



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States parties under  
article 18 of the Convention**

**Combined third and fourth periodic reports of States parties due  
in 2012**

**Niger\***

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## Acronyms and Abbreviations

AfDF	African Development Fund
AFETEN	Action Against the Use of Child Workers
AFJN	Association des Femmes Juristes du Niger
AIDS	Acquired Immunodeficiency Syndrome
ANDDH	Association Nigérienne de Défense des Droits de l'Homme
ARMFD	Project to Increase the Cash Income of the Women of Dosso
ARVs	antiretrovirals
CARMMA	Campaign for Accelerated Reduction of Maternal Mortality in Africa
CBD	community-based distribution
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CODDHD	Collectif des Organisations de Défense des Droits de l'Homme et de la Démocratie
CONGAFEN	Organization for Coordination of NGOs and Women's Associations in Niger
CONIPRAT	Niger Committee on Traditional Practices
CRC	Convention on the Rights of the Child
CSI	integrated health centre
CSO	civil society organization
DHS	Multi-Indicator Demographic and Health Survey
DHS-MICS:	Multi-Indicator Demographic and Health Survey
DPF	Directorate for the Advancement of Women
DWS	Drinking water supply
ECOWAS	Economic Community of West African States
ENSP	National School of Public Health
FGM	female genital mutilation
FP	family planning
GBV	gender-based violence
GER	gross enrolment ratio
IEC	information, education and communications
IFTIC	Information and Mass Communication Training Institute
IGAs	income-generating activities
IGN	Niger Gender Initiative
INS	National Institute of Statistics
LOSEN	Orientation Law of the Education System in Niger

MCC	Millennium Challenge Corporation
MDGs	Millennium Development Goals
MESS/RT	Ministry of Secondary Education, Higher Learning and Research and Technology
MICS	multiple indicator cluster survey
MP/PF/PE	Ministry of Population, Advancement of Women and Protection of Children
NGO	non-governmental organization
OHCHR	Office of the United Nations Commissioner for Human Rights
OPJ	criminal investigation officer
PAJED	Programme to Support the Justice Sector and the Rule of Law
PDDE	Ten-Year Education Development Programme
PDES	Economic and Social Development Programme
PDS	Health Care Development Plan
PMTCT	prevention of mother-to-child transmission of HIV
PNC	postnatal check-up
PREG	Capacity Building Project for Gender Equity
PRODEM	Multisectoral Demographic Project
PRS	Poverty Reduction Strategy
REF	Fistula Eradication Network
RH	reproductive health
SDRP	Accelerated Development and Poverty Reduction Strategy
SNIS	National Health Information System
SRMSR DIMOL	Santé de la Reproduction pour une Maternité Sans Risque DIMOL (a reproductive health task force)
STI	sexually transmitted infection
TFPs	Technical and Financial Partners
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNS	United Nations system

## Introduction

1. This report is submitted pursuant to article 18 of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), ratified by Niger on 8 October 1999. It will be recalled that the combined initial and second periodic reports were submitted to the Committee on the Elimination of Discrimination against Women in 2004 and reviewed during the 38th session of the Committee in May 2007. The Committee commended Niger for its efforts but raised a certain number of concerns and made recommendations for more effective implementation of the Convention.

2. Since the submission of its report on CEDAW, however, Niger had been unable to submit another report. Accordingly, two more periodic reports were due. In order to meet its international obligations, Niger is submitting this combined periodic report on the implementation of the Convention, which covers the period from 2005 to 2012. It comprises the combined third and fourth periodic reports.

3. This report reflects progress in women's rights during the period covered, indicating the measures by which the political and administrative authorities have given effect to the rights and freedoms set forth in the Convention. It also seeks to respond to the Committee's concerns and recommendations on the elimination of discrimination against women, as communicated to the Government following the presentation of its single report. Hence, the report reflects the efforts by Niger to implement the Committee's recommendations on a number of issues, including: the reservations stated by Niger (subparagraphs *(d)* and *(f)* of article 2, subparagraph *(a)* of article 5, paragraph 4 of article 15, and subparagraphs 1*(c)*, 1*(e)* and 1*(g)* of article 16); the ratification of certain human rights protection instruments; awareness and training on the Convention for law professionals and the general public; the revision of certain instruments; the strengthening of existing mechanisms; the shortcomings of statistical data on discrimination, employment and violence against women; and better implementation of the Convention's provisions.

4. This report was prepared and validated before the creation of the Interministerial Committee for the drafting of initial and periodic reports to the treaty bodies. It was then submitted to the Interministerial Committee for verification of its conformity with the directives and the addition of more current data and information.

5. This report consists of two parts: the first contains general information on the legal and institutional framework for human rights promotion and protection, while the second takes stock of the progress Niger made, from 2005 to 2012, in the implementation of the provisions of the Convention, providing detailed information on the implementation of articles 1 to 30, with a further division into four subparts.

6. It analyses the progress made in the implementation of CEDAW provisions from 2005 to 2012 and the measures taken to give effect to the Committee's recommendations on the elimination of discrimination against women.

## I. Articles 1 to 6

### *Anti-discrimination measures (articles 1 to 3)*

7. Since the previous report was submitted, the concept of discrimination in Nigerian law has undergone a significant change as a result of article 22 of the Constitution of 25 November 2010, which provides that “*the State shall ensure the elimination of all forms of discrimination against women, girls, and people with disabilities. Public policies in all areas shall ensure that they can attain their full potential and participate in national development.*”

8. In order to combat discrimination, the Government tabled a bill amending Act No. 2000-008 establishing a quota system for elective (10 per cent) and appointed offices (25 per cent), with the effect of raising those quotas.

9. Despite these measures, the Niger legislation containing discriminatory provisions against women that was described in the previous report is still in force. That situation is mainly due to sociocultural constraints.

### *Organization of CEDAW and gender training*

10. Numerous training activities have been conducted by the Ministry of Population, Advancement of Women and Protection of Children (MP/PF/PE) and civil society organizations (CSOs), with the support of a number of technical and financial partners (TFPs). In addition to the activities carried out by the State, civil society in 2010 and 2011 contributed to capacity building for judges, lawyers, criminal investigation officers, the Defence and Security Forces (FDS), customary authorities, and religious and political leaders.

11. To combat discrimination, the State facilitated outreach activities on the Convention and its Protocol. Those activities were conducted by CSOs, including the Association Nigérienne de Défense des Droits de l’Homme (ANDDH), the Association des Femmes Juristes du Niger (AFJN), the NGO DIMOL, the Collectif des Organisations de Défense des Droits de l’Homme et de la Démocratie (CODDHD), which together form the consultative network for CEDAW implementation in the eight regions of the country. The awareness campaign reached nearly 20 per cent of the population.

12. A number of training sessions were organized for magistrates, criminal investigation officers (OPJ) and representatives of civil society on gender and the content of CEDAW by various trainers, who took different approaches to those issues. MP/PF/PE, through the Niger Gender Initiative (IGN), supported by UNFPA, has developed a gender training manual and established a nucleus of trainers in the capital and in other regions of the country. Under the same project, with regard to the lifting of Niger’s reservations, talking points on “gender and Islam” were drawn up and made available, together with a glossary of gender concepts in Arabic, Hausa and Djerma.

13. However, the reservation to article 2(f) relating to the abolition of existing laws, regulations, customs and practices which constitute discrimination against women is still in force, despite the Government’s efforts in that regard. That situation is due to the persistence of sociocultural constraints.

*Establishment of a legal culture favourable to gender equality*

14. A process for the preparation of a draft personal status code was launched in 2005. The draft legislation is intended to put an end to legal pluralism and regulate family relations. It is an important step towards the establishment of a legal culture favourable to gender equality.

