



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined third to fifth periodic reports submitted by the Niger under article 44 of the Convention, due in 2012* **

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- * The present document is being issued without formal editing.
 - ** The annexes and appendices may be consulted in the files of the secretariat. They are also available on the Committee's website.

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Introduction

1. The present report has been submitted pursuant to article 44 (1) of the Convention on the Rights of the Child, which the Niger ratified on 30 September 1990. The State party presented its second periodic report at the 1413th meeting of the Committee on the Rights of the Child, held on 4 June 2009, but has not submitted another report since that date. The economic difficulties and the political upheaval that the Niger has experienced over the past decade, combined with the absence of an authority specifically responsible for drafting reports to the human rights treaty bodies, have prevented the State from fulfilling its reporting obligations.

2. On 17 March 2010, in order to meet its international and regional obligations, the Niger established an interministerial committee, coordinated by the Ministry of Justice, to draft reports for submission to the human rights treaty bodies and under the universal periodic review procedure. The present report has been prepared and compiled by the aforementioned committee.

3. Although the Government has not reported regularly to the Committee, it has, since the submission of its previous report, implemented several measures to ensure the promotion and protection of children's rights, as enshrined in the Convention and other international and regional instruments to which it is a party. The drafting of the present document, containing the combined third to fifth periodic reports of the Niger, reflects the State's determination to clear its reporting backlog and honour its reporting obligations under the Convention.

4. This periodic report was prepared on the basis of the treaty-specific guidelines regarding the form and content of periodic reports to be submitted by States parties to the Committee on the Rights of the Child, adopted by the Committee at its fifty-fifth session. In the report, the Government provides responses to all the observations and recommendations made by the Committee at its fifty-first session and offers updates on the progress made since the previous periodic report, covering all areas and all points raised and indicating the measures by which the political and administrative authorities have given effect to the rights enshrined in the Convention. The data contained in the report cover the period from July 2009 to December 2012.

5. In terms of its methodology, the report is mainly based on data and information collected by the interministerial committee from State institutions, certain international bodies and civil society organizations. The National Human Rights Commission, trade unions and civil society organizations were formally consulted at the drafting stage and subsequently participated in the workshop to validate the report.

6. The report is divided into two parts. The first contains general information on the Niger, while the second provides detailed information on the implementation of the Convention. The annex to the report contains disaggregated statistical data and indicators, in line with the treaty-specific reporting guidelines. Given the word limit set for periodic reports, the present document is accompanied by a list of tables and graphs, as well as the common core document.

Part I: Treaty-specific report

I. Format and content

7. This report provides detailed information on the implementation by the Niger of the provisions of the Convention and the measures taken to give effect to the recommendations made by the Committee during the previous reporting cycle, in June 2009. With regard to demographics, it is estimated that, in 2012, children made up nearly 56 per cent of the population of the Niger.

II. Substantive information

8. This report provides a response to the main concerns raised and recommendations issued by the Committee and contains information on measures taken to ensure the effective implementation of those recommendations. This information is also covered in other parts of the report.

A. General measures of implementation (Convention, arts. 4, 42 and 44 (6))

9. It is worth noting that the State ratified the Convention on the Rights of the Child and the two Optional Protocols thereto without any reservations. It has also adopted a number of legal and institutional measures with a view to aligning domestic legislation with the Convention and incorporating the latter into the domestic legal order.

10. At the legislative level, the National Assembly, acting within its mandate, has passed important legislation on child protection.

11. In addition to the progress noted by the Committee, the Niger has developed a legal and institutional framework covering the following areas:

- Trafficking in persons: Ordinance No. 2010-086 of 16 December 2010 on combating trafficking in persons was adopted, as were Decree No. 2012-082 and Decree No. 2012-083 of 21 March 2012, on the organization, composition and functioning of the National Coordinating Commission against Trafficking in Persons and the National Agency to Combat Trafficking in Persons, respectively
- Legal and judicial assistance: the Government adopted Act No. 2011-041 determining the rules applicable to legal and judicial assistance and establishing the National Agency for Legal and Judicial Assistance
- The promotion and protection of human rights: the Niger has a National Human Rights Commission, established under Act No. 2012-44 of 24 August 2012

12. These provisions supplement the existing legal framework for the protection of children's rights.

13. In addition, the 2012 review of the Labour Code (see Act No. 2012-45 of 25 September 2012 on the Labour Code) took into account the worst forms of child labour.

14. Moreover, the State's commitment to ensuring that children develop to achieve their full potential has prompted it to initiate reforms at both the institutional and the political levels, including the creation of a Directorate-General responsible for child protection and a directorate for juvenile judicial protection.

15. With regard to the extractive sector in the Niger (gold, uranium and petroleum), little has as yet been done to use the profits for the benefit of children, despite the existence of the Extractive Industries Transparency Initiative, the Organization for Transparency and Budgetary Analysis and the Group for Reflection and Action on Extractive Industries in the Niger.

16. At the administrative and institutional level, the Niger has a number of care facilities for children in difficult circumstances, including 24 public and private reception centres for child victims of abuse, violence or exploitation (for example, abandoned children, street children or child victims of maltreatment). Children in contact with the criminal justice system who have been deprived of their liberty are, in most cases, detained in specially equipped facilities.

17. As part of its efforts to defend the rights of the child, the National Human Rights Commission has the power to receive complaints of violations of children's rights, conduct investigations and promote the adoption of appropriate legislation on the protection and promotion of children's rights. This work is carried out in accordance with its mandate, particularly as it relates to the implementation of international human rights conventions.

The previous recommendations of the Committee — Legislative provisions (see common core document) — Reservations

18. The State's efforts relating to the withdrawal of its reservations to the Convention on the Elimination of All Forms of Discrimination against Women are ongoing.

Coordination

19. The National Committee for the Survival, Protection and Development of Children only meets to celebrate a special event. To improve the coordination of protection activities, regional child protection networks have been established, with a view to better protecting children in general and vulnerable children in particular. More specifically, the child protection networks are responsible for:

- Organizing discussions on the issue of children in difficult circumstances
- Combating the exclusion and marginalization of children
- Creating the conditions necessary to provide proper care to vulnerable children
- Promoting the rights of the child

20. In order to coordinate the preparation of periodic reports and the follow-up to recommendations, an interministerial committee was set up in March 2010 to draft reports for submission to the human rights treaty bodies and under the universal periodic review procedure.

National plans and programmes

21. Reforms introduced with the cooperation of the European Union in the framework of phase II of the Support Programme for Justice and the Rule of Law (PAJED II) have led to improvements in the situation of children at risk or in conflict with the law through the implementation of a juvenile justice protection programme.

22. A multicomponent programme organized jointly by the Government and the United Nations Children's Fund (UNICEF) and covering the period 2009–2013, provides support for all activities to protect children and to promote their rights, including through the implementation of the Convention.

23. Several studies have been carried out to guide policy on the adoption of a multisectoral child protection strategy, including the national guidelines on the care of vulnerable children, the child protection framework document and a project to map the child protection system. These validated documents are currently awaiting adoption.

24. In addition, the sectors linked through the pilot programme on community-based child protection, the Sectoral Education and Training Programme, the Economic and Social Development Plan, the National Health Development Plan, the common health fund and the national policy on girls' education and training contribute to the realization of children's rights.

Independent monitoring

25. The National Human Rights Commission was established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights. However, in the context of the Committee's general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child, the legislation governing its operations does not specifically address the promotion and protection of children's rights.

26. Nevertheless, the mandate of the National Human Rights Commission covers the monitoring of children's rights. It will have regional offices with the same task of receiving and processing complaints.

Allocation of resources

27. Data not available.

Data collection

28. Work to develop a data-collection system began in 2010, in order to consolidate the databases of various bodies (the police, the justice system and social services).

Dissemination, training and awareness-raising on the Convention

29. No action has been taken to implement the Committee's recommendation on translating the Convention into other languages, as the literacy rate among the populations speaking these languages is low.

30. However, training and awareness-raising activities continue in all languages and/or through the use of images.

31. Training has been provided to more than 8,000 persons, including judges and court officers, members of the defence and security forces, children, communities, religious and customary leaders, women's associations and groups, trade unions and the media.

32. The State party reports and the Committee's concluding observations are published and circulated among all actors in the child protection chain and to media networks, which disseminate them widely.

33. Non-governmental organizations and associations for the defence of children's rights, the National Youth Council, the Youth Parliament and the Association des Enfants et Jeunes Travailleurs du Niger (the Association for Children and Young Workers) are heavily involved in promoting and protecting children's rights.

Cooperation with civil society

34. The concern raised by the Committee regarding restrictions imposed on certain international NGOs is no longer valid, as the Government collaborates with all national and international NGOs, particularly those working on child-related issues.

35. The legislation governing associations has led to the establishment of a number of NGOs and associations, including the Coalition des Organisations Nigériennes des Droits de l'Enfant (Coalition of Child Rights Organizations of the Niger) and the Coalition des ONG Africaines en Faveur de l'Enfance (Coalition of African NGOs working with Children), which are umbrella associations for NGOs working to promote and protect children's rights. The National Youth Council and the Youth Parliament also provide platforms for young people and children to express their views.

36. The activities of the various associations supported by the State and its technical and financial partners focus on awareness-raising, training and providing information to communities on children's rights, disseminating documents on child protection to the general public and contributing to the implementation of policies, projects and programmes in the above-mentioned fields.

