### COMMITTEE ON THE RIGHTS OF THE CHILD

# WRITTEN REPLIES BY THE GOVERNMENT OF NIGER TO THE LIST OF ISSUES (CRC/C/Q/NIG/1) TO BE TAKEN UP IN CONNECTION WITH CONSIDERATION OF THE INITIAL REPORT OF NIGER (CRC/C/3/Add. 29/Rev. 1)

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CRC/C/RESP/6

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# REPLIES TO THE LIST OF ISSUES TO BE TAKEN UP IN CONNECTION WITH THE CONSIDERATION OF THE INITIAL REPORT OF NIGER

(CRC/C/3/Add. 29/Rev. 1)

### Part I - A

### **Question No. 1**

Demographic data for the under-18 population, disaggregated by sex, age and by national background

Population at 1/1/2000

	BOYS		GIR	LS
Age	Number	%	Number	%
0-17	2.665.232	53,7%	2.628.909	52,4%
TOTAL	4.959.297		5.016.886	

	]	RURAL				UR	BAN		
	Boy	'S	Girl	S	Boy	S	Girls		
Age	Number %		Number %		Number	%	Number	%	
0-19	2.332.694	58,5%	2.358.795	56,7%	585.730	60%	512.809	59,4%	
TOTAL	3.985.737		4.154.518		973.560		862.368		

### **Question No. 2**

The requested data cannot be extracted owing to the way the national budget is structured at present. The following table, however, shows total expenditure for the education, health care and social development sectors.

SECTORS	AMOU	JNT (billion C	FAF)
	1999	2000	2001
Education	32,05	36,90	34,03
Including: salaries	18,31	20,50	19,56
operational expenses	6,51	7,70	8,49
special actions			1,66
investments	7,24	8,71	4,32
Health care and social development	30,23	34,40	35,43
Including: salaries	4,16	5,07	4,84
operational expenses	7,03	7,06	7,87
special actions	2,30	4,58	6,79
investments	16,74	17,70	15,94
TOTAL HEALTH – EDUCATION	62,29	71,30	69,46
TOTAL NATIONAL BUDGET	331,18	337,49	346,99
PERCENTAGE	18,81%	21,13%	20,02%

### **Question No. 3**

### a. Number and proportion of children with disabilities

According to the only available data (2001) taken from a national survey on disabled children and guide children for disabled persons, the number of disabled children is estimated at 23.930 (subject to revision), which represents 0.22% of the total population.

### b. Number of children with disabilities cared for at home or living in institutions

According to the same survey, 46.0% of disabled children are cared for at home (traditional care) and 44.5% in institutions (modern care).

### c. Number of children with disabilities being enrolled in regular education and how many benefit from the special education system

- ❖ According to the results of the national survey on disabled children, only 15.5% are enrolled in regular education (modern schooling).
- \* Benefits derived from the special educational system:
  - Improved quality of life for disabled children;
  - Vocational training adapted to their disabilities;
  - Reduced begging;
  - Placement in public enterprises and services.
- Number of schools for children with disabilities:
  - 1 school for the blind (in Niamey): 9 teachers (1 typing instructor, 1 domestic skills instructor, 1 EPS teacher)
  - 3 schools for the deaf (Niamey, Maradi and Zinder)
  - 5 integrating classes (1 "Medersa" (religious) class in Konni 2 non-sighted teachers; 1 in Tahoua -1 teacher; 1 in Agadez 2 teachers; 1 in Zinder 2 teachers; 1 in Maradi 3 teachers).
- Number of teachers employed in schools for children with disabilities:
  - School for deaf children: 12 teachers
  - School for blind children: 9 teachers
  - Integrating classes: 10 teachers.
- **A** Causes of disabilities:
  - Congenital
  - Diseases
  - Accidents
  - After-effects of leprosy
  - After-effects of poliomyelitis
  - Traumas.

