right to life in these terms: "*Everyone has the right to life, (... ..) under the conditions defined by law*".

214. The Criminal Code, in its chapter III entitled "murders and capital crimes", punishes the most serious offenses, including assaults. Indeed, homicide, murder, parricide, infanticide and poisoning are provided for and punished by articles 237 to 241. Most of these offenses are punishable by life imprisonment.

215. Death penalty is still in force in Niger. However, with regard to children in conflict with the law, article 29 of the law n ° 2014-72 of November 20, 2014 determining the functions, the attributions and the functioning of juvenile courts in Niger provides for favorable provisions in cases of commission of offenses, even for those considered the most serious. Indeed, the article states that "*if it is decided that the minor of eighteen years has acted with discernment, the sentences will be imposed as follows:*

- *if he/she has been sentenced to death or to life imprisonment, he/she will be sentenced to 10 to 30 years' imprisonment*
- *if he/she has been sentenced to 10 to 30 years' imprisonment, he/she will be sentenced to two to less than ten years;*
- *if he/she has been imposed a correctional sentence or a simple police sentence, he/she will only be sentenced to half of the sentence to which he could have been sentenced if he/she was 18. "*

217. The law is therefore unambiguous: children cannot be executed under any circumstances even if they are convicted of serious offenses that impose this type of penalty.

(d) Respect for the views of children (article 4): the information provided by the State should make it possible to know whether, and in what way, the principle of respect for the views of the child is taken into account in judicial and administrative proceedings concerning a child who is able to express his or her own views.

218. Two texts recognise respect for the opinion of the child in Niger; There is first of all the Constitution of 25 November 2010 in Article 30 which states: "*Everyone has the right to freedom of thought, opinion, expression, conscience, religion and worship. The state guarantees the free exercise of worship and the expression of beliefs. These rights are exercised in compliance with public order, social peace and national unity*". This non-discriminatory formulation applies to all citizens on the sole condition of respecting public order, social peace and national unity, which constitute the main foundations of the State and which can not be restricted.

219. Law No. 2014-72 of 20 November 2014 determining the jurisdiction, powers and functioning of juvenile courts in Niger in its article 2 sets out a number of principles drawn from the Convention on the Rights of the Child. Paragraph 3 is explicit in this respect; it states that

"the opinion of the child capable of discernment must be recorded and taken into account in any decision concerning him".

220. In the practice of the courts, this provision is rigorously respected in when judgments are issued and this may be grounds for annulment when a court has found a child guilty without declaring that he has acted with good judgment, which is a prerequisite.

20. The State should also provide relevant and more detailed information on the application of these principles in the implementation of the other provisions of the Charter.

221. As mentioned above, the principle of non-discrimination is enshrined in both the Basic Law and the LOSEN and all international and regional human rights instruments to which Niger is a party.

Right to life, survival and development

222. Realisation of the right to survival and development is achieved through the implementation of the Integrated Child Development Policy (DIJE), the National Policy for Social Protection, the juvenile judicial protection policy and its implementation plan of action, the child protection framework document and its master plan, the education policy letter. Similarly, Niger has developed and implemented a plan of action on the survival, development and protection of children 2004-2013. This is evidence of the consideration of the best interests of the child.

223. In addition, the mapping of the child protection actors in 22 departments and 2 cities in 4 regions of the country (Dosso, Maradi, Tillabéry and Zinder) and the carrying out of an analysis were noted. An analysis of the situation and programmes for adolescents was also carried out. The delivery of a child protection kit to traditional leaders and a package of standards for SEJUP activities and 4 child protection modules and manuals were also registered.

224. For better care of children in difficulty, 36,998 children have been reported to SEJUPs (including 235 cases of vulnerable children), 2,206 children in family difficulties and 41,882 other vulnerable children have been identified in the care centres in Niamey or the regions.

224. In the same vein, the Government and its partners have placed 4,956 vulnerable children out of school or who dropped out of school in apprenticeship and self-reliance after this period, supported 93 foster families and awarded scholarships to 15 deserving girls in situation of vulnerability.

225. Other actions have also been carried out to improve the situation of children in difficulty. It involves the care of 31,136 vulnerable children in emergency situations who were provided with protection services and the sensitisation of 70 traditional leaders on child protection, particularly on the topics of vaccination, girl's education, the fight against early marriage, civil status and peace building.

226. The analysis of the rights to health and education will give more details on the actions carried out in the context of the implementation of the right to child development.

Respect for the opinion of the child.

227. The Constitution guarantees the right, opinion and freedom of expression to all citizens without discrimination. Article 30 provides: "*Everyone has the right to freedom of thought, opinion, expression, conscience, religion and worship ...*".

228. More specifically, the opinion of the child is taken into account in his or her best interests by the 2014 law determining the powers and functions of the juvenile courts.

229. Article 2 of that law states: "*The opinion of the child capable of discernment must be recorded and taken into account in any decision concerning him*".

230. Then, when the juvenile is presumed guilty of a punishable act defined as an offense or a contravention and a measure of redress is proposed, the opinion of the child must be respected. Article 13 states: "*When the measure of reparation is proposed, the public prosecutor shall obtain the prior consent of the minor, his parents, legal representatives, tutor, person or service entrusted to the child. The minutes recording this agreement are attached to the procedure*".

The best interests of the child

231. The principle of the best interests of the child is respected despite the persistence of certain practices attributed to tradition. The courts make decisions based on the best interests of the child, especially with regard to custody, alimony, guardianship ... This principle is also taken into account in the rights of the child to education, health, nutrition and birth registration. This also applies in the process of taking care of children at risk, victims of abuse and exploitation.

232. Also, to promote respect for the best interests of the child, the State initiated and implemented an experimental community-based child protection programme. The implementation of this programme has raised awareness among communities on issues related to the best interests of the child, resulting in the reporting of child marriages (over 400 cases in 2012), retention of girls at school.

233. Another programme that specifically targets girls is implemented by the Ministry of Women's Empowerment and Child Protection with support from UNFPA on changing social norms. In total, in 2016, 15,372 girls benefited from the programme's support.

21. The State Party will provide disaggregated data as described in paragraph 13 above on:

a) The death of children due to diseases such as malaria, HIV / AIDS, tuberculosis, polio, hepatitis and acute respiratory infections.

234. In Niger, the five leading causes of child mortality are mainly malaria, respiratory infections, dehydrated diarrhea and epidemic diseases such as measles and meningitis.

Malaria

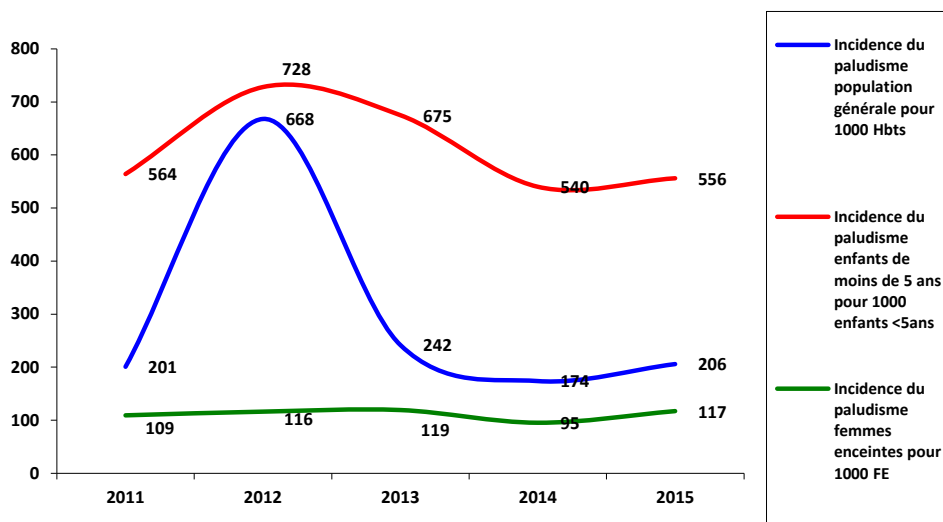
235. According to the statistical yearbooks (from 2011 to 2015), in the last five years Niger has recorded an annual average of 3,913,006 suspected cases of malaria. From 2011 to 2015, the

proportion of cases tested (by thick drop or rapid diagnostic test) rose from 60% to 84% and the biological confirmation of cases from 55% to 67%.

236. In view of the epidemiological situation, malaria is still a public health priority in Niger. It represents 27.92% of the disease burden recorded in 2015.

237. The incidence of suspected malaria in the general population, pregnant women and children under 5 is shown in the following figure:

Figure 1: Evolution of the incidence of suspected malaria in the general population, among pregnant women and children under 5 from 2011 to 2015:



Source : annuaires statistiques (de 2011 à 2015) Ministère de la santé

Table n°9 : Evolution of cases and deaths related to suspected malaria by age group in 2011-2015:

Age gro	2011		2012		2013		2014		2015		Total		
	IC	Cases	Death	Cases	Death	Cases	Death	Cases	Death	Cases	Death	Cases	Death
< 2 mon		57 062	21	71 623	16	50 764	7	38 149	9	36435	13	254 033	66
2 -11 mo		483 847	267	652 339	311	630 43	184	473 750	241	488219	262	2 728 589	1265
1-4 ans		1 481 53	1814	2 106 64	2246	2 014 5	1494	1 975 1	1955	165390	1337	9 231 858	8846
5-9 ans		323 537	314	475 434	396	440 26	249	330 843	326	456242	314	2 026 318	1599
10 - 24 a		356 423	147	516 879	114	502 01	140	377 250	183	530325	196	2 282 894	780
25 ans e		480 122	262	769 601	140	650 37	135	488 735	177	652505	100	3 041 337	814
Total		3 182 52	2 825	4 592 51	3 223	4 288 4	2 20	3 683 9	2891	381763	2222	19565029	13370

[Source: annuaires statistiques 2011, 2012, 2013, 2014 et 2015]

238. The table shows that children under 5 carry about half of the burden of disease (62.43 per cent) and about 3/4 of that of malaria-related mortality in the country (74.65%) of all malaria deaths in 2014 and 2015).

239. Since joining the global initiative Roll Back Malaria (FRP) in 1999, Niger has developed three (3) strategic plans against malaria (First Strategic Plan: 2000-2005, Second: 2005-2010, Third: 2011- 2015 and the fourth is under development 2017-2021). The third generation strategic plan, covering the period 2011-2015, aimed to reverse trends in malaria incidence by 2015, and begin to stop transmission in anticipation of its elimination by 2025.

240. Currently, the National Malaria Control Programme (NMCP) is in the process of reviewing the implementation of this plan, with a view to developing a new National Strategic Plan 2017-2021.

241. Despite all the efforts made, particularly the distribution of mosquito nets (free distribution campaign, lower prices of mosquito nets on the market, distribution of pregnant women's kits, etc.), seasonal malaria chemotherapy, intermittent preventive treatment and cases management which led to the reduction of case fatality rate, malaria remains a priority problem, as well as pneumonia and diarrhea among children.

HIV / AIDS

242. According to the EDSN (2012), the national seroprevalence of HIV infection in the population aged 15 to 49 was 0.4%. It was 0.8% in urban areas and 0.2% in rural areas; women were more affected with 1.1% in urban areas and 0.2% in rural areas.

243. The seroprevalence varies from one region to another: it is 1.1% in Niamey, 0.7% in Diffa, 0.5% in Agadez, and Dosso, 0.3% in Tahoua, 0.2% in Maradi, Tillabery and Zinder.

244. According to estimates in 2015, out of a total of 12,887 people receiving Anti Retro Viral treatment, 922 were children under 15 years of age, ie 7.15%. The rate of mother-to-child transmission (MTCT) of HIV was 29% in 2014 (source ULSS, by Spectrum, report GARP 2014)

245. Sentinel surveillance among pregnant women shows an evolution of 1.7% in 2009, 0.91% in 2012 and 0.61% in 2014.

246. The national coverage of PMTCT sites has increased from 7 sites in 2004 to 749 in 2013, 932 in 2014 and 941 in 2015. These sites concern both public and private health facilities. The survival rate of patients under 15 years of age, after one year of ARV treatment in the prescribing sites is 67% in 2015 as shown in the table below.

Table n°10 : Survival of patients after ART treatment initiation as at 31 December 2015 in Niger

Period	Sex/Age	Initiation	PDV	DCD	Transfer	ARVs	Survival rate
6 month	M	49	15	0	0	34	69
	F	79	22	0	0	57	72
	< 15 year	14	4	0	0	10	71
	> 15 year	114	33	0	0	81	71
	Total	128	37	0	0	91	71
12 month	M	126	41	0	0	85	67
	F	186	59	1	1	125	67
	< 15 year	24	7	0	0	17	71
	> 15 year	288	93	1	1	193	67
	Total	312	100	1	1	210	67
24 month	M	100	35	0	0	65	65
	F	182	88	2	0	92	51
	< 15 year	25	13	0	0	12	48
	> 15 year	257	110	2	0	145	56
	Total	282	123	2	0	157	56
60 month	M	52	172	1	0	34	65
	F	114	33	3	1	78	68
	< 15 year	15	5	0	0	10	67
	> 15 year	151	45	4	1	102	68
	Total	166	50	4	1	112	67

Source : Rapports Unité de Lutte Sectorielle Santé/Ministère de la Santé Publique

Tuberculosis

244. Tuberculosis is high on the agenda of the MOH. Because vaccination against tuberculosis is free and integrated into the Expanded Programme on Immunization, the vast majority of children are vaccinated against the disease from birth (more than 90%).

Hepatitis

245. The mortality associated with hepatitis infections is poorly recorded, however, the 2015 statistical yearbook reports a 9% mortality related to viral hepatitis.

Acute respiratory infections

246. Acute respiratory infections, at 28.14 per cent, constitute the leading cause of morbidity in Niger. 69% of those affected are children under 10 years old.

Table n°11 : Distribution of the top ten morbidities by age group in 2015

Diseases / Symptoms	< 2 months	2 - 11 months	1 - 4 years	5 - 9 years	10 - 24 years	25 years +	Total	%
Acute Respiratory infections	36 435	488 219	1 653 908	456 242	530 325	652 505	3 817 634	28,14
Malaria	129 151	967 729	1 739 773	300 189	299 564	351 277	3 787 683	27,92
Diarrhea	21 904	402 701	664 081	89 409	86 190	112 947	1 377 232	10,15
Malnutritions	0	334 785	547 926	2 788	33 136	44 000	962 635	7,10
Dermatological disorders	3 695	27 246	66 056	33 645	120 763	235 049	486 454	3,59
Trauma-Wounds-Burns	11 727	73 609	156 535	49 897	71 450	89 233	452 451	3,34
Other digestive disorders	4 938	36 874	104 606	56 814	99 158	113 501	415 891	3,07
Dysentery	14 151	100 281	140 956	26 042	21 248	24 182	326 860	2,41
Simple conjunctivitis	593	35 251	94 500	26 841	42 492	64 774	264 451	1,95
Infections Oral	4 054	35 968	76 266	19 251	23 267	32 675	191 481	1,41

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Source : MSP Annuaire statistique 2015

Table n°12: Distribution of specific mortality by age group in 2015,

Diseases / Symptoms	Number of death						Total	%
	< 2 months	2-11 months	1 - 4 years	5-9 years	10 - 24 years	25 years +		
Malaria	4	187	1119	213	78	49	1650	50,47
Pneumonia	7	35	90	10	8	28	178	5,45

Diarrhea with dehydration	0	20	46	8	7	13	94	2,88
Measles	0	0	2	2	2	2	8	0,24
Meningitis	3	5	76	91	78	36	289	8,84
Other Tetanus	0	1	1	2	1	3	8	0,24
Other death	52	140	262	75	139	374	1042	31,88
Total	66	388	1596	401	313	505	3269	100,00

Source : MSP Annuaire statistique 2015

247. Acute respiratory infections are the second leading cause of death of children after malaria.
(b) Death of children as a result of unlawful execution (extrajudicial, summary or arbitrary executions), capital punishment, road traffic accident or other crime and other forms of violence.