B. Definition of the child (art. 1)

37. No change to the definition since 2009.

C. General principles (arts. 2, 3, 6 and 12)**Non-discrimination (art. 2)**

38. Article 10 of the Constitution of 25 November 2010 reaffirms that "all citizens of the Niger are born and remain free and equal in their rights and duties".

39. However, as neither the Children's Code nor the Family Code have been adopted and the State has not withdrawn its reservations to the Convention on the Elimination of All Forms of Discrimination against Women, there is still discrimination in practice between girls and boys, depending on the marital status of the parents.

The best interests of the child (art. 3)

40. To promote respect for this principle, the implementation of the community-based experimental child protection programme has helped to raise community awareness of issues relating to the best interests of the child. This is borne out in the reporting of child marriages (more than 400 cases in 2012), the decline in the school dropout rate for girls and measures to ensure that Talibé children remain in their communities.

41. Even though certain traditional practices persist, the State is working to ensure that the best interests of the child are protected. In this respect, all judicial decisions concerning children are based on their best interests in terms of child custody, maintenance and guardianship.

Respect for the views of the child (art. 12)

42. There is not as yet any provision in national legislation that makes respect for the views of the child is mandatory. However, in practice, there are spaces where children's opinions can be expressed and are respected, including in schools, where children are represented on school management committees. Their opinions are consulted when courts hand down judgements that concern them. In family environments, however, compliance with the principle of respect for the views of the child remains low. At the community level, platforms for expressing their views exist, based on age groups. Similarly, the recent development of community-based protection programmes has promoted the right of children to express their opinions on all matters affecting them.

D. Civil rights and freedoms (arts. 7, 8, 13–17, 28 (2), 37 (a) and 39)**Birth registration, name and nationality**

43. Since the reform of the civil registration system in the Niger, huge progress has been made in terms of both supply and demand and the quality of the services provided; the birth registration rate has doubled as a result, rising from 32 per cent in 2006 to 64 per cent in 2012. This progress can be attributed to the significant investments made by the Government and its technical and financial partners, including UNICEF and the European Union.

44. Service coverage has improved: the number of registry offices rose from 1,230 in 2009 to 6,865 in 2012. The Government aims to set up registry offices in all 17,000 administrative villages and tribes by 2015, in order to achieve universal coverage, in line with its policy in this area. Registry office staff have become increasingly qualified, as a result of in-service training that has been provided for over 2,500 professionals, including 518 mayors and their deputies. Means of transport are provided to communal services to enable them to conduct monitoring visits to registry offices on a regular basis. As a consequence, the time taken to issue a birth certificate has fallen from 3 months to 2.5 weeks.

45. Awareness campaigns have been organized in villages to encourage wider use of the civil registration system. Awareness-raising took place in 1,118 villages in 2012 and local committees were set up to ensure that all life events in their communities were registered. Those committees also make sure that certificates are issued free of charge, pursuant to the act that was passed in 2007.

46. As recommended by the committee on access to civil registration for persons living in remote areas, mobile court hearings were held during the Guéroual and Cure Salée nomad festivals in 2010, 2011 and 2012, enabling 16,605 people to obtain birth certificates.

47. Similarly, mobile court hearings have been organized for schoolchildren in rural areas, who, for the sake of equality, are enrolled in school even if they are unable to provide a birth certificate. Over 700,000 schoolchildren benefited from this initiative in 2009.

48. The Niger is preparing for ratification of the Convention relating to the Status of Stateless Persons; it has reached the stage of requesting reasoned technical opinions from the various line ministries that deal with this issue.

Slavery

49. In line with the Committee's recommendation on slavery, an action plan to combat human trafficking, which covers related offences such as enslavement, is being finalized. In addition, NGOs such as Timidria, Réagir Dans le Monde (Take Action in the World) and Organisation pour la Restauration de la Dignité Humaine (Organization for the Restoration of Human Dignity) carry out activities relating to advocacy, awareness-raising, rehabilitation and readjustment, psychological support, reintegration of families and counselling for victims.

50. The lack of official statistics on slavery means that it is difficult to assess the scale of the problem within the communities concerned.

Corporal punishment

51. The legislation on corporal punishment has not been amended. Corporal punishment persists in modern schools, even though it is prohibited by a memorandum, but some perpetrators have been prosecuted and convicted. In Islamic schools, the problem is more widespread because there is no official mechanism responsible for overseeing the management of these schools. However, the judicial authorities follow up on any cases that are brought to their attention.

52. According to the 2012 demographic and health survey and multiple indicator cluster survey, 81 per cent of children between 2 and 14 years of age have been subjected to violent punishment by an adult as a form of discipline and 67 per cent have suffered severe corporal punishment.

Public education, awareness-raising and mobilization campaigns on the harmful effects of corporal punishment and efforts to promote a non-violent culture in schools

53. Data not available.

54. The Ministry of National Education, Literacy and the Promotion of National Languages has introduced a whole set of measures to combat the use of corporal punishment in both public and private schools. Although these measures have not been the subject of public awareness campaigns, they have been brought to the attention of the persons they primarily concern, namely teachers and education authorities.

55. Since the shift towards active learning, an approach that focuses on the nature, aspirations and interests of the child, measures have been taken by the administrative and educational authorities that decide how children may be punished at school.

56. Even before independence, the education authorities in the Niger issued directives on school discipline. The use of discipline is regulated by articles 17, 18 and 19 of Order No. 2576 of 22 August 1945, for example. Articles 17 and 18 of this Order prohibit corporal punishment. These provisions are included in the memorandum of 2 April 1981.

57. The memorandum of 19 November 1982 on the protection of minors is a further example of the education authorities' commitment to preventing all forms of violence in schools. The memorandum of 10 January 1983 on the penalties applicable if a girl falls pregnant, whoever the person responsible may be, places particular emphasis on the protection of girls as a vulnerable minority.

Development and implementation of an educational programme against corporal punishment, focusing on child rights and the psychological aspects of the issue

58. The Niger has signed and ratified several international and subregional human rights instruments. These include the Universal Declaration of Human Rights and the Convention on the Rights of the Child. By ratifying these instruments, the authorities of the Niger have shown that they share the view that human rights and citizenship education is a powerful means of improving the quality of teaching and learning. However, quality education cannot be provided unless there is a healthy atmosphere in schools, which raises the question of whether human rights education could help to combat violence in schools. In that regard, a workshop for curriculum development teams, on the content of human rights

education, was organized in 2009 with support from the United Nations system, with a view to incorporating issues relating to human rights, especially child rights, into primary and secondary school curricula.

59. Besides these ongoing efforts to expand school curricula, another example of an educational programme against corporal punishment focusing on child rights is the school government initiative launched by the NGO Plan International Niger in primary schools in the area where it operates. Awareness campaigns aimed at the decentralized services have been organized and instructions have been issued in the form of memorandums on the prohibition of corporal punishment.

Follow-up to the United Nations Study on Violence against Children

Prohibit all forms of violence against children

60. The Criminal Code contains provisions on violence against children. It establishes penalties for various forms of violence against persons; those penalties are increased if the victim is a child.

Strengthen national and local commitment and action

61. A pilot project aimed at promoting a non-violent culture in schools was implemented in 20 schools in the Maradi and Zinder regions, with the following results:

- Training modules for teachers and pupils and visual aids for raising community awareness were developed; the beneficiaries included 248 teachers (126 in Zinder, including 76 women, and 122 in Maradi); 1,504 children, including 720 girls; 342 parents and members of school management committees, including 156 women; 2,246 parents and other members of the school community, including 1,037 women.
- In the schools that took part, cases of violence have become far less frequent and are resolved peacefully. The pupils involved in the project have become peace ambassadors in their schools and are recognized as such by their peers. School attendance and discipline among pupils has improved. Parents show greater interest in their child's school and teachers have drawn up codes of non-violent conduct in their respective schools. Some teachers have broken new ground by incorporating the promotion of non-violence into their lessons on ethics. Each school has put up a notice, reminding all members of the school community of their responsibilities.

Promote non-violent values and awareness-raising

62. Awareness days and campaigns, such as the Day of the African Child, the International Day of the Girl Child, Universal Children's Day and the 16 Days Campaign to Combat Violence Against Women, are an opportunity to promote non-violent values among children through awareness-raising activities.

Enhance the capacity of all who work with and for children

63. Training modules have been developed to help the relevant professionals to deal with issues relating to violence. Over 3,000 people, including social workers, police officers, teachers, judges and members of civil society, have received this training.

Ensure accountability and end impunity

64. Domestic law establishes individual criminal responsibility, which means that the perpetrator of a criminal offence must answer for his or her actions before a court. It also establishes civil liability for damage caused by a minor. In practice, these principles are observed by the courts whenever a case is brought by a victim.

Use the recommendations of the Study as a tool for action in partnership with civil society

65. Measures have been taken in this regard. For example, in the context of the 16 Days Campaign to Combat Violence Against Women, a partnership has been formed with civil society to tackle violence against women and children.

Seek technical assistance from the Special Representative of the Secretary-General on Violence against Children

66. The Niger collaborates with several United Nations agencies, including UNICEF, the United Nations Population Fund (UNFPA), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Office on Drugs and Crime (UNODC), and NGOs such as Oxfam International, Plan International Niger, Save the Children and World Vision International, on the issue of violence.