### Questions Nos. 4 and 5

### INDICATORS FOR PRE-SCHOOL AND BASIC I (PRIMARY) EDUCATION BY REGION AND BY SEX

a. : Data not available

b. : Totals

			REGIONS								
Year	Indicators	Sex	Agadez	Diffa	Dosso	Maradi	Niamey	Tahoua	Tillabéri	Zinder	Country total
	a. Literacy rate below and over 18 years	(b)									19,19
	b. Percentage enrolment of children in primary schools		43,1 32,5	42,4 33,5	58,8 38,1	46,9 30,0	74,9 71,9	47,1 25,1	45,4 36,9	33,0 44,6	47,0 33,1
	c. Percentage enrolment of children in secondary schools (b)										34,09 33,03
	d. Percentage of children completing primary education		34,59 36,28	50,81 44,07	32,79 31,03	29,23 28,47	40,62 36,98	31,88 29,44	30,66 22,51	40,59 24,01	34,09 33,03
001	Percentage of children completing secondary education (b)	G									33,0 21,08
	e. Number and percentage of drop-outs (9)										
	Repetition	B G	2259 1777	972 710	5741 3404	7047 3486	6725 7131	6657 3167	4999 4289	5527 3271	39927 27235
	f. Number of children per class		46	28	48	45	55	44	40	36	44
	Ratio children/teachers		44	27	47	43	50	43	41	33	42
	g. Number of children in boarding schools	B G	2178 1202	955 748	-	1042 576	-	2718 1735	1505 1044	2155 1287	-
	h. Number and location of boarding schools		43	25	-	13	-	42	17	41	-
	i. Number of children attending pre-school education		595 536	59 90	399 440	637 577	3060 2994	457 384	419 331	682 640	6308 5992

	a. Literacy rate below	(a)									
	and over 18 years										
	b. Percentage enrolment	В	46,40	35,47	57,48	47,10	83,49	38,15	44,14	31,31	45,13
	of children in primary	G	37,07	29,86	36,13	25,31	80,69	20,53	34,95	22,60	31,09
	schools										
	c. Percentage enrolment	В									31,24
	of children in secondary	G									33,52
	schools (b)										
	d. Percentage of children	В	45,13	33,29	35,31	21,6	33,57	29,93	26,02	47,44	32,5
	completing primary	G	39,83	32,52	32,44	19,22	28,07	27,79	21,55	48,8	30,25
	education										
	Percentage of children										46,5
	completing secondary	G									36,8
	education (b)										
00.00	e. Number and	В	1782	982	4754	6272	2768	6736	4984	5235	33513
99-00	percentage of drop-outs	G	1278	726	3156	3344	3448	3807	4242	3724	23725
	Repetition	В	2259	1031	5856	7497	7302	7508	5233	5758	42444
		G	1771	708	3258	3243	7161	3412	3871	3306	26730
	f. Number of children		47	30	47	44	57	43	38	35	43
	per class										
	Ratio children/teachers		43	29	44	42	50	42	38	32	41
	g. Number of children in	(a)									
	boarding schools										
	h. Number and location	(a)									
	of boarding schools										
	i. Number of children		584	81	378	603	2367	395	264	525	5197
	attending pre-school	G	501	71	425	594	2385	391	273	523	5163
	education										
	j. Number of primary		142	140	661	744	205	727	816	677	4112
	schools		685	430	1951	2283	1966	2111	2408	2415	14249

	a. Literacy rate below	(a)									
	and over 18 years	,									
	b. Percentage enrolment	В	46,8	36,1	48,4	45,9	82,6	41,7	34,9	29,4	42,2
	of children in primary	G	37,9	30,8	32,1	25,9	80,6	23,6	29,8	20,4	29,9
	schools										
	c. Percentage enrolment										38,7
	of children in secondary	G									38,4
	schools (b)										
	d. Percentage of children		46,8	41,5	36,4	24,4	54,2	28,9	38,1	44,1	37,3
	completing primary	G	39,7	45	32,7	23,8	49,1	29,6	29,6	40,7	37
	education	D	1								56.5
	Percentage of children										56,5
98-99	completing secondary	G									50,4
70-77	education (b)	D	1001	040	(510	2005	5165	9220	6644	5001	42602
	e. Number and percentage of drop-outs	G G	1991 1377	949 816	6519 3735	8095 4506	5465 4877	8229 4008	6644 5971	5801 3786	43693 29076
		В	2129	807	6299	7123	6476	7250	4445	5432	39961
	Repetition	G G	1563	581	3210	3220	6104	2925	3724	3150	24477
	f. Number of children	u	42	28	45	41	45	41	3724	33	40
	per class		42	20	43	41	43	41	37	33	40
	Ratio children/teachers		41	28	43	40	41	41	36	31	38
	g. Number of children in	(a)	11	20	15	10	11	11	30	31	30
	boarding schools	(41)									
	h. Number and location	(a)									
	of boarding schools	,									
	i. Number of children		1438	147	906	1251	5532	766	501	1023	11564
	attending pre-school										
	education										
	j. Number of primary		130	132	540	623	195	665	699	613	3597
	schools		602	406	1683	2041	1869	1946	2118	2236	19901

