



solidar



Movimiento por la Paz

ECONOMIC & SOCIAL RIGHTS REPORT NIGER



- 3** GOOD HEALTH AND WELL-BEING 
- 4** QUALITY EDUCATION 
- 8** DECENT WORK AND ECONOMIC GROWTH 
- 16** PEACE, JUSTICE AND STRONG INSTITUTIONS 
- 17** PARTNERSHIPS FOR THE GOALS 

SUMMARY

How can the European Union (EU) better contribute to building an enabling space for Civil Society Organizations (CSOs) in Niger? How can the EU support the progressive realization of Economic and Social Rights - that is to say Freedom of Association and the Right to Organise, Decent Work and the Right to Social Protection for all - in connection with the implementation of the 2030 Agenda for Sustainable Development?

The SOLIDAR Network is active on these themes in Niger through its member and partner organisations. During a process led by the [Movement for Peace, Disarmament and Freedom \(MPDL\)](#), our Network has held several meetings aimed at discussing the current situation of Economic and Social Rights in Niger, as well as define the modalities of a solid partnership between the EU and CSOs in the promotion of these rights.

This publication presents the main results of these exchanges and is structured around two priority axes:

1. Building Enabling Spaces for Civil Society Organizations and Human Rights Defenders (mainly linked to SDGs 16 and 17)

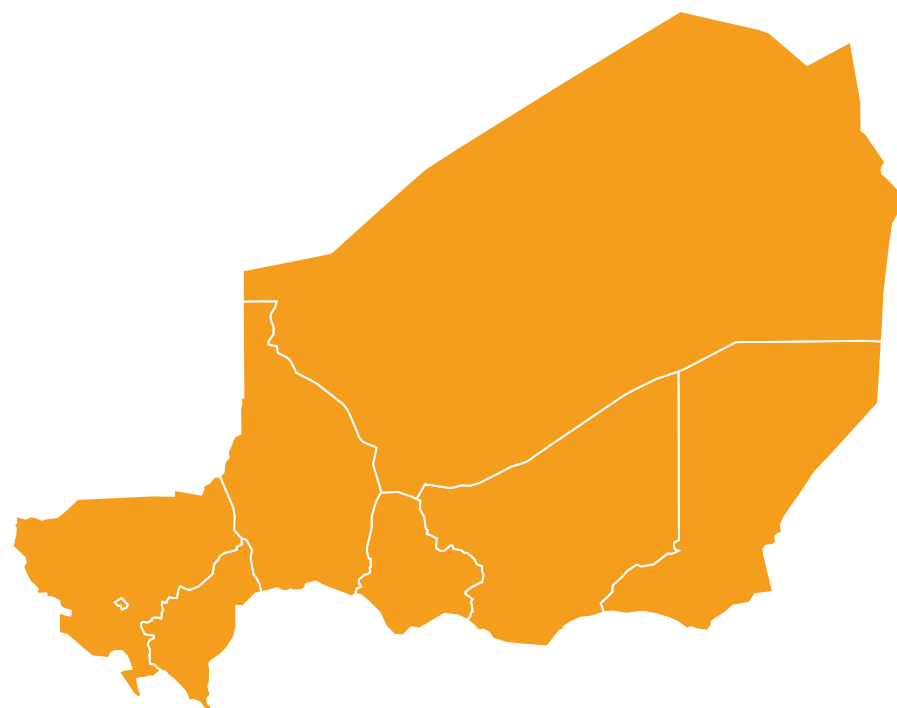


2. Promoting Decent Work and Social Protection for all (mainly linked to SDGs 3, 4, 8)



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1. ABOUT THE SOLIDAR SOCIAL AND ECONOMIC RIGHTS MONITOR

In 2015, all United Nations member states signed up to the 2030 Agenda for Sustainable Development: a global commitment to transform our current model of economic development into one based on respect for human rights and the environment. In 2017 - with the aim of promoting policy coherence for development - the new European Consensus on Development announced the alignment of the development activities of the EU and its member states with the 2030 Agenda.

According to SOLIDAR, the 2030 Agenda constitutes a powerful framework to:

1. Promote a model of sustainable development at the service of the greatest number and not of the few, making the full realization of human and environmental rights its main objective;
2. Ensure the progressive realization of economic and social rights, namely decent work, social protection and freedom of association.

The Economic and Social Rights Monitoring Report (ESRM) is a tool developed by SOLIDAR members and partners within the framework of the EU-funded program “Organizing International Solidarity” (OIS).¹ It aims to collect the views and recommendations of civil society organizations (CSOs) on the contribution of national and European policies and programs to the achievement of the Sustainable Development Goal, and especially of:

3 GOOD HEALTH AND WELL-BEING



SDG 3: Good health and Wellbeing

4 QUALITY EDUCATION



SDG 4: Quality Education

8 DECENT WORK AND ECONOMIC GROWTH



SDG 8: Decent Work and economic growth

16 PEACE, JUSTICE AND STRONG INSTITUTIONS



SDG 16: Peace, Justice and Strong Institutions

17 PARTNERSHIPS FOR THE GOALS



SDG 17: Partnership for the Goals

Within this context, the Monitor pays special attention to EU and national contributions to the promotion of (1) an enabling environment for CSOs and Human Rights Defenders and (2) Decent Work and Social Protection for all.

The ESRM thus represents an opportunity for SOLIDAR members and partners to engage in a structured dialogue with the EU over the progressive realization of economic and social rights and the Agenda 2030, and to contribute to the EU Programming for the period 2021-2027.

¹ A presentation of the OIS programme is available at: <https://prezi.com/view/9zuxuivoqUSD3w1pGJSz>



2. NIGER – COUNTRY BACKGROUND AND DEVELOPMENT STRATEGY

TABLE 1. NIGER AT A GLANCE

Population ²	23,310,715 (2019)
Gross Domestic Product (GDP) ³	€8 billion (2019)
Human Development Index (HDI) and rank ⁴	0.377 (189th on 189 countries) (2019)
Total public spending on social protection, including health (percentage of GDP) ⁵	2.9% (2010)
Indicative total budget of the Nigerien NIP ⁶	€596 million
Sustainable Development Score (current) ⁷	50.15/100 (157th out of 193 countries)

² <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=NE>

³ https://webgate.ec.europa.eu/isdb_results/factsheets/country/overview_niger_en.pdf

⁴ <http://hdr.undp.org/en/countries/profiles/NER>

⁵ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_604882.pdf

⁶ https://eeas.europa.eu/regions/north-america/32147/programme-indicatif-national-2014-2020-niger_en

⁷ <https://dashboards.sdgindex.org/profiles/NER>

With an HDI score of 0.377 as of 2019, Niger ranks as the last of 189 countries for human development, according to the Human Development Index. Despite the country having progressively improved its scores during the years – registering a 76.8% increase since 1990 –⁸ it still faces significant development challenges, first among them being extreme poverty, which affects 41.4% of the population – more than 9.5 million people.⁹ Niger’s economic growth has also slowed down in recent years, with its economy being driven mostly by shock-prone agriculture and being vastly dominated by the informal sector. Finally, the country also faces threats from terrorism and organised crime, the fight against which is one of the main pillars of cooperation between Niger and the EU.¹⁰

COUNTRY CONTEXT HIGHLIGHT – ZOOM ON MIGRATION

Niger is undergoing profound changes with regard to the migratory phenomenon. Over the past decade, Niger has in fact transformed from a country of emigration and transit for hundreds of thousands of migrants to North Africa and Europe, in a country of return, refuge and reverse transit and long stay. With these developments, new needs and areas of intervention have emerged:

- The **conflicts in Mali, Burkina Faso and Nigeria** have caused a dizzying increase in the presence of refugees and asylum seekers: according to data provided by UNHCR, around 223,000 migrants are forced to seek refuge in Niger.¹¹ While UNHCR

- provides immediate support to refugees and asylum seekers, effective interventions of social and economic integration are lacking.
- The recent **migration policy implemented by Algeria** generated an increase without precedent of the number of sub-Saharan migrants rejected and deported to Niger: just in 2018, according to the European Council on Refugees and Exiles (ECRE), more than 25,000 migrants were expelled and deported to Niger by the Algerian authorities,¹² a practice considered to be an open violation of human rights according to the United Nations special rapporteur on the human rights of migrants.¹³ There is a need for various types of assistance (legal, social, economic) for these migrants and to strengthen civil society organisations dealing with this phenomenon.
- **Algerian deportations**, as well as the various political, economic and social crises in Libya, Nigeria, Ivory Coast, Mali, Burkina Faso and the Central African Republic have also led to hundreds of thousands of Nigerien migrants’ return to Niger. The increase of the Nigerian migrants return flow was not accompanied by a sufficient and structured reintegration policy by the Nigerien government.¹⁴

In 2012, the Nigerien government approved the 2012-2015 ‘Plan de Développement Économique et Social’ (PDES),¹⁵ which presented 5 strategic priorities for Niger’s development: (1) consolidation of the credibility and efficacy of public institutions; (2) creation of sustainable

⁸ http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/NER.pdf

⁹ <https://www.worldbank.org/en/country/niger/overview>

¹⁰ https://eeas.europa.eu/regions/north-america/32147/programme-indicatif-national-2014-2020-niger_en

¹¹ <https://data2.unhcr.org/en/country/ner>

¹² <https://www.ecre.org/algeria-deports-25000-migrants-to-niger/>

¹³ <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=23698&LangID=F>

¹⁴ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CMW/C/NER/CO/1&Lang=En

¹⁵ [https://www.preventionweb.net/files/PDES%20Niger%202012-2015%20Fr%20\(1\).pdf](https://www.preventionweb.net/files/PDES%20Niger%202012-2015%20Fr%20(1).pdf)

conditions for a balanced and inclusive development; (3) food security and the development of sustainable agriculture; (4) a competitive and diversified economy; and (5) the promotion of social development.