Freedom of expression and the right to seek, receive and impart information (art. 13)

67. Broadcast programmes such as *La petite école* (The Little School) and *La jeunesse face au micro* (Youth on Air) promote freedom of expression. On the Day of the African Child, which is celebrated annually on 16 June, children can make statements aimed at political authorities and other persons responsible for protecting child rights. These ceremonies, which are sponsored by the highest State authorities, are held at the national and local levels. Associations and NGOs are also working to protect this right.

68. School governments, run by children, have been set up in schools. Within these bodies, children can express their opinions.

69. The Youth Parliament is also a forum for expression, where young people can raise concerns and bring them to the attention of political decision makers.

Freedom of thought, conscience and religion (art. 14)

70. This freedom is enshrined in article 30 of the 2010 Constitution, which provides that “all persons have the right to freedom of thought, opinion, expression, conscience, religion and worship”.

Freedom of association and freedom of peaceful assembly (art. 15)

71. There have been no changes in this area.

Protection of privacy and protection of one’s image (art. 16)

72. There have been no changes in this area.

Access to information (art. 17)

73. There have been no major changes in this area.

The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment (arts. 28 (2) and 37 (a))

74. No change.

Measures to promote the physical and psychological recovery and social reintegration of child victims (art. 39)

75. See paragraphs 66 and 67 on follow-up to the United Nations Study on Violence against Children.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 19–21, 25, 27 (4) and 39)

Family environment

Provision of family allowances to parents (art. 5)

76. In September 2011, the Niger adopted a social protection policy which is designed to reduce the vulnerability of disadvantaged groups and help people deal with the main risks that they face.

77. A national social protection programme for vulnerable groups has been developed and approved. A pilot phase will be launched in several villages over the course of 2013.

78. As part of its response to food and nutrition crises, the Niger has established a social safety net system to improve access to cash transfer and cash-for-work programmes for poor households at risk of food insecurity. A total of US\$ 70 million (35 billion CFA francs) has been invested in this project, which spans the period 2011–2017 and covers five regions of the country.

Parental responsibilities (art. 18)

79. Under article 23 of the Constitution, parents are primarily responsible for raising their children. The Government and the local authorities must support them in this task.

80. As things currently stand, the issues of repudiation and polygamy have not yet been resolved, because the Niger has not withdrawn its reservations with regard to the Convention on the Elimination of All Forms of Discrimination against Women and no family code has been adopted.

Custody of children (art. 18)

81. The right of custody is governed by laws or customs; these are applied with a certain flexibility, however. The judge orders an investigation by the welfare authorities to determine which parent is more suitable, taking into account psychological and emotional aspects and the need for an environment that is conducive to child development. When one parent is awarded custody, the other is granted access rights; these rights may be altered if it is reported and proved that the parent in question has failed to meet his or her obligations or if there is a change in the situation of one of the parents.

Separation from parents (art. 9)

82. There have been no changes since the last report.

Family reunification (art. 10)

83. There have been no changes since the last report.

Recovery of child maintenance (art. 27 (4))

84. There has been a new development regarding the recovery of child maintenance. Act No. 2011-42 of 14 December 2011, regulating legal and judicial assistance and establishing a public administrative body called the National Agency for Legal and Judicial Assistance, provides that women requesting the payment of child maintenance should be granted legal and judicial assistance automatically.

Children deprived of their family environment (art. 20)

Table 1 of the annex shows the number of children in childcare facilities in 2012.

Right to live with one's biological family

85. The right of a child to live with his or her biological family is an inherent right that is not always respected, on account of certain factors such as poverty and separation. One of the responsibilities of the social services is to offer social assistance and support to children from broken families. They are supported in their efforts by the Educational, Judicial and Preventive Services, which are responsible for finding the parents of children from disrupted homes and returning those children to their families of origin.

Strengthening alternative care facilities

86. The establishment and functioning of alternative care facilities are governed by a decree that was issued on 4 June 2010.

Additional training for social workers

87. Capacity-building for social workers is included in the action plan linked to the framework document on child protection; training courses have been developed and delivered to social workers, to enable them to provide better support to children.

Establishment of independent complaint and monitoring mechanisms for alternative care institutions

88. There is no complaint mechanism for alternative care institutions. In terms of monitoring, on the other hand, Decree No. 2010-474 requires private institutions to submit quarterly and biannual reports to the child protection services.

Periodic review of placement (art. 25)

89. There have been no changes since the last report.

Domestic and intercountry adoption (art. 21)

90. The Niger has not yet ratified the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993. It is in the process of doing so.

Illicit transfer and non-return (art. 11)

91. Data not available.

Protection from ill-treatment and neglect, including measures to promote physical and psychological recovery and social reintegration (arts. 19 and 39)**Abuse and neglect***Establishment of a child protection system and complaint mechanisms*

92. Since 2010, the Government has mapped and analysed its protection system, choosing to adopt a systemic approach. National guidelines on caring for vulnerable children have been drawn up and the roles of the various professionals involved have been clearly defined. A framework document on child protection, which sets out public policy in this area, has been produced.

93. In terms of complaint mechanisms, cases can currently be reported to local committees, community leaders, juvenile court judges, public prosecutors, social services, and NGOs and associations working in this field.

Collection of data, investigation of complaints and prosecution of perpetrators of child abuse

94. Reports of child abuse are investigated by the police. Social services and NGOs provide guidance to victims and their families regarding psychological and psychosocial support and legal and judicial assistance.

Provision of the necessary psychological support for the recovery and social reintegration of victims

95. Victims of child abuse are supported by the medical and social services. Psychological support is provided in only a small number of cases, because the supply of services in this area remains limited.

Public education campaigns about the consequences of the abuse and ill-treatment of children

96. In order to prevent ill-treatment of children, government departments and NGOs working in this field run awareness campaigns to encourage victims and their parents to report offences. All cases reported to the judicial authorities are dealt with.

F. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1–3) and 33)

Children with disabilities (art. 23)

97. Progress has been made with respect to the recommendation concerning the situation of children with disabilities.

- Articles 22 and 26 of the Constitution give effect to the provisions of the Convention on the Rights of Persons with Disabilities by establishing the following:

“The State must ensure the elimination of all forms of discrimination against women, girls and persons with disabilities. Public policies in all areas must enable them to reach their full potential and participate in national development.”

“The State must ensure equality of opportunity for persons with disabilities with a view to their advancement and/or social integration.”

98. In addition, the following measures have been taken:

- Ordinance No. 93-012 of 2 March 1993, as amended and supplemented by Ordinance No. 2010-028 of 20 May 2010, establishes minimum standards for the social protection of persons with disabilities. Two implementing decrees were adopted in 2010; the first established a national committee for the advancement of persons with disabilities, while the second defined the structure, responsibilities and procedures of that committee. Under article 9 of Decree No. 96/4546/PRN/MSP, persons with disabilities are fully exempt from hospital charges.
- Efforts are being made to ensure access to education and training for children with disabilities, as shown in Table 2 of the annex.

99. These efforts have extended to setting up and running integrated classes in Konni, Tahoua, Agadez, Maradi and Zinder. A total of 27 integrated classes — 16 for blind persons and 11 for deaf persons — have been set up.

100. In the field of education, Handicap International, in collaboration with other partners such as UNICEF, is working to ensure that 4,568 school-age children with disabilities in the region of Niamey are registered and enrolled in school.

101. Textbooks for subjects such as English, reading comprehension, grammar, vocabulary and verb conjugation, at the primary and lower secondary levels, are being transcribed into Braille to enable students with visual impairments to follow the same curriculum as their peers.

102. Students with disabilities receive State support in the form of school allowances, scholarships and equipment grants for those studying abroad.

103. In addition, training has been provided for 1,500 teachers and suitable teaching materials have been made available, so as to help teachers to cater for children with special needs.

Health and access to health services (arts. 6, 18 (3), 24, 26 and 27 (1–3))

104. As regards the health sector, after the Healthcare Development Plan for 2005–2010 had been implemented, a new plan for the period 2011–2015 was drawn up. It sets out the following strategic objectives: (i) increase health coverage; (ii) improve reproductive health services; (iii) equip medical facilities with skilled and motivated staff, in line with needs; (iv) ensure the permanent availability of medicines, vaccines, disposables, ordinary and therapeutic foods, reagents, blood and blood products; (v) step up the fight against disease; (vi) strengthen governance and leadership at all levels of the health system; (vii) develop health sector financing mechanisms; and (viii) promote medical research.

105. The implementation of all components of this plan should help to reduce infant and child mortality from 198 to 114 deaths per thousand live births and maternal mortality from 648 to 405 deaths per thousand live births, by 2015.

Health infrastructure

106. Services are delivered by a network of health-care facilities, which operate at three different levels:

- At the local level, there are 853 integrated health centres, of which 850 (99.64 per cent) are operational; there are 2,510 local dispensaries attached to these centres, of which 2,368 (94.34 per cent) are operational. First-level referral health care is provided by 33 district hospitals, of which 28 have an operating theatre and 26 are operational.
- At the regional level, second-level referral health care is provided by six regional hospitals and two regional maternity hospitals. In addition, seven mother and child centres have been built and equipped.
- At the national level, there are three national hospitals and one national maternity hospital, all of which are administrative public institutions.

107. Aside from the public facilities managed by the Ministry of Health, there are some that are run by other public authorities, such as military garrisons and the National Social Security Fund; the health system also includes private facilities (of which there are 283, including 57 private clinics, 36 doctors' surgeries, the infirmaries of the national water company, the national electricity company, the national student services body and some private schools, and 5 non-profit private hospitals), which focus on curative care and are mainly located in urban centres.