15. In 2010, the Personal Status Code project was drawn up in a participatory manner, taking into account the dictates of custom and Muslim law as well as the international agreements ratified by Niger. Though it was technically validated, the draft document was not adopted, due to the hostility of certain social groups.

*Temporary measures aimed at accelerating equality between men and women (article 4)***Implementation status of the quota legislation**

16. In Act No. 2000-008 of 7 June 2000, establishing a quota system for elected officials, Government and the State administration:

- Article 3 is concerned with quotas in legislative and local elections. Its subparagraph 2 specifies that in the final result, the proportion of elected candidates of either gender must be greater than 10 per cent;
- Article 4 deals with appointed offices. It stipulates that in the appointment of cabinet members and promotion to high Government office the proportion of persons of either gender must not be less than 25 per cent. In other words, the authorities are obliged to appoint at least 25 per cent of persons of either gender as cabinet members and senior Government officials.

17. The Government is well aware of the difficulties that have at times affected the application of the Act and is working to overcome them. Moreover, in collaboration with civil society, MP/PF/PE has drawn up talking points in favour of raising the quota percentages. Draft legislation to that effect has been submitted to the Government.

18. Programmes and projects have also been implemented by MP/PF/PE to ensure true equality between men and women. These include the following:

- The 2nd phase of the Project to Increase the Cash Income of the Women of Dosso (ARMFD) in May 2012, with the support of Belgian technical cooperation;
- The Gender Initiative programme (with UNFPA funding), which began in 2005;
- The Capacity Building Project for Gender Equity (PREG), financed by the African Development Bank (AfDB);
- The Institutional Support project financed by the Spanish Agency for International Cooperation since 2011;
- The Multisectoral Demographic project (PRODEM), one component of which seeks to reduce disparities in the school environment, financed by the World Bank.

*Measures to modify patterns of conduct and family education (article 5)*

19. The reservation to article 5(f) of the Convention is still extant.
20. Under the Niger Gender Initiative, MP/PF/PE has entered into partnership agreements to ensure that gender is considered in teaching at the National School of Public Health (ENSP) and the Information and Mass Communication Training Institute (IFTIC). Two action plans have been developed and training sessions for directors, executives and teachers have been given at both schools.
21. It is also important to note that Act No. 2006-16 of 21 June 2006 makes reproductive health a right; moreover, it adopts a gender perspective, stipulating that within the couple that right belongs not to one spouse only, but to both.
22. Actions are ongoing to contain, then combat, the extent and determinants of violence against women. Those actions involve the State, CSOs and the technical and financial partners (TFPs).
23. The courts keep the best interests of the child in mind in all decisions that affect them, and especially when awarding custody to one parent in cases of separation.

Juvenile courts are part of all district courts (TGI) and trial courts in Niger.

*Measures to eradicate trafficking in women and the exploitation of prostitution (article 6)*

24. A number of legal, institutional and administrative measures have been taken to combat trafficking in women and the exploitation of prostitution.

The 2012 annual report on implementation of the Government's general policy statement notes that the following actions were carried out:

(a) At the legal and institutional level, the following legislation was enacted:

- Act No. 61-27 of 15 July 1961 establishing the Penal Code, as subsequently amended;
- Order No. 2010-086/P/CSR/D/MJ/DH of 16 December 2010 on the fight against trafficking in persons;
- Decree No. 2012-082/PRN/MJ of 21 March 2012 establishing the organization, membership and modus operandi of the National Coordination Committee to Combat Trafficking in Persons;
- Decree No. 2012-083/PRN/MJ of 21 March 2012 establishing the organization, membership and modus operandi of the National Agency for Combating Trafficking in Persons;
- creation of a central service for minors and women by Decree No. 2011-046/MI/S/D/AR/DGPN of 28 January 2011.

(b) At the administrative level, the following actions were undertaken:

- Recruitment of 1,012 police officers;
- Training of police officers on the maintenance of public order, trafficking in human beings and the gender approach based on human rights;



- Gender and human rights training for 90 MP/PF/PE executives at headquarters and in the regions;
- Organization of an international forum on peace, security and development in the Sahelo-Saharan region;
- Organization of a national forum on women, peace and security;
- Organization of communications campaigns on trafficking in persons and child labour, conducted by NGOs in the different regions of the country.

## II. Articles 7 to 9

### *Participation of women in political and public life (article 7)*

25. The Constitution of 25 November 2010, in articles 8 and 9 in particular, provides that all citizens may participate in public and political life on an equal footing, regardless of gender or social, racial, ethnic or religious origin. It also recognizes freedom of speech, association and worship and the freedom to vote and stand for election as provided by law.

26. The efforts made by the State and civil society in awareness raising and capacity building as regards female leadership have enabled women to be more active in political life. That commitment by women has borne fruit in that a woman was a candidate in the 2011 presidential election.

27. Niger's public policies are focused on the reduction of disparities between men and women. Such are the goals of the National Gender Policy and the quota legislation.

28. The decentralization brought to Niger by the first municipal elections of 2004 is giving women more opportunities to be represented in local decision-making spheres. However, even though city and regional councillorships have become elective offices, there were fewer women elected at the close of the 2010–2011 general election than in 2004. Hence, the current situation is as follows:

- For elective offices:
  - On city councils, 17 women elected out of a total of 104 councillors, or 17.68 per cent;
  - On regional councils, 34 women elected out of a total of 260 councillors;
  - In Parliament, 15 women out of a total of 113 deputies;
- For appointed offices: the positions of president of the Constitutional Court, the Court of Auditors and the High Court of Justice are occupied by women;
- At the Government level, five (5) of the thirty-one (31) Ministers are women.

29. Also, in 2011, a Directorate for the Promotion of Female Leadership was created, its mandate being, inter alia:

- To initiate strategies and mechanisms for the promotion of human rights and women's political leadership;
- To develop strategies to combat gender stereotypes and gender-based violence;

- To foster girls' school enrolment;
- To identify specific actions in favour of women and girls, in particular in rural areas where harmful cultural practices persist.

30. Despite the above-mentioned efforts, it is clear that there are still challenges to women's participation in political and public life. The difficulties flow from the persistence of unequal relations, non-compliance with gender equity provisions, women's low educational level, ineffective enforcement of the provisions of the quota legislation, sociocultural constraints, women's meagre resources (especially financial), the underrepresentation of women in political parties' offices, women's placement on electoral lists, and a lack of support and encouragement for women in politics.

***Equality between men and women in representing their country and participating in the work of international organizations (article 8)***

31. At this level the situation has not significantly changed since the previous report. It may be noted that of the twelve (12) diplomatic missions of Niger, five (5) are headed by women.

***Equal rights to acquire, change or retain nationality (article 9)***

32. A bill has been tabled to revise the Nationality Code in line with the concerns raised in the previous report, in particular as regards the transmission of nationality by female citizens of Niger to their foreign-national spouses. Again, under that bill, a female citizen of Niger who marries a foreign national will enjoy an uncontested right to take her husband's nationality, and vice versa. The objective of the reform initiated has been to establish equal rights for men and women to acquire, change or retain Niger nationality. In so doing, the bill seeks to put an end to discrimination against women as regards transmission of Niger nationality to their spouses.

### **III. Articles 10 to 14**

***Equality in education***

33. Great efforts have been made by Niger, as witness the implementation of the Orientation Law of the Education System in Niger (LOSEN) and the Ten-Year Education Development Programme (PDDE). Significant results have been achieved at the preschool, primary, secondary, and higher education levels and in adult literacy campaigns.

***Preschool***

34. Children aged four to six attend preschool. This level comprises early childhood centres, consisting of preschool institutions that fall into three categories: public, private and community-based.