248. As mentioned in paragraph 19. (c), in Niger there is no execution of children.

249. With regard to road accidents, there are no disaggregated data showing the number of children who died as a result of a road accident.

c) Death of children as a result of harmful cultural practices (traditional rituals and sacrifices

250. Data on the deaths of children as a result of harmful cultural practices (traditional rituals and sacrifices are not available.

(d) The number of children's and youth organisations or associations, as well as the number of members it represents. The State Party will provide the number of children who have been heard in judicial and administrative proceedings and their age.

251. There are four organisations of children and youth that are active in Niger. These are the Association of Children and Young Workers (AWCY), the Youth Parliament, the National Youth Council (CNJ) and the National Advisory Council of Children and Youth (CCNEJ) which is a coalition of 15 youth associations and organisations and member of the Panafrican Union of Children and Youth Advisory Councils (UPCCEJ).

252. There is also a parliamentary network on issues relating to the youth parliament and child protection. As for children who have been heard in court and administrative proceedings and their age, the table above provides the information.

Table 13: Distribution of Juveniles in Conflict with the Law by Type of Offense, Sex and Judicial Year

Offenses	2010-2011			2011-2012			2012-2013			2013-2014			2014-2015		
	G	F	T	G	F	T	G	F	T	G	F	T	G	F	T
Breach of trust	15	-	15	32	1	33	13	-	13	9	-	9	4	-	4
Assassination	3	-	3	-	-	-	-	-	-	4	1	5	-	-	-
Molestation	3	1	4	11	1	12	12	-	12	24	-	24	10	-	10
Abortion	-	-	-	-	3	3	-	1	1	-	2	2	-	-	-
Involuntary injury	15	-	15	39	1	40	13	3	16	18	1	19	9	-	9
Injury, voluntary injury	62	5	67	82	22	104	131	27	158	126	17	143	112	21	133
Lack of insurance	4	-	4	8	-	8	-	-	-	2	-	2	2	-	2
Illegal possession of weapon	13	1	14	11	1	12	16	1	17	14	7	21	17	-	17

Child defilement	14	11	25	24	11	35	15	12	27	9	1	10	15	-	15
Fraud	8	-	8	8	-	8	3	-	3	1	-	1	2	1	3
Evasion	1	-	1	3	-	3	2	2	4	1	1	2	-	-	-
Counterfeit money	2	-	2	2	-	2	-	-	-	2	-	2	-	-	-
Forgery	4	-	4	1	-	1	3	-	3	3	-	3	-	-	-
Manslaughter	9	-	9	16	-	16	10	5	15	9	1	10	44	-	44
Setting fire	7	-	7	4	1	5	3	-	3	7	1	8	2	-	2
Arson	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
Infanticide	-	5	5	1	11	12	-	6	6	-	7	7	-	-	-
Murder	3	-	3	1	-	1	1	1	2	9	-	9	-	-	-
Concealment	1	1	2	5	-	5	6	-	6	5	-	5	-	-	-
Narcotics	20	-	20	11	-	11	16	-	16	14	-	14	69	-	69
Rape	28	-	28	27	-	27	26	-	26	30	-	30	67	-	67
Theft	361	11	372	316	32	348	365	12	377	406	17	423	389	23	412
Others	66	6	72	145	13	158	60	20	80	98	110	208	253	48	301
Total	639	41	680	747	97	844	695	90	785	791	166	957	995	94	1 089

Sources : DS/MJ, Juridictions

V. Civil rights and freedoms (Articles 6-10 and 16)

22. Under this heading, the State Party will provide relevant and up-to-date information on

(a) The name and nationality of the child (article 6): Taking into account the Committee's general comments No. 2 on name and nationality, the State Party will provide information on:

253. The provisions of the Nigerien Nationality Code on this matter have not changed since the last report with regard to children. In fact, the methods of acquisition of Nigerien nationality for children are birth and lineage. Article 8 of the ordinance n ° 84-33 of August 23rd, 1984 modified by Order 88-13 of February 18th, 1988, modified by Order 99-17 of January 4th, 1999, modified by Law 2014-60 of November 5, 2014 on the Nigerien nationality code states that "*is Nigerien any individual born in Niger of a direct ascendant in the first degree who was him/herself born there*". However, article 10 of the same ordinance states that: "*Is Nigerien a child born in Niger of unknown parents*". This provision aims to avoid statelessness.

254. Please refer to paragraph 20.

255. Article 254 of the same Code provides that the provisions relating to extenuating circumstances and suspension may not be applied. Similarly, paragraph 1 of the same article provides that in the cases provided for in paragraphs 1, 2 and 3, the guilty party may, in accordance with the provisions of Article 25, be deprived, in whole or in part, of the rights mentioned in Article 21.

256. In practice, in order to avoid cases of child abandonment, sensitisation sessions are conducted for women and adolescent girls on contraceptive methods by the Nigerien Association for Family Welfare (ANBF).

257. There is also the joint action of UNFPA and the Nigerien Association for the Treatment of Delinquency (ANTD) aiming at teenage girls who are in situations of pregnancy out of wedlock for better monitoring and better support.

• *The mechanisms that it has put in place to ensure that all children will be registered from birth; not to mention the role of faith-based organisations and traditional governance bodies;*

258. In order to ensure that all children are registered from birth, Niger has undertaken several legislative reforms since 2007, notably through the adoption of Law 2007-30 of 3 December 2007, on the civil status system in Niger and its implementing decree, the National Civil Status Policy (PNEC) and an action plan for its implementation.

259. To this, it should be added the extension of the territorial base of civil registration services, the redefinition of secondary and auxiliary civil status centres, the resizing of vital statistics registration systems and the reorganisation of registration deadlines. The civil registration centres have also been multiplied (from 3,365 in 2011 to 12,369 in 2015) and 15,231 villages and health facilities have been set up as registration centres, i.e. almost 90% coverage of the administrative villages to ensure a proximity birth registration. The overall objective of these reforms is to make the Nigerien civil status system universal, permanent, continuous, mandatory, free, statistically useful and reliable.

260. The identified strategies are: capacity building of the civil status system, advocacy with communities, awareness raising for increased usage and community mobilisation in order to ensure sustainability.

261. The capacity building of the civil status centres was carried out through the provision of vehicles, registration materials and other computer equipment and the training of 13,691 officers and agents.

262. The implementation of these various mechanisms, with the support of technical and financial partners such as UNICEF, has enabled Niger to make remarkable progress. The issuance of nearly 3 million birth certificates should be noted, as well as 78,000 marriage certificates and 80,000 death certificates from 2011 to 2015. The number of timely birth registrations has doubled with a coverage rate which increased from 39% in 2011 to 65% in 2015.

• *Measures taken to remove the social, economic and cultural barriers that prevent immediate birth registration;*

263. In order to remove the social, economic and cultural barriers that prevent the immediate birth declaration, Niger has focused on raising awareness and organising mobile courts in all regions. The sensitisation sessions reached 8,762 villages and administrative tribes totaling 1,623,764 people sensitised. Awareness-raising and mobile court hearings resulted in the issuance of 571,775 birth certificates, 3,590 marriage certificates and 3,143 death certificates issued after court order, over the 2011-2015 period.

264. In fact, Niger has implemented the Support Programme for the Development of the National Statistical System for the Promotion of Governance and Monitoring / Evaluation of

Poverty (PASTAGEP) since the objective of the component three 'Supporting the Capacity Building of the Civil Status System (PARSEC)', is to support the gradual establishment of a universal system of civil status, mandatory, continuous, free, statistically useful and reliable. Its coverage is national: it covers all regions and departments of Niger through its branches, and all 266 communes of Niger via its Main Centres (CP).

Table n°14: Summary of actions carried out in the civil status sector from April 2011 to end of June 2015

Region	Number of tra registrars	Number of tra civil status wor	Number of births	Number marriages	Number death
Agadez	53	402	99159	6549	2570
Diffa	33	847	82921	3055	1801
Dosso	135	1787	287889	9466	9266
Maradi	141	3048	530534	14184	15627
Tahoua	157	2097	66033	9846	8843
Tillabéry	107	1977	445976	9142	10837
Zinder	103	2531	898266	12265	10777
Niamey	115	158	242294	23884	20364
Total	844	12847	3053072	78391	80085

Source : MI/SP/D/AC/R

• Measures taken to ensure that children not registered at birth are registered soon after and / or within a reasonable time;

265. It is important to note at first sight that, with regard to the registration of children at birth, the law on civil status adopted in December 2007 requires the parents or any other person who attended the birth to declare the said birth within a period of 10 to 30 days, subject to a fine.

265. In addition, as mentioned above, Niger has taken a number of measures for universal birth registration. We can recall, among other things, awareness raising, mobile courts and the multiplication of registration centres.

• If its laws recognise the principles according to which a child acquires the nationality of the country where he / she is born.

266. Please refer to paragraph 253 on the right to a name.

(b) Freedom of expression (article 7): The State party should indicate whether the right of a child to freely express his or her own opinion in all fields and to disclose it is guaranteed.

267. In Niger, the right of a child to freely express his/her own opinion in all areas and to disclose it is guaranteed both by the Constitution and by Ordinance No. 2010-035 of 4 June 2010, on the status of freedom of the press.

268. Indeed, the Constitution of 25 November 2010 promotes and protects public freedoms, including freedom of expression. Article 30 states that "Everyone has the right to freedom of

thought, opinion, expression, conscience, religion and worship. The state guarantees the free exercise of worship and the expression of beliefs. These rights are exercised with respect for public order, social peace and national unity ".

269. Article 158 (1) of the Basic Law provides, furthermore, that "*Audiovisual, written, electronic communication as well as printing and distribution are free, subject to the respect of public order, of freedom of and human dignity "*. These provisions apply to all regardless of age.

270. The enjoyment of children's freedom of expression is noticeable not only through the various messages and statements of the Youth Parliament, which includes children, but also through the free access of children to information technologies and of communication. Children's drama in schools is also a way of expressing children through a variety of subjects.

271. It should be emphasized, however, that because of socio-cultural constraints, children, especially in rural areas, do not always have the opportunity to express their views in all areas.

Freedom of association (Article 8):

c. the State Party will provide information on the right, or not, for children under its jurisdiction to associate freely and to assemble peacefully.

272. Children have the right to associate freely and to assemble peacefully because of the legal guarantees of freedom of association and assembly in Niger. Article 9 of the Constitution provides that "*within the framework of the freedom of association recognised and guaranteed by this Constitution, political parties, political party groups, trade unions, non-governmental organisations and other associations or groups of associations are formed and operate freely, in accordance with the laws and regulations in force (...)*".

273. There is no restriction on freedom of association other than the prohibitions contained in Ordinance No. 84-06 of 1 March 1984 regulating associations in Niger and its subsequent amendments related to associations' ethnic and regionalist character. This is due to the authorities' concern to preserve national unity, peace and social cohesion. Associations are thus constituted freely, and any person is free to join any association of their choice. A provisional receipt valid for three (3) months allowing the association to start its activities is issued. The authorisation to operate is issued by order of the Minister of the Interior, Public Security, Decentralisation and Religious and Customary Affairs (MI / SP / D / AR / C) after a compliance check with the existing texts. It can be denied only for reasons prescribed by law.

274. However, there are associations by age group commonly known as FADA, club, pupils and student associations, Children and Young Workers' Association, Youth Council, Youth Parliament. All these associations are either recognised (legal) or accepted (informal) and are supported mainly by the technical and financial partners but also by the State within its means.

d. Freedom of thought, conscience and religion (article 9):

e. the State party should provide information on the right of children to enjoy, in practice, their freedom of thought, conscience and religion.

275. Freedom of thought, conscience and religion is enshrined in article 30 of the Constitution which states that "*Everyone has the right to freedom of thought, opinion, expression, conscience, religion and worship. The state guarantees the free exercise of worship and the expression of beliefs. These rights are exercised in the respect of public order, social peace and national unity.*" The exercise of these freedoms is subject to the respect of the public order which includes compliance with the existing laws, tolerance and respect for the values that underlie living together, by the communities that make up the nation.

276. With regard to children, parents and / or legal guardians have the responsibility and freedom to ensure their religious and moral education in accordance with their own convictions. Article 23 of the Constitution provides in essence: "*Parents have the right and the duty to raise, educate and protect their children. Descendants have the right and the duty to assist and help ascendants. Both are supported in this task by the State and other public authorities*".

f. Protection of privacy (Article 10):

g. the State will provide information on measures taken to ensure that there is no arbitrary or illegal interference with the privacy of children.

277. The protection of privacy is enshrined in Article 27 of the Constitution. It is a general provision that generally applies in the context of judicial proceedings (search, arrest and custody). These provisions are also provided for in the Criminal Code and the Code of Criminal Procedure. There are no child-specific provisions. Outside the judicial framework, the privacy of the child is respected according to his age and sex by the separation of bedrooms.

278. A child does not have, strictly speaking, any private life outside the family context where he is under the authority of his parents who exercise a right of control over him for his well-being.

f The right not to be subjected to torture (article 16): the State Party shall provide information on:

• Legislative, administrative, social and educational measures taken to protect the child from all forms of torture and inhuman or degrading treatment. In particular, on the prohibition or otherwise of corporal punishment in all settings; and

• If it has established special monitoring centres to provide the necessary support to the children and those to whom they are entrusted.

279. The right not to be subjected to torture is enshrined in article 14 of the Constitution, which provides: "*No one shall be subjected to torture, slavery or cruel, inhuman or degrading treatment or punishment. Any individual or agent of the State who is guilty of acts of torture, cruel, inhuman or degrading treatment or punishment in the performance of his duties or in the exercise of his functions, on his own initiative, either on instructions, will be punished according to law*".

280. The Penal Code provides for the punishment of perpetrators of acts of torture for war crimes and crimes against humanity; the penalties for these offenses is death penalty, even though in practice this sentence is not enforced because Niger recognizes the sanctity of human life in its Constitution in Article 11, which reads as follows: *human being is sacred. The state has an absolute obligation to respect and protect it.* "

281. Likewise, Article 2 (5) of Law No. 2014-72 determining the jurisdiction, powers and functioning of juvenile courts in Niger provides that "*children in conflict with the law must be treated with dignity. . They must not be subjected to any cruel, inhuman or degrading treatment. Any form of violence against them must be banned.* "

282. There are no special monitoring centres to provide the necessary support to children and those to whom they are entrusted. However, there are five centres for dealing with victims of violence.

283. In 2016, the Ministry for the Promotion of Women and Child Protection carried out a monitoring mission to these centres. 1229 cases of violence were recorded including 123 cases of child marriage.

23. The State Party will provide disaggregated data as described in paragraph 13 above on:
a) Number and percentage of children registered at birth and over the reporting period, while giving details of:

284. The table below provides information on births registered in the last five years, both within and beyond the deadline.

Table n° 15: Births registered in the last five years, within and beyond the deadline

	2011	2012	2013	2014	2015
Naissance dans les délais	275 596	380 582	488 257	553 974	597 045
Naissances hors délais	146 238	143 137	204 285	188 841	471 556

Source : Ministère de l'intérieur

- *The number and percentage of children with refugee and asylum-seeker status who are registered at birth;*

285. In total, 42,687 refugee children, 97,51 internally displaced children and 83 asylum seekers were registered in 2016.

Table 16: Birth registrations made within and after the deadline in refugee camps in Niger from 2011 to 2016

Table 16: Birth registrations carried out within and after the deadline in refugee camps in Niger from 2011 to 2016

Refugee camps, settlement or urban areas/document nature	REGISTRATIONS	Abala	Ayarou	Mangaizé	Intikane	Tazalite	Niamey	Total
2011	Within deadline	0	0	0	0	0	3	3
	After deadline	0	0	0	0	0	0	0
2012	Within deadline	0	0	0	0	0	2	2
	After deadline	0	0	0	0	0	6	6
2013	Within deadline	353	86	299	166	04	00	908
2014	Dans le délai	03	19	18	00	00	00	40
	After deadline	12	06	103	41	13	13	188
2015	After deadline	08	02	05	00	00	292	307
	Within deadline	511	249	120	62	38	00	980
2016	Within deadline	262	299	00	245	88	49	943
	After deadline	00	00	00	164	00	00	164
TOTAL		1149	661	545	678	143	365	3541

Source : Ministère de l'intérieur

- *The number of stateless children.*

286. In 2016, no stateless child was registered.

(a) The number of birth registration centers, especially in rural areas and inaccessible by region:

287. The number of birth registration centres, especially in rural and inaccessible areas, is distributed as follows:

- ✓ **Diffa Region:** 899 operational birth registration centres out of 1563 created.
- ✓ **Tahoua Region:** These are some departments in the North Tahoua region, and some of these birth registration centres are inaccessible:
 - Tillia : 31 registration centres
 - Tassara : 22 centres ;
 - Abalack : 144 centres ;
 - Tchintabaraden ; 172 centres.
- ✓ **Agadez Region:** 358 registration centres
- ✓ **Tillabéry Region:** 552 registration centres of some regional departments are located in inaccessible areas:
 - Ayorou : 57;
 - Ouallam : 290 ;
 - Abala : 124 ;
 - Bankilaré : 81.

c) the number and percentage of schools equipped with information technology (computer rooms).