Drawing on these priorities, the 2014-2020 National Indicative Plan for Niger¹⁶ was developed by the EU, jointly with the country, within the context of the 11th European Development Fund. With a budget of €596 million, the Plan laid the foundations for EU-Niger development cooperation during the course of these 7 years, establishing 4 main sectors of cooperation and their related objectives, as reported in the table below.

Moreover, the NIP also included a fifth area of cooperation, related to the strengthening of civil society, to which €16 million was dedicated out of the total available budget. This funding was used to continue and further develop the EU-driven PASOC I and PASOC II projects supporting civil society, which had been initially developed and financed through the 9th and 10th EDF. The main objective of these initiatives is that of creating the conditions that would allow civil society to play its role as a partner in development, participating to the improvement of the efficacy of public policies, by getting involved in the elaboration of poverty-reduction strategies and their implementation. Moreover, a related objective is also that

COOPERATION SECTOR	OBJECTIVE	BUDGET (€596 million total)
1. Food and nutrition security, and resilience	Permanently and structurally reduce food insecurity and child malnutrition, and improve people’s resilience to crises and natural catastrophes.	€180 Million (30.2%)
2. Reinforcement of state capacity for the actuation of social policies	Accompany Niger in consolidating its governance and in promoting a sustainable and inclusive growth, within the context of its national development strategy.	€200 Million (33.6%)
3. Security, good governance and the consolidation of peace	Improve security, rule of law, and contribute to the stabilisation of the regions exposed to security threats.	€100 Million (16.7%)
4. Improving access to regions affected by insecurity and risk of conflicts	Improve the economic, social and security conditions of people living in regions affected by insecurity (in particular Agadez, Tahoua, Tillabéry) and re-establish exchanges with the rest of the country.	€90 Million (15.1%)

¹⁶ https://eeas.europa.eu/regions/north-america/32147/programme-indicatif-national-2014-2020-niger_en

of improving the legal and administrative framework relevant for the operation of civil society organisations and to determine their relationship with the state.

In May 2017, in light of the newly approved UN 2030 Sustainable Development Agenda and of the African Union 2063 Agenda, the government of Niger presented its Niger 2030 vision, called 'Stratégie de Développement Durable et de Croissance Inclusive' (SDDIC), which underlines as its overall goal that of creating "a united country, democratic and modern, peaceful, prosperous and proud of its cultural values, based on sustainable, ethical, equitable and balanced development, within a solidary and unified Africa."¹⁷

The 2017-2021 'Plan de Développement Economique et Social' (PDES)¹⁸ is the first quinquennial plan for the operationalisation of this vision, and it presents the following five strategic objectives:

1. Cultural Rebirth
2. Social Development and Democratic Transition
3. Acceleration of Economic Growth
4. Improvement of Governance, Peace and Security
5. Sustainable Management of the Environment

Its ambition is that of reducing the incidence of poverty to 31.3% by 2021 and of structurally reforming the economy by reinforcing the secondary sector through the transformation of the rural world, the modernisation of public administration and the redimensioning of the private sector.

¹⁷ <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC176028/>

¹⁸ *Ibidem*

In light of Niger's development objectives and of EU-Niger cooperation priorities, and based on the consultations carried out by SOLIDAR's members and partners in the field, this report highlights the following themes to be addressed by the EU in its next Geographical Programming priorities and within the context of its work towards the achievement of the Sustainable Development Goals in Niger:

- Building an Enabling Space for Civil Society Organizations (CSOs) and Human Rights Defenders (HRDs)
- Promoting Decent Work and Social Protection for all





3. BUILDING AN ENABLING SPACE FOR CIVIL SOCIETY ORGANISATIONS (CSOs) AND HUMAN RIGHTS DEFENDERS (HRDs)

An 'enabling space for CSOs' is the set of conditions that allows civil society and individuals to organize, participate and communicate freely and without discrimination, and in so doing, influence the political and social structures around them (CIVICUS).¹⁹ The rights essential to civic space - the rights to freedom of association, freedom of peaceful assembly and freedom of expression - must be respected both in the context of the values, norms and attitudes of society, as well as in the legal framework, regulatory environment, access to finance and meaningful participation in decision-making of states and other relevant entities.

The 2012 EU Communication entitled 'The Roots of Democracy and Sustainable Development: Europe's Engagement with Civil Society in External Relations'²⁰ confirmed the EU's desire to establish a stronger and more strategic dialogue with civil society organizations and to involve EU delegations in determining the path for CSOs' participation in policy-making processes.

Moreover, Human Rights Defenders (HRDs) as individuals must also be able to accomplish their mission safely and with integrity. Repression, censorship, threats or defamation against HRDs, whether they come from states or private actors, must be

¹⁹ <https://monitor.civicus.org/FAQs/>

²⁰ https://eeas.europa.eu/delegations/burundi/5969/roots-democracy-and-sustainable-development-europes-engagement-civil-society-external-relations_en



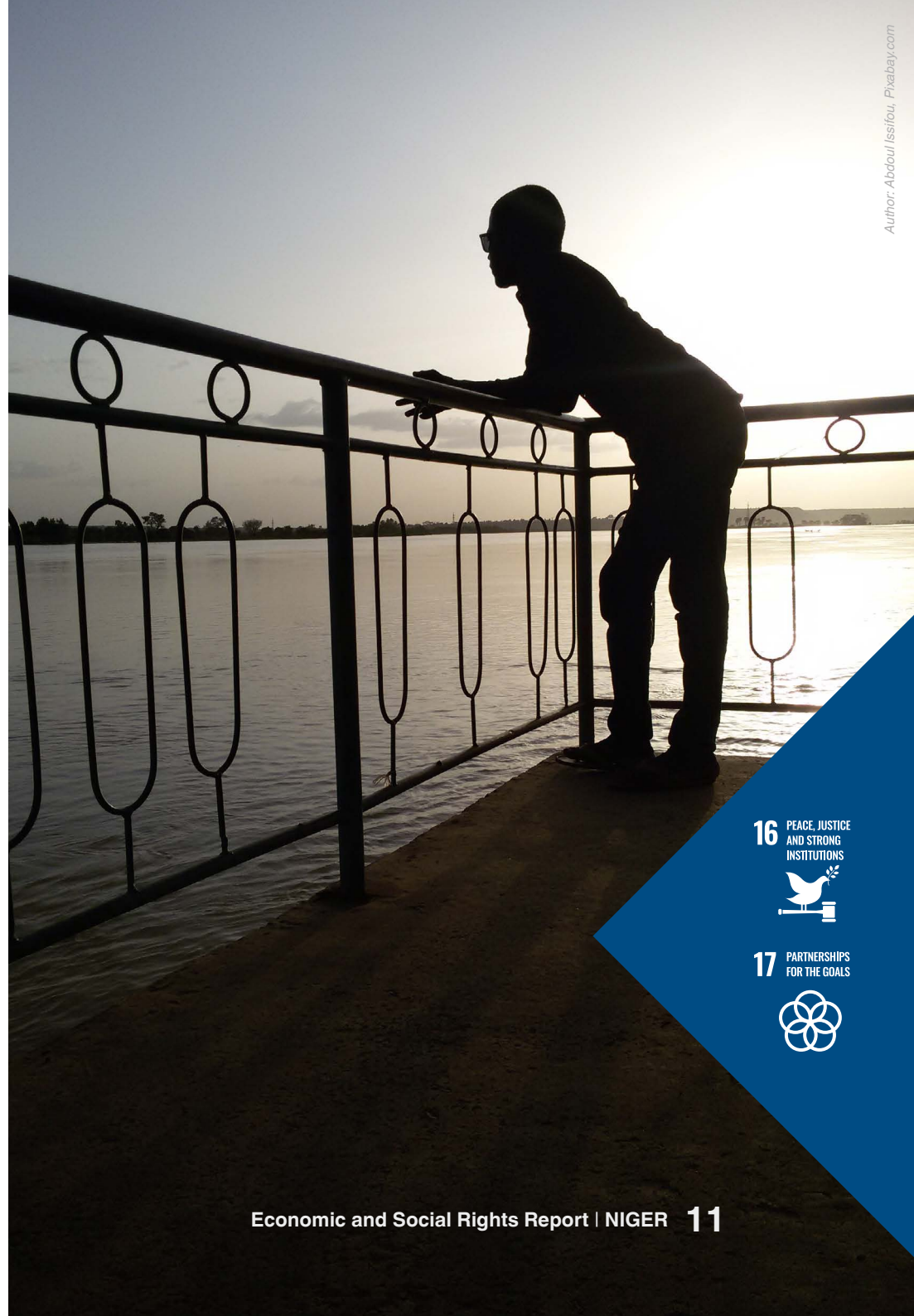
abolished.²¹ Support for HRDs is thus also an integral part of the European Union's external human rights policy. In situations where the state cannot guarantee the protection of HRDs, or when the state is the oppressor, the international community must intervene through powerful mechanisms of protection for HRDs.