35. Girls' education begins with preschool. Gender parity is enforced. Between 2009–2010 and 2010–2011, the gross preschool enrolment rate rose from 4.6 to 5.7 per cent — a very satisfactory result inasmuch as the target of 5 per cent set for the end of the Ten-Year Programme has already been reached. As with the other levels of education, preschool coverage has improved these last years, in particular

through the establishment of community kindergartens, mainly in rural areas (where 683 of the 1,283 preschools are located).

36. The number of preschool teachers rose from 1,995 in 2009–2010 to 2,961 in 2010–2011, an increase of 48.4 per cent. Teaching staff consists mostly of women, who make up 91 per cent of the total. Their teaching is monitored by 9 inspectors.

#### Basic cycle 1

37. Children aged six to seven officially begin their first year of school with this cycle. Primary education has made big strides in access and coverage. Enrolment is constantly increasing, in particular of new registrants in the first year of the cycle. Between 2007–2008 and 2010–2011 the number of new first-year students rose from 342,360 to 469,917, for an average annual increase of 11.1 per cent. Over the same period, girls' enrolment grew faster than boys', as shown in the table below (11.6 as opposed to 10.7 per cent).

Table 1  
**National gross enrolment rate by sector and gender**

	2007–2008	2008–2009	2009–2010	2010–2011	2011–2012	Increase
Aggregate	62.1	67.8	72.9	76.1	79.2	11.4
Boys	71.2	77	81.9	84.9	87.6	10.8
Girls	53.1	58.6	63.9	67.3	70.7	12.1
Urban	73.2	78	80.8	99.1	108.2	30.2
Rural	58.4	64.4	70.3	70	71.4	7
Girl/boy parity index	0.75	0.76	0.78	0.79	0.8	0.05
Urban/rural parity index	1.25	1.21	1.15	1.42	1.5	0.31

Source: *Basic education statistics, 2011–2012 yearbook, Ministry of National Education.*

38. The number of schools offering basic cycle 1 increased substantially during the 2001–2002 to 2010–2011 period, from 5,975 to 13,763 schools. There are proportionally more schools (86.8 per cent of the total) in the countryside, where 80 per cent of the population resides, than in urban areas. In addition, the number of classrooms in use rose from 15,065 in 2000–2001 to 28,879 in 2006–2009, then to 44,225 in 2010–2011. There are four students to a desk, and the situation is worse in rural areas, where five students must share a desk. As regards textbooks, the option chosen under the Ten-Year Education Development Programme (PDDE) has been to provide each basic cycle 1 student with a textbook covering the core subjects (reading, math and science).

39. Quality performance is assessed here against three indicators: completion rate, pass rate in end-of-cycle examinations, and survival rate.

40. The completion rate for basic cycle 1 improved throughout the 2007–2008 to 2010–2011 period, from 45.8 to 51.2 per cent, an increase of 5.4 percentage points.

41. The pass rate for the school-leaving certificate (CFEPD) showed a significant improvement between 2007–2008 and 2010–2011, from 44 to 63.5 per cent, or 14 percentage points. The increase was almost the same for girls as for boys

(14.9 points). Rural results were very good, with an increase of 15.4 points over the same period, as against 13.4 for urban areas. In this sector, the retention of girls was less than boys', at 66.7 vs 71.3 per cent nationally.

Table 2

**Changes in educational performance**

	2007–2008	2008–2009	2009–2010	2010–2011	Increase
Aggregate	44	53.3	58.7	63.5	14.7
Boys	45.3	55.3	60.2	64.9	14.9
Girls	41.9	50.3	56.6	61.6	14.7
Urban	49.6	50.3	56.6	63	13.4
Rural	41.1	59.4	56.5	61.8	15.4

Source: Basic education statistics, 2010–2011 yearbook, Ministry of National Education.

42. These significant advances are the result of far-reaching innovations undertaken in the context of the universalization of primary education through PDDE implementation. In addition to the educational authorities, the TFPs and CSOs took a great interest in the Programme. Support and encouragement are needed for the strategies adopted to promote education in general and girls' education in particular, which include:

- Establishment of a Directorate for the Promotion of Girls' School Enrolment in 2000, designation of focal points for girls' enrolment in the decentralized services of the Ministry of National Education, the creation and start-up of associations of mother educators (AMEs), etc.;
- Greater social mobilization in favour of girls' enrolment through community awareness actions and advocacy directed at decision-makers;
- Development of a participatory approach with strong community involvement in school management.

Table 3

**Change in new registrants in the first year of basic cycle 1 nationally**

Gender	2007–2008	2008–2009	2009–2010	2010–2011	2011–2012	Average annual increase
Aggregate	342 360	410 975	463 160	469 917	475 166	5%
Boys	187 303	226 453	249 941	254 941	255 423	4.1%
Girls	155 057	187 522	213 219	215 682	219 743	6%

Source: Basic education statistics, 2011–2012 yearbook, Ministry of National Education.

43. The gross access ratio (GAR) increased from 77.8 per cent in 2007–2008 to 99.8 per cent in 2010–2011, while the ratio for girls rose from 71.4 to 92.7 per cent over the same period, an increase of 21.3 percentage points. The gross enrolment ratio (GER) rose by 14 percentage points over the period (from 62.1 to 76.1 per cent); the girls' ratio increased from 53.1 per cent in 2007–2008 to 67.3 per cent in 2010–2011, as shown in the above table.

44. It should be noted, however, that people's attitudes and behaviours toward school, especially in the countryside, are not always favourable. Access and retention of girls remains a problem, one that arises mainly from sociocultural and economic obstacles such as early marriage and poverty.

One of the objectives of the Ten-Year Education Development Programme (PDDE) requires strong mobilization and real involvement of all stakeholders through appropriate educational strategies and formulas.

45. Accordingly, the Ministry of National Education, through the Directorate for the Promotion of Girls' School Enrolment and with the support of its partners, has developed strategies for behavioural change to achieve greater social mobilization in favour of education in general and girls' education in particular.

46. Two significant reforms are under way to boost girls' enrolment: The national policy on girls' education and training, whose goal is to eliminate the disparities between girls and boys in education and training by 2020; and the document on integrated early childhood development, which seeks inter alia to improve school access for children aged 0 to 8.

### *General secondary education*

#### **Lower secondary (age 13–16)**

47. This phase of education lasts four years and leads to a school-leaving certificate (BEPC) giving access to general, technical and vocational intermediate education or to working life.

48. The rapid increase in the number of students completing their primary education has brought about a notable change in basic cycle 2 enrolment: 202,977 in 2007–2008, 222,500 in 2008–2009, and 253,576 in 2009–2010. Girls' enrolment went from 85,714 in 2008–2009 to 98,811 in 2009–2010; they make up 39 per cent of the total.

Table 4

#### **Change in enrolment of girls in basic cycle 2 (public and private) at the national level**

Year	Enrolment		
	Total	girls accounting for:	
		Number	Percentage
2004/05	151 593	59 836	39.5%
2005/06	179 721	69 951	38.9%
2006/07	184 593	71 381	38.7%
2007/08	202 977	78 081	38.5%
2008/09	222 500	85 714	38.5%
2009/10	253 576	98 811	39.0%

Source: 2003–2004 Statistical Yearbook, Ministry of Basic Education and Mass Literacy (MEBA), and 2007–2008 school census, MESS/RT.

49. In 2009–2010, rural enrolment of 95,999 students accounted for 37.86 per cent of the total, as against 35.2 per cent in 2008–2009.

50. Since 2006–2007, the GAR for 6th year has much increased owing to greater access to basic cycle 2. The ratio went from 15.8 per cent in 2006–2007 to 25.8 per cent in 2009–2010, an increase of around 10 percentage points over the period.

51. The GER was just 17.8 per cent in 2009–2010, which means the students enrolled in that cycle and school year represented only 17.8 per cent of the population of school-age children in school (age 13–16).