288. Some schools are equipped with information technology. However, statistical data are not available in this area.

(d) The number of children reported as victims of torture and other cruel, inhuman, degrading or other forms of punishment;

289. The judicial statistics did not reveal any data on torture of children during the reporting period.

(e) The number of prosecutions of persons suspected of having used torture and corporal punishment of children and the results of such proceedings;

290. Data not available.

f) The number of organisations or groups of children will be provided by the State.

291. Please refer to the answer given in paragraph 21.

(d). VI. Economic, social and cultural rights (Articles 11-12 and 14)

24. Under this heading, the State shall provide relevant and up-to-date information on laws, policies, financial and human resources and other indicators relevant to the implementation of the following socio-economic rights:

(a) Education (article 11): the State Party will provide updated information on the measures taken to fully realise the child's right to education and in particular on:

• The aims and objectives of educational policy and school programmes designed and promoted by the State;

292. The right to education is enshrined in article 12 of the Constitution, which states: "*Everyone has the right to life, health, physical integrity, to a healthy and adequate diet, to drinking water, education and training under the conditions defined by the law*". In order to make the right to education effective, Niger has adopted Law No. 98-12 of 1 June 1998 on the Orientation of the Nigerien Educational System (LOSEN), amended and supplemented by Law No. 2007-24 of 30 July 2007. According to Article 2, "*Education is a right for every citizen of Niger. The State guarantees education to children from four (4) to eighteen (18) years of age. Article 8 states that "The right to education is recognized for all without distinction as to age, sex, social, racial, ethnic or religious origin.*".

293. The objective of educational policy is defined in article 12 of the LOSEN, which states: "*Niger's educational policy aims to build an education system capable of making better use of human resources in order to better value 'a harmonious economic, social and cultural development of the country'*". Article 13 of the same Law states that educational policy aimed at the "*development of intellectual, physical and moral capacities, the improvement of training for social and professional integration and the full exercise of citizenship*".

294. Article 14 sets out the objectives of the education system, which are structured around the following points:

- to train women and men able to live with dignity their civic and professional life;
- to train responsible men and women capable of initiative, adaptation, creativity and solidarity;
- to cultivate virtues proper to the development of the individual, to the promotion and defense of the community;
- guarantee all young people, without discrimination, equitable access to education;
- eradicate illiteracy;
- to develop technical education and vocational training qualitatively and quantitatively in relation to the socio-economic environment of the country;
- develop research in general and applied research in particular;
- identify and eradicate socio-economic and cultural barriers, educational handicaps and other obstacles to the full development of girls and women in the learning process.

295. The ultimate objective of the school curricula designed and promoted by the state has been clearly set out in Article 13 of the LOSEN. Indeed, these programmes aim at developing intellectual, physical and moral capacities, improving the training of men and women for social and professional integration and the full exercise of citizenship.

• ***Measures taken to provide early childhood and preschool education;*** 296. Early childhood and preschool education is guaranteed by article 2 of the LOSEN, cited above. In fact, to ensure pre schooling of young children, the government made the option of creating a kindergarten next to each elementary school, and nursery classes in large urban centres. Thus, over the period 2011-2015, 2,141 preschool institutions were created.

• ***Measures taken to provide free and compulsory basic education;***

297. It should be recalled that under Article 2 of the LOSEN "*The State guarantees education to children from four (4) to eighteen (18) years*". To this end, several measures have been taken, including:

- the improvement of school infrastructures through the construction of 7,884 classrooms in sustainable materials, from 2011 to 2015;

- the distribution over the last five years of 5,940,003 miscellaneous textbooks (reading, grammar, mathematics and study of environment) for all levels, 106,222 teachers' guides, 2,294,296 boxes of chalk and 7,150,429 slates. This made it possible to equip each student with a minimum acceptable kit;

- the acquisition by INDRAP of school supplies and textbooks for students worth 20,930,916,704 F CFA between 2011 and 2015.

• ***Measures taken to ensure that secondary education is free and accessible to all;***

298. Under the measures taken to ensure that secondary education is free and accessible to all, it should be noted:

- The establishment of the Sector Programme for Education and Training (PSEF) which is a strategy document adopted by the government for the period 2014-2024;

- orientation of pupils after secondary school or vocational training;

- the creation of 453 new general junior high schools (including 263 rural junior high schools and 53 French-Arab schools) and 15 public high schools (including 1 French -Arab);

- the creation of 93 canteens in rural junior high schools to improve the attendance and retention of secondary school students;

- the establishment of large quantities of supplies and textbooks. There are 14,859,225 notebooks and 5,146,429 units of school supplies for pupils, 630,403 units of institutional equipment, 43,800 textbooks for high school literary and scientific subjects, 72,000 Arabic textbooks and 2,640 textbooks for 6th grade and 5th for the bilingual college of Niamey. This made it possible to equip students with a kit of supplies. As an example, for the 2014/2015 school year, the kit included 10 notebooks for 6th and 5th grade pupils, 11 notebooks for 4th and 3rd grade pupils and 13 notebooks for high school students plus 4 pens, a geometric set , a pack of 50 sheets of duplicate copies and a school booklet for 6th and 2nd grade pupils. This

kit was renewed in September 2015/2016 with 11 notebooks for 6th and 5th grade students, 12 notebooks for 4th and 3rd year students and 13 notebooks for high school students.

Measures taken at the vocational education level

299. In order to make vocational education accessible to all and to provide a lasting solution to the problem of youth unemployment, the Government has developed training and vocational integration programmes for the youth. Thus, the capacities were expanded and strengthened through the creation of facilities, the construction, rehabilitation and equipment of training infrastructures.

300. The number of institutions created and opened increased from 32 in 2010 to 347 in 2015. Thus, 2 vocational / technical schools, 11 vocational and technical training centres, 19 vocational training centres (formerly CFDC) in 2010, their number has respectively increased to 8 technical / vocational high schools, 15 CFPT and 227 CFM in 2015.

301. In addition to these institutions, the creation and opening in 2014 of 78 Technical Education Colleges (CET) in 63 departmental capitals and 15 municipal districts. This made it possible to absorb 9,223 learners from primary education following the abolition of the CFEPD. In the same year, 15 Integrated Agricultural Training Sites (SIFA) initiated by SWISSCONTACT, which are training and agricultural production centres, are located in the Dosso and Maradi regions.

302. In the private vocational training sector, institutions increased from 72 in 2010 to 82 in 2015.

303. The following measures are also noteworthy:

- Improving the provision of formal CAP-level training for young people in grades 5 and 4 who have left basic cycle 2;
- the strengthening of staff through the recruitment of teachers and trainers; additional resources for technical education and vocational training;
- the implementation of a policy to promote girls in the agricultural and industrial sectors;
- the development and implementation of a more autonomous management system for TVET centres and institutions with a view to a better public / private partnership.

Measures taken at the higher education level:

304. In order to enable every Baccalaureat holder to access higher education, the Government has strengthened the system of higher education by creating, between 2011 and 2016, four (4) new public universities in the regions of Agadez, Dosso, Diffa and Tillabery. This made it possible to equip each region of the country with a public university.

305. In addition to public education, the Government has promoted the development of private higher education. Thus, over the same period, 9 higher education institutions were

granted opening authorisation and 18 authorisations were granted for the opening of new branches in private education.

306. At the level of the old universities (Niamey, Maradi, Zinder and Tahoua), a programme of construction and rehabilitation of infrastructures was carried out in order to increase their service capacities and to improve living conditions, studies and research of students and teachers.

307. In 2014-2015, the number of Nigerien students is estimated at 50,356, including 3,538 in foreign universities, 715 at the University of Say, 390 at the School of Mines and Geology and 14,221 students in private institutions of higher education.

308. The number of scholarship students has increased from 8,177 in 2010-2011 to 21,109 in October 2015. The number of social assistance recipients has increased from 5,833 in 2010-2011 to 13,355 in October 2015.

Table N°17: Evolution of the number of scholarship students and social assistance recipients

School year	Number of scholars students	Number of social assistance recipients
2010-2011	8 177	5 833
2011-2012	12 422	8 404
2012-2013	13 153	10 322
2013-2014	16 439	11 179
2014-2015	21 109	13 355

Source : ANAB le 28/10/2015

309. The amount of scholarships and equipments paid to students has increased from 9,400,000,000 CFA francs for 16,439 students in 2014 to 15,255,713,148 CFA francs for 21,109 students in 2015. 310. The amount of social assistance granted by the State to 18,726 students is estimated at 2,556,780,000 FCFA. This amount was 1,500,000 FCFA in 2013.

311. Lastly, we can note the partial payment of training costs for scholarship students to the tune of 200,000 FCFA in national private institutions and 400,000 FCFA in regional private institutions.

• Measures taken to encourage regular attendance and retention in the school system and reduce the drop-out rate (e.g. school feeding programmes and the provision of sanitary towels to girls);

312. As part of the measures taken to encourage regular attendance and retention in the school system and the reduction of the drop-out rate, it should be noted the awareness-raising days organised by the Decentralized Management Committees of School Establishments (CGDES) for the reinforcement of regular access to school, over the period 2011-2015 the

multiplication of school canteens at primary and secondary level (1117) and the increase in the daily ration of schoolchildren.

313. A tutoring system for the weakest pupils has also been introduced.

314. In addition, a policy for the construction of separate latrines (3668) has been developed in primary and secondary schools with the support of partners.

315. A joint regional programme "Gender, Hygiene and Sanitation" which aims to make women's voices heard and contribute to the realisation of their rights, in particular the human right to water and sanitation, launched in March 2014 in Senegal, is implemented in three pilot countries, Cameroon, Niger and Senegal. The programme was launched in January 2015 in Niger, followed by a regional training for the trainer workshop in July 2015. In the context, a study was conducted on behaviors and practices in menstrual hygiene management among women in Niger. The choice was made in four regions of the country in rural areas.

316. Also, sensitisations on the menstrual hygiene management laboratory are carried out based on the 3-pillars approach: breaking the silence, the safe and hygienic management of menstruation and the elimination of waste.

• *Special measures to ensure equal access to education for all categories of society, especially girls and children with disabilities and those belonging to minority and indigenous groups;*

317. Special measures for girls include:

- the development of a national policy of education and the training of the girl child to ensure the schooling of girls and their retention in high school;
- drafting a bill to protect the girl child during schooling;
- the revision of the system of awarding scholarships with discriminatory criteria in their favour, allocation of kits and scholarships to girls;
- initiation of bonuses for girls' guardians;
- the implementation of incentives to encourage access and retention of girls in junior high school through communal projects.
- the payment of allowances to girls and vulnerable children in junior and upper high schools through the UNICEF-funded Girls' Scholarship Pilot Project implemented by two NGOs (Aide et Action, HED TELMET);
- distribution of dry ration to girls attending school at their mothers in canteen schools;
- the financial support provided to the mothers of school-aged girls to offset the opportunity costs in rural areas.

318. To promote the education of children with disabilities, the State has taken a number of measures, including:

- the creation of special needs schools that take into account each type of disability;
- the creation of inclusive schools in mainstream schools;
- the piloting of inclusive schools in partnership with Handicap International;
- provision of specific teaching materials for 50 integrative classes for the blind, 33 classes for the deaf and 10 classes for the mentally handicapped; to special needs schools
- The revision of the age of recruitment of children with disabilities (up to 12 years) and the acquisition of specific materials valued at 400 million in 2014;
- the training of special needs teachers at ENI levels;
- the ongoing development of a national strategy for the education of children with disabilities;
- the ongoing development of a national strategy for the education of children with disabilities;

319. With regard to special measures for children belonging to minority and indigenous groups, it should be noted that Niger does not recognise the existence of indigenous peoples in its territory.

• Measures taken to ensure that the child subject to school and parental discipline is treated humanely and with respect; and

320. In addition to the already existing legal framework (Penal Code, Juvenile Justice Act, 2014), which represses all forms of violence against children, the Ministry in charge of primary education with the Support from the United Nations Development Program (UNDP) is implementing a programme of mainstreaming human rights into the curriculum. As such, the Civic Education and Citizenship Training Department has developed teachers' training modules focusing on the rights of the child.

• Measures taken to ensure that girls who become pregnant before completing school have a chance to continue their education.

321. Niger makes access to girls' education and especially to retention a key issue in the school system. Decisions and circulars have been made to allow the girl not only to go to school but also to remain there until the end of her studies. It should be recalled:

- Decision No. 015 / MEN / DEST of 3 February 1975, authorising girl mothers to resume their studies after giving birth (girls enrolled in third or second level may in case of pregnancy resume their studies after the delivery);

-Decision No. 065 / MEN / DEST / EX of 10 July 1978 amending Decision No. 015 / MEN / DEST of 3 February 1975 authorising girl mothers to resume their studies after delivery;

- Circular No. 219 / PCMS / DEST / DIRCAB of 20/09/84, imposing sanctions on officials who have an intimate relationship with schoolgirls;

- Circular No. 230 / PCMS / DIRCAB of 19 November 1984 on the protection of minors;

322. In addition to these texts, the Government has adopted a bill on marriage and the pregnancies of girls in school and the penalties applicable to the perpetrators of cases of violence against girls. This has been forwarded to the National Assembly for adoption.

(b) Leisure, recreation and cultural activities (article 12): the State party should provide relevant and up-to-date information on the measures taken to ensure the full participation of children in leisures and recreational and cultural activities. It should, in particular, provide information on the equal and full enjoyment of these rights by children from minority and indigenous groups:

323. In Niger, the right to participate in cultural life is recognised for all children without distinction. In fact, cultural activities are initiated with a view to achieve the development and promotion of culture and social peace in general. With regard to children in particular, this participation is done through:

- the "SUKABE" festival of artistic and cultural integration bringing together the children of the sub-region;

- summer camps, organised every year by the National Social Security Fund (CNSS), the Nigerien Company of Petroleum Products (SONIDEP), the Nigerien Electricity Company (NIGELEC) and some private schools;

- the Niger Scout Movement;

- the small school, a national television programme, where elementary school children recite, sing and dance with a facilitator;

- the annual children's parties organised at the National Museum of Niamey by private television Dunia (Baby Fiesta);

- end-of-year celebrations and fairs organised by all schools;

- the space of young people (3 to 5 years old) organised by the MPF / PE;

- children's drama organised by the Franco-Nigerien cultural centre Jean Rouch of Niamey.