The existence of an environment conducive to CSOs and HRDs is, finally, also a necessary condition for the achievement of the Agenda 2030 for Sustainable Development and its 17 Sustainable Development Goals (SDGs), and especially Goal 16 - 'Promote the advent of peaceful and inclusive societies for the purposes of sustainable development' - and 17 - 'Partnerships for the achievement of the goals.'

3.1 Building a favourable environment for CSOs and Human Rights Defenders (HDRs) in Niger: an overview of the existing provisions

To ensure an enabling space for civil society, an essential precondition is to have a legal framework for CSOs' action. A favorable legal framework is only in place if the fundamental freedoms of association, expression and assembly are respected and encouraged. Laws and regulations concerning CSOs should also be framed in a way that ensures that CSOs are not subject to discretionary judgments, or overwhelmed by excessive administrative demands that hamper their activity. Finally, it is crucial that there are national, regional and international mechanisms to support and protect HRDs.

²¹ The Declaration on Human Rights Defenders adopted by the General Assembly in its resolution A / RES / 53/144 recognizes the "valuable work of individuals, groups and associations in contributing to the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals", without discriminating between paid or voluntary work, or between professional and non-professional activity. Available at: <https://undocs.org/en/A/RES/53/144>



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Fundamental freedoms and protection of HRDs

Niger has ratified all of the major human rights treaties and, as a member of the African Union, it has also endorsed the African Charter on Human and People's Rights. While not including any explicit law on the protection of HRDs, the new Constitution it adopted in 2010 guarantees many rights which are essential for HRDs' activities, such as freedom of assembly and association, and freedom of expression. Moreover, the Press Law 2010 decriminalises defamation and bans pre-trial detention of journalists for offences relating to their work.²²

The country also has an independent National Commission on Human Rights (CNDH), although the SOLIDAR Network in Niger has reported that the efficiency of this body leaves much to be desired, as it benefits from very little resources which prevent it from fulfilling its mandate. In this regard, **the SOLIDAR Network emphasises the importance of encouraging the growth and strengthening of organisations in society that can act as intermediaries between local realities and the CNDH, guaranteeing its effective monitoring and action on the ground.**

It must be noted that while guaranteeing freedom of expression and thought, Article 30 of the Nigerien Constitution specifies that these rights must be exercised "with respect for public order, for social peace and for national unity"²³, thus leaving much leeway for the government to arbitrarily intervene to limit people's freedoms. As highlighted by our Network in Niger, violations of the fundamental freedoms of civil society actors, human rights defenders and political opposition exponents remain in fact quite frequent, and they also often involve the violent intervention of police. An illustrative example of this, our Network reports, is the government's prohibition to civil society organisations in the Tillabéry region to make a public

declaration, at the Oumarou Cultural Centre Ganda (CCOG), concerning the security crisis suffered by the region in recent months. The CSOs organizing the meeting were banned from all public meeting places and the would-be participants to the event were dispersed through the use of tear gas. The banning of this peaceful assembly was made possible by a law adopted by the government on public demonstration and assemblies, which requires all forms of public demonstration initiatives to be communicated to the authorities through a declaratory scheme. This law is however often used by authorities for restrictive purposes, to prevent the holding of any demonstration aiming to convey an opinion contrary to that of the current regime.

The SOLIDAR Network in Niger also underlines the presence of systematic violations and abuses suffered by human rights defenders, civil society actors as well as ordinary citizens in regard to their right to freedom of expression. For example, our members and partners in Niger report that several people are currently being detained for denouncing acts of embezzlement within the Ministry of National Defence, with the most recent arrest being that of activist Bana Ibrahim, who accused the Ministry of the embezzlement of several billion FCFA. Also, many actors are being unjustly detained based on the leak of private voice messages not intended for dissemination. In this regard, our Network reports that a new law is currently in the process of adoption, which would allow for electronic communication, such as private voice messages, to be subject to interception by authorities, undermining freedom of expression as well as personal data privacy. In addition, the state of emergency linked to the security crisis in many parts of the country also does not promote freedom of expression, with police power having been significantly reinforced and thus leaving limited space for the exercise of fundamental freedoms.

²² <https://www.protecting-defenders.org/sites/protecting-defenders.org/files/UNSR%20HRDs-%20World%20report%202018.pdf>

²³ https://www.constituteproject.org/constitution/Niger_2010.pdf



Finally, it has also been pointed out that CSOs and human rights defenders are being prohibited from courtesy visits to detainees in prisons. For example, in an incident that made headlines, the president of the National Commission on Human Rights and his delegation were ordered to leave the places where several detainees were being held in custody and the CNDH delegation was also threatened with force to make it comply with the order.²⁴ After this incident hit the headlines, the head of police is reported to have apologised and asked for the complaint that had been lodged by the CNDH to be withdrawn.

Legislative and regulatory framework for CSOs

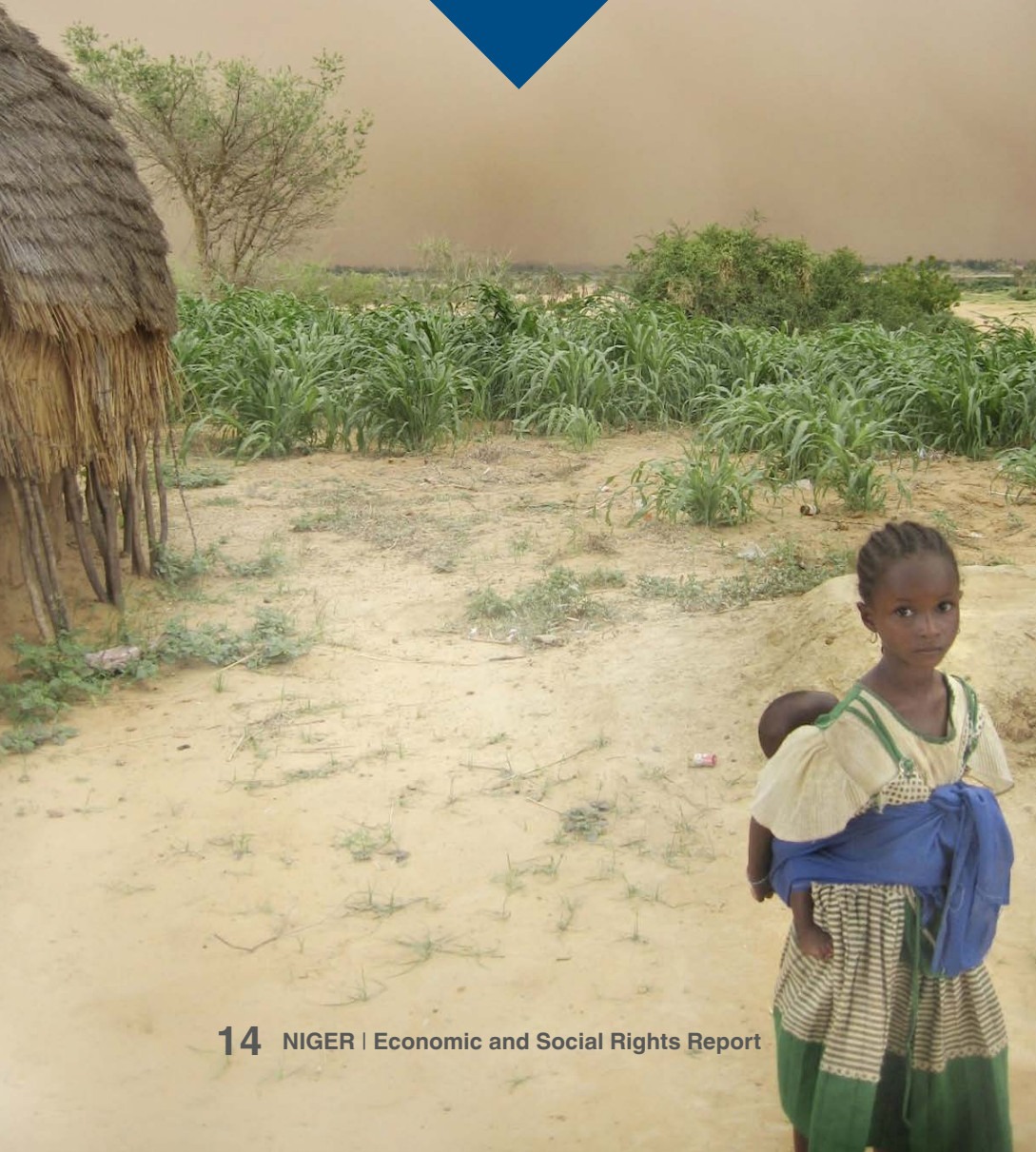
The legal and regulatory framework for the activity of national as well as international NGOs takes the form of a PAT (Standard Agreement Protocol) between CSOs and the government, which is renewable every 5 years. The national regulatory framework for CSOs has not undergone any major change since the passing of law 84-06 in 1991 which governs civil society organisations,²⁵ despite it having shown

a great deal of inadequacy in relation to the evolution of the context of civil society movements and despite several recommendations having already been presented for its modification. For example, it has been pointed out that there is no legal provision to recognize NGO Coalitions as legal entities in their own right. That is, Coalitions are still only recognized as simple NGOs, which is contrary to their very vision and sometimes to their objectives. The only changes in legislation recorded in recent years remain limited to the monitoring of the filing of annual reports of NGOs and to the income declaration for the purposes of controlling terrorist financing and money laundering.