Access to health services

108. Health coverage nationwide is 47.45 per cent, compared with the national target of 53 per cent, established in 2011. Only the regions of Agadez and Niamey have met the national target, with coverage of 62.8 per cent and 98.6 per cent, respectively. Coverage is lowest in Zinder, at 37.1 per cent. In order to improve health coverage, local dispensaries are being turned into integrated health centres. Health services are also delivered using other appropriate methods, including mobile and outreach strategies, taking into account geographical constraints and local ways of life. Progress has been made in improving the quality and accessibility of health services, especially for women and children in rural areas, through the continued implementation of the free health care policy and new community-based strategies aimed at building the capacities of local health facilities (development of a community-based strategy and revision of the dispensaries' minimum package of services).

109. Table 3 of the annex deals with human resources in the health sector.

110. There is a lack of human resources, despite the large-scale recruitment campaign conducted in 2012. It should be noted, however, that 207 of the 536 doctors recruited were assigned to type II integrated health centres, meaning that there are now doctors in 76 per cent of the 273 centres in the country; this marked a shift towards the medicalization of integrated health centres. Moreover, 38 of the 42 health districts (90 per cent) were provided with more doctors and an additional 42 doctors were assigned to district hospitals. In total, 1,720 new staff members were recruited, including 767 nurses, 232 midwives and 185 managers.

Financial resources

111. In the Niger, health financing comes from three sources: the State, external partners and households.

112. Changes in the health sector budget, as a percentage of the overall State budget, are shown in Graph 1 of the annex.

113. The health budget dropped from 9.8 per cent of the total budget in 2008 to 5.7 per cent in 2012. This is far below the World Health Organization (WHO) standard of 10 per cent, not to mention the 15 per cent target established in the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases. The budget per capita is around 4,729 CFA francs, or US\$ 9, which is considerably lower than the WHO standard of US\$ 34.

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

Primary health care

Child health

115. The following steps are being taken to improve child health care:

- Implementation of the child survival strategy, which focuses on nutrition, the Expanded Programme on Immunization (EPI), Integrated Management of Childhood Illness, prevention of mother-to-child transmission of HIV, maternal and newborn health, water, hygiene, sanitation and environmental considerations, in health facilities and at the community level. Particular emphasis is placed on promoting essential family practices.
- Implementation of the action plan for nutrition, in health facilities and at the community level, especially community-based activities to promote growth.

116. In order to achieve those goals, the following high-impact measures are being prioritized:

- Implementation of essential family practices
- Use of sanitation facilities (latrines) and hygienic disposal of human waste
- Prevention of mother-to-child transmission of HIV
- Use of long-lasting insecticide-treated mosquito nets
- Exclusive breastfeeding of children up to the age of 6 months
- Use of oral rehydration salts and zinc to treat diarrhoea
- Use of iodized salt
- Screening for acute malnutrition and referral
- Integrated Management of Childhood Illness at the primary care level (fever, acute respiratory infection, diarrhoea, etc.)
- Integrated Management of Childhood Illness on referral (Paediatric Health Improvement/Emergency Triage Assessment and Treatment)
- Complementary feeding for infants from the age of 6 months and young children
- Treatment of malnutrition in children under 5 years old, using the national protocol
- Full EPI Plus immunization for children under the age of 1 (immunization and distribution of insecticide-treated mosquito nets)
- Vitamin A supplements and deworming of children

Maternal health

117. Measures are being taken, in particular, to improve maternal and neonatal care, with a focus on skilled birth attendance, greater coverage and quality of emergency neonatal obstetric care, focused antenatal care, prevention of mother-to-child transmission of HIV, clinical audits, maternal death audits and nutrition. Furthermore, the referral and counter-referral system has been enhanced by efforts to make the best possible use of referral centres at all levels. There are plans to increase service responsiveness and help communities to recognize warning signs during pregnancy, birth and the postnatal period.

118. Efforts to combat obstetric fistula, harmful traditional practices and gynaecological cancers have been stepped up. Appropriate measures are being taken to encourage blood donation and increase the availability of safe blood and blood products in health facilities. There is a focus on setting up neonatal care units and introducing Kangaroo mother care in all type II maternity hospitals and integrated health centres, as well as establishing oral rehydration therapy units in local dispensaries and integrated health centres. Steps will be taken to involve secondary target groups in reproductive health activities, by identifying

them and defining their roles in each activity. Those target groups will include spouses, parents-in-law and opinion leaders. The “School for Husbands” initiative is being evaluated and rolled out more widely. The free care policy has been maintained and even broadened to include other services. As regards family planning, there is a focus on effectively incorporating family planning into the minimum package of health services provided in all public and private health facilities, promoting large-scale community-based distribution of contraceptives, creating an environment that enables family planning (through behaviour change communication activities) and disseminating key documents, such as the plan on reproductive health commodity security and the information, education and communication (IEC) strategy.

Youth and adolescent health

119. The national strategy on youth and adolescent health takes into account not only the sexual and reproductive health of adolescents and young people but also the need to combat social problems. It focuses on the integration of adolescent and youth health activities and the adaptation of health centres for that purpose. More specifically, it centres on the implementation of IEC activities that are designed to change the behaviour of young people and their parents, and the provision of quality sexual and reproductive health services that are accessible to young people and adolescents and tailored to their needs. Particular emphasis is placed on ensuring that contraceptives, including condoms, can be obtained at any time from trained youth group leaders (peer education), to encourage young people to adopt responsible sexual behaviour and to seek treatment and advice from health services. A package of high-impact priority health services has been developed and includes the following:

- IEC activities, including counselling, on the sexual and reproductive health of young people
- Voluntary testing for HIV
- Voluntary testing for sickle cell anaemia
- Post-abortion care
- Treatment of sexually transmitted infections

120. Table 4 of the annex shows the number of adolescents suffering from sexually transmitted infections, mental health problems and drug dependence.

Treatment for obstetric fistula

121. The number of new cases of obstetric fistula totalled 462 in 2009 and 398 in 2010. Effective treatment and social reintegration occurred in only 305 of those cases — 80 in 2009 and 225 in 2010 (report of the Network to Eradicate Fistula, 2010). In total, 478 women suffering from obstetric fistula have received treatment.

Malaria

122. The estimated number of cases of malaria has dropped significantly, from 3,328,832 cases in 2010 to 2,383,397 cases in 2011, with a case fatality rate of 0.1 per cent. Furthermore, 71.5 per cent of pregnant women sleep under insecticide-treated mosquito nets.

Harmful traditional practices

123. Since 2009, in collaboration with the NGO Comité nigérien sur les pratiques traditionnelles ayant effet sur la santé des femmes et des enfants (Committee of the Niger on traditional practices that affect the health of women and children) (CONIPRAT) and with technical and financial support from UNICEF, the Ministry responsible for child protection has been piloting a human rights-based approach in order to bring about a change in social norms, particularly with respect to female genital mutilation (FGM), which is common practice in communities in the west of the country. Five years after the project started, 20 village communities in the rural commune of Makalondi, where the prevalence

of FGM exceeds 60 per cent, compared with the national average of 2 per cent, announced that they were giving up the practice. This was an unprecedented achievement in the fight against FGM in the Niger. In addition, as a result of collaboration with community watch groups set up in several villages, criminal proceedings have been brought against families who have subjected young girls aged between 7 months and 1 year to FGM.

124. Measures are also being taken at the community level to bring about a change in social attitudes to child marriage. These measures include the implementation of a community-based protection programme. Community awareness has increased, as shown by the number of cases reported (446 cases were handled by the State services between 2009 and 2012) and the efforts made to deter parents through early intervention.

Measures to protect children from substance abuse (art. 33)

125. Ordinance No. 99-42 of 23 September 1999 was adopted to combat drug-related problems in the Niger. This piece of legislation establishes greater penalties for the offences of drug trafficking, possession or use when vulnerable persons, such as minors or persons with mental health problems, are exposed to those offences.

Measures to protect children with incarcerated parents and children living in prison with their mothers

126. Current legislation does not provide for the protection of children with incarcerated parents. However, during cooperation with UNICEF, it was decided that a strategy should be drawn up for keeping children whose mothers are incarcerated out of the prison environment.

Social security and childcare services and facilities (arts. 26 and 18 (3))

Right to an adequate standard of living

127. In response to the Committee's concerns about improving the standard of living in the Niger, in September 2011 the Government adopted a social protection policy which is designed to reduce the vulnerability of disadvantaged groups and help people deal with the main risks that they face.

128. A national social protection programme for vulnerable groups has been developed and approved. A pilot phase will be launched in several villages over the course of 2013.

Childcare facilities

129. Most childcare facilities are private or public institutions that cater for children below school age. The children concerned are generally between 2 and 6 years old. In recent years, the provision of education at this level has expanded in both urban and rural areas, following the establishment of regional preschool inspectorates in all eight regions of the Niger and local kindergartens run by the community with support from development partners.

130. By way of illustration, according to the national education statistical yearbook for 2010/11, the number of preschool establishments has increased annually by 43.7 per cent, rising from 321 in 2008/09 to 826 in 2009/10 and then to 1,283 in 2010/11.

G. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)

Right to and aims of education

Implementation of the recommendations

(a) **Improve the quality of education and take all measures to ensure that children complete their schooling by taking concrete action to address the reasons behind non-completion of schooling**

131. The Government, with support from its various partners, has been taking steps to improve the quality of education. These include:

- Setting up a directorate for assessing and monitoring quality;
- Setting up a committee on assessment standards;
- Conducting a study on school dropout, the findings of which were submitted in April 2012. An action plan for implementation of the recommendations is currently being approved.