	a. Literacy rate below and over 18 years	(a)									
	b. Percentage enrolment		47,02	30,35	30,62	28,37	81,73	27,70	22,96	22,25	30,29
	of children in primary	G	35,94	25,72	19,27	15,05	80,33	16,91	19,42	15,74	21,98
	schools										
	c. Percentage enrolment										51,2
	of children in secondary schools (b)	G									45,5
	d. Percentage of children	D	41,9	39,5	34,6	24,8	43,5	30,9	31,5	37,5	34,1
	completing primary		36,4	35,3	33,9	23,6	43,3	27,8	25,3	34,3	33,1
	education	J	30,4	35,5	33,9	23,0	41,5	27,6	23,3	34,3	33,1
97-98	Percentage of children	В									51,2
	completing secondary										45,5
	education (b)										,
	e. Number and	В	1734	1026	5172	7005	2829	7229	6420	5451	36866
	percentage of drop-outs	G	1217	628	2534	3073	3067	3521	5131	3338	22509
	Repetition	В	1870	830	5727	6356	6330	6468	4310	5781	37672
		G	1492	625	2928	2476	6145	2626	3615	3451	23358
	f. Number of children		43	27	44	40	45	42	36	33	39
	per class				1						
	Ratio children/teachers		43	28	43	39	41	42	36	32	39
	g. Number of children in	(a)									
	boarding schools	(a)									
	h. Number and location of boarding schools	(a)									
	i. Number of children	R	665	83	497	612	2957	346	240	445	5845
	attending pre-school		677	91	443	647	2954	374	252	481	5919
	education	,								.01	
	j. Number of primary		122	117	453	528	190	583	630	552	3175
	schools		515	374	1452	1808	1751	1725	1935	1985	11545

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	a. Literacy rate below	(a)									
	and over 18 years										
	b. Percentage enrolment		38,45	29,00	30,89	29,55	80,03	30,90	27,58	21,22	31,29
	of children in primary	G	28,46	26,87	19,25	17,13	83,28	17,87	23,14	15,45	23,02
	schools										
	c. Percentage enrolment	В									30,8
	of children in secondary	G									31,5
	schools (b)										
	d. Percentage of children	В	40,76	49,62	32,67	22,97	38,57	26,03	27,22	30,52	30,41
	completing primary	G	37,07	42,29	29,82	22,11	35,21	22,22	21,15	31,52	29,78
	education										
	Percentage of children										32,7
96-97	completing secondary	G									44,3
	education (b)										
	e. Number and		2188	1067	5817	9130	7696	9592	9024	7315	51829
	percentage of drop-outs										
	Repetition		2999	1344	8603	9001	11668	8673	8856	9187	60331
	f. Number of children		43	26	43	40	46	43	35	33	39
	per class										
	Ratio children/teachers		41	26	42	39	44	43	35	31	38
	g. Number of children in	(a)									
	boarding schools										
	h. Number and location	(a)									
	of boarding schools										
	i. Number of children		747	69	393	501	2637	334	316	449	5446
	attending pre-school	G	626	91	426	512	2454	342	275	482	5192
	education										
	j. Number of primary		106	116	435	508	185	564	614	535	3063
	schools										
	Number of primary		514	385	1410	1791	1656	1735	1919	1966	11376
	school teachers										