Most international NGOs in Niger, including SOLDIAR's member Movimento por la Paz (MPDL), are represented by the OIREN, the Association of International Organisations Represented in Niger, which has 65 member INGOs according to its 2018 annual report, and which was created in 2005 to give more legitimacy to the work of international organisations, particularly to the eyes of the supervisory Ministry (Ministry of Community Development and Territorial Planning),

²⁴ <http://www.anp.ne/?q=article/manifestation-sur-l-audit-defense-la-cndh-denonce-entrave-sa-mission-et-appelle-au-respect>

²⁵ <http://www.droit-afrique.com/upload/doc/niger/Niger-Ordonnance-1984-06-associations.pdf>



the DONGAD (Directorate of NGOs and Development Association), the United Nations and other multilateral bodies.²⁶

In regard to the tax regime which applies to CSOs and NGOs, it should be noted that tax regulations in Niger undergo changes each year according to the finance law of the year. In 2017, a joint committee including representatives of the Nigerien state and NGOs was established, with the purpose of shortening the processing time for NGO's tax exemption files. Based on the overall experience reported by the SOLIDAR Network in Niger and other Nigerien NGOs, however, the creation of this committee has lengthened rather than shortened the times for the processing of files, due to the difficulty of having all the members of the joint committee present at each session as required by the procedure governing its functioning. The upcoming deadlines for the PAT renewal should allow, among others, to discuss the issue of relaxing the operating rules of the joint committee so that it can effectively play its fundamental role in facilitating exemption procedures for NGOs.

Moreover, the Standard Agreement Protocol (PAT) between CSOs and the government, which should guarantee tax exemption for all operations carried out as part of the implementation of projects financed by donors (national and international), has recently undergone a modification which grants the benefit of tax exemption only for projects financed by exterior donors.²⁷ This constitutes a major cost for NGOs on the field, and especially national CSOs, which have found themselves suddenly excluded from the tax exemption benefit.

Furthermore, other changes in tax regulations for CSOs have also occurred in recent years. In 2010, for example, a provision was

²⁶ Based on OIREN Statute, available at: <https://sites.google.com/a/oiren.org/www/textes-oiren-1>

²⁷ See PAT 2016-2020

passed allowing NGOs to withhold VAT at source and pay it back to the State at a later stage, and such provision has been implemented and observed since 2016.²⁸ However, the administrative process to ensure the repayment of VAT to the State remains complex and requires NGOs to invest a considerable amount of time in the process. For this reason, NGOs are now calling for a simplification of the procedure, for example through the creation of a ‘one-stop shop’ system for the completion of all the formalities required for the repayment of taxes.

Also, with regard to the PAT for the period 2016-2020, the restriction of certain tax advantages formerly granted to NGOs was noted. In fact, the purchase of items such as office equipment, supplies and fuel had for several years been exempted from taxation, while it has now been excluded from this benefit.²⁹

Finally, as a consequence of the modification of article 24 of the 2016-2020 PAT, according to the 2020 finance law,³⁰ since January 1, 2020, NGOs and development associations no longer benefit from the exemption from registration and stamp duties.

3.2 Capacity Building Opportunities for Nigerien CSOs

The right of CSOs to seek out and secure all types of resources is a necessary condition for the full exercise of freedom of association. This primarily involves access to funding, public and private, from national or international sources, in a way that ensures the sustainability of the organization; moreover, it requires the existence of tax legislation adapted to the constraints of CSOs and access to adequate training for CSO staff. Combined, these elements allow CSOs to fully fulfill their role as independent agents of progress.

²⁸ See Nigerien government Circulaire N35/MF/DGI/DLC/RI/SEL of 28 October 2015, relating to the withholding of VAT at source, resulting from order N 00447 / ME / F / CCRI / DGI / DLC / RI / SEL of November 08, 2010

²⁹ See article 13 of the PAT 2006-2010, where office supplies and equipment were exempt, and there was no explicitly set threshold on the amount of exempt fuel, and compare with PAT 2016-2020

³⁰ Extract from Law No. 2019-76 of December 31, 2019, on the finance law for the 2020 budget year (Special Official Journal No. 28 of 12/31/2019)



The SOLIDAR Network in Niger reports that there are very few direct funding opportunities for CSOs in Niger. The ones that exist come mainly from external actors such as the UN agencies, the French Embassy in Niger, and the European Union, and take the form of grants allocated as a result of calls for project proposals. Very often grants are allocated to large international NGOs rather than to small local actors, which is why **our Network calls for more opportunities to be given to local CSOs as well as to require international NGOs to work in partnership with local actors in order to strengthen the capacities of Nigerien civil society.**

In 2014, the EU, together with the Nigerien State and civil society, established a Roadmap for the Engagement with Civil Society in Niger during the 2014-2017 period, identifying 3 priorities areas for cooperation:

1. Promoting an enabling space for Nigerien CSOs
2. Reinforcing the efficacy of Nigerien CSOs' participation in political dialogues
3. Reinforcing the capacity of CSOs to more effectively play their roles as independent actors of development



Source: MPDL

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The Roadmap established that these priorities would be actualised through the implementation of several actions - most of which would take place within the context of the EU-financed project PASOC (Programme D'Appui à la Société Civile) - and which ranged from working to finalise the legislative and regulatory reforms concerning CSOs, to promoting initiatives to facilitate dialogue between CSOs and Nigerien state actors, and initiatives offering training and capacity building opportunities to CSOs.

The SOLIDAR Network in Niger welcomed EU's efforts to support civil society through the PASOC I and PASOC II programs, but it also reported a series of issues that would require improvement in order for these to be truly effective.

For instance, our Network points out that most PASOC II calls for proposals are open to applications from both international and national NGOs, and that this system tends to penalise small and medium organisations of Nigerien civil society which are often unable to rival the competition. The current PASOC program thus

often misses the real target of its services, that is local Nigerien CSOs, and would need to be reformed so as to be able to assess the real needs of local organisation. Moreover, it would need to regulate and balance the competition in its calls for proposals, between large NGOs and local organisations, by reforming accessibility criteria and requirement for grant applications.

Finally, when it comes to training opportunities for CSOs in Niger, our Network reports that these are also very limited. So far, the one notable initiative in this regard is the one operated by the French Embassy, which has started a support programme called 'Civil Society Space' housed within the French Cultural Centre (CCFN), that offers support for NGOs in drafting projects, fundraising and orientation. **It is therefore essential to develop more training and capacity-building initiatives aimed at strengthening small and medium-sized civil society organizations in Niger.**

3.3 Promoting an enabling environment and a strong civil society in Niger: SOLIDAR Network's recommendations

Meaningful citizen participation in decision-making, whether it be domestic, international or in EU programming, is an essential component of democracy. The involvement of civil society is necessary to ensure that development cooperation promotes the implementation of the 2030 Agenda and that no one is left behind. Meaningful participation in political decision-making can only be achieved through the establishment of a mechanism for systematic dialogue between the government, stakeholders and CSOs, as well as through the existence of follow-up activity requiring the authorities to report back to citizens.

The SOLIDAR Network in Niger highlights that the involvement of CSOs in political life has improved significantly in recent years. Several state institutions aimed at overseeing government action and combating corruption and similar offences now include representatives of civil society organisations. At the same time, there is still much that can be improved.

Given the multiplicity of CSOs, there is no doubt that it is difficult for the EU and European Union Delegations (EUD) to ensure a truly inclusive and participatory political consultation process. SOLIDAR is committed to supporting the European Union and the EUDs reach a wider audience and develop a more horizontal approach in working with CSOs (for example, by agreeing to define criteria and methods for working together so as to ensure a truly inclusive and participatory consultation process), as well as identify areas of interest for collaboration between the EU and its partner countries, based on the expertise and insight of our Network's field-based organisations.

³¹ <https://europa.eu/capacity4dev/policy-forum-development/wiki/virtual-regional-meetings-july>

Based on the elements reviewed so far in regard to Niger's provisions on the protection and promotion of an enabling environment for HRDs and CSOs, and in view of the Von der Leyen's Commission geopolitical priorities - especially its commitment to supporting civil society around the world by guaranteeing its involvement in decision-making processes, as well as its commitment to safeguarding fundamental rights and democracy -³¹ SOLIDAR recommends the EU to dedicate special efforts to the following issues within the context of its development cooperation work in Niger:

- Reforming the EU civil society support program PASOC, by reviewing the application requirements for the call for proposals, assessing the needs of local CSO actors and facilitating their access to resources vis à vis large international NGOs operating in Niger;
- Promoting CSO capacity building initiatives, including access to resources and training activities, following the good practice of the French Embassy in Niger, as well as by adding a CSO capacity building component to all EU-financed projects.
- Encouraging and incentivising large international NGOs to work on projects in partnership with local civil society organisations, so as to strengthen the capacity of the Nigerien civil society network.
- Promoting an update of CSOs' legal, regulatory and taxation framework by offering advice and support to the Nigerien government.