(c) health and well-being (article 14): the State shall provide information on the appropriate measures taken to ensure that every child enjoys the highest attainable standard of physical, mental and spiritual health. In particular, it shall provide information on the following:

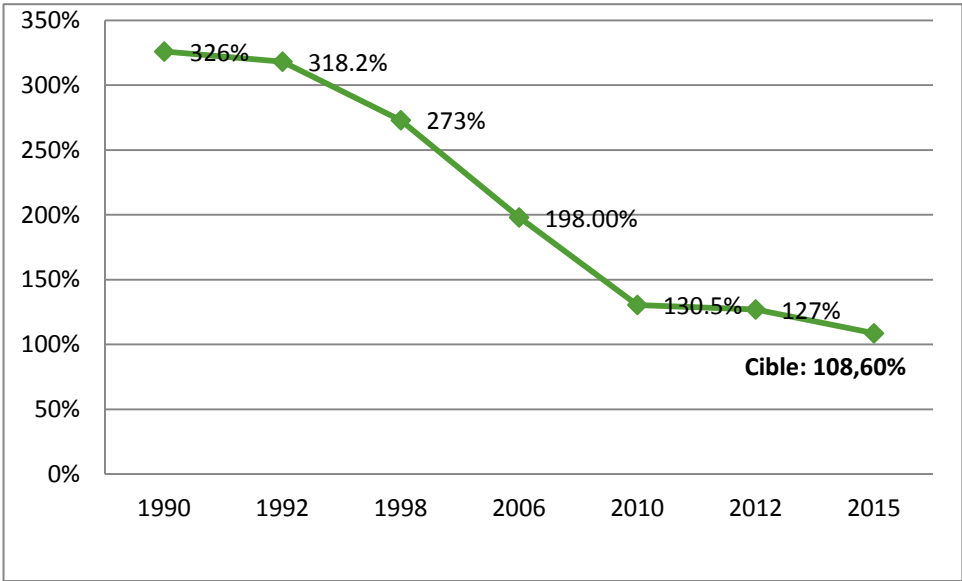
• Measures taken to reduce neonatal and infant mortality;

324. Infant and child mortality has declined significantly in Niger for several decades. It decreased from 318 ‰ in 1992 to 198 ‰ in 2006 (EDSN) and 126 ‰ in 2015. The expected level of this MDG in the 2011-2015 SDP was 114 ‰, while the target for achieving MDG4 was 106 ‰. 325. Neonatal mortality is also decreasing according to the same 2012 NBSA survey, but slower than the infant-juvenile mortality rate, and thus remains the limiting factor

for a substantial change in the infant mortality rate. It went from 38 ‰ to 24 ‰ between 2006 and 2012.

326. The implementation of innovative and promising strategies led to a significant reduction from 198 ‰ in 2006 (EDSN MICS III 2006) to 127 ‰ in 2012 (EDSN MICS IV 2012), together with that of the infant mortality rate which was reduced from 81 ‰ in 2006 (EDSN MICS III 2006) to 51 ‰ in 2012 (EDSN MICS IV 2012).

Graph N° 2 : Evolution of the infant-juvenile mortality rate from 1990 to 2012



327. The reduction of neonatal mortality is the result of the joint efforts of the Nigerien State and its Technical and Financial Partners, who have jointly implemented high-impact and multi-sectoral strategies. These strategies are mainly:

- the effective implementation of free health care for children aged 0 to 5 at the national level since 2006;
- the definition of maternal and child health as a priority of the 2011-2015 Health Development Plan;
- Strengthening prenatal care and emergency obstetric and neonatal care to reduce the risk of neonatal morbidity and mortality (through the training of providers in SONU, SONNE, SEN, district surgery, and the equipment endowment of children. health facilities);
- strengthening the prevention of mother-to-child transmission of HIV (PMTCT);
- strengthening the implementation of the child survival strategy at all levels;
- the generalisation of IMCI at the clinical and community level through the reinforcement of providers' skills, and the provision of health facilities in therapeutic inputs and medical equipment and materials;
- the promotion of essential family practices;

- the promotion of family and environmental hygiene which has reduced morbidity and mortality from diarrheal diseases, pneumonia and malaria;
- reducing the incidence of malaria among children through prevention in children and pregnant women through the use of LLINs; the establishment of Palu TDRs and ACTs at all levels of care;
- Strengthening IEC / BCC for mothers and caregivers;
- strengthening the fight against food and nutritional deficiencies among pregnant women and children at all levels with the support of NGOs;
- Improving the immunization status of children from 0 to 24 months: introduction of pentavalent vaccine at national level, reinforcement of routine EPI multiplication of supplementary immunization activities (NIDs / JLV Polio coupled with micronutrient supplementation);
- strengthening and integrating family planning provision into the care package for mothers at all levels. ;

• ***Measures to ensure the right to health and access to health services, especially primary health care;***

328. The right to health is enshrined in article 12 of the Constitution: "*Everyone has the right to life, health, physical and moral integrity, to a healthy and adequate diet, to water drinking, education and training under the conditions defined by law. The State ensures for everyone the fulfilment of the essential needs and services as well as a full development. Everyone has the right to liberty and security in the conditions defined by law.*" Article 13 of the Basic Law provides: "*Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health. The State warrants the establishment of appropriate conditions to ensure all medical services and medical assistance in the event of illness. The law determines the modalities of implementation of this provision*".

329. There are other texts that guarantee the enjoyment of this right for the people. These are the Ordinance n ° 93-13 of March 02, 1993 instituting a Code of Public Hygiene, the Law anti tobacco n ° 2006-12 of 15 May 2006, Law n ° 2007-08 of 30 April 2007, on the prevention, care and Control of the Human Immunodeficiency Virus (HIV), Ordinance No. 97-002 on pharmaceutical legislation, Decree No. 2005-316 / PRN / MSP / LCE, granting women free services related to caesareans provided by Public Health Institutions, Order No. 79 / MSP / LCE / ME / F providing free prenatal consultation and care for children from Zero to five years and Law No. 2006-16 of 21 June 2006 on the Reproductive Health in Niger.

330. In terms of Primary Health Care, Niger adhered to the Alma Ata Declaration on Primary Health Care (1978) at the Lusaka Conference on the Three-Phase Health Development Scenario (1985) and to the Bamako Cost Recovery Initiative (1987).

331. The declaration of the first health policy of 1995 launched the implementation of the strategy of primary health care, with the health district operational implementation unit (DS) composed of a set of health huts (CS), Integrated Health Centres (ITCs) and District Hospital (HD). In 2008, the country reaffirmed its commitment to the renewal of PHC as an option for

the development of health services at the peripheral level, through its adherence to the Ouagadougou Declaration on PHC and health systems.

332. To enable harmonious development of PHC, the current Health Policy plans to develop new guidelines taking into account their multi-sectoral nature and the reforms that accompany them. These are:

- the reform of benefits which put individuals at the centre of the concerns and care arrangements (Person-Centered Health Care),
- the reform of universal coverage that improves financial access to health services while reducing the risk of colossal spending,
- the reform of public policies to act on the determinants of health and
- Leadership reform to ensure that all actors inside and outside the health sector are aligned with the government's vision and priorities.

333. Other reforms such as the reorganisation of large health districts will be put in place and guidelines will be developed to ensure that the health district, the operational unit for PHC revitalisation, receives the support necessary for its integrated development from other levels of the system.

• ***Measures taken to provide adequate food and drinking water:***

334. Niger has taken several measures to ensure adequate food for the population: Legislative

335. Niger is party to almost all the international human rights legal instruments entrenching the right to food, including the Universal Declaration of Human Rights in its Article 25 and the International Covenant on Human Rights on its Article 11. This right is also explicitly recognised and enshrined in the Constitution, which provides in its article¹² that "*Everyone has the right to life, health, physical and moral integrity, to food health and drinking water, education and training under the conditions defined by law. The State ensures to everyone the satisfaction of the essential needs and services as well as a full development*".

336. Article 146 paragraph 3 of the Basic Law provides: "public policies shall promote food sovereignty, sustainable development, access to social services for all and the improvement of the quality of life". Article 153 states that "*the State shall ensure the investment in priority areas, including agriculture, livestock, health and education and the creation of a fund for future generations*".

337. Strategically and operationally:

In April 2012, Niger adopted a new strategy called Initiative 3N "Nigériens Nourish Nigériens" whose overall objective is "to help protect Niger's people from hunger and guarantee them the conditions for a full participation in national production and the improvement of their incomes".

338. In operational implementation, an investment plan for the 3N initiative for the period 2012-2015 has been developed. But to achieve the results set for 2015, an additional boost has been given in the implementation of 3N's priority investment programs. It is in this sense that the 2014-2015 acceleration plan of the 3 N Initiative was developed. Strategic thrusts 3 and 4 of this plan reflect the measures taken by Niger to ensure accessibility to all without discrimination to food and protection against hunger.

339. In fact, the implementation of strategic axis 3 on "improving the resilience of vulnerable groups to climate change, crises and disasters" was made through the priority investment programme entitled "Prevention and management of food crises" which aims to implement preventive measures and a coordinated system of anticipation and management of natural disasters and disaster victims. This programme is mainly implemented by the National Disaster Prevention and Management and Food Crisis Mechanism (DNPGCCA).

341. In the context of food crisis management, emergency responses have been provided through the various annual support plans implemented by the DNPGCCA, in particular the Food Crisis Cell (CCA).

342. The following table summarizes the achievements related to the management of food crises in 2014-2015.

Table n°18: Assessment of achievements related to the management of food crises

Indication	2014	2015
Nombre total de ménages vulnérables en situation de crise alimentaire en période de soudure (mai à août)	1.072.398	682.477
Nombre total de ménages vulnérables en situation de crise alimentaire après la campagne agricole	369 .372	479. 812
Nombre total de ménages vulnérables en situation d'insécurité alimentaire prise en charge	883. 072	945. 863
Nombre total de ménages victimes d'inondation	300 .000	13 .761
Nombre total de ménages victimes d'inondation pris en charge	300 .000	13 .761
Nombre de ménages vulnérables soutenus par le cash transfert	42 .370	55 .585
Montant total de cash transfert distribué (x1000fca)	4.260.110	4.553.500

Nombre de ménages vulnérables soutenus par le cash for work	36.770	67.674
Montant total investi pour le cash for work (x1000 fcfa)	14.292.529	4.447.621
Montant total investi pour le food for work (x1000 fcfa)	7.218.285	2.542.176
Quantité d'aliment bétail vendu à prix modéré (tonnes)	21.305	2.122
Nombre de ménages bénéficiaires de distributions gratuites de céréales	214.413	196.750
Quantité de céréales distribuées gratuitement (tonnes)	72.294	18.675
Nombre de ménages bénéficiaires de vente de céréales à prix modéré	115.833	635.854
Quantité de céréales vendues à prix modéré (tonnes)	82.320	63 585,35

Source : DNPGCCA

343. In addition, sales of cereals at moderate prices amounted to 388,291 tons at a cost of 116,487,300,000 CFA francs for the period 2011-2015. Targeted free distributions amounted to 283,403 tons of cereals at a total cost of CFAF 90,764,623,836 and affected the severely food-insecure population, flood victims, refugees and internally displaced persons due to crises and armed conflicts in the sub-region (Mali, Nigeria, Central African Republic). In addition, 88,272 tons of food were distributed as Food For Work at a cost of 59,933,130,000 CFA francs. These activities have enabled each year to support between 350,000 and 850,000 households.

344. The implementation of strategic axis 4 relating to the "improvement of the nutritional status of Nigerien and Nigeriens" was made through the priority investment program entitled "Prevention and management of malnutrition". This programme aims not only to reduce the incidence of various forms of malnutrition, but also to increase the rate of active screening and appropriate care of children suffering from malnutrition.

345. The table below summarizes the achievements related to the prevention and management of malnutrition from 2014 to 2015.

Table n°19 : Assessment of achievements related to the prevention and management of malnutrition

Indication	2014	2015
Number of pregnant or lactating women receiving fortified meal distributions	29 949	29 754
Number of children aged 6 to 59 months who received routine vitamin A supplementation	831 237	511 368
Number of supported cases of global acute malnutrition	796 927	775 040
Number of cases of severe acute malnutrition supported	364 837	354 187
Number of supported cases of moderate acute malnutrition	432 090	420 853
Number of persons admitted in CRENAM and recovered	431 659	449 079
Number of cases supported in CRENI	58 740	60 629
Number of admitted in CRENI treated successfully	54 212	54 732
Number of cases supported in CRENAS	317 612	306 094
Number of admitted in CRENAS and recovered	272 502	252 138
Number of supported pregnant or lactating women	342 663	542 884

Source : SNIS/MSP

346. It should also be noted that all hospitals, integrated health centres and some health huts have units for screening and managing malnutrition. From 2012 to 2015, 196 Centres of Nutritional Recovery (CREN) were created; which brings to 2091 the number of CRENs. This has helped to increase coverage and probably the quality of the management of malnutrition cases.

347. It should be noted that, despite all these achievements, efforts are still to

be made as the causes of under-nutrition are multi factorial and multi sectoral, thus requiring a synergy of interventions to improve the management of malnutrition cases.

348. To ensure access to drinking water for all, since 2011 the Government has committed to creating new Modern Water Points (EMPs) and rehabilitating existing ones. To achieve these objectives, several achievements have been made in the context of rural and urban hydraulics.

- Achievements in rural hydraulics

349. The actions concerned the realisation of new Modern Equivalent Water Points (EPEM) and the rehabilitation of old EPEMs. Thus, 9,613 EPEMs were completed and 2,939 rehabilitated, during the period 2011 to 2015.

Items	AGADEZ	DIFFA	DOSSO	MARI	NIAME	TAHOA	TILLABERY	ZINDER	TOTAL
Connections Social	6609	4345	6642	8894	42570	10248	2636	10685	92629
Fountains	46	72	62	104	342	196	159	237	1218
Network extension AEP (ml)	15619	1982	19391	22989	423244	51762	195646	25402	756035
Number drilling	0	8	8	3	0	2	4	6	31
Nombre Châteaux d'eau neufs	0	0	2	0	2	1	1	0	6

Table n° 20: Achievements of new and / or rehabilitation of the EPEM by region from April 2011 to October 31, 2015

351. In terms of urban hydraulics, 92,629 social connections, 1,218 standpipes and 756,035 ml extension of the AEP network have been realised, thus enabling access to drinking water for more than one million people. It should also be noted, the realisation of 31 boreholes and 6 water towers.

- Rehabilitations in urban hydraulics

Table n° 21: The table below gives the situation of achievements by region in 54 centres.

Libellés	Prév	A	D	DC	MI	NY	TA	TY	ZR	Réal	Taux
Nouveaux EPEM construits	14.000	475	387	1753	2024	68	133	2204	1365	9.613	80,11%
Nouveaux EPEM en cours de réalisation		65	0	348	0	0	278	544	368	1603	
Anciens EPEM réhabilités	8.500	234	238	450	365	72	401	765	414	2939	36,71%
Anciens EPEM en cours de réhabilitation		10	0	75	0	0	37	51	9	182	

Source :MH/A

Source: SPEN Statistical Yearbook

352. Several other achievements are also underway. It involves 3,000 social connections, 50 fountains and 24,320 ml.

• *Measures taken to ensure appropriate care for mothers and mothers who are breastfeeding, including*

• *measures taken to prevent HIV transmission from mother to child;*

353. In the fight against STI / HIV AIDS, the number of prescribing sites for the care of people living with HIV has increased from 13 in 2011 to 68 in 2015 distributed in the 8 regions of the country. This allowed the ARV treatment of 13,425 patients in 2015 against 9,420 patients in 2011.

354. With regard specifically to the prevention of mother-to-child transmission of HIV, the number of PMTCT sites increased from 621 in 2011 to 819 in 2015. Thus, 4,022 HIV-infected women benefited from prevention of mother-to-child transmission of HIV through ARVs. Added to this are the training of peer educators and other agents in the syndromic approach to STIs and PMTCT, the provision of 100 thermometers and hygrometers storage facilities and the supply of contraceptives and ARVs to all regions. Also noteworthy is the acquisition of materials for the early detection of HIV in children.

• *The arrangements made to ensure the meaningful participation of non-governmental organisations, local communities and beneficiary populations in the planning and management of basic services programs for children;*

355. Niger has made people's participation a cornerstone of its health policy, in line with the ALMA ATA Declaration on Primary Health Care (PHC) of 1978. Thus, in its sectoral policy statement, Niger Government reaffirmed its commitment to developing community participation that aims at empowering the population.

356. The participatory approach has been applied in the health system since 1994, through the establishment of community participation bodies which focus on people's involvement in the management of health services at the grassroots level.

357. This involvement is done through Management Committees (COGES). However, the level of community participation in the management of health services through COGES remains low at around 15.2%.

358. In addition, non-governmental organizations, as well as technical and financial partners in the health sector, provide support for the implementation of health policy. They are brought together in consultation frameworks, thus strengthening the coordination and harmonization of their interventions; they actively participate in the implementation of health actions at all levels of the health pyramid.