T						1				T
	(a)									
and over 18 years										
b. Percentage enrolment	(a)									
of children in primary										
schools										
c. Percentage enrolment	(a)									
schools (b)										
d. Percentage of children	(a)									
education										
Percentage of children	(a)									
	В	1389	649	3874	5729	3384	5047	6195	4459	30726
percentage of drop-outs	G	801	465	2140	2155	3320	2006	4467	2393	17747
	В	1497	762	5600	6199	6085	5650	4704	5783	36280
1	G	1040	556	2800	2276	6122	2111	3381	3074	21360
f. Number of children		45		44	41	54	40	34	31	41
per class										
Ratio children/teachers		43	24	42	40	51	40	33	32	39
g. Number of children in		338	1703	-	1612	-	4453	3442		
h. Number and location		43	25	_	13	_	42	17	41	181
of boarding schools										
i. Number of children		1185	129	618	1003	4508	580	439	741	9203
attending pre-school										
education										
		99	111	407	485	170	529	588	521	2910
schools										
		537	399	1376	1673	1711	1734	1900	1955	11285
school teachers										
	and over 18 years  b. Percentage enrolment of children in primary schools  c. Percentage enrolment of children in secondary schools (b)  d. Percentage of children completing primary education  Percentage of children completing secondary education (b)  e. Number and percentage of drop-outs  Repetition  f. Number of children per class  Ratio children/teachers  g. Number of children in boarding schools  h. Number and location of boarding schools  i. Number of children attending pre-school education  j. Number of primary schools  Number of primary	b. Percentage enrolment of children in primary schools c. Percentage enrolment of children in secondary schools (b) d. Percentage of children completing primary education Percentage of children completing secondary education (b) e. Number and percentage of drop-outs Repetition B G f. Number of children per class Ratio children/teachers g. Number of children in boarding schools h. Number and location of boarding schools i. Number of children attending pre-school education j. Number of primary schools Number of primary	and over 18 years  b. Percentage enrolment of children in primary schools  c. Percentage enrolment of children in secondary schools (b)  d. Percentage of children completing primary education  Percentage of children (a)  Percentage of children (a)  Percentage of children (a)  Percentage of children (a)  Repetition  Repetition  B 1389  G 801  Repetition  B 1497  G 1040  f. Number of children 45  per class  Ratio children/teachers  g. Number of children in boarding schools  h. Number and location of boarding schools  i. Number of children attending pre-school education  j. Number of primary schools  Number of primary  S37	b. Percentage enrolment of children in primary schools c. Percentage enrolment of children in secondary schools (b) d. Percentage of children completing primary education Percentage of children completing secondary education (b) e. Number and percentage of drop-outs G 801 465 Repetition B 1497 762 G 1040 556 f. Number of children per class Ratio children/teachers G 801 245 g. Number of children in boarding schools h. Number and location of boarding schools i. Number of children attending pre-school education j. Number of primary schools Number of primary S37 399	b. Percentage enrolment of children in primary schools  c. Percentage enrolment of children in secondary schools (b)  d. Percentage of children completing primary education  Percentage of children (a)  completing secondary education (b)  e. Number and percentage of drop-outs G 801 465 2140  Repetition B 1497 762 5600  G 1040 556 2800  f. Number of children per class  Ratio children/teachers 43 24 42  g. Number of children in boarding schools  h. Number and location of boarding schools  i. Number of children attending pre-school education  j. Number of primary 99 111 407  schools  Number of primary 537 399 1376	and over 18 years   b. Percentage enrolment of children in primary schools   c. Percentage enrolment of children in secondary schools (b)   d. Percentage of children (a)   completing primary education   percentage of children (a)   completing secondary education (b)   e. Number and percentage of drop-outs   B   1389   649   3874   5729   2155   Repetition   B   1497   762   5600   6199   G   1040   556   2800   2276   f. Number of children per class   Ratio children/teachers   43   24   42   40   g. Number of children in boarding schools   h. Number and location of boarding schools   i. Number of children attending pre-school education   j. Number of primary   537   399   1376   1673	and over 18 years	and over 18 years   b. Percentage enrolment of children in primary schools   c. Percentage enrolment of children in secondary schools (b)   d. Percentage of children completing primary education   Percentage of children (a)   completing secondary education (b)   e. Number and percentage of drop-outs   B   1497   762   5600   5199   6085   5650   6199   6085   5650   6199   6085   5650   6199   6085   5650   6199   6182   2111   6182   6182   6182   6192   6182   6192   6182   6192   6182   6192   6182   6192   6193   61	Description   B   1389   649   3874   5729   3384   5047   6195   6195   6100	Description   B   1389   649   3874   5729   3384   5047   6195   4459   6190