(b) **Address disparities more effectively by allocating specific budget and long-term support targeting the most deprived children, namely girls in especially poor rural areas**

132. The Ministry responsible for basic education, with support from technical and financial partners, has taken several measures to ensure that children from the poorest families are enrolled and remain in school. These include:

- Increasing the number of school canteens;
- Distributing dry rations to female pupils;
- Mentoring, which was initially offered to children with learning difficulties, especially girls, in the areas identified as priorities under the basic education development project, then rolled out countrywide to ensure equal opportunities for all pupils;
- Providing training on gender-based approaches, remedial teaching and the mentoring system, for 1,956 teachers and 8 focal points responsible for the enrolment of girls in each region, in 2011.

133. Table 5 of the annex shows the number of canteens and the amount of dry rations distributed between 2009 and 2012.

134. Table 6 of the annex shows the amount spent on maintaining canteens from 2009 to 2012.

(c) **Ensure adequate funding of the public education system and free compulsory education**

Basic education budget

135. Table 7 of the annex shows how the overall State budget and the budget of the Ministry of National Education, Literacy and the Promotion of National Languages have changed over time (in billions of CFA francs).

(d) **Ensure that teachers are well-trained, fully qualified and receive adequate remuneration**

136. Several measures have been taken to improve the quality of teaching:

- New teacher training colleges were set up in Agadez and Diffa in 2010, bringing the number of primary schoolteacher training colleges to six.
- The capacity of teacher training colleges has been increased.

- Tenured teachers and contract teachers received a pay rise in 2010, 2011 and 2012.

137. Table 8 of the annex shows how the proportion of qualified teachers has changed.

138. Some teachers have had no initial training. In 2011/12, the percentage of qualified teachers, as a proportion of all teachers, was higher in urban areas than in rural areas (98 per cent, compared to 96 per cent). In the country as a whole, 3 per cent of teachers are not qualified.

Changes in the number and capacity of teacher training colleges

139. Teacher training colleges cater for people wishing to train or retrain as primary schoolteachers. Applicants must have graduated from secondary school with a certificate of lower or upper secondary education; after two years of training, they are qualified to work as primary schoolteachers.

140. Table 9 of the annex shows the number of students enrolled in teacher training between 2009 and 2012.

141. Over the past four years, the number of trainee teachers has increased by an average of 24 per cent, as a result of the decision to establish two new teacher training colleges, in Agadez and Diffa, and to change the way in which such colleges operate. In order to satisfy the high demand for teachers resulting from the ongoing rise in school enrolment under the 10-year programme and in order to increase the proportion of qualified teachers in the education system, the education authorities deemed it necessary to:

- Allow private enrolment at teacher training colleges (2001)
- Change the status of teacher training colleges in 2007, by turning them into administrative public institutions with legal personality and financial autonomy

142. Table 10 of the annex shows the number of trainee teachers in 2011/12, disaggregated by gender, status and section.

143. There is a very high level of female representation at teacher training colleges, particularly among privately enrolled students, of whom 90 per cent are women. This can be attributed to the following:

- A training course for lower secondary schoolteachers is now offered at the higher teacher training college.
- Training and certification is provided for contract teachers who have had no initial training.
- Training is provided for contract staff who have not received initial training. In 2006, the Ministry of National Education, Literacy and the Promotion of National Languages, with support from technical and financial partners such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), Concern Worldwide and UNICEF, set up an in-service training programme for contract staff who had not received initial training. Between 2008 and 2011, UNICEF supported the provision of in-service training for 3,660 contract staff members, or 915 per year, on average.

144. Tables 11, 12 and 13 of the annex show how many teacher training groups there were between 2009 and 2012.

(e) Extend compulsory education beyond six years

145. The President of the Republic declared, in his inaugural address, that education would be compulsory and free of charge for all children up to the age of 16 years, which is in keeping with the Act on the Education System in the Niger.

146. To that end, an ad hoc committee, responsible for reviewing the guidance and assessment system, was established by Order No. 0051/MEN/A/PLN/SG/DESCPO of 22 February 2012.

(f) Increase access to early childhood education to all regions of the State party

147. Several measures have been taken by the Government in order to implement this recommendation. These include:

- The abolition of State school fees as of the start of the 2008/09 school year, to encourage the poorest parents to enrol their children in school
- A significant increase in the number of preschools and preschool supervisors

148. There are three types of early childhood education establishments: public, private and community-run preschools.

Preschool education coverage

149. Preschool education coverage is analysed here on the basis of two indicators: the number of children enrolled in preschools and the gross enrolment ratio.

150. Table 14 of the annex shows changes in the number of children enrolled in preschools and the gross enrolment ratio.

151. The number of children enrolled rose significantly between 2009/10 and 2011/12, from 48,119 to 110,175 children, or by 34.2 per cent. The number of community-run preschools has risen more than fivefold since 2009 and the number of children enrolled in such schools quadrupled between 2008/09 and 2011/12, increasing from 6,278 to 25,824 children, with parity between girls and boys. Enrolment at private preschools dropped by 3.3 percentage points over the same period, however, despite a marked increase in 2011.

152. It should be noted that there was no significant gender disparity in preschool enrolment in 2012.

153. Unlike at the primary education level, the rise in preschool enrolment can largely be attributed to community-run and private establishments, which have seen their enrolment levels rise by 23.4 per cent and 12.7 per cent, respectively.

154. The gross enrolment ratio increased by 3.8 percentage points between 2009 and 2012, from 2.5 to 6.3 per cent. Between 2011 and 2012, it rose by just 0.6 percentage points. This is nonetheless a notable achievement, for it means that the Ten-Year Educational Development Programme target of 5 per cent by 2013 was achieved as early as 2011.

Teaching and supervisory staff

155. The number of preschool teachers rose from 2,961 in 2011 to 3,486 in 2012, or by 17.7 per cent. A large proportion of those teachers — over 90 per cent — are women.

156. The work of those teachers is monitored by 11 inspectors.

(g) Create and strengthen promotion of vocational education and training for children who have dropped out of primary or secondary schools

157. Table 15 of the annex shows how many children have dropped out of primary school.

158. There are six projects for the establishment of community development training centres across 262 communes.

(h) Include human rights and child rights in the curricula of schools

159. This will be dealt with through the curriculum reform.

(i) Encourage the participation of children at all levels of school life

160. The school government pilot project is ongoing and will be rolled out more widely once the Ten-Year Educational Development Programme has been reviewed.

(j) Take into account the Committee's general comment No. 1 (2001) on the aims of education

161. This concern will be taken into account in the curriculum reform.

Rest, leisure, recreation, cultural and artistic activities (art. 31)

162. There have been no major changes since the last report.

H. Special protection measures (arts. 22, 30, 32–36, 37 (b–d) and 38–40)**Children affected by armed conflict**

163. Concerning the recommendation on the minimum age for military recruitment, the Niger has signed the binding declaration under article 3 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, thus prohibiting the recruitment into the armed forces of persons under 18 years of age. In this declaration, dated 7 February 2012, the Government indicated that “the minimum age at which it authorizes voluntary recruitment into the armed forces and the gendarmerie is 18 years, in accordance with Act No. 62-10 of 16 March 1962 organizing recruitment in the Republic of the Niger”. The Government, considering that the concern raised about the legal age of enrolment in military schools refers to the military academy of Niamey, wishes to clarify that admission to that institution is by competitive examination and is subject to the conditions provided for by law.

Unaccompanied, refugee and displaced children

164. The food and nutrition crisis and conflicts in neighbouring countries (Libya, Côte d’Ivoire, Nigeria and northern Mali) have displaced populations, causing inflows of refugees and returning Niger nationals from Libya and Côte d’Ivoire. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), in 2012 the Niger received approximately 50,000 refugees (52 per cent women and 48 per cent men). In July 2012, 243 displaced persons were identified by child protection stakeholders as unaccompanied and separated children.

165. Table 16 in the annex provides statistics on level 2 registration.

166. Table 17 in the annex shows the distribution of children by age and gender.

167. In terms of medical treatment and care and access to health centres, displaced children and refugees have the same rights as nationals. However, some care services are provided by partners; for example, the NGO Caritas Développement Niger covers 100 per cent of consultation and hospitalization costs and 90 per cent of prescription costs for these children.

168. The right to education is guaranteed for displaced children in the same way as it is for nationals. UNHCR covers the cost of school supplies and uniforms.

169. The Government has deployed defence and security forces to ensure the security of camps and guarantee the right to protection of displaced persons and refugees in accordance with the international conventions to which the Niger is a party.

170. In addition to these refugees, the Niger has taken in 3,132 of its own nationals who had fled the conflict in Mali. Arrangements have been made to reintegrate them into their families.

171. All nationals of the Niger who left the country as a result of the conflict in the north have returned to that region, where disarmament, demobilization and reintegration programmes have been put in place.

Street children

172. The problem of street children is increasingly taking on alarming proportions, particularly in urban centres. In its 2011 report on the human rights situation in the Niger, the NGO Collectif des Organisations de Défense des Droits de l’Homme et de la Démocratie (Group of Organizations for the Defence of Human Rights and Democracy) stated that there were more than 11,000 street children in the country. A large number of children are fully or partially deprived of a stable family environment in which to prosper and many are left to fend for themselves. Consequently, they are vulnerable to exploitation,

begging, prostitution, crime and drug addiction. To address this situation, the various stakeholders involved in child protection have developed synergies, including preventive and protective measures.