4. PROMOTING DECENT WORK AND SOCIAL PROTECTION FOR ALL



According to the definition of the International Labor Organization (ILO), Decent Work consists of the combination of four elements: the free choice of work, rights at work, social protection and social dialogue. Decent Work is an integral part of Goal 8 of the 2030 Agenda for Sustainable Development.

As for the right to social protection, this is a necessary precondition not only for the achievement of Decent Work but also for development more generally. Indeed, social protection is an essential tool to reduce and prevent poverty, social inequality, exclusion and insecurity, to promote equality of opportunity, as well as to support the transition from informal to formal employment. By adopting Recommendation No. 202 on social protection floors (2012),³² the member states of the ILO have committed to guaranteeing every human being's access to:

- The security of an income throughout life, in the form of various social transfers (in cash or in kind);
- The availability, affordability and quality of a set of essential services, including health care and education.

By virtue of their membership of the Organization, all ILO members also have an obligation to respect, promote and fulfill the following fundamental rights:

- freedom of association and the effective recognition of the right to collective bargaining (Conventions Nos. 87 and 98);
- the elimination of all forms of forced or compulsory labor (Conventions Nos. 29 and 105);
- the effective abolition of child labor (Conventions Nos. 138 and 182);
- the elimination of discrimination in respect to employment and occupation (Conventions Nos. 100 and 111).

All these commitments have been upheld by the UN SDGs agenda, namely by SDG 3 'Ensure healthy lives and promote well-being for all at all ages', SDG 4 'Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all' and SDG 8 'Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all'.

In Niger, the right to social protection is enshrined in the 2010 Constitution and it commits the country to reducing citizens' economic, social and nutritional vulnerability as well as providing protection against

³² https://www.ilo.org/wcmsp5/groups/public/--dgreports/--dcomm/--publ/documents/publication/wcms_165750.pdf

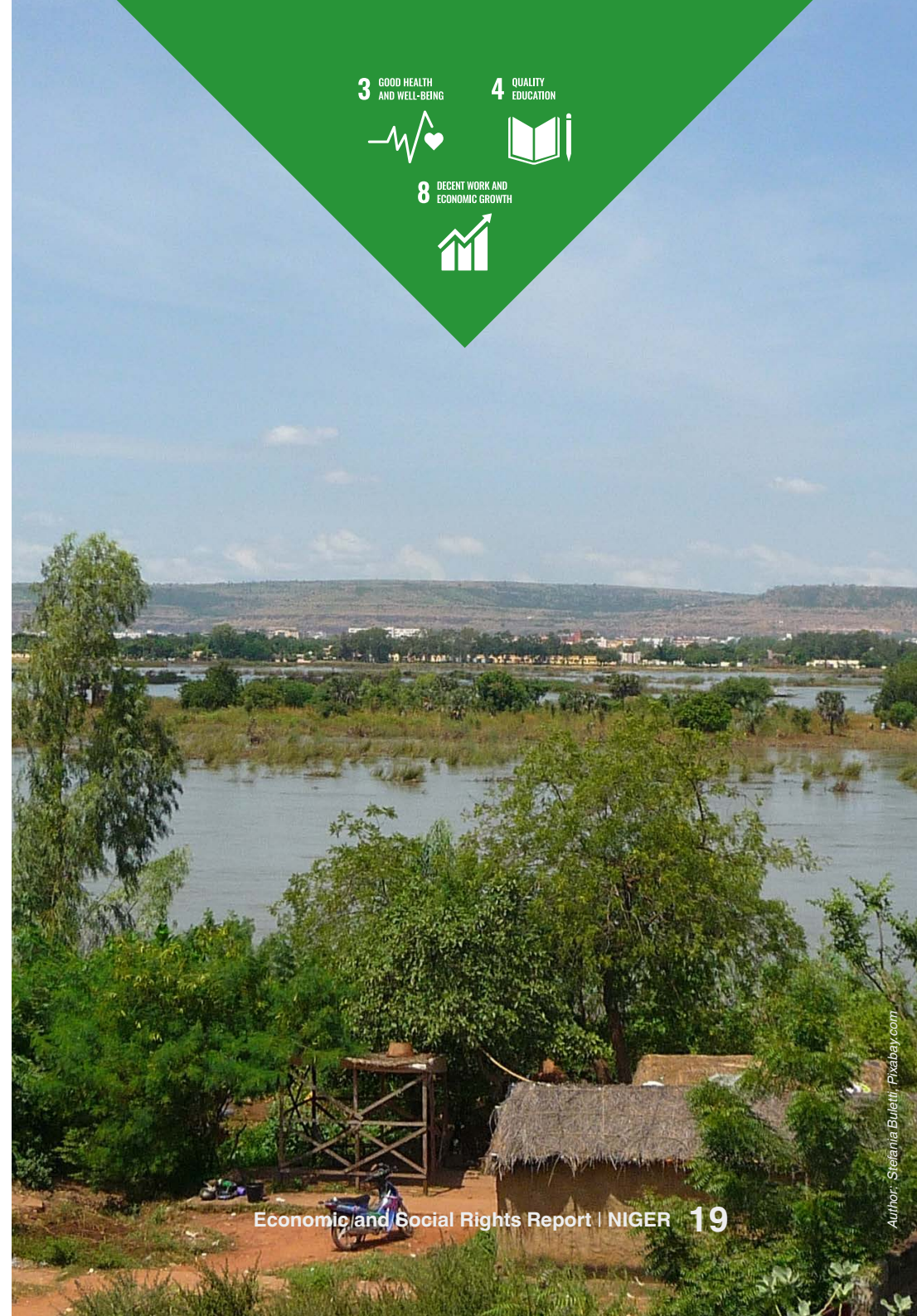
disasters. In 2011, Niger adopted its own National Social Protection Policy (PNPS)³³ with the main aim of guaranteeing more effective, efficient and sustainable social protection provisions and reducing the vulnerability of disadvantaged groups. Niger is also committed to building people's resilience and adaptive capacities in the face of climate hazards and climate-related natural disasters, with the aim of mitigating their impacts as well as preventing climate migration.

4.1 Rights at work in Niger

In Niger, labor law has undergone significant changes in recent years. The country has ratified ILO Conventions No. 183 on Maternity Protection, No. 144 on Tripartite Consultations Relating to International Labor Standards, No. 122 on Employment Policy and No. 121 on Benefits in the Event of Work Accidents and Occupational Diseases.³⁴ Through its 2011 National Social Protection Policy, moreover, the country established that 25% of public institutions jobs would be reserved to women, and 5% to people with disabilities.³⁵

Niger's economy relies strongly on subsistence agriculture (the agro-sylvo-pastoral and fishery sectors represent the largest share of Nigerien GDP, equal to about 37.02% in the 2011-2015 period, and employ 80% of the working population) and about 41.4% of its population lives in extreme poverty, in addition to millions more suffering from food insecurity.³⁶ The employment situation in Niger is also meager. There were nearly 50,000 new graduates seeking employment and 32% (5.9 million) of the workforce either unemployed or underemployed in 2018, according to a note from the Ministry of Employment published in the same year. Women are the most affected by unemployment (25% of women are not employed vs 12% of men) as well as young people aged 15 to 29.³⁷

33 http://www.africanchildforum.org/clr/policy%20per%20country/niger/niger_socialprotection_2011_fr.pdf
34 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103254
35 http://www.africanchildforum.org/clr/policy%20per%20country/niger/niger_socialprotection_2011_fr.pdf
36 http://www.africanchildforum.org/clr/policy%20per%20country/niger/niger_socialprotection_2011_fr.pdf
37 [https://www.preventionweb.net/files/PDES%20Niger%202012-2015%20Fr%20\(1\).pdf](https://www.preventionweb.net/files/PDES%20Niger%202012-2015%20Fr%20(1).pdf)





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Poverty and the bad employment landscape are due, among others, to the very strong demographic growth, to the mismatch between the training received and the real needs of companies - only 1.7% of the potential population of young people (15-35, which represent the majority of the population) to be trained in the agricultural sector receives training³⁸ and to the weakness of the economic fabric. Moreover, to this should be added the lack of political and financial investments in job opportunities, skills training and education, as well as the prevalence of low salaries and informal work, with the latter representing more than 60% of national GDP³⁹ and employing the majority of the Nigerien population.

The informal economy is also the main source of income for migrants arriving in Niger - whose number has been significantly increasing in recent years as a consequence of conflicts in neighbouring countries like Mali, Burkina Faso and Nigeria as well as due to migrant deportations from Algeria.⁴⁰ Migrant workers in the informal economy operate outside the legal framework, they do not benefit from social protection (social security benefit, health care) and do not enjoy security nor property rights.

In terms of trade union freedoms, Niger has ratified ILO Conventions 87 on Freedom of Association and the Protection of the Right to Organise and 93 on Right to Organise and Collective Bargaining. Nonetheless, the SOLIDAR Network reports of systematic violation of these rights. One such case is that of January 17th, 2020, when the police burst into the House of Youth and Culture Djado Sékou in Niamey, where the General Assembly of the National Union of Contractual Agents of Basic Education (SYNACEB) was being held. The police ordered the people attending to leave the premises, using batons and chasing after SYNACEB activists to disperse the

³⁸ <https://reca-niger.org/IMG/pdf/-9.pdf>

³⁹ *Ibidem*

⁴⁰ <https://www.ecre.org/algeria-deports-25000-migrants-to-niger/>



crowd. SYNACEB later filed a complaint before the Public Prosecutor against the national police for obstructing trade union freedoms recognized by international conventions and the constitution of Niger.⁴¹

Another example of violation of freedom of assembly reported by our Network is that of the organisation SNEN (National Union of Secondary Education), which was prohibited from holding meetings with members in schools, with teachers being banned and/or expelled nine times in the space of a month in the capital city of Niamey alone. On the basis of these events, SNEN has now drawn up some observations on Conventions 87 and 98, which will be transmitted to Education International (EI) as a prelude to the next Geneva Conference.