### **Question No. 6**: Statistical data on adolescent health

Year Diseases	AGE 10-24 - 1999				2000					2001			
		M	F	%			M	F	%		M	F	%
10-14 years Sexually	Urethral discharge	1412		0	Urethral discharge		323		0				
transmitted diseases	Vaginal discharge		235	0	Vaginal discharge			232	0	385		114	
(STDs)	All other STDs			0,85	All other STDs	665			0				
HIV/AIDS	10-14 years	1	0	0,10	10-14 years		0	0	%	10-14	0	0	0
	15-19 years	4	16	2,12	15-19 years		12	16	2,76	14-19	7	11	3,02
	20-24 years	27	51	8,40	20-24 years		21	57	8%	20-24 years	9	45	9,56
	Number 940				Number 1014					15995			
Early pregnancy Gyno- obstetric diseases	14-24 years Number 74.270	Girls 10	019	3,21%	14-25 years	No. 1434			2%				
Sexual violence	15 - 24 years			0,58%	15-24 years			482	3%	Urban Communi	ty of Niame	ey in 1 m	onth
Vaginal ulcerations	Number 6.213	Girls 28	33		Number 5430					78 cases 9 very serious ca 28 cases with stit			

Question No. 7

Replies to questions b, c, d, and e (Implementation of the CRC)

Data	Number	of	Type of sentences		Detention		Suspended	Percentage	Comments
Years	minors						sentences	recidivism	
	sentenced					T		cases	
				Number	Location	Duration			
1999	13		6 firm prison sentences +	6	Prisons	3 months	5	0%	Niamey, Gaya,
			fines			to 1 year			Madaoua, Konni,
									Tahoua, Agadez,
			5 suspended sentences + 2						Gouré
			fines only						Juvenile quarters for
									Niamey and Agadez
2000	43		21 firm prison sentences +	21	Prisons	3 months	18	2,32%	Maradi, Matamèye,
			fines			to 4 years			Zinder, Arlit, Dakoro,
									Gouré, Tahoua, Konni,
			18 suspended sentences +		Youth				Doutchi, Madaoua,
			fines		Resettlement				Illéla, Gaya, Say,
					Centre for				Tillabéry.
			4 fines only		Dakoro				Recidivist = 1
									Tahoua
2001	31		6 firm prison sentences	21	Prisons	2 to 18	1 waived	0%	Diffa, Guidan-Roumdji,
			15 prison sentences + fines			months	sentence		Zinder, Dakoro, Maïné-
							(Arlit)		Soroa, Arlit, Matamèye,
							9 suspended		Niamey, Bouza, Say,
			9 suspended sentences +		Youth		enforcement		Konni, Madaoua,
			fines		Resettlement		of sentences		Tahoua, Abalak.
			1 waived sentence		Centre for				
					Dakoro				

### Question No. 8: Part I - A

### a. Number of children involved in sexual exploitation and number of those children with access to rehabilitation treatment

(Data not available)

### b. Number of children involved in substance abuse:

Only data for 2001 are available:

Age	Number	
- 13 years	None	
13 - 17 years	22	
18 - 24 years	109	

Source: Annual report of the National Drug Prevention Commission

### Number of those children who received rehabilitation treatments

See Ward E (Psychiatry) Data not available

### <u>c. Number of children living in the streets and number of those children benefiting from social re-integration</u>

According to a survey carried out in 1994 in the regions of Dosso, Tahoua, Maradi and Zinder, 673 children live in the streets there, including 157 girls. A 1993 survey found that more than 600 children were living in the street in the Urban Community of Niamey.

By now, those figures have almost quadrupled, in view of the extreme poverty of the population.