173. In the sphere of prevention, Educational, Judicial and Preventive Services specializing in the care of street children have been established. Their role includes the provision of timely assistance for children at risk, educational support, social rehabilitation of juveniles and social surveys.

174. As of 2012, 30 Educational, Judicial and Preventive Service centres had been created throughout the country; it is planned to have 44 such centres by the end of 2013. Their regional distribution is shown in table 18 in the annex.

175. Table 19 provides figures on the situations of children who received support from Educational, Judicial and Preventive Services between 2009 and 2011.

176. The sectoral strategy developed by the Ministry of Population, the Advancement of Women and the Protection of Children and adopted by the Council of Ministers envisages a number of actions aimed at reducing the number of street children.

177. These include preventive and promotional efforts aimed at families and communities and protection measures relating to the individual supervision of cases.

Family reunification programme and alternative care programme with the involvement of children

178. Data not available.

179. Street children attend and stay in school. They receive health care, shelter and food, bearing in mind the different needs of girls and boys.

Sensitization programmes in collaboration with traditional and religious leaders and parents to stop the practice of marabouts sending children to beg in the street

180. Data not available.

Trafficking

181. On 16 December 2010, the Government adopted Ordinance No. 2010-086 criminalizing trafficking in persons. Its purpose, according to its article 3, is to:

- Prevent and combat trafficking in persons, especially women and children
- Protect, support and assist victims of trafficking by upholding their fundamental rights
- Punish traffickers for all trafficking-related offences
- Facilitate cooperation among States parties to the Convention against Transnational Organized Crime and its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

182. These measures are implemented without discrimination as to sex, race, ethnicity, language, religion, political views, national, regional or social origin, membership of a national minority, property or birth.

183. Concerning the National Plan of Action, the mandate of the National Coordinating Commission against Trafficking in Persons includes the development of a plan encompassing all victims of trafficking. The Commission receives human and financial resources from the Government and from technical and financial partners.

184. In December 2012, the Commission carried out sensitization activities in all regions, in which it raised awareness about the law and institutional mechanisms for the fight against trafficking.

185. Although the Niger has already signed a multilateral cooperation agreement to combat trafficking under the auspices of the Economic Community of West African States,

the Government plans to establish bilateral agreements with neighbouring countries that are also experiencing the phenomenon.

186. Measures to provide shelter and to assist the physical and psychological recovery of children are not yet in place. However, NGOs and associations provide shelter for repatriated victims at transit centres. Physical and psychological care is provided by health services and social workers.

Sale, sexual exploitation and abuse

187. It is a general principle of law that the human body is inalienable, hence the nullity of any agreement pertaining to the sale of human beings. The alienation of another person's freedom is punishable under the Criminal Code.

188. Based on these provisions, it may be legitimately stated that the legislation of the Niger neither provides for nor accepts the sale of any human being, let alone that of a child, for any reason.

189. The sexual exploitation of children is addressed both under the relevant provisions of the Criminal Code and under article 10 of Ordinance No. 2010-86 of 16 December 2010 criminalizing trafficking in persons, which states that "the offence of trafficking in persons consists in the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation".

190. Exploitation includes, at a minimum, slavery or practices similar to slavery, servitude or the removal of organs, exploitation of the prostitution of others or other forms of sexual exploitation, exploitation of the begging of others and exploitation of forced labour or services.

191. Anyone who intentionally commits the offence of trafficking in persons is punishable by 5 to 10 years' imprisonment and a fine of 500,000 to 5 million CFA francs.

192. With regard to the legislative framework, the Criminal Code devotes an entire chapter to attacks on the physical integrity of persons. Harsher penalties are imposed when the offence is perpetrated against a minor.

193. The Niger continues to implement policies and programmes centred on prevention and the recovery and social reintegration of children, together with policies on health, education and civil status and policies to generally improve the population's living standards. As a result of the impact of those measures, the Niger ranked third out of 52 African countries evaluated on their framework for the protection and promotion of the rights of the child. Despite those efforts, much remains to be done to tackle the problems of street children and violence inflicted on children, particularly those in situations of exploitation.

194. In January 2012, the Ministry of Population, the Advancement of Women and the Protection of Children drafted an advocacy paper on the rights of the child, which aimed to support the creation of vocational training and rehabilitation centres for children in conflict with the law and reception centres for vulnerable girls and for children with disabilities, respectively. The paper also takes into account the struggle against violence, begging, early marriage and the sexual exploitation of children.

Juvenile justice

195. Juvenile justice in the Niger is regulated by Ordinance No. 99-11 of 14 May 1999 concerning the establishment, composition, organization and jurisdiction of juvenile courts. At the time of its adoption, this law was a major step forward in the sphere of child protection in that it created special courts for children in contact with the criminal justice system. It also determined the jurisdiction and powers of the juvenile judge in relation to criminal matters and protection. Although the status of specialized courts was conferred through Act No. 2004-50, in practice this specialization has yet to be achieved because it

requires multifaceted means. The establishment of juvenile courts reflects the Government's concern to comply with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice and the United Nations Guidelines for the Prevention of Juvenile Delinquency.

196. The functioning of the juvenile justice system is governed by the provisions of the Criminal Code, the Code of Criminal Procedure and Ordinance No. 99-11 of 14 May 1999. In response to the Committee's recommendation that the Niger take steps to abolish the death penalty for crimes committed by children, it should be recalled that the Ordinance does not provide for the death penalty for children. In fact, it sets forth the principle that children under the age of 13 years cannot be held criminally responsible (art. 6), whereas those aged 13–18 years may be prosecuted (art. 7). Article 33 of the Ordinance determines the sanctions that may be imposed on minors in conflict with the law. These range from 10 to 30 years' imprisonment for the most serious crimes and from discharge to deferment of sentence for the least serious offences.

197. The law provides for community service orders pursuant to Decree No. 2006-023 PRN/MJ of 20 January 2006 on procedures for the implementation of community service in juvenile justice. Community service is intended as a primary penalty, albeit one that was conceived as an alternative to the imprisonment of children in conflict with the law. Its implementation has been limited by several obstacles, such as the ineffectiveness of implementing measures and the fact that orders are only issued to first-time offenders despite repeat offenders being more numerous. The Government recognizes the need to address this situation by amending the above-mentioned Decree.

198. With regard to the processing of cases involving minors, the average length of trial is 3 to 6 months for ordinary offences and 12 to 18 months for serious offences. These are reasonable time frames for resolving cases in which numerous participants are called upon, including some from outside the justice system.

199. Children deprived of their liberty serve their sentences in specially allocated quarters, where available. The Government is planning to build 29 juvenile units in short-stay prisons that do not have them, notably with the support of the European Union through phase II of the Support Programme for Justice and the Rule of Law (PAJED II). On completion, this initiative will improve the conditions of detention of minors deprived of their liberty by separating them from adult detainees. The same measure is being implemented in places of custody.

200. Ordinance No. 99-11 contains few new measures for the protection of child victims. Article 10 attempts to address their situation by indicating cases in which the judge might intervene: "When the health, safety or morals of persons under the age of 18 are in danger or if the conditions of their upbringing are seriously compromised, the juvenile judge or juvenile court shall be competent to hear the case."

201. As a result of difficulties in the implementation of this law, the Ministry of Justice undertook to amend it to take into account the specific situation of child victims, considering all the forms of abuse, violence and exploitation to which they might be vulnerable. A bill has been drafted and is under consideration for adoption. Minors are rehabilitated through participation in vocational training projects in subjects such as carpentry, metalwork, mechanics and sewing, in prisons that have workshops.

202. Nevertheless, some inadequacies persist in this area. Based on lessons learned, the Ministry of Justice, within the framework of its reform (Decree No. 017 MJ/GS/PPG/SG of 1 March 2012), has established a directorate in charge of reintegration and a directorate in charge of judicial protection for juveniles. Their mission is to contribute to the development and implementation of social reintegration programmes and to oversee policies on training and access to employment for detainees, particularly minors.

203. With regard to capacity-building, although no training programme has been put in place in line with the Committee's recommendation, several training sessions on various issues relating to the rights of the child have been organized for social workers, juvenile judges and police officers in charge of juvenile divisions, as part of the Ministry of Justice's

programme of judicial protection for juveniles. Training modules have been developed for that purpose.

I. Ratification of international and regional instruments

204. The common core document (HRI/CORE/NER/2013) describes the current situation regarding the ratification of international and regional instruments by the Niger.

J. Follow-up and dissemination

205. Since its last review, the State party has striven to implement the Committee's recommendations; however, as of the submission date of this report, not all of them have been implemented. This is partly because of the political crises that the country has experienced. The return to democratic rule suggests that it will be possible to implement the pending recommendations, subject to the means at the State's disposal, in accordance with the commitments given.

K. Next report

206. The present report is intended to reduce the backlog of overdue reports while respecting the reporting guidelines specific to the Convention. The Government commits to producing and submitting subsequent reports on time.

Part 2: Annex

I. Introduction

207. The present report was prepared on the basis of the treaty-specific reporting guidelines (CRC/C/58/Rev.3). It includes the disaggregated statistical data and indicators proposed by the Committee and attempts to provide information on age, gender, residence in rural or urban areas and other criteria set out in the annex.

208. The information provided relates to the period between July 2009 and December 2012. The annex includes a list of tables to give an overview of the data provided and to better illustrate the progress achieved.