25. Within the framework of the right to education (article 11): the State Party shall provide disaggregated data as described in paragraph 13 above,

on: (a) The literacy rate of children and adults;

359. In Niger, emphasis is placed on adult literacy rather than child literacy. Thus, for the year 2014-2015, 7459 literacy and adult training centers were created, which enabled 198,484 adults to be literate. The literacy rate is 29.1%.

360. The distribution of the number of literacy centres and the number of registered learners by region is given in the table below.

Table n ° 22: Distribution of Literacy Centres and Registered Learners by Region

Regions	Number of Centres	Number of learners
Agadez	449	11 216
Diffa	230	5 779
Dosso	1147	27 057
Maradi	2006	54 387
Niamey	198	5 669
Tahoua	915	22 406
Tillabéry	1085	26 499
Zinder	1429	45 471
Total	7459	198 484

Source : MEP/A/PLN/EC

361. In addition, the Government adopted the draft decree adopting the National Literacy and Non-Formal Education Policy and the 2015-2017 Triennial Action Plan for its Ministerial Council of 13 March 2015. And the adoption of Decree No. 2010-724 / PCSRD / MFP / A of 21 October 2010 approving the statutes of the Institute of Training in Literacy and Non Formal Education (IFAENF). Technical sheets have been developed for the revision of the training materials of the functional literacy programme.

362. Similarly, 270 literacy instructors were trained at the Literacy Training Institute and Non Formal Education (IFAENF).

(b) Gross rates and net rates of enrollment and attendance at primary and secondary schools and vocational training centres;

363. At the primary level, according to the 2014-2015 statistical yearbook, the Gross Admission Rate (GAR) is 84.6%, while the Gross Enrollment Rate (GER) is 74.2% as against 63.3% for the Net Admission Rate (TNA).

364. In secondary education, according to the 2014-2015 data, the Gross Admission Rate (GAR) is 37.2%, the Gross Enrollment Rate is 29.5%.

365. In vocational training centres, given their specificity, the rates are calculated by sector. Thus, it is noted that 74% of the number of formal TVET learners are in the tertiary sector compared with 17% for the industrial sector and only 3% for the agricultural sector. Learners in these last two sectors are essentially under public supervision. 62% of the tertiary sector workforce is composed of girls, compared to 24% of the agricultural workforce and 17% of

the industrial sector according to the five-year record of implementation of the renaissance program.

(c) Retention, completion and transition rates and drop-out rates for primary and secondary schools and vocational training centres; and

366. According to the 2014-2015 statistical yearbooks of the Ministries in charge of education, the primary completion rate is 73.8% compared to 77.1% for the retention rate.

367. In secondary school, the completion rate is 17.2 per cent, the retention rate is 46.3 per cent and the transition rate is 41.4 per cent.

368. It should be noted that these different rates are not calculated for vocational education.

369. The dropout rate from primary and secondary schools and vocational training centres: data not available.

d) The average teacher-student ratio with a mention of regional, urban or rural disparities.

370. The average teacher-to-student ratio is 50 in primary and 43 in high school in all grades. However, there is a certain increase in these ratios in urban centres where it can go up to 80 students per teacher, especially in private institutions.

26. As part of the right to health and well-being (article 14): the State Party shall provide disaggregated data as described in paragraph 13 above on:

(a) The infant and child mortality rate;

371. Niger adopted and implemented, between 1990 and 2015, several policies and programs aimed at achieving the goal of reducing the under-five mortality rate by two-thirds. These have had significant positive effects on some indicators.

372. Thus, the infant-juvenile mortality, which was 318 per thousand in 1992, is only 126 per thousand in 2015, a significant annual average decline of 8.3 points. Infant mortality went from 123 per thousand in 1992 to 51 per thousand in 2015, an average annual decrease of 3.1 points.

373. Moreover, it should be noted that these performances hide disparities on several levels. In fact, the infant and child mortality rates have changed disproportionately in the regions, the areas of residence, as well as the sex and the level of education of the mother.

374. Indeed, between 2006 and 2012, infant mortality is higher in rural areas than in urban areas and regions, and is higher in Tillabéry, Dosso, Tahoua, Maradi and Zinder than in Diffa, Agadez and Niamey.

375. It is also noted that the infant mortality rate has recorded stronger declines in certain regions, particularly Diffa (-71%), Zinder (-47%), Agadez (-45%) and Tahoua (-29%) the other regions, namely Tillabéry (-5%), Dosso (-23%), Niamey (-26%) and Maradi (-31%). Depending on the place of residence, the infant mortality rate evolved similarly in rural and urban areas between 2006 and 2012 (-31% in rural areas and -31% in urban areas).

376. On the other hand, according to the place of residence, infant-juvenile mortality is lower in urban areas and has also improved in this environment (-40%) compared to rural areas (-29%).

377. With regard to the level of education of the mother, it can be seen that even though between 2006 and 2012 infant and child-to-child mortality remained lower for mothers with at least a secondary school level, there has been no real improvement in these indicators during this period (+ 2% for infant mortality and -1% for infant-juvenile mortality).

378. Indeed, we note that during this period, the decline in these indicators was greater for mothers with a primary level of education (-34% for infant mortality and -42% for infant-juvenile mortality) and for those with no level of education (-31% for infant mortality and -29% for infant-juvenile mortality).

(b) The percentage of households without access to sanitation and drinking water;

379. In 1992, the urban area recorded a rate of 61.6 per cent, while in rural areas, 2.6 per cent of the population had access to an improved sanitation system. Similarly, in 2012, 77.6% of the urban population has access to improved sanitation compared to 8.5% in rural areas.

380. Nevertheless, an evolution of achievements was noted between 2012 and 2014 with 8,253 household latrines and 217 public toilets in 2012 built against 19,255 household latrines and 790 public washrooms in 2014 (MHA / DS, 2014). This could significantly improve the proportion of Nigeriens with access to sanitation in 2014 and 2015.

381. With regard to access to an improved water source, the proportion of Nigeriens with sustainable access to an improved water source over the period 1992-2015 has increased exceptionally from 15, 2% in 1992 to 67.7% in 2014, much better than what was expected in this area that is to reduce by half (about 43%) the proportion of households without access to drinking water.

382. However, in rural areas (where more than 83% of the national population lives), the theoretical access rate (TAT) to drinking water is 43.8% based on the last census of 2012.

383. At the regional level, the Zinder region rural area has the lowest theoretical access rate (TAT) to drinking water (34.9%), compared with a service rate of 96.7% in urban areas. The Dosso region has the highest TAT (61.1%). Overall, two out of eight regions (8) have a theoretical drinking water access rate above 50%: Dosso (61.1%) and Maradi (50.5). While four regions (Agadez, Tahoua, Niamey and Zinder) have a TAT below the national average of 43.8% (MHA / DS, 2014).

384. With regard to service in urban areas, 88.9% (compared to 86.8% in 2013) of inhabitants are served by the SEEN network in 2014. An increase in the service rate by 2.2 points. This rate hides the existence of a disparity between the concerned centres, and does not indicate whether the inhabitants served by the network actually receive a sufficient quantity of water.

385. Niger is also in the process of halving the proportion of its population that does not have access to improved sanitation. This rose from 11.9% in 1992 to 19.7% in 2012.

386. Remarkable progress has been made towards greater access for Nigeriens to an improved water source even if the needs are still immense and the results more nuanced in the field of sanitation. This is the result of a number of actions, among which we can mention:

- the extension and modernisation of the water supply and sanitation networks of rural and urban concert centers with the TFPs of Niger (following the example of the UNICEF WASH initiative), which led to an increase in number of modern water points of 26% in rural areas in the period 2006-2010;
- sensitisation and organization (through the establishment of water point management committees) of Nigeriens for the local management of water resources;
- the creation of treatment plants, especially in national hospitals, hotels, industries, for both wastewater and drinking water;
- the existence of the National Drinking Water Supply and Sanitation Programme (PNAEPA).

(c) The percentage of one-year-olds fully immunized against tuberculosis, diphtheria, pertussis, poliomyelitis and measles;

387. With regard to vaccination, the 'Post- campaign measles evaluation and routine- survey in Niger carried out in January 2013 shows that almost half of the children (46.1%) received all the required doses before the age of 1 year according to the gross card blankets and history. The immunization document possession rate is 69.8%. The discontinuation rate between the first and third doses of the pentavalent vaccine is 10.9%. The proportion of invalidated doses is high for all antigens and is above 37%.

388. The occupation of parents is the main cause of non-vaccination of children (60%). The comparison of the results of the 2006 and 2012 NDEs shows that vaccination coverage has improved considerably, the proportion of fully vaccinated children having risen from 29% to 52%. However, routine data from 2010-2014 show a regression of the administrative vaccination coverage of the different antigens thus failing to achieve the 95% national targets, for a significant reduction of diseases targeted by the EPI in Niger.

389. Compared to the Immunity Equity, according to the 2012 DHSN MICS IV, there is no difference by sex of the child. But the proportion of vaccinated children decreases with increasing birth order. This proportion is 60% for rank 1 against 48% for rank 6 and above. The analysis by environment and region of residence shows significant disparities. In fact, 69% of children in urban areas are completely protected against EPI target diseases, and only 49% in rural areas.

390. In the regions, it is noted that it is in the regions of Diffa and Zinder where the proportion of fully vaccinated children is the lowest (respectively 42% and 41%) and in those of Niamey and Agadez where on the other hand, it is the highest (73% and 66% respectively).

391. Regarding the availability of antigens (Breakdown Rate 0), the country experienced in 2012, 2013 and 2014 some out of stock periods for some traditional antigens such as the vaccine against tuberculosis (BCG).

392. To enable the accessibility and use of quality services, a large batch of cold chain equipment was acquired in 2015. Despite all these efforts, cold chain equipment needs remain.

393. In addition, the transport of vaccines under good conditions from the central level to the regions is difficult because of the frequent breakdowns of the refrigerated vehicles.

394. The proportion of fully vaccinated children is 51% (ESM 2010) and 52% in 2012 (EDSN-MICS-IV 2012) with variations from 73% in Niamey to 42% in Diffa; 4% received no vaccination and the rest partially vaccinated 44%.

(d) The proportion of pregnant women accessing and receiving antenatal and postnatal care;

395. Antenatal care coverage (ANC1), according to the NSSD, has increased from 39% in 1998 to 46% in 2006 and 83% in 2012. There are disparities between urban (96.9%) and urban areas. rural area (80.4%). It is also noted that the proportion of women receiving antenatal care tends to increase with the level of education and socio-economic status of the household. About one third of women (33%) had at least four antenatal visits, in line with WHO recommendations. This rate was 15% in 2006. 71.4% of women have their last births protected against neonatal tetanus. (EDSN MICS IV 2012).

396. Postnatal counseling: Most maternal and neonatal deaths occur within 48 hours of delivery. Only 33% of women received postnatal care less than 24 hours after giving birth and 4% between one and two days later. Note the difference between the proportion of prenatal consultations (83%), the assisted delivery rate (39.7%) and the post natal consultation rate (33%).

(e) The proportion of pregnant women receiving care to prevent mother-to-child transmission of HIV (PMTCT) and children born with HIV;

397. Free access to ARVs has been one of the State's flagship measures in the care of people living with HIV. This support has substantially improved with the strengthening of interventions to fight the pandemic. Sentinel surveillance among pregnant women shows the following evolution: 1.7% in 2009, 0.91% in 2012 and 0.61% in 2014.

398. According to estimates, the rate of mother-to-child transmission (MTCT) of HIV increased from 23.6 per cent in 2013 to 29 per cent in 2014 (source ULSS, by Spectrum, GARP 2014 report).

399. The national coverage of PMTCT sites increased from 7 sites in 2004 to 749 in 2013, 932 in 2014 and 941 in 2015. These sites concern both public and private health facilities.

400. The fight against HIV / AIDS has had very positive results. Seroprevalence decreased significantly from 0.7% in 2006 to 0.4% in 2012 according to the data of the EDSN MICS III and IV.

VII. Family environment and alternative care (Articles 18-20 and 24)

27. In this section, the State shall provide relevant and up-to-date information, particularly on the main legislative, judicial, administrative and other provisions in force relating to the family environment and alternative care:

(a) Protection of the family (article 18): the State Party shall provide information on the joint responsibility of the parents during their marriage and the measures taken to ensure the protection of the child following the dissolution of their marriage.

401. Article 23 of the Constitution states that "*parents have the right and the duty to raise, educate and protect their children. Descendants have the right and the duty to assist and help ascendants. Both are supported in this task by the State and other public authorities*".

402. Similarly, Article 213 of the Nigerien Civil Code recognizes the obligation of both spouses (men and women) "*to ensure the moral and material direction of the family, to provide for its maintenance, to raise children and prepare their future*". This obligation is directed in the first place to the man who is the head of the family. The woman replaces him in this function of leader if he is unable to manifest his will because of his incapacity, his absence, his remoteness or for any other cause.

403. The obligations of the parents survive even after the dissolution of the marriage as provided by the provisions of Article 303 of the Civil Code which states that "*whatever the person to whom the children will be entrusted, the father and mother shall retain the right to supervise the maintenance and upbringing of their children and shall be required to contribute in proportion to their abilities*".

404. However, it should be pointed out that in practice certain dissolutions of the marriage bonds are outside the jurisdiction of the judge in that they are not pronounced before a judicial authority. This most often raises the problem of child custody and even the payment of child support.

(b) Care and protection of parents (article 19): the State will provide information on the measures taken to ensure the necessary protection of the child in case he is separated from one or both parents.

405. Under the provisions of the Civil Code concerning divorce, parents have the obligation to continue to look after their child and to look after his or her upbringing. This obligation imposed on the parents is ordered by the judge in charge of the divorce who rules on the custody of the children and fixes the alimony. In the case where the child is separated from both parents for reasons of protection, this obligation remains the responsibility of the parents.

(c) Parental responsibilities (article 20): the State shall provide information on measures taken to:

- Assist the parents or other responsible person of the child in the exercise of their responsibility to raise the child and, if necessary, to provide material assistance;***

406. Article 23 of the Constitution provides that "*Parents have the right and the duty to raise, educate and protect their children. Descendants have the right and the duty to assist and help ascendants. Both are supported in this task by the State and other public authorities. The State and other public authorities ensure, through their public policies and their actions, the promotion and access to public education, free and quality*".

407. Government assistance is reflected in measures taken in various sectors. In the field of health, children aged 0 to 5 receive free healthcare. Schooling is guaranteed until the age of 18 in accordance with the provisions of the LOSEN.

408. In addition, cash and social cash transfer programmes support families to reduce their vulnerability to food and nutrition insecurity.

Similarly, the state and its partners support the functioning of the children placement institutions (care centres and foster families).

- Ensure the development of institutions to care for children; and

409. The number of institutions hosting children without parental care and the number of children living in these institutions

Table n° 23: children living in care settings

Town	Denomination	Date creation	Types of children	Number children
Agadez	Guidan Albarka	04 October 2010	Orphans without support from mother with measles illness	16
Diffa	Campaner	1998	Orphans, children with noma	10
Dosso	SOS children's village	2010	Children in family distress	120
Maradi	Agence des Musulmans		Orphans	174
Tillabéry	Agence des Musulmans d'Afrique (orphelinat)		Orphans	150
Tahoua	SOS village d'enfants	2008	Orphelins, abandoned, mother with measles illness, children of poor parents	120
	Agence des musulmans d'Afrique	2004	Orphans	120
Maradi	Agence des musulmans d'Afrique		Orphans	174
Zinder	Association au Cœur du Niger	October 2009	Orphelins, albino, Young mothers	140
	Marie Orphanage (galihuyara)	September 2012	Orphans supported by social services,	18

			Children of parents with mental illness, abandoned children	
	Choukou Orphanage	2005	Orphans supported by social services, Children of parents with mental illness, abandoned children	35
	Foyer Mabrouka de Tano	2007	supported by social services, Children with mental illness	46
Communauté Urbaine Niamey	fraternité notre dame :		Santé, scolarisation, suivi psychologique	49
	Aboubacar Sidiki Orphanage		Orphelins	225
	remarniger :		Enfants marginalisés	27
	Care centre for children in family difficulty		Enfants en difficulté Familiale	28
	Vesos : sos children village		abandoned children supported by social services	120
	ADNkamna(bon samaritain)		Orphans care	73
	Compassion Solidarité Enfant du Niger (CSEN)			27
	maison st vincent de paul			44
	Agence Musulmane d'Afrique (AMA) (centre husseini)		Orphans	142
	NGO dar alyataama			20
Total				1859

Source :MP/PF/PE : situation mai 2016

• *Provide services and care centres to children whose parents work,.*

410. With regard to children who have not reached school age, there are public and private day-care centres in urban areas. Whether public or private, access to daycare remains a paying proposition. The creation of daycares is a relief for working parents.