Based on this context, the SOLIDAR Network calls on the EU to support trade unions in the preparation of reports to identify all cases of violation of freedom of association relating to ILO conventions ratified by Niger. Moreover, there is also a need to build the capacity of union leaders in the area of collective bargaining.

Slavery, Forced and Child labour

Niger ratified the ILO Forced Labor Convention in 1961.⁴² In 2002, it passed a law to prohibit slavery with provisions providing heavy penalties for anyone convicted of holding slaves. However, a 2008 survey by the National Institute of Statistics of Niger and the ILO found that more than 59,000 adults and children - out of a total population of 13 million - were victims of forced labor, mainly due to the remains of slavery and deeply rooted discriminatory practices.⁴³

41 <http://niameyinfo.com/un-syndicat-denseignants-assigne-la-police-nationale-en-justice/>

42 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312174:NO

43 https://www.ilo.org/global/standards/information-resources-and-publications/news/WCMS_373598/lang--fr/index.htm

44 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103254

45 <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

Active or archaic slavery practices in Niger see slaves as the absolute property of their masters, who can dispose of them as they please, just as any material good. Passive slavery practices, on the other hand, which are especially prevalent in Western Niger, do not entail the direct economic exploitation and physical harassment of slaves. Rather, slaves have the right to own property, with the exception of land - although in recent years some slaves have been able to acquire it. However, as in active slavery, victims of this practice are subject to discrimination based on their descent. For example, they cannot marry outside their social class. Finally, there is also another form of slavery known as 'Wahaya' or '5th wife'. This practice claims to derive its legitimacy from Islam, and it's observed mainly in the courts of traditional religious leaders as well as within some wealthy social circles. The practice consists in taking a 5th wife beyond the 4 legally permitted, as long as she is of slave descent. The Wahaya, consequently, will have no inheritance rights over her husband's property.

Beyond slavery, the practice of child labour is also especially widespread in Niger, despite the Nigerien government having pledged to combat forced labour and protect the right of children by ratifying a number of international conventions on the subject, including ILO Convention no. 138 on Minimum Age for Admission to Employment and no. 182 on the Prohibition of Worst Forms of Child Labor and Immediate Action for their Elimination,⁴⁴ as well as the UN Convention on the Rights of the Child.⁴⁵





According to a research carried out by the ILO and the Nigerian National Institute of Statistics, in 2009 50.4% of Nigerian children aged 5 to 17 were economically employed, including 42.5% of children attending school. Child labour resulted to be more prevalent in rural than in urban areas, with the majority of children being employed in households (58.2%) and in the agricultural sector (13.8%) and working an average of 28.5 hours per week. Child labour was also reported to be more widespread among girls than among boys (53.2% vs 47.7%).⁴⁶

As a consequence of child labour, children are exposed to a variety of dangers, including psychosocial distress, family separation, association with armed groups and forced recruitment, exposure to mines and other explosive devices, but also exploitation and mistreatment by 'marabouts' (Muslim religious leaders), gender-based violence (child marriage, survival sex, sexual exploitation) and other forms of abuse.

4.1.1 Promoting Decent Work in Niger: SOLIDAR Network's recommendations

The guarantee of Decent Work and the protection of workers rights is a sine qua non for the realization of Economic and Social Rights, and is integral part of Goal 8 of the 2030 Agenda for Sustainable Development.

For this reason, and based on the evidence provided in regard to Niger's protection of rights at work and the challenges still faced by the country in this realm, the SOLIDAR network calls for the EU to:

- Support trade unions in the preparation of reports to identify all cases of violation of freedom of association relating to ILO conventions ratified by Niger as well as offer capacity building opportunities for union leaders in the area of collective bargaining;

⁴⁶ https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_21275/lang-fr/index.htm

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- Raise awareness on slavery, forced and child labour in Niger, as well as promote the enforcement of relevant national and international laws and regulation ratified by the country in regard to these practices;
- Allocate specific financial and human resources to the fight against forced labor and monitor progress in this realm;
- Advise and support the Nigerien government in regard to extending social security to migrant workers and workers in the informal economy, which constitute the vast majority of the Nigerien workforce;
- Promote CSOs' and trade unions' participation in the consultation process for the formulation and implementation of labour-related policies.

⁴⁷ <https://europa.eu/capacity4dev/policy-forum-development/wiki/virtual-regional-meetings-july>

These objectives are in line with the new Commission's geopolitical priorities, and especially with its commitment to creating Alliances for Sustainable Growth and Jobs and to safeguarding fundamental human rights.⁴⁷

4.2 Universal Access to Education

Education - including lifelong learning - reduces inequalities and promotes gender equality. Everyone should have the right to quality and inclusive education, training and lifelong learning, in order to maintain and acquire the skills necessary to participate fully in society and successfully manage transitions in the labor market. Niger is one of the countries with the highest illiteracy rate in the West-African sub-region (over 70% of the population aged 15 and over, as of 2013). The expected length of schooling amounts to 5.83 years nationally (vs 9.7 years on average in Subsaharan Africa





and 9 years in other low-HDI countries), but only 1.275 years circa are usually completed by pupils.⁴⁸ Moreover, boys usually stay in school longer than girls, the difference being attributable to negative perceptions of the value of school education for young girls in Nigerien society.

The indicators related to the Nigerien education system experienced a favorable evolution during the 2012-2015 period. This change is attributable to the recent implementation of a series of education policy and sector programs by the government of Niger, such as the Ten-Year Education Development Plan (PDDE 2003-2013)⁴⁹ and the Sector Program for Education and Training (PSEF 2014-2024).⁵⁰

In preschool, the enrollment rate rose from 5.4% in 2012 to 7.2% in 2016, a gain of 1.8 points. However, the pre-school coverage rate still remains very low and pre-schooling is still an essentially urban phenomenon, as poor families are unable to bear the direct and indirect costs for children enrollment. Primary education also recorded an improvement in gross enrollment rates (GER) (76.2% in 2016 vs 68.6% in 2012), although gender inequality in primary education remains strong, with the GER being substantially higher for boys (82.1%) than for girls (70.2%). The same is true for inequalities between rural and urban areas (GER of 64.3% in rural areas vs 138.3% in urban areas in 2016). At the secondary level (cycle II), the enrollment rate has also improved significantly (from 21% in 2012-2013 to 31% in 2015-2016), although three quarters of children eligible to attend secondary school remain excluded from education.⁵¹

Significant progress has also been made in recent years in favor of girls' education, thanks, among others, to the signing by the government of 10 commitments in favor of girls' education, as well as of a decree on protection and support for young girls, and the development of the National Strategy for the acceleration of Education and Training for Girls and Women.⁵²

Privatisation of education

Private education has experienced rapid development in Niger, as a result of a range of measures implemented by the government, first among them being the legal recognition of private education by the state through the 1998 law n°98-12 on the orientation of the Nigerien education system (LOSEN).⁵³ The government has also offered multifaceted direct support to private education providers including, among others, subsidies and the temporary use of public land and teachers. This resulted, in several instances, in private providers becoming owners, through improper means, of the land temporarily put at their disposal by the government, thanks to the twisting of legal norms and procedures. In addition, Order no. 00182/MEN/MFP/TE/DPE/FP/DEPRI of October 7, 1997, on the liberalization of tuition and vocational training fees in private education, authorized private schools to freely choose the amount of the tuition fees they could charge for children enrollment. This law thus became the very symbol of the commodification of Nigerien education and is considered to go against the free schooling principle consecrated within the LOSEN.

The commodification of the education sector has led to the rise of several concerns about the quality and accessibility of education for Nigerien citizens. As reported by SOLIDAR members in the field,

48 https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/niger_psef_2012_2014.pdf

49 <https://www.afdb.org/fr/documents/document/niger-basic-education-enhancement-project-project-completion-report-pcr-26182>

50 https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/niger_psef_2012_2014.pdf

51 <https://www.undp.org/content/dam/niger/docs/UNDP-NE-PDES%202017-2021.pdf>

52 <https://unicefniger.tumblr.com/post/188410864464/pour-la-scolarisation-des-filles-je-mengage>

53 <http://www.unesco.org/education/edurights/media/docs/d33d5f8a655c64bdc670da3e5cfb003244c1b1ca.pdf>

for instance, the country now has more private than public higher education institutes, and the quality of learning, respect of worker's rights and sustainability of and within private education is considered to be at risk. Staff is often employed on a temporary basis and seeing their statutory rights and freedoms repeatedly violated, and the availability of school infrastructure and assets depends on children's payment of tuition arbitrarily established by education providers. Moreover, many private education institutions operate in absolute illegality, without their establishment and activities having been authorised by the government. Our Network reports that In early 2020 alone, fifteen founders of private establishments were arrested and taken to the judicial police. However, most of them were later released and allowed to continue their activities.