Table 5

**Change in the gross enrolment ratio for basic cycle 2 (public and private)**

<i>School year</i>	<i>Aggregate</i>	<i>Boys</i>	<i>Girls</i>	<i>Parity index F/M</i>
2004–2005	14.49	17.77	11.29	0.64
2005–2006	16.10	19.77	12.46	0.63
2006–2007	15.55	19.06	12.04	0.63
2007–2008	16.08	19.65	12.46	0.63
2008–2009	16.6	20.2	13.0	0.64
2009–2010	17.8	21.4	14.1	0.66

*Source: 2009/2010 school census, MESS/RT.*

52. The number of institutions (private and public) was 675 in 2010, as opposed to 556 in 2008. The number of teachers in the public sector has been constantly increasing. There were 5,115 in 2008–2009, but 6,311 in 2009–2010, a 23.4 per cent increase. Of that total, 23.5 per cent are women. The teachers are contractuels (89.6 per cent) or National Civic Service conscripts (ASCNs), in most cases recruited without any initial teacher training.

53. With 48,116 students in 2009–2010, repeaters accounted for 19 per cent of the total, as against 20 per cent in 2008–2009 — so, one percentage point less. Over the last four years, it was observed that girls repeat more than boys. Only 34.7 per cent of all girl students entering 6th form reached 3rd form in 2010, as opposed to 39 per cent in 2009, a decrease of more than 5 percentage points.

54. Where real-world effectiveness is concerned, as measured by success on the BEPC, it was found that the results of the July 2010 session (31.35 per cent passed) were inferior to those of the previous session (2009, with a pass rate of 41.5 per cent).

55. Given the very notable increase in new admissions to 6th form and the poorer retention and pass performance, the goal for 2015, namely to move towards parity between urban and rural areas and between girls and boys in total basic cycle 2 enrolment, may not be achieved.

56. The proximate causes of these disparities between girls and boys are: the absence of family support, the lack of reception facilities, and the unaffordability for parents of having girls attend lower and upper secondary school or institutions of higher learning. The result of these various circumstances is dropouts and high rates of attrition in schools.

57. To remedy the disparities, the following strategies are being implemented:

- Placement of girls in foster families (AfDF NGO);
- UNICEF pilot programme (bursaries for girls);
- Support for girls attending French/Arabic-language middle schools.

### Upper secondary (age 17–19)

58. Upper secondary general education is for students in the 17- to 19-year-old age group. This is a three-year cycle leading to a secondary diploma.

59. Since 2007–2008, there has been a very significant increase in new admissions to second form. Middle school admissions were up by 37 per cent, at 13,852. That massive influx of new entrants drove up the total numbers in upper secondary: 27,131 in 2007–2008, 27,643 in 2008–2009 and 33,133 in 2009–2010.

Table 6

### Change in number of girls in upper secondary school (public and private)

School year	Enrolment		
	Total	Girls accounting for:	
		number	percentage
2004–2005	25 440	9 338	36.7
2005–2006	30 905	11 146	36.1
2006–2007	26 897	9 317	34.6
2007–2008	27 131	8 979	33.1
2008–2009	27 643	9 104	33.0
2009–2010	33 351	10 635	31.9

Source: 2009–2010 school census, MESS/RT.

60. In 2010, the number of institutions and secondary education complexes (CES), both public and private, was 184, compared to 155 in 2009 and 171 in 2008. 10 per cent of the classrooms in use do not afford good teaching conditions because they are in huts.

61. The number of teachers in this sector was 1,971 in 2009–2010, compared to 1,989 in 2008–2009 and 1,656 in 2007–2008. The faculty consists of 12.13 per cent women and 63.2 per cent National Civic Service conscripts.

62. Repeaters made up 14.9 per cent of the upper secondary student body in 2009–2010, compared to 20.1 per cent in 2008–2009. There were more girls than boys repeating a year (15.7 per cent compared to 13.5 per cent).

63. As regards the rate of completion, it was observed that only 24.2 per cent of students complete this cycle, with boys doing better than girls (3.4 per cent and 1.4 per cent in 2009–2010). As regards retention, it was found that only 53.3 per cent of second-form students reach the graduating class, and that girls drop out more often than boys at this level also.

64. Out of 14,977 applying for the 2009 session at whatever level, 4,450 were admitted, a rate of 29.7 per cent. Those results constitute great progress.

### Higher education

65. Higher education is the third level of formal education. It comprises all postsecondary courses and is given at universities, institutes, colleges and specialized centres.

66. In 2009–2010, there were 11,292 students enrolled in university at Niamey, while the university in Say had an enrolment of 1,195, including 202 girls.

67. In addition to the two universities (Abdou Moumouni University in Niamey and the Islamic University of Say), there are three University Institutes of Technology (IUT) in Tahoua, Maradi and Zinder, universities of applied sciences (ENAM, EMIG, EAMAC, NPHS, AGRHYMET), and research centres (INRAN, ICRISAT, ISRH, IRI, IREM). Another phenomenon of note is the proliferation of private-sector training schools and institutes of higher learning.

### Literacy and continuing education

68. Literacy and continuing education programmes are designed to offer young people and adults who have quit school or never attended the chance to acquire a minimum of knowledge that will help them in everyday life. The programmes are offered in literacy and continuing education centres, vocational schools, and various ad hoc training and coaching facilities funded by the State, local authorities and the TFPs.

69. Successive literacy campaigns between 2000–2001 and 2003–2004 recorded a steady increase averaging 22 per cent a year in the number of learners. The effort did slow somewhat in 2004–2005, so fewer centres were in operation in 2004–2005 than in 2003–2004. The upward trend resumed during the 2009–2010 campaign, as enrolment was 30 per cent higher than the previous year.

70. Women have been the majority — six out of ten learners — of those attending literacy courses since 2002–2003, inasmuch as new women’s centres have been opening and each year account for more than half of the training facilities.

71. In 2009–2010, 51 per cent of the facilities were women’s centres.

Table 7

### Change in learner numbers and attendance rates

Year	Start of campaign			End of campaign			Attendance rates		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
2007–2008	54 235	15 737	38 498	39 561	11 279	28 282	73%	72%	73%
2008–2009	52 356	18 674	33 682	47 269	16 115	31 154	90%	86%	92%
2009–2010	67 991	19 449	48 542	50 887	14 894	35 993	75%	77%	74%
2010–2011	62 965	22 584	40 381	35 651	12 046	23 605	57	53	58

Source: *Basic education statistics, 2011–2012 yearbook, Ministry of National Education.*



72. The number of centres began increasing again during the 2008–2009 campaign, reaching 294, of which 272 were in rural areas. Those greater numbers attest to several promoters' interest in supporting all initiatives that tend to reduce illiteracy. To promote continuing education for learners and help them retain what they have learned, village libraries and presses were established. Even though women's centres are in the majority, supervisory staff are preponderantly men, with women accounting for 48 per cent.

Table 8  
**Change in literacy centres**

Year	Zone		
	Total	Rural	Urban
2007–2008	2 105	1 906	199
2008–2009	2 399	2 178	221
2009–2010	2 313	2 076	237
2010–2011	2 038	1 847	191

Source: *Basic education statistics, 2011–2012 yearbook, Ministry of National Education.*

73. The quality of the literacy subsector will be assessed through the final test pass rates and dropout rates. Over the 2003–2010 period, of 335,595 adults tested, 179,640 were declared literate at campaign's end; an overall success rate of 53.53 per cent. Among women, 114,614 were declared literate, a 50 per cent success rate — lower than the 60 per cent success rate achieved by men. A large number of learners drop out before their level can be assessed, while not all those who stay until the end of the campaign can be said to have become literate, because they fail the final test. In 2010–2011, the success rate was 52 per cent, as against 60 per cent in 2008–2009.