411. At the community level, some projects encourage childcare to enable parents to go about their activities but also to stimulate children's development.

List of some daycare centres in Niamey:

- Chou Chou Boy Daycare
- Garderie Guidan Yara
- Stork Daycare

- Daycare Teddy
- Rayuar Yara Daycare

(d) Adoption (article 24): the State party shall also provide information on the legislative, judicial and administrative provisions made to ensure that adoption at both the national and international levels is in the best interests of the child . It will also give information on:

- ***Measures to encourage national or international adoption;***

412. With regard to adoption, Niger applies the principle of subsidiarity. In practice, whenever possible, simple or full adoptions are preferred.

413. Niger is not yet party to the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. Steps are under way for the ratification of this Convention.

- Bilateral or multilateral arrangements or agreements that it has concluded with regard to adoption issues, including the adoption of the Hague Convention on Protection of the Child and Cooperation in Respect of Intercountry Adoption;

414. Although it has not yet ratified the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, Niger has signed agreements with countries to respect a minimum of guarantee in matters of intercountry adoption. Thus, there are agreements between Niger and the organisations of the following countries: France through PAIDIA, Belgium through LARISSA and Quebec through the Enfants du Mandé.

- ***The institutional mechanism put in place to monitor the well-being of children who are adopted, who are in foster care or other alternative care systems;***

415. Children who have been adopted internationally are monitored once a year by the central authority of Niger, namely the Ministry of Women's Empowerment and Child Protection. A report is drawn up following each follow-up mission.

416. The placement of children in foster care is regulated by an order of the judge. Children placed in host families are regularly monitored by specialised educators from the Educational and Judiciary Services as well as by social workers in the sector social services. Foster families often receive material support from the State, UNICEF or NGOs.

- ***The successes and challenges of local and indigenous alternative protection systems (such as kafalah and kinship care) and the steps taken to ensure that these systems are in the best interests of the child and are in accordance with the Charter.***

417. The Niger Constitution considers the family as the natural and moral basis of the human community and the place under the protection of the State. The Constitution also states that the State and the public authorities have the duty to ensure the physical, mental and moral health of the family.

418. In the same concern for protection, article 24 states that "young people are protected by the State and other public authorities against exploitation and abandonment. The state ensures the material and intellectual development of the youth. It promotes the training and employment of young people and their professional integration.

419. In Niger, Kafalah is not applied as a protective measure. On the other hand, intra-family adoption, even if it is not formalised, nevertheless constitutes a customary practice that is widespread and encouraged. .

28. The State Party will provide disaggregated data as indicated above in the paragraph on:

(a) the number of children separated from their parents by decision of the Court of Justice.

420. There are no statistics on the number of children separated from their parents by decision of the Court of Justice.

(b) the number of institutions hosting children without parental care and the number of children living in these institutions.

421. Children's institutions are created and run by the State, NGOs and associations. The category of child supported is the one in extreme vulnerability. Recourse to childcare institutions is a last resort. In general, children in vulnerable situations are placed in foster homes. It is by default that recourse is made to the care institutions.

(c) the number of services and programmes to provide appropriate assistance to parents and legal representatives in the exercise of their responsibility to raise the child and the number and percentage of children and families benefiting from these services and programmes;

422. The services of assisting parents and legal representatives in the exercise of their responsibility to bring up children concern several sectors, in particular:

- in terms of health with regard to free care for children aged 0-5 years, prenatal and neonatal care (other measures for women);
- in terms of education, through the program of free education up to 18 years. (free textbooks);
- in the field of legal and judicial assistance, through counseling and the defense of minors; (alimony, childcare, liquidation of estates);
- in the social field through the granting of family allowances.

423. In addition, it is worth recalling the social safety net programme that provides cash transfers to poor households and the World Food Program, which provides food support to those most in need.

424. There are no statistical data on the number and percentage of children and families benefiting from these services and programs.

(d) the number of institutions dealing with children and the number of children accessing them;

425. Refer to paragraph 409.

e) the number of domestic and international adoptions.

426. The following table provides information on the number of internal adoptions from 2013 to 2016:

Table n ° 24: number of internal adoptions

Year	Number
2013	2
2014	0
2015	1
2016	1
Total	4

Source : direction de la protection de l'enfant/MPF/PE

427. The following table gives information on the number of Nigerien children subject to intercountry adoption from 2004 to 2015:

Table n° 25: Nigerien children subject to international adoption from 2004 to 2015

Country	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total
Belgium								2			4		6
Canada					2		4						6
France	7						7	7	3	3			27
USA			1	1			1						3
Total	7		1	1	2		12	9	3	3	4		42

Source : WWW.hcch.net

VIII. Protection of children in the most vulnerable situations (Articles 13, 22-23 and 25)

29. Under this heading, the State shall provide relevant and up-to-date information on the special measures it has taken to promote and protect the rights of children in the most precarious situations, including:

(a) Children with disabilities (article 13): The State shall indicate the arrangements made for children with disabilities. In particular, information on:

- Measures to ensure that children with disabilities do have access to education. It should also indicate the extent to which children with disabilities are integrated into mainstream schools;*

428. With the help of Handicap International, the State is experimenting with the integration of children with disabilities in ten (10) schools in Niamey. In addition to the ten (10) inclusive classes, children with disabilities have begun to be accepted into mainstream classes to promote the inclusion of these children.

429. Handicap International and cbm support the inclusive schools of Dosso and Tillabéry under the base of a program going 2016-2019.

- Measures taken to ensure effective access for children with disabilities to training,*

preparation for employment and recreational opportunities;

430. Efforts are made for access to education and training for children with disabilities as shown in the table below:

Table 26: Disabled Children with Access to Education and Training:

Schools	Number
Primary	354 incl. 221 blinds et 133 deaf
Junior High school	39 blinds
Upper High school	10 including all disabilities
Higher School	14 including all disabilities
Universities	78 including all disabilities
National School of Administration and Magistrature	03 including all disabilities
School of Public Health and Social Action	03 blinds
Education Technical and Vocational Training in partnership with CBM	66

Source : UNAN et AEEHN 2012-2013.

431. This effort has been extended to the creation and functioning of integrating classes in Konni, Tahoua, Agadez, Maradi and Zinder. There are 27 integrating classes, including 16 for the blind and 11 for the deaf. In 2016 we note the creation of a new integrating class in Doutchi.

432. In the field of education, Handicap International, in collaboration with other partners including UNICEF, is conducting the census and enrollment of 4,568 school-age children with disabilities in the Niamey region. .

433. Efforts to transcribe Braille textbooks (English, Explained Reading, Grammar, Vocabulary, Conjugation) from Grades 6 to 3 are designed to enable blind students to follow their school curriculum at the same time as their peers.

The Braille transcription of the textbooks of the students of the Course of Initiation to the class of the Middle Course 2nd year is supported by the National Union of the Blind of Niger (UNAN).

434. Deserving students and disabled students benefit from State support (education allowance, student bursary, equipment scholarship for out-of-town students).

In addition, capacity-building efforts to support children with special needs are provided through the training of 1,500 teachers and the provision of appropriate teaching materials.

• Measures taken to ensure that children with disabilities have effective access to roads, buildings and other public places.

435. Ordinance No. 93-012 of 2 March 1993 determining the minimum standards for the social protection of persons with disabilities (as amended by Ordinance No. 2010-028 of 28 May 2010) in Article 28 provides: roads, residential premises and generally all facilities open to the public must comply with the rules of architecture and construction standards, to ensure their accessibility to people with disabilities.

436. Decree No. 2010-637 laying down detailed rules for the application of this Ordinance in Articles 41 to 45 sets out the conditions for the better enjoyment of their rights by persons with

disabilities, particularly with regard to accessibility to services, roads, housing and transport. These rights are extended to the edge of the roadway which must be laid out so that wheelchair users can move from one sidewalk to another, with or without the help of a third person.

437. This text also provides for access to all buildings to be made from the pedestrian walkway with ramps of up to 5 per cent. Buildings with one or more levels, must be equipped with elevators and equipped with metal or wooden banisters. Accessibility for people with disabilities is one of the conditions of acceptance of tender documents for the construction of public buildings.

438. In accordance with Article 9 of the CRPD, other provisions are laid down concerning the characteristics of lifts, the interior doors of collective residential buildings, bedrooms, bathrooms, showers, toilets and kitchens of houses. dwelling.

439. Despite the existence of all these legislative measures, the access of children with disabilities to roads, buildings and other public places is not effective.

(b) Children in situations of economic exploitation (article 15): the State party shall provide relevant and up-to-date information, including information on legislative and administrative measures taken to protect children against all forms of economic exploitation, especially on:

• Whether or not there is a legislative provision defining the minimum age for admission to all jobs;

440. Niger ratified Convention No. 138 of the International Labor Organization (ILO) on December 4, 1978. It is in this context that the Labor Code (Law No. 2012-45 of 25 September 2012) Article 106 provides: "Children may not be employed in an enterprise, even as apprentices, before the age of fourteen (14) years, unless otherwise agreed by decree in the Council of Ministers, after consulting the Consultative Commission. Labor and Employment, taking into account local circumstances and the tasks that may be required of them. An order fixes the nature of the work and the categories of enterprises prohibited to young people and the age limit to which the prohibition applies.

441. Article 126 of the regulatory part of the 1967 Labour Code still in force states: "*the employment of children under 12 is absolutely prohibited*".

• Whether or not there is appropriate regulation defining working hours and conditions:

442. According to section 128 of the Regulatory Part of the 1967 Labour Code: "Children aged 12 and 13 may, outside school hours, be engaged in light work, provided that such work:

(a) are not such as to prejudice their attendance at school or their ability to benefit from the instruction given therein;

(b) not more than two hours per day on school days and days of rest, the total daily number of hours devoted to school and light work shall in no case exceed seven;

(c) do not exceed four and one half hours per day outside periods of school attendance.

By light work, it is necessary to understand:

- domestic light work corresponding to the jobs of cook, cook's helper, little boy or maid, caretaker or babysitter;

- the work of collection, collection, sorting carried out on the farms;

- light work of a non-industrial nature subject to the special prior written authorization of the labor inspector ".

All work, even light, is forbidden to children of 12 and 13 years old:

- Sundays and legal holidays;
- during the night, that is to say during an interval of at least twelve consecutive hours including the period between 8 pm and 8 am.

The regulatory part is currently being revised to bring it into line with ILO Convention 182 on the worst forms of child labor.

• ***the existence of appropriate penalties and penalties, imposed or not, for non-compliance;***

443. In case of violation of the Labor Code, the Public Prosecutor is seized by the labor inspector or the victim for prosecution. Sanctions on child labor issues are regulated by article 343 of the Labor Code which provides that: "shall be punished by a fine of five million (5,000,000) to ten million (10,000,000) francs and imprisonment of two (2) to five (5) years or only one of these two sentences, any employer or any person found guilty or complicit in a violation of the prohibition of the worst forms of child labor in Article 107 of this Code.

In the case of a second offense, the fine is doubled and imprisonment is five (5) to ten (10) years.

In the case of a violation of article 107, penalties are not incurred if the offense was the result of an error in the age of the children made during the establishment of the worker's card.

In case of falsification the author will be punished according to the texts in force ".

• ***The State will also provide information on measures taken to combat the worst form of child labor; and on the actions taken to disseminate information on the risks of child labor to all sections of the population.***

444. In the fight against the worst forms of child labor, the measures taken are:

- Ratification of Conventions No. 138 on the minimum age for admission to employment and 182 on the worst forms of child labor
- the adoption of Law No. 2012 -45 of 25 September, which provides in article 107 of the Labor Code of the Republic of Niger: "children aged fourteen (14) or over may perform light work.

The employer is required to send a prior declaration to the labor inspector of the jurisdiction who has a period of eight (08) days to notify him of his agreement or possible disagreement.

In any case, the worst forms of child labor are prohibited:

1. all forms of slavery or similar practices, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labor, including the forced or compulsory recruitment of children for the purpose of use in armed conflict;
2. the use, procuring or offering of a child for the purposes of prostitution, the production of pornographic material or pornographic performances;
3. the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs, as defined in international conventions relating thereto;
4. work that, by its nature or the conditions in which it is performed, is likely to harm the health, safety or morals of the child.

Subjecting a child to the worst forms of work is punished in accordance with the provisions of this Code.

The list of works referred to in this article and the categories of enterprises prohibited to children are fixed by regulation.

445. Article 108 provides that "*the labour inspector may require the examination of children by a licensed medical practitioner in order to ascertain whether the work that they carry out does not exceed their strength. This requisition is by right at the request of the interested parties.*

The child can not be kept in a job so recognised above his strength and must be assigned to a suitable job. If this is not possible, the contract must be resolved with payment of the notice indemnity ".

447. The annual celebration (12 June) of the International Day Against Child Labour is an opportunity for the National Committee to Combat Child Labour to carry out awareness-raising activities for the general public.

(c) Refugee, asylum-seeking and internally displaced children (article 23): In this section, the State party shall indicate the measures taken to:

- Give children access to refugee status determination procedures, taking into account the specific needs of children and their rights;

448. Several measures have been taken by the State to guarantee refugee children access to refugee status determination procedures.

For access to the status, children are registered with their parents and during registration, specific needs are identified. The care takes place even before the determination of the status and concerns the children schooled and not schooled, the children victims of violence and the cases of children in situation of identified malnutrition.

449. To ensure better care for refugees, a National Migration Policy and the Strategy to Combat Irregular Migration are being drafted.

- Providing protection and humanitarian assistance to refugee children, seeking asylum and internally displaced persons, and facilitating family tracing and reunification and other measures to protect unaccompanied and separated children;

450. The General Directorate of Civil Status, Migration and Refugees is responsible for providing protection and humanitarian assistance to refugees, asylum seekers and internally displaced persons. It is supported by several technical and financial partners (UNHCR, Unicef) and NGOs.

Family research and reunification and other measures to protect unaccompanied and separated children

- ***Cooperate with existing international organizations that protect and assist refugees, asylum seekers and internally displaced persons;***

451. In the framework of the management of refugees, asylum seekers and displaced persons in the south-east of the country, Niger has set up a multisectoral State-partner coordination, one of whose missions is to take charges these vulnerable populations; as part of this mechanism, several international organizations and NGOs such as UNICEF, UNHCR, ICRC pool resources to provide assistance and assistance in terms of psychosocial care, care, schooling for children. children and socio-economic reintegration for families.

452. In the case of refugees and asylum-seekers, their rights are protected and administrative structures review, whenever they are seized, the requests submitted to them by UNHCR, which provides upstream material and technical support to these target groups.

(d) Children in armed conflict (article 22): The State party should provide information on:

• Measures taken to ensure that children do not take part in hostilities;

453. Measures taken to ensure that children do not take part in hostilities include:

- ratification of the Protocol to the CRC on the involvement of children in armed conflict;
- the adoption of laws prohibiting the recruitment of children into the armed forces.

• Measures taken to protect child victims of armed conflict, including internal armed conflicts, tensions and civil wars; and care (health, education, recreation, psychosocial care, family reunification, family support for socio-economic reintegration)

454. The protection of children who are victims of armed conflict involves a number of actors who have different care responsibilities in terms of health care, education and psychological care. When children are displaced by conflict, care also includes creating an environment conducive to a new life, family reunification in the event of separation, and socio-economic reintegration through support for families.

• Measures taken to demobilize, disarm, reintegrate and rehabilitate (DDRR) children who have been involved in armed conflict.

455. The DDRR mechanism is relatively new for a country like Niger which is just starting its experimentation with the support of its partners; the children involved in the conflicts are in the current state, prosecuted and detained for criminal association in connection with a terrorist enterprise. Those against whom charges could not be held were released and placed in transit and referral centres for psycho-social care and preparation for return to the community with a reintegration project. In total, 9 children are currently in this process. Other children have surrendered to the administrative authorities with adult combatants and are being cared for in the Diffa camp where the authorities are trying to create the conditions for reintegration after being taken over by the relevant services.