Only a few street children of the Urban Community of Niamey, Maradi, Zinder and Konni receive resettlement care by NGOs and associations, with government support in some cases.

### d. Number of children involved in child labour (formal or informal sectors and domestic work:

- 70% of children carry out some sort of work;
- 3% are paid, 40% are not paid;
- 7 children out of 10 are involved in domestic work.

Source: MICS II survey.

### e. Number of children seeking asylum and provided with refugee status

Nationality	Female	Male	Female	Male
j	0-4 years	0-4 years	5-17 years	5-17 years
Algeria	0	0	0	0
Burundi	0	0	1	2
Burkina Faso	0	0	0	0
Central African Republic	0	0	0	0
Chad	2	0	2	1
Cameroon	1	0	3	2
Congo (Brazzaville)	3	0	3	2
Democratic Republic of	19	19	45	34
Congo				
Comores	0	1	0	0
Ethiopia	0	0	0	0
Guinea-Bissau	0	0	0	0
Guinea	0	0	1	2
Côte d'Ivoire	0	0	1	1
Liberia	0	0	0	2
Niger	0	0	0	0
Palestine	0	0	0	0
Rwanda	2	1	4	10
Senegal	0	0	0	0
Sierra Leone	0	0	1	1
Somalia	4	1	4	6
Sudan	0	0	0	0
Togo	0	0	0	0
TOTAL	31	22	65	63

### Part I-B:

### GENERAL MEASURES OF IMPLEMENTATION

### **Question No. 1:**

1. Measures taken in relation to the general principles of the Convention on the Rights of the Child

### A. Principle of non-discrimination (CRC article 2)

Amendment of Ordinance No. 84-33 of 23 August 1984 to the effect that a child (legitimate or natural) is entitled to Nigerian nationality provided that one of its parents is Nigerian (new article 11, Ordinance No. 99-17 of 4 June 1999).

Under the previous rule, a child (whether legitimate or natural) was entitled to Nigerian nationality only if the father was Nigerian.

### B. Best interests of the child (CRC article 3)

The notion of the child's best interests, which is in theory taken into account by Nigerian magistrates, is expressly referred to in article 36 (2) of Ordinance No. 99-11 of 14 May 1999 governing the creation, composition, organization and powers of juvenile courts.

### C. Right to survival and development (CRC article 6))

The Legislative Reform Commission has drafted new provisions which are to be inserted in the new Criminal Code and which are currently under discussion in the National Assembly. Under the new provisions, the following will be considered offences:

- Exposing another person to an immediate risk of death or injury causing mutilation or permanent invalidity (article 230-1);
- Knowingly exposing another person to the risk of contracting AIDS (article 230-1, subparagraph 1);
- Any injury to the genital organ of a girl or woman by excision, infibulation or desensitization.

#### D. Respect for the views of the child (CRC article 12)

Under the terms of above-mentioned Ordinance No. 99-11, judges must:

- agree to hear even a child (article 13);
- heed the child's view whenever it is in the latter's best interest (article 13).

### 2. Measures taken in relation to special provisions of the Convention on the Rights of the Child

### A. Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (CRC article 37)

New offences are provided in the draft Criminal Code:

- torture and other inhuman treatment, including biological experiments (article 208-3 of the draft before the National Assembly);
- hostage taking (number 7 of the same Act);
- offence and crime of slavery (article 270).

### **B.** Administration of justice

The Ordinance No. 99-11 of 14 May 1999 governing the creation, composition, organization and powers of juvenile courts is considered to comply with the Convention on the Rights of the Child (CRC), insofar as it provides a favourable framework for the sound administration of juvenile justice. The related enforcement legislation is currently under discussion.

The provisions of the draft Criminal Code awaiting adoption and of the abovementioned ordinance are intended to address the incompatibilities between law and custom, particularly in the area of genital mutilation, slavery, the child's right to participation and respect for the child's best interests.

## 3. Cases where the Convention has been invoked in courts, role of customary courts and development of the work of the National Commission on the Reform of Civil and Criminal Legislation

### A. Cases where the Convention has been invoked in courts

The CRC has not been specifically invoked as such in the courts. However, since the provisions of the above-mentioned Ordinance No. 99-11 are in compliance with the Convention, it may be argued that the CRC is invoked indirectly whenever a juvenile court officiates.