#### *Health sector*

74. The State, with the support of its partners, is continuing to exert very great efforts to improve the health of the general population and that of women and children in particular.

75. Niger is continuing to implement the Health-Care Development Plan (PDS); its 2005–2010 phase has been evaluated, and a new 2011–2015 phase is being implemented. PDS implementation is based on a number of principles and values, including the right to health care for all, which the 2011–2015 PDS will help make a reality, in particular by providing access to care for the great majority of the people, including the poorest and most vulnerable social groups, under the Primary Health Care (SSP) approach:

- Enhanced activities in the field of reproductive health, in particular as regards women's and children's health, and especially the aspects of nutrition, antenatal care, family planning, prevention and control of STI/HIV/AIDS — with particular emphasis on prevention particularly as regards prevention of mother-to-child transmission;

- Act 2006-16 of 21 June 2006 on Reproductive Health (RH), through its implementing decree, authorizes assisted medical procreation and abortion in cases of rape and incest;
- Health coverage is provided by infrastructure consisting of 3 national hospitals, 6 regional hospitals, 33 first-referral district hospitals, 28 of which have an operating theatre, 853 Integrated Health Centres (CSI), and finally 2,510 local dispensaries (cases de santé). An upgrade to this infrastructure is expected very soon, with the commissioning of seven regional Mother and Child Centres.

### **Status of women and girls' access to reproductive health services**

76. The Accelerated Development and Poverty Reduction Strategy (SDRP, 2008-2012) embodies a political will and commitment to maternal and child health through the PDS. Almost 70 per cent of the health budget is devoted to reproductive health activities in a sector-wide approach (SWAP) supported by a common fund, a common, harmonized approach to maternal and neonatal health by the three agencies of the United Nations system (WHO, UNFPA, UNICEF), and a framework partnership signed by all health sector partners.

77. In the context of the reduction of maternal and neonatal mortality, many innovative strategies have been implemented, in particular through the provision of essential neonatal obstetrical care (SONE), emergency neonatal obstetrical care (SONU), prevention of mother-to-child transmission of HIV (PMTCT), integrated management of childhood illness (IMCI), and maternal, newborn and child health (MNCH) care at the community level: reproductive health outreach teams, health care quality assurance, post-abortion care, a "husbands' school", dual-protection social marketing (family planning and HIV prevention), fairground activities and community-based contraceptive distribution, the promotion of essential family practices, etc. Implementation of all these strategies has significantly mitigated maternal and neonatal mortality rates, which fell from 648 and 198, respectively (per 100,000 live births) in 2006, to 554 and 108.7 in 2010 (source: DHS).

78. To ease the financial burden that limits access to health care, the State is continuing the effort to make care free for women and children under the age of five: antenatal consultations, Caesarean sections, family planning, screening and management of female cancers, obstetric fistula and HIV/AIDS, and care for children under the age of five.

79. Important steps have been taken in the area of staff recruitment and motivation: the staff essentially consists of 958 doctors (1 for every 16,420 inhabitants), 3,782 nurses (1 for every 4,159 inhabitants) and 943 midwives (1 for every 3,670 women of reproductive age). About half of the staff (doctors, nurses and midwives) work in Niamey and in large urban centres. It should be noted, however, that following the 2012 recruitment push, of the 536 doctors recruited 207 were assigned to type II CSIs, accounting for 76 per cent of those so assigned nationwide. So there is an incipient medicalization of the CSIs. Of the 42 health districts, 38 (90 per cent) now have more physicians. Another 42 physicians have been assigned to district hospitals. In all, 1,720 new staff members have been recruited: 767 nurses, 232 midwives and 185 other executives.

80. Technical support centres have been upgraded, with the inauguration of operating theatres at district hospitals providing comprehensive emergency obstetric care, and to provide basic obstetrical care at integrated health centres, etc.

81. Activities to prevent and manage obstetric fistula in women sufferers and assist their socioeconomic reintegration are have been continued as part of the global Campaign to End Fistula. In that context, an intersectoral committee — involving NGOs, associations and professionals and known as the Fistula Eradication Network (REF) — has been formed to carry out advocacy, control and social reintegration activities with the support of many TFPs. In 2012, for every 100 childbirths there were 0.06 cases of fistula or vesico-vaginal fistula .

82. Among other actions taken have been awareness and information, education and communication (IEC) campaigns to spur behavioural change in relation to harmful traditional practices (female genital mutilation, early marriage/early motherhood); establishment of 6 February as the day of “zero tolerance for female genital mutilation”; promotion of breastfeeding, advocacy for the reduction of maternal mortality (CARMMA) in collaboration with related sectors and civil society; repositioning of family planning and the Ouagadougou partnership; the Muskoka project to reduce maternal and neonatal mortality with UN Women.

83. With specific reference to the field of adolescents’ and young people’s health, implementation of the national strategy in that regard takes into account both the sexual and reproductive health of adolescents and young people (SSRAJ) and the fight against social evils. Emphasis is placed on the integration of adolescent and youth health activities and the adaptation of health centres for that purpose.

84. A particular focus is the implementation of IEC activities directed towards changing the behaviour of young people and their parents, the availability of quality sexual and reproductive health services that are available to young people and adolescents and better suit their needs. Again, particular emphasis is placed on the availability of contraceptives (including condoms) that can be obtained at any time from trained youth group facilitators (peer training) to encourage young people to adopt responsible sexual behaviour and make use of health services for care and counselling.

***Reply to the Committee’s recommendation on the measures taken by the State to improve women’s access to health care and health-related services and information***

85. In addition to free health care, further progress has been made in the form of important reforms undertaken to improve the quality and accessibility of health care and health-related services and information as well as sexual and reproductive health services for the entire population but particularly rural women and children. These include:

- Fairground counselling campaigns;
- Awareness and education campaigns for men and women aimed at eliminating female genital mutilation (FGM) and other harmful practices;
- Implementation of new community-based strategies to enhance the capabilities of health facilities at this level (development of a community-based strategy and revision of the dispensaries’ minimum package of services).

***Reproductive health responsibilities***

86. Responsibility for the promotion, safeguarding and protection of the right of all human beings to reproductive health lies at once with the State and its quasi-public components, community groups, other legal persons, and individuals. In other words, reproductive health is the business of the whole of society, which clearly means that everyone, according to their means and capacity, must help give effect to the right to reproductive health.

***Health of children from birth to the age of 5***

87. As regards the health of children under 5 years of age, the infant and child mortality rate fell from 198 per thousand live births in 2006 to 108.7 in 2010. Among the factors that helped achieve this were: free health care for children under 5, the lower case fatality rate for malaria, which fell from 0.27 per cent in 2005 to 0.13 per cent in 2008, measles immunization coverage that has been above 80 per cent since 2005, the recovery rate of the malnourished, which increased from 29 per cent in 2005 to 120.5 per cent in 2010 (source: PDS follow-up indicators), and the incidence of exclusive breastfeeding up to 6 months, which was 10 per cent in 2006 and was estimated at 26 per cent in 2011. That being so, the country may come close to its goal of 114 per 1,000 by 2015.

88. On the other hand, the neonatal mortality rate increased slightly, from 33.0 to 34.3 per thousand live births, between 2006 and 2010.

***Maternal mortality***

89. The rate of maternal mortality is declining, from 648 per 100,000 live births in 2006 to 554 in 2010 (source: 2010 DHS). One of the contributing factors we should note is that the proportion of deliveries assisted by qualified personnel rose from 17.7 per cent in 2006 to 29.5 per cent in 2010 (SNIS). In 2010, according to the 2010 national survival and mortality survey (ENSM; source INS), the 2015 goal of 50 per cent is highly likely to be reached.