456. Recent developments in the Boko Haram terrorist group conflict in the south-east of the country have seen the use of children in various ways; these could be used as informants, porters and even fighters. This situation has led to the arrest of many of them suspected of belonging to the criminal organization and their detention in the juvenile quarters of some prisons for criminal conspiracy in connection with a crime. terrorist company.

457. Appropriate treatment of cases concerning them is carried out by the relevant judicial services in accordance with the law and the procedure, taking into account their status as children. In addition to the pending proceedings, a State-partner working group called Children Associated with Armed Forces and Groups (EAFGA) has been set up to propose measures to reintegrate and rehabilitate children who have been released from the judicial system and for whom no offense could be established.

458. The mechanism put in place consists in the temporary stay of children in a transit and orientation center for psychological and psycho-social care, research and identification of parents, assistance to families, reunification and return to the community, accompanied by a life project that takes into account the specific needs of children.

459. At least six children have been brought home with the support of UNICEF and State structures in the region; the involvement of their families and communities contributed to this reintegration.

(e) The situation of children whose mothers are imprisoned (article 30): taking into account the Committee's general comments No. 1 on children whose legal mothers are imprisoned, the State party should provide information on specific treatment for expectant mothers and mothers with newborns and young children who are accused or convicted of criminal offenses. This information will focus on:

• Preference, or not, for non-custodial laws and regulations for these mothers;

460. There is no special treatment for expectant mothers and mothers with newborns. The text that applies is the decree n ° 99-368 / PCRN / MJ / DH of September 03, 1999 determining the organisation and the internal regime of the penal institutions.

• The establishment or not and the promotion or not of alternative measures to the imprisonment of these mothers;

461. In Niger, the only alternative penalty provided for by law is community service, the benefit of which is granted to persons who have committed offenses that are not of extreme gravity and are generally first offenders. For the most serious offenses, persons convicted of offenses are detained; women are not immune to this measure.

• The creation or not of special substitution institutions to detain these mothers;

462. There are no special substitute institutions to detain these mothers, but discussions have been initiated to develop a strategy for dealing with these cases.

• The imprisonment or not of these mothers with their children

463. Mothers are detained with their children for lack of a legal and institutional mechanism;

• Death sentence, or not, of these mothers.

464. Death sentences are pronounced according to the seriousness of the offense; the penal code specifies moreover, that for the pregnant women, the penalty if it is to be executed, will be it only after the delivery. But since 1976, no death penalty has been executed, with Niger observing a de facto moratorium.

(f) The situation of child victims of sexual exploitation (article 27): the State shall provide relevant and up-to-date information on measures taken to protect the child from all forms of sexual exploitation and abuse.

465. As regards the measures taken to protect the child from all forms of sexual exploitation and abuse, the reinforcement of the legislative framework through the ratification by Niger of the Protocol on Sale, Prostitution and pornography featuring children.

466. There is also the implementation of the project Prevention, Protection and Advocacy against the sexual exploitation of children in Niger.

This project has been running since 2014 by ANTD in partnership with ECPACT France and ECPACT Luxembourg. The objective of this project is to fight the commercial sexual exploitation of children in Niamey and the Tillabery and Dosso regions based on a human rights-based approach

467. In addition, the annual celebration of the 16 days of activism is an opportunity to carry out awareness-raising campaigns on gender-based violence and against children.

468. There is also the adoption of Ordinance No. 2010-86 of 16 December 2010 on the fight against trafficking in persons. This text is the subject of a legislative amendment to incorporate new incriminations and aggravating circumstances in case of commission of offense against children.

469. Finally, it should be noted that the Penal Code provides for and punishes offenses of defilement of minors, indecent assault and aggravated rape, indecent acts on minors, procuring and excitement of debauchery. Crimes and offenses against the child and the family are provided for and punished by articles 248 et seq. Of the same code and the same applies to intentional assault and other crimes and deliberate offenses provided for and punished by articles 222 et seq. .

470. Despite the existence of this legal framework, sexual exploitation remains mostly a taboo issue, for which there is insufficient information to address the issue. In order to prevent the phenomenon, the State, with the collaboration of the actors involved in this sector, carries out awareness-raising activities for young people, particularly in schools, youth centres and at the community level. Counselling centres set up by the Niger Association for Family Welfare and the Nigerien Association of Human Rights (ANDDH) raise awareness among young people and help them to lodge complaints about sexual abuse. Similarly, care and advice offices are created by the National Agency for Legal and Judicial Assistance in all high courts.

471. However, cases brought to the attention of the courts are prosecuted.

(g) Child victims of drug abuse (article 28): the State party shall provide information on the measures taken to protect the child against the use of narcotics and the illicit use of psychotropic drugs and the prevention of production and trafficking of these substances.

472. The Niger State has adopted appropriate legislation to combat drug trafficking. This is Order No. 99-42 of 23 September 1999 on the fight against drugs in Niger, Articles 94 to 102 of which provide for the punishable offenses of international trafficking, trafficking, supply, holding and surrender. ; Article 107 of the said Ordinance provides for a doubling of the penalties for the use or involvement of minors in any of the aforementioned offenses.

473. Niger is not a producer of psychotropic substances, however, trafficking of these substances is severely punishable by law.

474. Inspections are made upstream by the customs and police services to prevent such trafficking. Similarly, there is a National Coordinating Committee for Drugs Control and an office which, on the occasion of International Day Against Drugs, incinerate seized psychotropic substances. The actions of these structures are complemented by those of NGOs active in the field.

(h) Trafficking, trafficking and abduction of children (article 29): the State party should provide relevant and up-to-date information on measures taken to prevent the abduction of children, pornography, trafficking or trafficking of children for any purpose and the use of children for all forms of begging.

475. Child abduction is punishable under section 248 of the Penal Code as follows: "Persons guilty of kidnapping, receiving or removing children, substituting one child for another or assuming child to a woman who has not given birth, will be punished by imprisonment for two to eight years.

The attempt will be punished as the offense itself (...)".

With regard to pornography, it is punishable by article 291 of the Penal Code, which provides: *"Will be considered a pimp and punished with imprisonment of six months to three years and a fine of 50,000 to 5,000,000 francs , he or she:*

- 1) who in any way knowingly assists, helps or protects the prostitution of others or soliciting for the purpose of prostitution;*
- 2) which, in any form, shares the proceeds of the prostitution of others or receives subsidies from a person habitually engaged in prostitution;*
- 3) who knowingly lives with a person who habitually engages in prostitution;*
- 4) who, being in regular contact with one or more persons engaged in prostitution, can not justify resources corresponding to his lifestyle;*
- 5) who hires, trains or maintains, even with his consent, a person even of age, for the purpose of prostitution, or delivers him to prostitution or debauchery;*
- (6) acting as an intermediary, in whatever capacity, between persons engaged in prostitution or debauchery and persons who exploit or remunerate the prostitution or debauchery of others;*
- 7) who, by threat, pressure, maneuver or by any other means, hinders the action of the prevention of control, assistance or rehabilitation undertaken by qualified organizations in favor of persons engaged in prostitution or in danger of prostitution. ". Article 292, for its part, provides for an aggravating circumstance, since it provides that "The penalty shall be imprisonment for two to five years and a fine of 50,000 to 5,000,000 francs in case:*
 - (1) The offense was committed in respect of a minor; (...)"*

476. It should be recalled that Niger ratified the United Nations Convention on Transnational Organized Crime (CTO) on 30 September 2004, the Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children on September 30, 2004, the Additional Protocol against the Smuggling of Migrants by Land, Air and Sea on January 18, 2009. Added to this is the signing by the Minister of the Interior of Public Security, Decentralization and Customary Affairs and Religious and the Minister of Justice, Attorney General of the Joint Order No. 0316 / MI / SP / D / AC / R / MJ / GS of 2 May 2016 establishing, attributing, composing and functioning of a Framework Dialogue on Migration (CCM).

477. Niger has strengthened the legal and institutional framework to combat trafficking in persons and the smuggling of migrants. Indeed, Niger has adopted the 2010 ordinance on the fight against trafficking in persons and Law No. 2015-36 of 26 May 2015 on the smuggling of migrants. Article 29 of this law is more specific to the protection of the minor migrant. It reads as follows:

'Where the migrant smuggled is a minor, in addition to the protective measures referred to in Articles 25, 26, 27 and 28, the following specific protection measures must be respected:

- The best interests of the child should be privileged in all actions by public officials, public bodies and courts concerning a trafficked migrant who is a child;*
- where there is uncertainty as to the age of a smuggled migrant and where there is reason to believe that he is a child, he is presumed to be a child while awaiting verification of his age;*
- any interview or hearing with a migrant child who is the subject of trafficking is conducted by a specially trained professional, in a suitable environment, in a language that the child practices and understands in the presence of his / her parents, guardian or support person;*
- migrant children trafficked have the right of access to education, which can not be refused or restricted because of their entry or irregular status in the country, or that of their parents ".*

478. At the institutional level, there is the creation of the National Coordinating Committee for the Fight against Trafficking in Persons and the National Agency for the Fight against Trafficking of Persons, which are respectively responsible for drawing up and implementing the country's anti-trafficking policies.

479. Similarly, the Labour Code prohibits child labour in its article 107 in the following terms: "Children aged fourteen (14) years old may perform light work. The employer is required to send a prior declaration to the labor inspector of the jurisdiction who has a period of eight (08) days to notify him of his agreement or possible disagreement.

In any case, the worst forms of child labor are prohibited.

Worst forms of child labour are:

1. all forms of slavery or similar practices, such as the sale and trafficking of children, bonded labor and serfdom, and forced or compulsory labor, including the forced or compulsory recruitment of children for the purpose of use in armed conflict;
2. the use, procuring or offering of a child for the purpose of illicit activities, in particular for the production and trafficking of drugs, as defined in international conventions relating thereto;
3. work that, by its nature or the conditions in which it is performed, is likely to harm the health, safety or morals of the child ".

480. The use of children for any form of begging is punishable by law under article 181 of Law No. 63-3 of 1 February 1963.

481. Despite the existence of these measures, the fight against begging by children remains a challenge for the State.

(i) Street children: The State party should provide information on measures taken to improve the situation of street children, including information on their rehabilitation and reintegration into society.

482. As part of the care of street children, the State of Niger has created Judicial and Preventive Educational Services (SEJUP) whose mission is: to meet children living in the street and encourage them to adhere to the benefits that are offered to them. Thus on free membership they are accommodated and then receive support including care, recreation, a life project and social reintegration. There are 42 SEJUPs spread throughout the country.

30. The State Party will provide disaggregated data as described in paragraph 13 above on: the number and percentage of children with disabilities. These data will be broken down as follows

- Depending on the nature of the disability;
- For disabled children living in institutions, including institutions for mentally disabled children, or outside their families, in shelters;

483. Data not available.

• The number of children with disabilities attending mainstream schools compared to those attending special schools and those not attending school.

Table n ° 27: overall education situation of children with disabilities by region, academic year 2012-2013

Regions	ESH in school			ESH out of school			
	Girls	Boys		Girls	Boys	total	
Agadez	189	300	489	122	189	311	800
Diffa	129	165	294	36	62	98	392
Dosso	378	710	1088	70	131	201	1289
Maradi	520	811	1331	163	244	407	1738
Niamey	1257	1691	2948	779	1081	1860	4808
Tahoua	135	247	382	157	238	39527	777
Tillabéry	101	142	243	15	12	270	513
Zinder	404	730	1134	241	433	674	1805
Effectif génér	3113	4796	7909	1583	2390	3973	11879

Sources : Division Education Spécialisée MEN

(a) The number of refugee, asylum-seeking and internally displaced children. The data will be broken down as follows:

• By country of origin and nationality;

484. Registered refugee children are from Mali, Nigeria, Côte d'Ivoire, Central Africa, and the Democratic Republic of Congo.

In the Diffa Region:

- 48,767 refugee children from Nigeria;
- 101,422 internally displaced children;
- 10,985 children among the host populations in Diffa;
- 1001 separated and unaccompanied children of whom 479 identified in the Diffa region;
- 84 alleged children associated with armed groups detained in Niamey and Kollo, including one girl in detention in Niamey.

485. A total of approximately 162,259 children are involved, consisting of refugees from Nigeria, IDPs and alleged associates of armed groups.

In the region of Tillabéry: 18,215 children between the ages of 0 and 17 are concerned, including 9,592 boys and 8,623 girls.

• According to the status of the accompanied or unaccompanied child;

486. A total of 96 separated children were registered and 11 unaccompanied children.

• The number and percentage of these children attending public primary and secondary schools and vocational training centres;

479. Concerning the schooling of children, 3634 are in primary school, 9620 in preschool, 49 in secondary school and 8 in high school. For vocational training, it reached 286 children.

• The percentage and number of children accessing health and child care services as well as social services;

487. All children have access to basic health and social services. As such, 593 children from 6 to 23 months are nutritionally supported; 46 women in antenatal and 22 post natal consultations.

488. During the same period, 4481 curative consultations were recorded.

• *the number and percentage of children who disappeared during or after their status determination or recognition process.*

489. No cases of missing children were reported during or after the determination of status.

(b) the number of children affected by armed conflict, including internal armed conflicts, tensions and civil wars. It will also provide statistics on the number of children involved in armed conflict who have access to DDRR programmes.

490. There are no statistics on the number of children affected by armed conflict, including internal armed conflicts, tensions and civil wars, as Niger has not experienced civil war or armed conflict. internal.

(c) the number of children living in prison with their mothers and their average age.

491. Statistics on the number of children living in prison with their mother and on their average age are not available.

d) The number and percentage of children involved in child labour. The number of street children should be provided.

492. Data not available.

(e) the number of children who are victims of sexual exploitation, drug abuse and trafficking, including those who have benefited from social rehabilitation programmes.

Table n ° 28: Summary of minors in conflict with the law, at risk and victims of sexual abuse and violence

judicial years		Children in conflict with the law		Children in danger		Minors victims of sexual violence	victims of abuse
		Total	Provided with protection measures	Total	Provided protection measures		
2010-2011	Boys	639	59	13	13	32	
	Girls	41	6	14	14	65	
	Total	680	65	27	27	97	
2011-2012	Boys	747	83	107	107	34	
	Girls	97	5	41	41	91	
	Total	844	88	148	148	125	
2012-2013	Boys	695	87	151	102	90	
	Girls	90	5	54	44	135	

2013-2014	Total	785	92	205	146	225
	Boys	791	116	130	117	46
	Girls	166	4	70	51	147
2014-2015	Total	957	120	200	168	193
	Boys	995	90	241	140	43
	Girls	94	7	129	86	121
	Total	1 089	97	370	226	164

Source : Direction de la Statistique/Ministère de la Justice

493. In the context of the fight against gender-based violence, a study conducted in 2015 by the Ministry of Population and UNFPA on the extent and determinants of gender-based violence in Niger shows that 6.6% are from the area of sexual violence, 13.9% physical violence, 16.7% psychological violence and 28% economic violence.

494. The study carried out in 2014 by ANTD in collaboration with ECPAT France and ECPAT Luxembourg deals with 205 child prostitutes in the urban community of Niamey.

495. The table above shows the number of children who are victims of sexual exploitation.

Table n°29 : Number of children victimes of sexual exploitation

Year	Boys	Girls	Total
2013-2014	46	147	193
2014-2015	43	121	164

IX. Harmful Practices (Articles 1 (3) and 21)

31. In this chapter, the State will provide relevant and up-to-date information on:

(a) The nature, type and prevalence of harmful social and cultural practices in its territory;

496. In Niger, the following harmful practices were noted:

Ablation of the uvula: an organ that regulates the passage of food and air;

Excision / Female Genital Mutilation (FGM): This is a practice that involves the partial or total removal of female Genitalia. Of the four types of FGM defined by the WHO, three types are practiced in Niger, namely:

Type 1: circular excision of the clitoral foreskin with or without partial or total excision of the clitoris;

Type 2: clitoridectomy which is excision of the foreskin but partial or total excision of the clitoris and labia minora:

Type 4: unclassified interventions:

- introduction of plants into the vagina to constrict or shrink the vagina;
- habizé (zarma) or dan gouria (haoussa).