Concerns on the commodification of education have also been expressed at the global level by a group of 174 civil society organisations - including the SOLIDAR Network and Nigerian CSOs - through the 2016 'Call by the Francophone Civil Society Against the Commercialisation of Education'.⁵⁴ The call highlights a series of issues related to the privatisation of education, such as that the current privatization often competes with and is detrimental to public education, "it opposes free education, reducing access for the poorest, and creating socio-economic, cultural and territorial segregation, thus questioning the possibility of creating an open, mixed, fair, and democratic society."⁵⁵ Moreover, the fact that many private establishments practice a selection, direct or indirect, based on economic, ethnic, social, cultural, gender, religious or other criteria, also reinforces social inequality and discrimination.



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54 https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/Call_Francophone%20Network_Commercialisation%20of%20education_2016.pdf
55 Ibidem



Source: MPDL

4.2.1 Ensuring quality education in Niger: SOLIDAR Network's recommendations

The achievement of an inclusive and equitable quality education is an integral part of Goal 4 of the Sustainable Development Agenda. There are many challenges in Niger which still require attention in this sector in order for the country to achieve this Goal.

Especially, the SOLIDAR Network highlights the following areas of improvement, which should receive special attention by the EU in its cooperation with Niger in the context of the 2021-2027 EU Programming, and which would contribute to the achievement of the Commission's priorities of increasing human capital through the promotion of education and skills, as well as of safeguarding fundamental rights, gender equality and women empowerment.⁵⁶ The EU should:

- Encourage and support the government of Niger in strengthening regulation and supervising the activity of private education

⁵⁶ https://ec.europa.eu/international-partnerships/our-work_en

providers, including establishing legal limits to the amount of tuition they can charge, setting minimum quality standards to be met in regard to staff recruitment and treatment (e.g. establishing qualification required, minimum salary offered) and setting binding guidelines on educational programs that should be offered by private institutions;

- Promote and invest in the development of public schools and in capacity building programs to improve education sector governance, so as to restore citizens' trust in public education;
- Support the Nigerien government in developing a diversified and improved educational offer, so as to make education inclusive and responsive to citizens' needs;
- Promote initiative and campaigns to sensibilise the populace as to the importance of girl and women education, providing funding and incentives to families for girls' school enrollment and attendance.

4.3 Universal Access to Health

The enjoyment of the highest attainable standard of health and wellbeing is one of the fundamental rights of every human being. Good health enhances quality of life, increases capacity for learning, strengthens families and communities and improves workforce productivity. Governments have a responsibility for the health of their people, and guaranteeing them access to quality and affordable healthcare is an expression of social justice.

Access to healthcare in Niger is improving thanks to a series of reforms which have been carried out and/or are in progress in the country. In 2012, for example, the government adopted a national strategy aimed at improving the quality and financing of public health services with the objective of achieving universal health coverage.⁵⁷ As of 2015, the health coverage rate stood at 48.47%, compared to 47.48% in 2011/12. Regional disparities remain however strong, with more than half (51.53%) of the population having to travel more than 5 kilometers before being able to access basic health services.⁵⁸

As Niger has one of the worst maternal and child mortality rates in the world, moreover, the government also introduced a free healthcare policy aimed at women and children, which allows women to have access to free contraceptive services, prenatal care, deliveries including cesarean sections and free treatment for women's cancers, as well as access to a range of health services for children under the age of 5.⁵⁹

Based on the diagnosis made by the Ministry of Planning in preparation for the PDES 2017-2021, several health-related indicators seem to have improved in the last few years, also as a consequence of the implementation of the 2017-2021 Health Development Plan (PDS). For example, infant mortality rate has decreased, passing from 76 deaths per thousand in 2010 to 51 per thousand in 2015. The mortality rate of children under 5 has also fallen from 177.6 per thousand in 2009 to 114 per thousand in 2015. As for maternal mortality, although this has also diminished, the improvement has been less dramatic, with mortality falling from 554 per 100.000 live births in 2010, to 520 per 100.000. The rate of births attended by skilled personnel has also increased, although it still remains relatively low at 42.26% in 2015 against the PDES 2012-2015 target of 60%.⁶⁰

On the other hand, the rate of curative care still stands only at 52.58% nationally. Furthermore, the double burden of communicable and non-communicable diseases, as well as inequalities and inequities in access to health services are all factors that worsen the health of the population.⁶¹ It has also been noted that despite the efforts made by the State in recent years, the percentage of the State budget allocated to health, which is around 9%,⁶² remains below the 15% recommended by the Abuja Declaration in 2001.⁶³ Finally, the health system is still not very resilient in the face of the increasingly recurring health emergencies that the country has regularly faced in recent years.

57 https://extranet.who.int/countryplanningcycles/sites/default/files/country_docs/Niger/strategie_nationale_sante_finale_version_aout_2020121.pdf

58 <https://www.undp.org/content/dam/niger/docs/UNDP-NE-PDES%202017-2021.pdf>

59 <https://www.undp.org/content/dam/niger/docs/UNDP-NE-PDES%202017-2021.pdf>

60 <https://www.undp.org/content/dam/niger/docs/UNDP-NE-PDES%202017-2021.pdf>

61 *ibidem*

62 <https://www.presidence.ne/discours-du-prsident/2020/4/6/6xnzerhul54lcgqd7k7dm2uv3l5ipa>

63 <https://www.undp.org/content/dam/niger/docs/UNDP-NE-PDES%202017-2021.pdf>





Community-level health service initiatives: some examples of good practices

The SOLIDAR Network reports of several good practice initiatives at the grassroots level which provide health services to local communities in Niger, complementing and/or supplementing the role of the state in remote areas.

One of these is the UNFPA-led initiative ‘School of Husbands’ (EdM), which provides community level family planning services, its fundamental role being that of raising awareness on this topic, as well as offering counselling and support to men and fathers on the fundamentals of family planning, sexual and reproductive health. The initiative also includes male and especially female community-based contributors (CBDs) whose main role is that of distributing contraceptives within their own community as well as counselling their peers, under the supervision of a doctor or the head of the health centres.

Moreover, another notable initiative is that of the Learning and Nutritional Rehabilitation Centres (FARN)⁶⁴, aimed at dealing with malnutrition of children under the age of 5. Through this initiative, mothers of malnourished children learn from mothers with children in good health to prepare nutritional dishes using only local agricultural products easily available in the area. Also, at these centres mothers are made aware of the importance of prenatal and postnatal medical consultations, as well as they are educated on infant and young child feeding (IYCF), and are taught to screen their children for malnourishment through the MUAC measurement.⁶⁵

Finally, a third successful initiative is that of the ‘mixed human and animal health service in pastoral areas’, provided by AVSF (Agronomes et Vétérinaires Sans Frontières) and co-financed by the EU, which brings together basic health services for nomadic populations while meeting their demand: animal health and the limitation of mortality within their herds. This initiative has led to an increase in people’s vaccination rates and to the achievement of significant savings in structural costs.⁶⁶

Given the success of these community-level health services initiatives, the SOLIDAR Network encourages the EU to keep working with international partners and institutions on projects aimed at guaranteeing people’s health everywhere in Niger, including among remote and more vulnerable communities which are not easily reached by state services.

⁶⁴ <https://www.careevaluations.org/wp-content/uploads/evaluations/evaluation-a-mi-parcours-maman-lumiere.pdf>

⁶⁵ <https://motherchildnutrition.org/early-malnutrition-detection/detection-referral-children-with-acute-malnutrition/muac.htm>

⁶⁶ <https://www.avsf.org/fr/posts/646/full/le-service-mixte-de-sante-humaine-et-animale-en-zone-pastorale-une-experience-innovante-et-prometteuse>

4.3.1 Ensuring quality healthcare in Niger: SOLIDAR Network's recommendations

Goal 3 of the 2030 Sustainable Development Agenda consists in ensuring healthy lives and promoting people's well-being at all ages. The achievement of this goal is a fundamental precondition for the achievement of full Economic and Social Rights and of Decent Work. Ensuring the provision of good quality and accessible healthcare is also part of the European Commission's current priorities, being considered as one of the main prerequisites necessary to increase countries' human capital and thus their capacity for development, as well as guarantee the respect of individuals' fundamental rights.⁶⁷

In light of this context, the SOLIDAR Network recommends the EU to support Nigerien citizens' access to healthcare by implementing the following actions:

- Supporting the Nigerien government in strengthening its capacity to provide public healthcare services to everyone, including in remote areas, by offering it advice and funding to reform the public healthcare management apparatus;
- Leading and/or co-financing community-level initiatives, based on good practice examples like those reviewed so far, aimed at providing core healthcare services to remote and vulnerable communities;
- Providing targeted support to government's and CSOs' programs and initiatives aimed at fighting child malnutrition and improving maternal and sexual health, which remain among the main health challenges in Niger.

⁶⁷ https://ec.europa.eu/international-partnerships/our-work_en



Source: MPDL

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5. THE IMPACT OF COVID-19 ON SOCIAL AND ECONOMIC RIGHTS AND CIVIL SOCIETY

Based on the reports of the SOLIDAR Network in Niger, the advent of COVID-19 seems to have caused an upheaval in the programmatic, planning and monitoring mechanisms within the NGO and CSO sector in the country.