90. Other factors are more encouraging, such as the intra-hospital maternal mortality rate, which fell from 2.2 per cent in 2005 to 0.2 per cent in 2010. However, the incidence of Caesarean sections remains below the minimum of 5 per cent, even though it did rise slightly — by 0.4 percentage points — between 2005 and 2010, from 0.8 per cent to 1.3 per cent, in spite of all the efforts made in the form of enhancements to technical support centres and free health care. Use of contraception, which had been 5 per cent in 2006 (DHS, 2006), grew to between 16 and 21 per cent by 2009 (2009 prevalence survey). In 2011, greater efforts were put forth by all regions than in 2010 to increase the use of family planning (FP). At the national level, the target of 23 per cent was achieved. The highest rates were recorded in Niamey (42.66 per cent), Zinder (28,19 per cent) and Agadez (26.28 per cent). The lowest was in Diffa, at 14.13 per cent.

91. That performance is mainly due to the intensification of popular awareness activities, the improved availability and management of inputs, capacity building for family planning officers, expansion of community-based distribution (CBD) sites, and fairground activities conducted by CSIs. Niger has been able to adopt a 2012-2020 Plan of Action thanks to FP Repositioning, which brings together eight countries of West Africa, and the 2012 Ouagadougou partnership.

92. Another development has been the improved rates of antenatal consultation, up from 36 per cent in 2006 to 94.9 per cent in 2010, and postnatal check-ups (PNC), which increased from 9 per cent to 27.1 per cent over the same period.

### ***Fight against HIV/AIDS***

93. With regard to HIV/AIDS particularly, Niger developed a new 2008–2012 National Strategic Framework (CSN), adopted in December 2008 and a three-year National Multisectoral Plan (PNM) for 2009–2011, which was validated in a participatory manner at all levels. The 2009–2011 PNM sought to build on what had already been accomplished in terms of health standards, prevention, care, access to antiretroviral (ARV) drugs, and mitigation of the epidemic's adverse effects. The actions it identifies are along the following strategic lines:

- Advocacy, coordination, partnership and resource mobilization;
- Prevention and screening promotion;
- Access to care and treatment;
- Support for infected and affected persons and promotion of human rights;
- Epidemiological and behavioural surveillance and operational research;
- Monitoring and evaluation.

94. As regards counselling care, it should be noted that prevention and treatment of certain infections is done at national, regional and district hospitals. In addition, a national strategy on prevention of mother-to-child transmission of HIV (PMTCT) was adopted. The number of PMTCT sites stood at 156 in 2008, 158 in 2009, and 155 in 2010; they offer the following services: promotion of voluntary testing during antenatal consultation, follow-up and counselling for HIV-positive women, prophylactic administration of ARVs, assisted childbirth for HIV-positive women, and monitoring of HIV-positive mothers and infants. Psychosocial support is provided by national hospitals and some NGOs. ARV-based therapeutic support is provided by 107 doctors trained in prescribing ARVs and 13 prescribing centres as well as an operational outpatient centre. The number of patients on ARVs fell from 2,917 in late 2009 to 2,849 in late 2010.

### ***Health financing***

95. In Niger, health financing comes from three sources: the State, external partners and households. Health expenditures are US \$18 (9,000 CFA francs) whereas the recommended level is US \$34 (17,000 CFA francs). In funding terms, the budget allocated to the health sector accounted for 7.85 per cent of the national budget in 2010. That shows that the efforts so far made fall short of the country's international commitments, including the Abuja Declaration (2001) whereby heads of State committed 15 per cent of their national budgets to health.

96. Health care continues to be mainly paid for by households, whose contribution was 41.76 per cent in 2008 and 42.7 per cent in 2009 according to the 2009 national health accounts.

97. External aid accounted for 25 per cent of all health financing in 2009.

98. Over the 2011–2015 period the The Health Care Development Plan (PDS) calls for the expenditure of some 1,017 billion CFA francs, i.e. 220.3 billion per year, 31.1 per cent of which will be devoted to the field of reproductive health.

99. Many NGOs have emerged, a certain number of which are active in the field of health, especially in rural areas, and focus in particular on such things as RH, nutrition, family planning and STI/HIV/AIDS. Advocacy and resource mobilization for the health of mothers and children are fostered by a broad mobilization of traditional, religious and political leaders as well as local elected officials.

100. The NGO CONIPRAT is supporting the Government by raising awareness of the harmful effects of female genital mutilation and unwanted pregnancies throughout the country but especially in nomadic areas and along the river. As a result, many women have put away their knives and embarked on income-generating activities.

- A six-month pilot project has been set up at the Support Centre for Women Victims of Violence of the 3rd district of Niamey, piloted by an NGO consortium (SOS FEVVF, AFETEN and AFJN).
- 1,097 individuals, to wit, 155 men, 88 women, 394 girls and 460 boys, are refusing to trivialize violence and undertaking to inform and educate members of their communities.
- 128 victims of violence have regained confidence and refuse to remain silent about the violation of their rights;
- 20 women victims of violence have improved their state of health thanks to the Support Centre;
- Many cross-cutting actions have been undertaken under the Multisectoral Demographic Project (PRODEM), the “husbands’ school” strategy.

#### ***Equality in the field of employment (article 11)***

101. Article 33 of the Constitution states that “*The State recognizes that all citizens have the right to work, and is taking steps to create conditions in which this right can be effectively enjoyed and which guarantee to the worker a fair remuneration for his or her services or his or her output. No one shall be subject to discrimination in his or her work.*”

102. The principles set out in article 33 of the Constitution are also found in Act No. 2012-45 of 25 September 2012 (the Labour Code), which in articles 2 and 5 prescribes non-discrimination and equal access to employment for women.

103. The staff complement of the public service in 2012 was 40,819, made up of:

- Women: 14,303 (i.e. 35.04 per cent)
- Men: 26,516 (i.e. 64.95 per cent)

104. Looking more closely at article 5 of the above-mentioned Act, we find that it states: “*Subject to the explicit provisions of the present Code or of any other legislation or regulation protecting women and children, and provisions relating to the status of foreigners, an employee’s sex, age, national extraction or social origin, race, religion, colour, political or religious views, disability, HIV/AIDS status, sickle-cell anaemia, membership or non-membership of a trade union or trade*

*union activity shall not be taken into account by any employer in making decisions relating, in particular, to recruitment, the conduct and distribution of work, staff development, advancement, promotion, remuneration, allocation of social benefits, disciplinary measures or termination of employment contract. Any conflicting provision or text is void.”*

105. In keeping with this provision, Niger labour law contains very egalitarian rules in all aspects of labour relations: recruitment, remuneration, social benefits, retirement age, etc.

***Right to health protection of health on a basis of equality of men and women and access to care for women in connection with pregnancy, confinement and the postnatal period (article 12)***

106. As regards the right to decent working conditions, articles 109 to 113 of the Labour Code code enshrine the rights to protection of women and motherhood.

107. Article 109 provides that work of a kind that may impair a woman’s procreative capacity is forbidden and, in the case of a pregnant woman, that work that may affect her health or that of the child is also prohibited.

108. Article 110 provides that *“a pregnant woman whose condition has been medically certified or who is visibly pregnant may leave her work without notice and without having to pay a fine for breach of contract.”*

109. Furthermore, pursuant to sections 111 and 112 of the Code, for fourteen (14) consecutive weeks, of which eight (8) shall be after delivery, every working woman is entitled, at the expense of the social security authority (which establishes a separate management account replenished by employers’ contributions), to reimbursement of expenditures related to childbirth and, as required, medical care, subject to the maximum rates set by the health authority, as well as half the salary she earned prior to going on leave.

110. With regard to the Committee’s recommendation on reducing all barriers women face in the labour market, the legal and institutional reforms Niger has undertaken have helped to evolve the various indicators used in this area and in the formal and informal sectors.