Other types of harmful traditional practices include:

- Extraction of milk teeth;
- Early marriage: child marriage;
- Scarification and tattoos;
- bleeding;
- Touching fire;
- Over feeding;
- Piercing of the lower abdomen, nose, gums and lips;
- fixation of the fetus;
- abdominal pressure;
- Nutritional taboos and forbidden food.

Female genital mutilation is mainly observed in the regions of Niamey, Tillabery, and Diffa. Other types of harmful traditional practices are found in all regions.

(b) Measures taken to discourage and eliminate harmful social and cultural practices;

497. In 2003, Niger adopted Law No. 2003-003-025 of 13 June 2003 repressing female genital mutilation. In December 2014, it launched a campaign to end child marriage with the support of UNFPA. A program "Illimin" knowledge for dignity was also set up. Through this program, 56 girls said no to child marriage.

498. At Community level, actions consist mainly of large-scale awareness raising. At the national level, emphasis has been placed on awareness-training.

The implementation of the community education program of the holistic approach has made it possible to change the social norms and behaviors of the populations through the awareness of the misdeeds of FGM / C on the one hand and, on the other hand, collective abandonment, through actions to sensitize and train communities on human rights.

499. In addition, the distribution to target groups of 1,000 information leaflets on criminal provisions on FGM, published in French and in 6 national languages, the establishment of a media network against MGF, the dissemination of commercials and documentaries on excision during sensitization sessions and on the airwaves of public and private radio and television and community radios.

500. These interventions recorded the following results:

- the handing over of knives by 193 excisers and their reconversion;
- The organisation of women in groups including excisors for the purpose of petty trading, animal hiring, market gardening etc., thanks to the granting of financial credit of 50 000 CFA repayable without interest (863 beneficiaries) ;
- the firm and sustained commitment of more than 200 traditional and religious leaders;
- the constitution of more than 286 vigilance brigades within the communities.

Several teenage girls said no to child marriage.

(c) Measures taken to assist and socially rehabilitate children who have been subjected to or suffer from harmful social and cultural practices;

501. The Government and the Nigerien Committee to Combat Harmful Traditional Practices (CONIPRAT), have assisted more than 100 female victims of female genital mutilation who have been psycho-medically supported and are being monitored by the NGO and NGOs. doctors.

(d) Where appropriate, specific measures taken to protect children with albinism from violence; and

502. Children with albinism are neither marginalized nor stigmatized in Niger and enjoy the same protection as all children living in the country.

To better defend their rights, people with albinism have come together.

(e) If, by law, marriage and betrothal of children are prohibited. The State will also have to provide information on:

- *the actual measures he has taken to specify that the minimum age of marriage is eighteen; and*

503. Nigerien legislation has not changed in this respect. However, there is a draft code of the child in the adoption circuit that prohibits child marriage.

- *If, registration of all marriages must be done in an official register.*

504. In Niger, the law obliges married couples to register in the civil registry.

32. The State Party will provide disaggregated data as described in paragraph 13 above on:

a) The number of children subjected to harmful cultural practices, including the number of children who have been saved from such practices.

505. There are no statistics on the number of children subjected to harmful cultural practices, including the number of children who have been saved from such practices.

(b) The number of children subjected to child marriage.

506. In the context of the fight against early marriage, Niger, with the support of UNFPA, implemented a program called "Illimin" knowledge for dignity in 2015, which allowed 56 girls to say no child marriage.

507. According to the 2016 National Survey of Socio-Economic and Demographic Indicators (ENISED) by the INS, there is an early entry into union among women, ie more than 6 out of 10 women in the age group 15 -19years (63.7%) compared to only 7.0% among men in the same age group.

X. Juvenile justice (Article 17)

33. In this section, the State will provide relevant and up-to-date information on the measures taken to ensure that special treatment is accorded to children accused or guilty of a criminal offense, including:

(a) Measures taken to ensure that children deprived of their liberty are not subjected to torture or physical and psychological abuse;

508. This right is enshrined in article 14 of the Constitution, which provides: "No one shall be subjected to torture, slavery or cruel, inhuman or degrading treatment or punishment. Any individual or agent of the State who is guilty of acts of torture, cruel, inhuman or degrading

treatment or punishment in the performance of his duties or in the exercise of his functions, on his own initiative, either on instructions, will be punished in accordance with the law. "

509. The Penal Code provides for the punishment of perpetrators of acts of torture for crimes of war crimes and crimes against humanity; the penalties for these offenses is the death penalty, even though in practice this sentence is not enforced because the Niger State recognizes the sanctity of human life in its Constitution in Article 11, which reads as follows: human person is sacred. The state has an absolute obligation to respect and protect it. "

(b) Provisions to remove children from places of detention;

510. As an alternative measure to incarceration, in order to prevent the detention of children, the law provides for community service whose conditions for implementation are determined by decree. Courts may pronounce in accordance with the provisions of Article 29 of Law No. 2014-72 of 20 November 2014 as a principal sentence, community service work; this is the case of a minor in conflict with the law who was the subject of proceedings and who appeared before a trial court. The same law provides, before any prosecution, for the public prosecutor to propose to the minor who has committed an offense punishable by offense or contravention, a measure of reparation for the victim provided that he or she adheres to the measure. .

(c) The separation, or otherwise, between places of detention or incarceration of children and adults;

511. In detention centers with minors 'quarters, children are separated from adults, but it should be noted that all detention centers in Niger do not have minors' quarters, so in practice children keep prisons with adults in unfilled institutions. To remedy this situation, the government, with the support of its partners, as part of the PAJED II, has undertaken to build 28 minors' quarters in all prisons that do not currently have them.

d) whether or not there are guarantees of legal assistance and fair trial available to children accused of violating criminal law;

512. Legal aid is granted ex officio to vulnerable persons; children are among the vulnerable as well as women and people with disabilities. The law setting the rules applicable to legal and judicial assistance requires the Judicial Police Officer to notify the minor of his right to counsel from the 12th hour of custody under penalty of nullity of the proceedings. Regarding the procedure, children are judged in accordance with the provisions of Law No. 2014-72 of 20 November 2014 more favorable than those of common law.

(e) The ban on the press and the public from attending the children's trial;

512. Under Nigerien law, the trials of children are prohibited to the public (Penal Code and Law 2014).

(f) The establishment or not of a minimum age below which children are presumed not to have the capacity to break a criminal law;

513. According to article 45 of the Penal Code: "A minor under the age of thirteen is criminally irresponsible".

(g) Arrangements for the training of law enforcement officers, prison directors and judicial personnel in juvenile justice;

514. As part of the implementation of the National Child Protection Policy, the Directorate for Child Protection has carried out 5 activities out of 9 planned for the year 2016.

The activities carried out fall into the following areas:

- Capacity building of the actors of care for children exposed and victims of violence, abuse and exploitation, supervision of community protection programs, organization and celebration of special events;
- The child protection program 2014-2019, is an instrument of operationalization of the National Policy for the Protection of the Child. It provides in accordance with the restructuring of social action services, the creation in each county seat of departments of a prevention, promotion and protection center; this center is composed of three services namely:
 - The protection service,
 - Communication service for behavioral change,
 - The welfare service.

Added to this is the training of defense and security forces on training modules in human and child rights. Therefore:

From February to December 2013:

- initial training of trainers (60 trainers including 15 from the Police School, 5 from the Central Service, 15 from the National Guard, 15 from the Nigerien Army and 10 from the Gendarmerie);
- training of trainers (specialized training) (25 participants, including the 14-member steering committee, the central service staff, and the UNICEF FDS focal points (Police, National Guard, Gendarmerie, FAN));
- pilot training in the 5 schools and training centers (ENP / FE, CI Tondibia, National Gendarmerie School, the Basura IC of the National Guard, the Prytanée militaire / 200 per school.

August - September 2014

Three specialized training workshops in Dosso, Maradi and Zinder (105 FDS agents including 45 police / brigades and the SPJA of the 08 regions, 24 National Guards / Brigades and company commanders and 24 agents of the National Gendarmerie / Brigade Chiefs regions).

May - September 2015

- beginning of the initial training at the ENP (all levels with evaluation - 800 students);
- training of trainers (2nd promotion of initial training): 30 participants (06 police officers, 11 national guards and 13 of the national gendarmerie);
- training of trainers (2nd promotion of initial trainers) 30 (28 FAN and 2 police officers);
- training of National Guard Focal Points in Maradi (16 officers);
- awareness-raising days for the defense and security forces on the care of children in times of armed conflict (3500 FDS including 517 police, 345 national guards, 1053 gendarmes, 158 (military / all ranks) in Diffa);
- Awareness day at the level of ranks of the Nigerien Armed Forces of the Tahoua - Maradi and Zinder military camps (2,800 men).

September 2016

- 60 managers, prison guards and clerks (Niger National Guard);
- 86 police officers including 67 heads of miner's brigades and 4 DPMF received specialized training in children's rights.

February 13 to 23, 2017-02-13

57 superintendents, supervisors and clerks will be trained in Zinder.

515. The creation of these services that provide direct benefits to the population is a condition for Niger to be at the same level as the other countries in the subregion in terms of child protection.

516. The activities carried out in this regard are as follows:

- the collection and dissemination of data on the care of children at high risk and / or victims of violence and abuse;
- the validation of the implementation guide of the communication service for a change of behavior;
- validation of the implementation guide of the social assistance service.

(g) Arrangements for the training of law enforcement officers, prison directors and judicial personnel in juvenile justice;

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- validation of the implementation guide of the social assistance service.

517. The content of each guide focuses on two aspects: the mission and the operating standards of these new structures.

The one relating to the protection was validated in 2015. The capacities of the personnel engaged in these services were strengthened relative to this reference document. In this context, 92 social workers benefited from three (3) training sessions on protection services guidelines and standards and on service management and data collection tools. These Protection Services are now operational in 51 departments.

(h) Measures taken to ensure that children deprived of their liberty have access to essential services such as education and health.

518. Health care is provided to detained children in accordance with the provisions of Decree No. 99-368 governing the internal regime of penitentiary institutions; the care of first aid is provided by infirmaries created in the prisons. When the cases in charge are considered serious, they are referred to public hospitals for more appropriate care, the Ministry of Justice which provides guardianship of the penitentiary institutions bears the financial costs generated by sick prisoners without any discrimination.

519. With regard to access to education, children in school are provided with favorable facilities for attending classes in public schools and taking exams. In addition, learning workshops are created in prisons to prepare children for their future life in an empowering way. The workshops are equipped and provide under the supervision of the head of the penitentiary, training in sewing, wood and metal carpentry.

34. The State Party will provide disaggregated data as described in paragraph 13 above on:

(a) The number and percentage of court cases involving children for which legal or other assistance has been provided;

Table n° 30: Number of court cases involving assisted children

Year	Cases	Percentage (%)
2013-2014	200	100
2014-2015	292	100

Source : annuaire statistique du ministère de la justice

a) Le nombre et le pourcentage des enfants qui ont été orienté vers des programmes de peines de substitution;

(b) The number and percentage of children who have been referred to alternative sentencing programmes;

520. To date no diversion has been pronounced.

(c) The number of children held in police custody or pretrial detention, after being charged with breaking the criminal law, and the average time of detention;

521. The average length of detention is determined according to whether the offense committed is either criminal or delictual; under article 22 of law n ° 2014-72 of November 20, 2014, it is 6 months in criminal matters and 18 months in criminal cases.

Statistical data not available.

(d) The number of special institutions for children accused of breaking the criminal law and the number of children in those institutions;

522. There are no special institutions for children accused of breaking the criminal law, other than the juvenile quarters that receive juveniles in conflict with the law. A total of 750 juveniles are held in 38 detention centers, of which 17 have juvenile quarters according to statistical data from the 2014-2015 yearbook of the Ministry of Justice.

The number of children who have been convicted of an offense by a Court of Justice and liable to imprisonment, and the average length of their detention;

523. To be completed (average time)

Table n°31 : number of children detained in prison

Year	Sentenced	Arrested	Total
2014	198	602	800
2015	130	803	933

Source : Direction de la Statistique/Ministère de la Justice

(e) The number of children held in institutions where there is no separation from adults; and

524. In the light of the answers given above, there are no special institutions for the detention of children; which explains in a general way that it is the prisons that fulfill this function. 21 detention centers do not have minors' quarters and these are held in the same space as adults. To make up for this shortfall, a program to build 29 minors' quarters is underway and includes both upgrading and equipping new neighborhoods.

(f) The number of cases of child abuse and mistreatment reported during arrest and detention / imprisonment.

525. According to judicial statistics, in 2014-2015, 47 minors were sexually abused, abused and other types of violence; in terms of disaggregated data, 41 boys and 6 girls were involved.

X. The responsibilities of the child (Article 31)

35. Under this heading, the State will provide information on the measures it has taken to create an environment in which children are able to perform their duties as enumerated in Article 31 of the Charter, and especially on:

(a) The measures taken to ensure that the child exercises his or her responsibilities within the limits of a child's ability and ability and that in the exercise of these responsibilities, his or her rights are not violated;

526. With regard to the responsibility of children, it should be noted that even though the law does not specifically place responsibility on the child, customs and traditions impose certain standards on the child who is supposed to be a model citizen. Once adult, he will behave responsibly towards his family as well as the community. That is how children are asked and even demanded respect from their parents, elders and community members. In the same way, the child is expected to help parents in certain works, and to participate in community activities according to his age and abilities.

The exercise of these responsibilities is done in accordance with respect for the rights of the child.

(b) Measures taken to ensure that children are made aware of and informed about issues relating to their responsibilities under the Charter; and

527. As part of the implementation of the community-based protection program, children are made aware of their responsibilities.

(c) The existence, or otherwise, of a legal and political framework recognizing the responsibilities of children.

528. In Niger, the responsibility of the child is exercised in schools where school governments were initiated are frameworks to empower children in the management of school affairs. Regarding political life the youth parliament is a framework that allows children and young people to learn very early in political life and civic duty. The Youth Council is another body that addresses the concerns of young people, including the inclusion of young people in development programmes.

The creation of class leaders in schools allows students to learn very early on the concept of responsibility

CONCLUSION

529. At the end of this report, which describes the measures taken by Niger to give effect to the articles of the African Charter on the Rights and Welfare of the Child, it is clear that the fundamental principles of the Charter are taken into account both in the Constitution and in the relevant national texts. Articles 21, 22 and 23 of the Constitution reaffirm the meaning of the protection of the child by the State, which must ensure the physical, mental and moral health of the family and particularly of the mother and the child. .

530. From 2011 to 2016, progress has been made in implementing the rights enunciated by the ACRWC through the Government's efforts to achieve the goals set out in its policy statement, which is aimed at the promotion and protection of human rights in general, with a particular focus on women and children.

531. The State's commitment to the protection of the Nigerien child has resulted in the adoption of the National Policy for Integrated Development of Young Children (PNDIJE) and the Framework Document for the Protection of Children. Child (DCPE) which allowed child protection actors to set up specific strategies and actions aimed at better preventing and managing early childhood.

532. Niger is also implementing policies, plans and strategies that improve social indicators for school enrollment, health and household poverty reduction to increase and ensure better childcare.

533. The State's desire to ensure the protection of children is also manifested in the access to justice in the context of which a special mechanism has been set up with the creation of specialised courts operating exclusively in the case of children as perpetrators or victims. Similarly, the Trafficking in Persons Act and the Smuggling of Migrants Act devote significant attention to the protection of children within the framework of operational control structures.

534. It must be emphasized that, despite all the efforts made by Niger to promote and protect the rights of the child, much remains to be done today, including basic social rights. The effectiveness of the right to education, the fight against child begging, the adoption of the Children's Code and the law on the protection of girls in school are major challenges in protection of the rights of the child.

535. Aware of these challenges, Niger, with the support of its partners, has undertaken to develop concrete initiatives that will undoubtedly contribute to the effectiveness of the rights of the child. Ultimately, Niger remains committed to further promoting and protecting the rights and freedoms set forth in the African Charter on the Rights and Welfare of the Child.