II. Statistical information to be provided in the report

A. General measures of implementation

209. Data on the allocation of resources for social services and the breakdown of expenditures are provided in the following areas:

(a) Family and/or child allowances, conditional cash transfer systems

210. To assist poor households, the Government, with the support of the World Bank, has implemented a US\$ 70 million social safety net project for the period 2011–2017. While the project has four components, the two principal ones relate to:

- Cash transfers for food security: this component aims to reduce the vulnerability of the poorest households to chronic food insecurity. This goal will be achieved through the implementation of two subcomponents:
 - Regular transfers to the poorest households and the households most vulnerable to food insecurity, thereby improving their access to food;

- The compulsory participation of these households in training programmes on eight essential household practices relating to health, nutrition, hygiene and reproductive health. The aim of these programmes is to enable the development of human capital.
- Cash for work: each year, this component will fund approximately 900,000 work days in communities experiencing an above-average level of food insecurity. Community work during periods of low economic activity will provide employment opportunities for 200 to 700 people over a period of three to four months. The component will fund wages and some operating costs (essential provision of materials and equipment). Community work programmes may include activities ranging from soil conservation, reforestation and environmental protection to small-scale infrastructure repairs, sanitation projects and other local needs identified by the communities themselves. The programme will encourage women to participate and will involve approximately 15,000 people per year, totalling 60,000 people over the full duration of the project.

(b) Health services, in particular primary health services

211. A new health development plan for the period 2011–2015 has been prepared; its main goal is to improve the health status of the population with a view to achieving the Millennium Development Goals related to health. Implementation of the plan will reduce the infant and child mortality rate from 198 to 114 deaths per 1,000 live births, and the maternal mortality rate from 648 to 405 deaths per 100,000 live births, by 2015.

(c) Early childhood development (care and education)

212. In 2011–2012, the total number of children in preschool education (girls and boys) stood at 125,693. As regards the type of establishment, there were 695 community kindergartens, 170 private kindergartens and 835 public kindergartens located in both urban and rural areas, predominantly the latter.

213. The Government has adopted the framework document of the National Policy for the Integrated Development of Young Children, which covers children up to the age of 8 years. Through this policy, the Government aims to give children the maximum opportunity to develop their potential, meeting their basic needs for protection, health care and food, at the same time as their needs for affection, interaction and learning.

(d) Education (primary, secondary), vocational education and training, special education

214. According to Ministry of Education statistics, in 2011/12 the overall secondary school enrolment rate stood at 24 per cent (22 per cent for girls and 31 per cent for boys). This low rate reflects the magnitude of the challenge of effectively implementing compulsory schooling up to the age of 16 years. Indeed, the number of students enrolled in secondary education in the Niger is equivalent to less than a quarter of the population eligible for enrolment in the lower secondary education cycle. Unlike those of primary education, secondary education enrolment rates are rising only slowly. In fact, the enrolment rate at the lower secondary level rose from 15 per cent in 2004/05 to 17 per cent in 2008/09 and 24 per cent in 2011/12, with an average rate of increase of 2.4 per cent per year during the period 2007–2011.

(e) Child protection measures, including the prevention of violence, child labour and sexual exploitation, and rehabilitation programmes

215. Several activities have been carried out to combat child labour in the framework of the project “Contribution to the abolition of child labour in Francophone Africa” during the period 2006–2010. These included:

- Support for the rescue of 50 girls under 18 years of age from the village of Firji, where they had been sexually exploited (December 2007, Maradi)
- Plan for the recovery of 50 street children in the greater Niamey area (April 2008, Niamey)

- National survey on child labour (May 2008, Niamey)
- Recovery and return to school of 50 children that had been working at the refrigerated slaughterhouse in Zinder (April 2009, Zinder)
- Support for the social and professional integration of 18 children working at a fish farm in the commune of Kourtheye and a project to support the social and professional integration of 60 out-of-school children in the rural communes of Sakoirra, Anzourou, Dessa and Ayorou (February 2010, Ayorou)

216. Through the implementation of these activities, almost 320 children have been removed from or prevented from engaging in the worst forms of labour. They were either integrated into the regular school system or reintegrated into the social and vocational sphere.

Statistical data on training on the Convention for members of the following professional groups

(a) Judicial personnel, including judges and magistrates

217. Over the past four years, about 100 magistrates (judges and prosecutors) have received training on the Convention and relevant international and national instruments, organized by the directorate juvenile judicial protection.

(b) Law enforcement personnel

218. In the same period, almost 100 police officers from juvenile divisions and prison directors have been trained on the Convention and the rights of the child.

(c) Teachers

219. Data not available.

(d) Health-care personnel

220. Data not available.

(e) Social workers

221. In the same period, more than 100 social workers have received training on the Convention and mechanisms for the care of children in situations of vulnerability and emergencies.

222. The participants mentioned under points (a), (b) and (e) received the same training.

B. Definition of the child

Number and proportion of children living in the State party, and the number of married children, disaggregated by age and other relevant criteria

223. Data not available.

C. General principles

1. Right to life, survival and development — Data on deaths of children under 18 years of age

(a) As a result of extrajudicial, summary or arbitrary executions

224. No such cases have been recorded.

(b) As a result of capital punishment

225. The death penalty is not applicable to minors in the Niger.

(c) **Due to illnesses, including HIV/AIDS, malaria, tuberculosis, polio, hepatitis and acute respiratory infections**

226. Table 20 in the annex provides information on the deaths of persons under 18 years of age from various diseases in 2011.

(d) **As a result of traffic or other accidents**

227. According to a representative sample drawn from judicial statistics for 2012, there were 46 recorded cases in which children were victims of road traffic accidents. These were cases that led to prosecutions for involuntary manslaughter or unintentional injury.

(e) **As the result of crime and other forms of violence**

228. According to a representative sample drawn from judicial statistics for 2012, there were 22 recorded cases in which children were victims of crime and other forms of violence. These were cases resulting in prosecutions and convictions by the courts.

(f) **Due to suicide**

229. Data not available.

2. Respect for the views of the child

230. Data not available.

(a) **Number of child and youth organizations or associations and the number of members that they represent**

231. Data not available.

(b) **Number of schools with independent student councils**

232. Data not available.

(c) **Number of children who have been heard in judicial and administrative proceedings, including information on their age**

233. The information given here concerns only judicial proceedings involving minors in conflict with the law. In 2011, 237 minors aged between 14 and 18 years were prosecuted in juvenile courts.

D. Civil rights and freedoms

1. Birth registration

234. In the framework of a plan of action for the period 2011–2012, the following data were recorded: in 2011, civil registry offices issued 275,775 birth certificates within the statutory time limit, equivalent to 48 per cent of births (up from 32 per cent in 2006). The courts issued a total of 211,012 declaratory judgments regarding births.

2. Access to appropriate information

Data on the number of libraries accessible to children, including mobile libraries, and the number of schools equipped with information technology

235. The Niger has 77 libraries and public reading centres which have been opened at the various youth and cultural centres dispersed throughout national territory. These centres are equipped with information technology and Internet connections so that young people can learn, inquire about issues affecting them, and be entertained.

3. The right not to be subjected to torture or other cruel inhuman or degrading treatment or punishment

Data disaggregated by type of violation

(a) The number of children reported as victims of torture

236. Only six such cases have been formally recorded.

(b) The number of children reported as victims of other cruel, inhuman or degrading treatment or other forms of punishment, including forced marriage and female genital mutilation

237. Table 21 in the annex contains figures on attended cases of early or forced marriage, and reported cases of sexual abuse and other violence.

(c) The number of incidents of corporal punishment in all settings and the number of incidents of mobbing and bullying

238. Data not available.

(d) The number and percentage of reported violations under (a), (b) and (c) above which have resulted in either a court decision or other types of follow-up

239. Table 22 in the annex gives the number of prosecutions brought against the perpetrators of violence.

(e) The number and percentage of children who received special care in terms of recovery and social reintegration

240. Data not available.

(f) The number of programmes implemented for the prevention of institutional violence and the amount of training provided to staff of institutions on this issue

241. Two projects have been launched in the regions of Maradi and Zinder with the overall objective of promoting a culture of non-violence and peace in schools.

242. The strategies that have been developed relate to:

- The training of all teachers in the 10 schools targeted for the promotion of a culture of non-violence
- The training of students at the 10 target schools in a culture of non-violence
- The training of members of school management structures, such as the “associations of mother-educators”, management committees and others
- The involvement of all stakeholders to foster broad awareness

243. The following outcomes have been achieved:

- 248 teachers trained
- 1,504 children trained, including 720 girls
- 342 parents trained, including 156 women
- 3,186 persons sensitized, including 1,977 women

E. Family environment and alternative care

1. Family support

- (a) **The number of services and programmes aimed at rendering assistance to parents and legal guardians in the performance of their child-rearing responsibilities and the number and percentage of children and families that benefit from these services and programmes**

244. Data not available.

- (b) **The number of available childcare services and facilities and the percentage of children and families that have access to these services**

245. Data not available.

2. Children without parental care

- (a) **The number of children without parental care disaggregated by cause (i.e. armed conflict, poverty, abandonment as a result of discrimination)**

246. Data not available.

- (b) **The number of children separated from their parents as a result of court decisions (in relation to situations of parental abuse or neglect, detention, labour migration, exile or deportation)**

247. Two cases were recorded over the period in question.

- (c) **The number of institutions for such children disaggregated by region, the number of places available in the institutions, the ratio of caregivers to children and the number of foster homes**

248. According to the data in the possession of the Ministry of Population, the Advancement of Women and the Protection of Children, there are some 20 such institutions in Niger which are either State- or privately run. Comprehensive data disaggregated by region, capacity and ratio of caregivers to children are not available.