111. In 2008, the number of employment applications by women registered with the National Agency for the Promotion of Employment (ANPE) was 5,024, compared to 19,805 by men, and so accounted for 20 per cent of the total.

112. Men’s employment applications met with success more often than women’s. In 2008, the total number of successful job applications was 3,120, as against 6,314 in 2007. Of these, 509 had been submitted by women, 2,611 by men. The corresponding figures for 2007 were 1,220 and 5,094. respectively.

113. As regards the recommendation for the adoption of a comprehensive approach to combating violence against women, the State has made great efforts to bolster the corresponding legal framework and to adopt programmes whose implementation has provided for psychosocial care for victims.

***In the legal sphere***

114. As amended by Act No. 2003-025 of 13 June 2003, the Niger Penal Code, in its articles 208.1 to 208.8, outlaws war crimes and crimes against humanity. Punishments for assault and battery are enacted in articles 222 to 232, while those for female genital mutilation are dealt with in articles 232.1 to 232.3. Crimes and misdemeanours against children and the family are defined and made punishable by articles 248 to 261. Slavery is defined and punishments therefore are set out in articles 270.1 to 270.5.

115. Chapters 7, 8 and 9 are devoted to manslaughter and unintentional injury, indecent assault and abortion.

116. In addition, Ordinance No. 2010-086 of 16 December 2010 on the fight against trafficking in persons provides punishments for the trafficking and smuggling of women and children, forced labour and servitude, among others offences. Application of the legislation is made more effective by the establishment of specific enforcement bodies.

***In the sphere of projects and programmes***

117. With support from AfDB, the State has taken action through the Capacity Building Project for Gender Equity (PREG) to combat gender-based violence (GBV) and to drive an improved perception in Niger of the relationship between men and women.

118. In 2011, the Ministry for the Advancement of Women created a gender-based violence division within the Directorate for the Promotion of Female Leadership. Its mandates are, in particular, to develop strategies for combating stereotypes and GBV, to produce gender-specific cluster data on GBV cases, and to strive for real enforcement of anti-violence laws.

119. A compendium of the legislation on gender and human rights was developed and validated in 2012 by MP/PF/PE and will be distributed nationwide.

120. Many projects and programmes to combat GBV are being conducted by State entities and civil society organizations under the aegis of the Anti-GBV Consultative Framework and with the support of TFPs such as the United Nations system, OXFAM and bilateral partners. The Framework's mission is to coordinate the efforts of all those working to combat GBV, with the goal of preventing and reducing such violence. It is a locus for the exchange of experiences, information and training, with a current membership of about 23 entities (technical ministries, TFPs, NGOs, associations, federations).

121. Since the Framework's inception it has been conducting its awareness, advocacy and lobbying activities through the "16 days of advocacy against gender violence", the "WE CAN end all violence against women" campaign, capacity building for stakeholders, in particular criminal investigation officers and opinion leaders, and support for victims.

122. The Framework's training and information policy revolves around the theme of professionalization of front-line stakeholders. Since the policy's inception in 2006, it has enabled the training of more than 100 magistrates, 65 police officers, 122 religious leaders, 112 health workers, 143 journalists, etc.



123. As part of the implementation of its Priority Solidarity Fund, “to help eradicate gender-based violence and enhance women’s role in peace and security”, UN-Women Niger has over the past three years been widely distributing Resolution 1325 in the Tillabery and Agadez regions, in partnership with the LUCOFVEM NGO working to combat violence against women and young children. The same is to be done in the other regions in 2014 and 2015.

#### *Awareness sessions*

124. Through its activities, the Framework has helped to inform public opinion about GBV. In the school environment, for example, over 10,300 students and teachers have been made aware of sexual harassment, to encourage them to break the code of silence.

125. Two flagship campaigns have been conducted: the “16 days of advocacy against gender violence” and the “WE CAN end all violence against women” campaign. Both achieved encouraging results, with 10,000 agents of change volunteering for the “WE CAN” campaign.

126. Awareness sessions were also conducted at the behest of some partners. Thus, a documentary film about early and forced marriage was made with UNICEF support.

#### *Support for victims of gender-based violence*

127. For years, victim support essentially took the form of isolated measures taken by disparate actors at a number of levels. Because that approach had come to be seen as simplistic, the Government, with the support of Oxfam-Québec and UNFPA, embarked on an experimental plan to provide holistic victim support. That experiment, conducted by the Framework through a consortium of specialized NGOs, aims to develop effective, appropriate tools such as prevention, care and social reintegration, to identify best practices and to strengthen the synergy between the actors involved.

128. Following on from its activities in GBV prevention and victim support and monitoring, the Framework carried out a holistic GBV victim support pilot project in the third district of Niamey over five months of 2011 through one of its constituent entities, with the support of its traditional partners (Oxfam-Québec and UNFPA).

129. Islam-centred talking points and a guide to the Reproductive Health Act (Oxfam, UN Women, MUJERES and Dimol) were published as part of the fight against gender-based violence (GBV).

130. The holistic support that is at the heart of the pilot project seeks to guarantee that GBV victims receive benefits ranging from medical expenses to legal aid to social reintegration.

131. At present, UNFPA is piloting an ongoing data gathering project on violence through the provision of records on violence against women to health services and Niamey police stations. The project will be evaluated at the end of the year with a view to its extension to the rest of the country.

*Elimination of discrimination against women in economic and social life*

132. The discrimination described in the previous report relating to the allocation of social benefits still persists.

133. As regards access to bank loans, mortgages and other forms of financial credit, the Government has intensified its efforts to enhance women's economic power through development projects and programmes that it is implementing with the support of its technical and financial partners. The main focus of those efforts has been support for microcredit initiatives for women, to empower them through the pursuit of income-generating activities.

134. Consistent with the effort to lighten women's burden, to enable them to carry on economic activities, the Government, through the Ministry for the Advancement of Women and its partners, is supporting women's groups countrywide, providing them with labour-saving devices and capacity building (training in female leadership, community property management, the voluntary sector, gender...).

135. Niger legislation contains no restrictions on women's participation in recreational activities, sports or any aspect of cultural life. However, stereotypes and certain sociocultural constraints do limit women's participation in those activities.

*Catering for the particular problems faced by rural women: article 14*

136. As the population of Niger is predominantly rural, it is crucially important to take into account the specific needs of rural women in implementing CEDAW.

137. A number of programmes have been implemented, in particular the special programme of the President of the Republic whose objective is to help improve the living conditions of the 82 per cent of the population of Niger considered to be the poorest, mainly inhabitants of rural areas. The Programme has sought inter alia to extend its action to other areas, such as credit for rural women. Its achievements, under the auspices of the Ministry of National Planning and Economic Development, include an amount of 1,873,100,955 CFA francs granted to women under the operations involving milch cows (2,292), rufous goats, and the remediation and protection of degraded lands.

138. The initiative "Nigeriens feeding Nigeriens" calls for measures to support rural women. These involve the implementation of policies and strategies for water and sanitation, the advancement of women and young people (incorporating the gender initiative), training (vocational and literacy training), social development (community development), trade (creation of favourable economic conditions and income generation), industry (food processing unit), energy (development of new energy alternatives), transport (opening up of production zones and infrastructure creation), the environment (rehabilitation of natural productive bases), decentralization (project ownership), communications for development, and finance (microfinance and neighbourhood financial services).

139. In general, the rural environment is characterized by its people's poverty and illiteracy. That poverty is evident in households' inadequate income and their deficient access to basic social infrastructure and services.

140. To remedy that situation, the Government has developed the Economic and Social Development Programme (PDES), which, under its food security component,

seeks to “enhance grain banks and develop highly labour-intensive work. The use of small-scale irrigation, with an emphasis on orcharding and (non-timber) forestry products or date cultivation, are identified as solutions that may contribute to improved income and food security for producers.”