Disruptions were noted in the organization and coordination of NGOs' work, with the cancellation of most of the programmed meetings of various platforms during the first days of the pandemic, as a consequence of the restrictive measure imposed by the Nigerien government in response to the virus. Nonetheless, the civil society sector quickly adapted to the circumstances and resumed its activities, whenever possible, through teleworking and the organisation of videoconferences. However, the level of access to virtual communication tools remained mixed among both national and international NGOs, also due to the frequent disruption of the Internet network in the country.

The COVID-19 also had a negative impact on awareness-raising and advocacy actions of Nigerien civil society. In fact, most UN International Days (e.g. World Women's Day, World Press Freedom Day, International Day for the Right to Truth Concerning Gross Human Rights Violations and for the Dignity of Victims, World Day for Safety and Health at Work) which are often the occasion for civil society to carry out advocacy and fundraising activities, were instead celebrated soberly in 2020, avoiding public gatherings and demonstrations, in accordance with the anti-COVID-19 norms.

Moreover, SOLIDAR member MPDL (Movimento por la Paz) reports that, like many other NGOs, it had to modify the normal functioning of its work by not only moving to teleworking but also by temporarily suspending its actions in the field before resuming only its most critical activities, such as the distribution of improved seed kits to very vulnerable households for the realization of the agricultural campaign announced in early 2020 in line with the forecasts of the Famine Early Warning System Network (FEWS Net). For platforms like MPDL, the pandemic thus resulted in additional work, as it began in Niger at the start of the lean season (mid-March), when the most vulnerable households began to erode or sell off their livelihoods, and thus they had to be supported at this critical moment in order to avoid a serious food crisis which could result to be just as dangerous as the COVID-19 health emergency.

Finally, in terms of social protection and services, the SOLIDAR Network reports that COVID-19 patients are being cared for free of charge regardless of their socio-economic background. Moreover, as many Nigeriens stopped using the health services for fear of contracting the virus, some hospital heads seem to have started carrying out awareness campaigns to reassure the population and encourage people to resume going to hospitals and seek treatments for their existing medical conditions.

As for people's ability to work, the restrictive measures taken by the government (institution of curfews, sanitary isolation of the city of Niamey, closure of borders, transport restrictions, reduction of working hours) had a negative impact on the work of both public and private sector institutions, and by extension on both the formal and informal economy. To reduce the economic impact caused by the restrictive measures, the government of Niger has implemented a series of actions, including reducing the water and electricity bills and distributing food to those most affected.

In light of the emergency situation caused by the COVID-19 pandemic, the SOLIDAR Networks thus calls for additional efforts by the EU to help Niger face the crisis, especially by encouraging social dialogue as well as providing financing to reinforce the health system, maintain public hygiene, and protect the income of all the at risk workers.



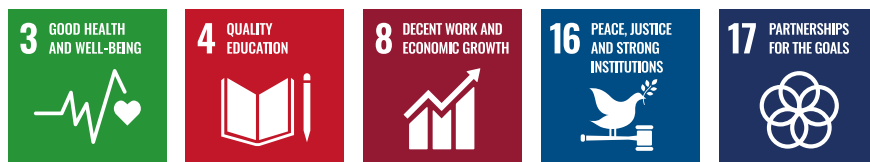
Source: MPDL

6. CONCLUSIONS

The promotion of Economic and Social Rights and of a favourable and enabling environment for CSOs and Human Rights Defenders is an essential prerequisite for the achievement of the 2030 Agenda on Sustainable Development and its SDGs.

The COVID-19 pandemic and its response policies, and the hardship that these have and will continue to cause on people's lives, especially when it comes to their ability to work, to access public services such as health and education, not to mention their ability to exercise fundamental freedoms such as freedom of assembly, make the promotion of economic and social rights and the strengthening of countries' civil society fabric all the more urgent.

The ongoing programming process represents a true opportunity to make these rights and the achievement of the SDGs the backbone of future EU work with partner countries, a work that SOLIDAR is ready to support. More particularly, and in line with the European Consensus on Development and the 2019 Von der Leyen Commission priorities, the SOLIDAR network makes the following recommendations to the EU and the Nigerien government, in regard to (1) building of an enabling environment for CSOs and (2) promoting decent work and social protection.



IN REGARDS TO BUILDING AN ENABLING ENVIRONMENT FOR CSOS AND HRDS, THE SOLIDARNETWORK CALLS FOR EU TO:

- Reform the EU civil society support program PASOC, by reviewing the application requirements for the call for proposals, assessing the needs of local CSO actors and facilitating their access to resources;
 - Promote CSO capacity building initiatives, including access to resources and training activities, following the good practice of the French Embassy in Niger, as well as by adding a CSO capacity building component to all EU-financed projects;
 - Encourage and incentivise large international NGOs to work on projects in partnership with local civil society organisations, so as to strengthen the capacity of the Nigerien civil society network;
 - Promote an update of CSOs' legal, regulatory and taxation framework by offering advice and support to the Nigerien government.
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IN REGARDS TO THE PROMOTION OF DECENT WORK AND SOCIAL PROTECTION FOR ALL, THE SOLIDAR NETWORK CALLS FOR EU TO:

Decent work

- Strengthen trade unions' capacity to identify, monitor and report on cases of violation of freedom of association relating to ILO conventions ratified by Niger as well as support the development of their capacities in the area of collective bargaining.
- Raise awareness on slavery, forced and child labour in Niger, as well as promote the enforcement of relevant national and international laws and regulation ratified by the country in regard to these practices.
- Allocate specific financial and human resources to the fight against forced labor and monitor progress in this realm.
- Advice and support the Nigerien government in regard to extending social security to migrant workers and workers in the informal economy, which constitute the vast majority of the Nigerien workforce.
- Promote CSOs' and trade unions' participation in the consultation process for the formulation and implementation of labour-related policies.



IN REGARDS TO THE PROMOTION OF DECENT WORK AND SOCIAL PROTECTION FOR ALL, THE SOLIDAR NETWORK CALLS FOR EU TO:

Access to Education

- Encourage and support the government of Niger in strengthening regulation and supervising the activity of private education providers, including establishing legal limits to the amount of tuition they can charge, setting minimum quality standards to be met in regard to staff recruitment and treatment (e.g. establishing qualification required, minimum salary offered) and setting binding guidelines on educational programs that should be offered by private institutions;
- Promote and invest in the development of public schools and in capacity building programs to improve education sector governance, so as to restore citizens' trust in public education
- Support the Nigerien government in developing a diversified and improved educational offer, so as to make education inclusive and responsive to citizens' needs
- Promote campaigns and programs to fight sexual harassment and discrimination in schools, in favour of girls empowerment, gender equality, and the social integration of vulnerable children, such as children with disabilities.

Access to Healthcare

- Support the Nigerien government in strengthening its capacity to provide public healthcare services to everyone, including in remote areas, by offering it advice and funding to reform the public healthcare management apparatus;
- Lead and/or co-finance community-level initiatives, based on good practice examples like those reviewed so far, aimed at providing core healthcare services to remote and vulnerable communities;
- Provide targeted support to government's and CSOs' programs and initiatives aimed at fighting child malnutrition and improving maternal and sexual health, which remain among the main health challenges in Niger.

EU Commission's Priorities and SOLIDAR Network's Work in Niger

GROWTH AND LASTING EMPLOYMENT, INCLUSION OF WOMEN



Union des Syndicats des Travailleurs du Niger - USTN supports the unionisation of workers and migrants in the informal economy, and carries out awareness-raising on labor rights and human rights. It also offers capacity building resources on several themes (management of small businesses / cooperatives, access to microfinance etc), as well as it carries out advocacy and lobbying with the Nigerien government for the extension of social security to vulnerable groups.

Movimiento por la Paz, el Desarme y la Libertad - MPDL works for rural development and socio economic inclusion of women and young people, and it supports the strengthening of women organizations and local institutions' capacities to promote women rights in their communities.

Confederazione Generale Italiana del Lavoro - CGIL carries out awareness raising and training of trade union officials and workers

Nexus Emilia Romagna leads actions to strengthen the capacities of trade unions and CSOs on the theme of decent work in relation to migrants

GOVERNANCE, PEACE, SECURITY AND STABILITY



Solidarité Laïque works to strengthen the NGOs education network, provides institutional support, capacity building opportunities and funds micro projects to achieve education for all

PARTNERSHIP ON MIGRATIONS



Asamblea de Cooperación por la Paz - ACPP gives humanitarian aid to promote the right to live with dignity and the protection of refugees.

GREEN DEALS



Union des Syndicats des Travailleurs du Niger - USTN contributes to the integration of concepts and actions to protect the environment, promote sustainable development, and implement mitigation measures for the effects of climate change within the work realm in Niger. It carries out capacity building activities for union leaders and awareness campaigns for behavior change at the workplace.

CONTRIBUTING ORGANISATIONS

Movimiento por la Paz, el Desarme y la Libertad (MPDL)
Asamblea de Cooperación por la Paz (ACPP)
Confederazione Generale Italiana del Lavoro (CGIL)
ONG DIKO
NEXUS Emilia Romagna
Réseau Pour le Développement de l'Éducation au Niger (RESDEN)
Syndicat national des enseignements (SNEN)
Union des Syndicats des Travailleurs du Niger (USTN)



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A presentation of the OIS programme can be found at the following link:
<https://prezi.com/view/9zuxuivoqUSD3w1pGJSz/>