### B. Role and authority of customary courts

The Ordinance No. 93-22 of 30 March 1993 governing Traditional Chiefdom in Niger provides in article 15 that a Traditional Chief is authorized to seek conciliation between parties in customary, civil and commercial matters.

It is therefore appropriate to use the term customary courts in the legal sense. At any event, the conciliation reports drawn up by traditional chiefs are subsequently (if not opposed) made enforceable by the local judicial representation, through a sort of unofficial endorsement. In the event of opposition, the matter is brought before the local deputy magistrate.

### C. <u>Development of the work of the National Commission on the Reform of Civil and Criminal Legislation</u>

This Commission, which has just been revitalised, submitted the draft Criminal Code and Code of Criminal Procedure to the Government, which adopted them. This draft legislation is currently under discussion in the National Assembly.

The Commission is currently working on a law on the organization of courts and on a reform of the Civil Code and Code of Civil Procedure.

### **Question No. 2:**

No such study has yet been undertaken owing to a lack of finance, but it has been included in the 2002 Plan of Action of the Department of Child Protection.

### **Question No. 3:**

a. The coordinating mechanism to facilitate the implementation of the Convention at government level is the National Committee for the Survival, Protection and Development of Children in Niger, represented at the local level by regional and subregional committees.

The National Committee was established by Decree No. 0011/PM/MDS/P/PF/PE of 20 October 1998.

- b. The National Committee's role, as set out in the decree of 29 October 1998, is as follows:
- To ensure that the "child first" principle is taken into account in ministerial departments in the preparation of development projects and budgetary allocations;
- To promote information and awareness for the implementation of the rights of the child;
- To participate actively in the organization of African Children's Days
- To draft regular reports on the situation of children in Niger.
- c. Also noteworthy are the National Programme of Action for the Survival, Protection and Development of Children in Niger, the Protection of Children section of the National Policy for Social Development in Niger, the National Policy on Nutrition and the Education Policy.
  - The strategies concern the areas of Survival, Protection, and the Development and Participation of Children.

#### – Survival:

- o Improvement of health facilities and creation of new ones
- o Training of health and social welfare personnel
- o Extension of education for food and provision of micro-nutrients for children
- o Education for hygiene and sanitation
- o Introduction of a Drinking Water Supply Programme.

#### Protection:

- o Dissemination of the CRC, the African Charter and other legislation related to the protection of children's rights
- o Introduction of a programme on contact work with children in difficulties.

### Development:

- o Improved access to education
- o Improved quality of education
- o Promotion of basic community schools
- o Promotion of children's nurseries.

### Participation:

- o Involvement of children in promoting the rights of the child
- o Promoting freedom of expression at home and at school
- o Development of the "children for children" approach.
- d. Information concerning the programmes and activities of NGOs working with and for children:
  - Establishment in 2001 of the Nigerian Network for Children (NGOs/Associations);
  - Initiation of the ILO's IPEC Programme to combat child labour;
  - AMIN project (Action for Isolated Minors) run by CARITAS: Action against juvenile drug dependence and the condition of "street children";
  - SEJUP (Judicial and Preventive Education Service) AFVP-MDS-MJ/DS:
     Children in conflict with the law and street children;
  - ALTEN/OPTEN/CPEN NGOs: Action against child labour, especially in its worst forms;
  - PRAHN et Action pour Femmes Handicapées (AFH) NGOs: care for children with disabilities;
  - CONIPRAT: action against harmful traditional practices;
  - Association des Chefs Traditionnels du Niger (ACTN) (Association of Traditional Chiefs of Niger), under an agreement with UNICEF: action in favour of girls' education, opposition to early marriages, awareness of vaccinations and measures against HIV/AIDS;
  - Association for the Defence of Human Rights (ANDDH), Association of Women Lawyers (AFJN), RID FITILA;
  - TIMIDRIA: action against slavery.

#### **Question No. 4:**

The National Committee on Human Rights and Fundamental Freedoms (CNDHLF): Constitution of 18 July 1999 and Act No. 98-55 of 29 December 1998 governing the powers, composition and functioning of the CNDHLF.