141. The Programme also seeks, through its “social development” component, to reduce gender inequalities and inequities; the component is made up of two main programmes: the programme to promote female leadership and fight gender-based violence; and the economic capacity building programme for women.

142. Under customary law, devolution of power is exclusively a men’s responsibility, which severely limits women’s participation in community management. Indeed, the traditional chieftainship under which townships and villages are administered is exclusively male, giving women little say in the management of public affairs. Customary social values do however provide a space for representations to traditional leaders by female spokespersons for victims of discrimination, e.g. innas, jekadias, magagias, bafadas, maidakis, etc., to help prevent and manage social problems.

143. With the advent of full communalization in 2004 and the cooperative and associative movements in which most of our population, including the rural population, are now involved, there is greater and greater female participation in decision-making.

144. Gender mainstreaming and CEDAW implementation are helping to reduce illiteracy and poverty among women in general and rural women in particular, and to enhance their decision-making power. The approach taken is to keep on instituting basic social services — schools, health centres etc. — and facilitating access thereto, and raising awareness of problems of discrimination and violence.

145. Another focus is capacity building and empowerment for rural women. As that approach is phased in, a number of stakeholders are involved alongside the State: bilateral and multilateral partners, NGOs and associations.

146. As regards empowerment, several projects and programmes have been executed and others are in process. An example of this is the Project to Increase the Cash Income of the Women of Dosso, the second phase of which is now under way.

147. It has invested in the field of labour-saving devices for such household chores as threshing and pounding cereals, which are very time-consuming activities for women, and undertakes in particular to rehabilitate wells and acquire mills, millet threshers, pulleys (wells), peanut oil presses, ox- and donkey carts.

148. Capacity building is also undertaken for rural women, and particularly women who have recovered from obstetric fistula. A number of knitting (6), weaving (6) and sewing (60) machines have been made available to them by USAID, Oxfam and Plan Niger to promote their social reintegration.

149. In addition to the above projects and programmes, many microfinance institutions are involved in the empowerment of women in that they receive savings deposits and, especially, extend credit — as women, because of their poverty, generally lack the collateral to obtain a bank loan.

150. The mapping conducted by the Ministry of Finance outlines the situation of 79 microfinance institutions countrywide, thus facilitating access to credit for women belonging to women's associations.

#### **IV. Articles 15 to 16**

##### *Equality before the law, freedom of movement and choice of domicile or residence*

151. The principle of the equality of all before the law, without distinction of gender or social, racial, ethnic or religious origin, is set out in the Constitution in article 8, paragraph 2. It is resoundingly reaffirmed by the bulk of the country's legislation and regulations.

152. Women's ability to access legal services on the basis of equality with men is enshrined in the legislation governing the procedures to be followed before the courts, whether they rule on civil, commercial, criminal or customary matters. The same egalitarian rules are set out respecting the ability to conclude contracts and to administer property.

153. Though all those possibilities exist, women's access to legal services is often limited by their own ignorance of their rights and the high cost of certain procedures. Legal aid, which ought to ameliorate the situation, does not work, primarily because legal aid offices have not been set up, but also because no budget item exists to finance legal aid. Considerable progress was made on this dossier with the adoption of Act No. 2011-042 of 21 March 2011. The Act sets out the rules applicable to legal and judicial aid and creates a public administrative body called the National Legal and Judicial Assistance Agency (ANAJJ).

154. The mandate of ANAJJ is to make legal and judicial assistance available; it has subunits at each of the country's ten district courts.

155. Similarly, some civil society organizations such as the Association des Femmes Juristes du Niger (AJFN) and the Association Nigérienne de Défense des Droits de l'Homme (ANDDH) provide free legal advice services for women through legal clinics and sometimes retain a lawyer on behalf of the victim.

156. Unmarried women who are of age have legal capacity to enter into contracts, administer their property, etc., such legal capacity being recognized both by civil and customary law. Married women's legal capacity at civil law, on the other hand, is constrained either by the Act or by the marriage contract.

157. The limitations on a married woman's legal capacity arise from written law (modern law), including the Civil Code, which recognizes the husband's ability to oppose his wife's exercise of a separate profession. However, the restrictions found in the Civil Code have little practical effect, as very few people are governed by the Code.

158. Freedom of movement is of course guaranteed to everyone by the Constitution, but in practice, because the Government of Niger has entered a reservation to article 15(4), its position with respect to gender equality in the movement of persons and freedom to choose one's residence and domicile remains as first stated.

***Elimination of discrimination in all matters relating to marriage and family relations (article 16)***

159. Matters relating to marriage and family relations remain subject to bijuralism.

160. However, the reservation expressed by Niger regarding article 16(c) still applies, insofar as both during marriage and at its dissolution, the spouses have neither the same rights nor the same responsibilities. The same applies to paragraphs (g) and (e) regarding the spacing of children and related issues such as access to the information, education and means to enable women to exercise that right, on the one hand, and equality in personal rights with regard to the choice of family name, a profession or an occupation, on the other hand.

161. Equality in terms of property is the particular province of the Civil Code. Customary law does however impose restrictions, in some regions, on women's access to land.

162. It is important to point out that the Constitution of 25 November 2010 states, in article 22, that "*the State must ensure the elimination of all forms of discrimination against women, young girls and persons with disabilities. Public policies in all areas must guarantee their full development and their participation in national development...*".

## **Conclusion**

163. In concluding this report, which covers the legal and administrative practices and new policies in relation to CEDAW, we should note that women's rights showed significant progress in Niger from 2005 to 2012. Progress was made in terms of revision and drafting of legislation, adoption of new mechanisms and enhancement of existing ones. Similarly, policies and strategies have been or are being developed. Indicators are also being developed to measure such phenomena as violence against women and trafficking in women. In fact, implementation of the Convention is currently a vast work in progress in Niger in that it includes activities of awareness-raising, training, advocacy, capacity building for stakeholders, and policy and strategy development. Of those activities, some are complete, while others are under way or in the planning stages.

164. Accordingly, Niger finds itself at a crossroads in the implementation of CEDAW. The major challenge is to consolidate the progress made and pursue its efforts towards the effective recognition of gender equality and the empowerment of women. Delays have certainly occurred in lifting the reservations, adopting the Personal Status Code, and ratifying the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, but they should not detract from the significant progress made and consolidated: for instance, adoption of the Reproductive Health Act, the National Gender Policy, implementation of projects and programmes designed to give intended to give real effect to gender equality, and the increased numbers of women within the Government. To which should be added the ongoing discussions on the need to revise the quota legislation and the initiative to revise the Nationality Code of Niger. Niger has also heeded one of the Committee's primary concerns, namely the lifting of the reservations expressed upon ratification of the Convention through the creation, in 2012, of a Committee to follow up the recommendations the Committee made to Niger at its 38th session in

2007; that Committee is made up of representatives of the offices of the President and the Prime Minister, the technical ministries, and civil society.

165. It is important, notwithstanding, to emphasize that some aspects of CEDAW implementation will take time, as they necessitate a shift in cultural attitudes in order to achieve profound changes, while additional actions will need to be taken in the political, economic and social spheres to build on what has already been done. Among those additional actions, the adoption of the Protocol to the African Charter on Human and People's Rights and of the Personal Status Code will be an important step towards the establishment of genuine solidarity between the sexes with a view to fighting poverty.

166. Niger is aware of these challenges, and with the support of its partners, has made a commitment to develop concrete and efficacious initiatives to institute equal rights for women.

167. In sum, the Government of Niger remains determined to promote and to further protect the rights and freedoms set out in the Convention on the Elimination of All Forms of Discrimination against Women.

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