- a. Mandate (Act No. 98-55, article 2)
  - Protection and promotion of human rights in general;
  - Receiving individual and collective complaints and denunciations relating to human rights violations and conducting investigations where violations occur;
  - Issuing opinions to the public authorities, at their request or spontaneously, with a view to introducing or amending legislation or regulations relating to rights and liberties;
  - Informing the public at large about human rights by means of training, lectures, seminars, etc. and making the public aware of human rights matters.

#### b. Resources

#### Human

The Committee consists of 19 members divided into 4 subcommittees, including the subcommittee on Promotion of the Rights of Women and Children, which is chaired by Ms. Souna Hadizatou Diallo.

Where necessary, the Committee recruits consultants (F/SEJ, ANDDH, etc.).

- Financial (not available)
- Activities in matters related to human rights and fundamental freedoms.

These take place in four main areas (for the period 2001-2002):

1) Promotion of human rights: regional seminars, seminars on the army and human rights, on the treatment of prisoners, instructing magistrates on international conventions concerning human rights protection, seminar on human rights for health personnel, seminar on respect for human rights for the benefit of administrative and customary authorities, seminar on Islam and human rights, seminar on public finances, instruction in basic texts, human rights instruction in vocational training schools, human rights instruction for political parties, preparation of a handbook on human rights.

### 2) Protection of human rights

- Study on slavery practices
- Study on corruption in Niger
- Study on the CNDHLF's complaints procedure
- Study on the phenomenon of young *talibés* (religious students)
- Study on the management of civil service personnel
- Study on places of detention
- Preparation of the Civil Society Charter.

### 3) Investigations:

Into the deaths of detainees at the Civil Prison of Niamey; into the ill treatment inflicted on two detainees at the Penitentiary of Daï Kaïna; into the mass grave of Boultoungour; into children affected by malformation in Tibiri (Maradi).

#### 4) Communication:

Production of radio and TV broadcasts for the promotion of human rights, of a half-yearly liaison bulletin, of a leaflet on the CNDHLF, of a compendium of domestic and international texts ratified by Niger, of a library specializing in human rights; lectures; study trips.

### c. Implementation and monitoring of the rights of the child

Promotion: training, awareness-creation regarding human rights in general;

Protection: studies, especially on the phenomenon of young "talibés" Investigations: enquiry into the malformed children of Tibiri (Maradi) Communication: production of radio and TV broadcasts, lectures, etc. on the subject of human rights.

d. Complaints mechanism (no specific mechanism).

### **Question No. 5**:

- a. Organization of many seminars, workshops and symposia including training and discussion sessions on the rights of the child and the implementation of the Convention, for various social and professional bodies, such as magistrates, police and security forces, customary chiefs, religious associations, artists and other opinion leaders.
  - Dissemination of the Convention
- b. Measures taken to incorporate the Convention into the school curriculum: planned for 2002.

### **PART II**

Copies of Convention texts in the official languages and others (annexed).

### **PART III**

Update of information provided in the report with regard to:

- 1. New bills or enacted legislation:
  - Preliminary draft law on minors;
  - Ordinance No. 99-11 of 14 May 1999 on the creation of juvenile courts

### 2. New institutions

- National Committee on Human Rights and Fundamental Freedoms, set up in 2000;
- National Directorate on the Reform of Civil and Criminal Legislation, which
  is not an independent institution but an offshoot of the Ministry of Justice
  and Human Rights;
- 3. Newly-implemented plans of action and policies
  - Ten-year education plan 2002-2012;
  - Establishment of JNV and JNM (national vaccination and micronutrient days);
  - Poverty Reduction Strategy Paper (PRSP);
  - National Policy on Child Protection.
- 4. Newly implemented programmes
  - Special Programme of the President of the Republic (1 000 classes, 1 000 healthcare huts, 1 0000 mini-dams);
  - National anti-STD/AIDS Programme;
  - National anti-Malaria Programme;
  - National Programme against Childhood Diseases;

- Noma Programme;
  National Hydraulic Programme 2000-2010;
  National anti-Child Labour Programme;
  National Reproductive Health Programme.