- (d) **The number and percentage of children separated from their parents who are living in institutions or in foster homes, as well as the duration of the placement and frequency of its review**

249. Data not available.

- (e) **The number and percentage of children reunited with their parents after a placement**

250. Data not available.

- (f) **The number of children in domestic, intercountry and *kafalah* adoption programmes disaggregated by age, sex, country of origin and country of adoption**

251. Data not available.

252. Table 23 below shows the trend in intercountry adoption in Niger between 2008 and 2012.

3. Family reunification

253. Data not available.

4. Illicit transfer and non-return**(a) The number of children abducted from and into the State party**

254. Data not available.

(b) The number of perpetrators arrested and the conviction rate

255. Data not available.

5. Abuse and neglect, including information on measures to promote physical and psychological recovery and social reintegration**(a) The number and percentage of children reported as victims of abuse and/or neglect by parents or other relatives/caregivers**

256. Table 24 below shows the number of cases of sexual abuse and other forms of violence reported between 2009 and 2012.

(b) The number and percentage of reported cases that resulted in sanctions or other forms of legal action for perpetrators

257. Table 25 below shows the number of cases in which legal action was brought against perpetrators of violence.

(c) The number and percentage of children who received special care in terms of recovery and social reintegration

258. Data not available.

F. Disability, basic health and welfare**1. Children with disabilities****(a) The number and percentage of children with disabilities whose parents receive special material, psychosocial or other assistance**

259. According to the Ministry of Population, the Advancement of Women and the Protection of Children, ad hoc support was provided to the parents of children with disabilities. For the most part, this took the form of food aid during Ramadan and Tabaski, social transfers to 30 families amounting to 90,000 CFA francs per child during the first phase and 20,000 CFA francs per child during the second phase. The provision of psychosocial support was not taken into account.

(b) The number and percentage of children with disabilities who are living in specialized institutions, including institutions for children with mental disabilities, or outside their families, such as in foster care

260. Data not available.

(c) The number and percentage of children with disabilities attending regular schools

261. Data not available.

(d) The number and percentage of children with disabilities attending special schools

262. Data not available.

(e) The number and percentage of children with disabilities who are not attending school or comparable facilities

263. Data not available.

2. Health and health services

264. The developments in the different coverage indicators for maternal, neonatal and infant health are as follows:

(a) Infant mortality

265. A general downward trend may be observed in the risk of death of children under 5 years of age. The infant mortality rate decreased from 318 deaths per 1,000 live births in 1992 to 198 in 2006 and 108.7 in 2010 and then went up to 127 in 2012. The factors contributing to this trend include: the availability of free health care for children under 5 years of age; the malaria mortality rate having dropped from 0.27 per cent in 2005 to 0.13 per cent in 2008; the immunization coverage rate for measles having remained above 80 per cent since 2005; and the recovery rate of malnourished children having risen from 29 per cent in 2005 to 50.1 per cent in 2008. According to the 2006 demographic and health survey, the exclusive breastfeeding rate (0–6 months) increased from 10 per cent in 2006 to 23 per cent in 2012. At this rate, the country may come close to reaching its target of 114 deaths per 1,000 live births by 2015.

266. However, the neonatal mortality rate increased slightly from 33 deaths per 1,000 live births in 2006 to 34.3 deaths in 2010.

(b) and (c) Malnutrition

267. The prevalence of global acute malnutrition, which stood at 15.3 per cent among children under 5 years of age in 2005, remained stable at around 11 per cent from 2007 standing at 11.3 per cent in 2009, but increased sharply to 16.7 per cent in 2010. Over the same period, the prevalence of severe acute malnutrition fell from 1.8 per cent to 0.8 per cent before increasing to 3.2 per cent in 2010. The nutrition situation in Niger therefore remains a cause for concern on account of these crisis periods. A total of 611,237 cases, including 774 deaths, were reported in 2011, compared to 635,358 cases, including 1,765 deaths in 2010 over the same period of time. Overall, 44 per cent of children suffered from chronic malnutrition and 22 per cent from severe chronic malnutrition in 2012. Stunted growth occurs more frequently in children living in rural areas (46 per cent) than in those living in urban areas (30 per cent).

268. The mobilization of policymakers and civil society has led to a consensus on priority actions to reduce malnutrition in Niger.

269. A new vision that highlights the need to conduct large-scale interventions to address the structural causes of malnutrition has been defined.

(d) Child mortality rate due to suicide

270. Data not available.

(e) Access to drinking water, hygiene and sanitation

271. The situation with respect to hygiene and sanitation and problems related to environmental pollution and climate change remain a cause for concern: in 2008, 50.1 per cent of the population had access to drinking water compared to 48.7 per cent in 2005; 8.4 per cent of households have a toilet; and, according to the 2009 survey on survival, 16 per cent of mothers wash their hands with soap after using the toilet. The shortage of water and lack of sanitation also contribute to outbreaks of diarrhoeal diseases, acute respiratory infections, malaria and the proliferation of the carriers of certain diseases, such as trachoma.

(f) Immunization

272. According to the 2010 survival and mortality survey, the proportion of fully immunized children stood at 51 per cent in 2010 and at 52 per cent in 2012, varying between 73 per cent in Niamey and 42 per cent in Diffa; 4 per cent had not been immunized at all while 44 per cent were partially immunized. The coverage rate for Penta-3 immunization stood at 78 per cent in 2010 and at 68 per cent in 2012.

(g) Maternal mortality

273. The maternal mortality rate dropped from 648 deaths per 100,000 live births in 2006 to 554 in 2010. This drop is attributable to a combination of several factors: the decrease in the in-hospital maternal mortality rate from 2.2 per cent in 2005 to 0.4 per cent in 2008; and the decrease in the shortfall in major obstetric procedures necessary to protect the life or health of the mother from 72 per cent in 2005 to 31.1 per cent in 2008. However, the caesarean section rate remains below the minimum of 5 per cent, despite it having increased by 0.4 percentage points from 0.8 per cent in 2005 to 1.2 per cent in 2009; the contraceptive prevalence rate for modern methods of contraception, which stood at 4 per cent in 2005 and 5 per cent in 2006, increased to 16 per cent in 2009. Haemorrhages, prolonged labour and sepsis are the leading causes of maternal mortality, accounting for 20.4, 11.5 and 3.7 per cent of deaths, respectively. Malaria and anaemia remain the main causes of maternal mortality attributable to indirect obstetric complications, accounting for 36.4 and 34.8 per cent of deaths, respectively, in 2010.

(h) Prenatal check-ups

274. In 2012, 83 per cent of women consulted a health-care professional during pregnancy. The proportion of women doing so has increased sharply since 2006 when it stood at 46 per cent. However, there is still a discrepancy between urban and rural areas, where the proportions are 97 per cent and 81 per cent, respectively.

(i) Postnatal check-ups

275. The percentage of women receiving postpartum care from a qualified health-care worker two days, seven days and in the sixth week after delivery increased from 24 per cent in 2006 to 27 per cent in 2010. However, existing data-collection media do not provide disaggregated data on this indicator.

(j) Proportion of childbirths attended by a trained professional

276. It has increased significantly from 18 to 29 per cent over the last two years.

(k) Breastfeeding

277. The results of the fourth demographic and health and multi-indicator cluster survey of 2012 show that 98 per cent of children under 6 months are breastfed, as are more than 93 per cent of children aged between 12 and 15 months. However, the exclusive breastfeeding rate is only 23 per cent; from the age of 6 months, 77 per cent of children have already received another liquid in addition to breast milk.

278. A significant decrease may be observed in the total HIV prevalence rate among the population of Niger, falling from 0.7 per cent in 2006 to 0.4 per cent in 2012.

279. The cumulative number of patients receiving antiretroviral treatment increased from 2,846 at the end of 2008 to 10,406 at the end of June 2012, including 547 children. The HIV prevalence rate among pregnant women attending their first prenatal check-up decreased from 0.06 per cent in 2006 to 0.03 per cent in 2007. This trend may be explained by the availability of free health care, including antiretroviral treatment, the adoption of a law on the prevention, treatment and monitoring of HIV/AIDS and the increase in the number of people undergoing voluntary testing.

(l) The number/percentage of children living with relatives, in foster care, in institutions or on the streets

280. Data not available.

(m) The number of child-headed households as a result of HIV/AIDS

281. Data not available.

3. Data on adolescent health

(a) The number of adolescents affected by early pregnancy, sexually transmitted infections, mental health problems, substance abuse and alcoholism

282. Table 26 below provides an overview of the situation of adolescents affected by sexually transmitted infections, mental disorders and substance abuse.

(b) The number of programmes and services aimed at preventing and treating adolescent health problems

283. See point on young peoples' sexual and reproductive health.

4. Drug and substance abuse

284. Data not available.

5. Children whose parents are incarcerated

285. Data not available.

G. Education, leisure and cultural activities

Disaggregated data and statistical information on education, leisure and cultural activities (arts, 28, 29 and 31)

(a) Literacy rates for children and adults

286. Adult literacy and training programmes are designed to provide out-of-school youth and adults with an opportunity to acquire a minimum level of knowledge that will serve them in their daily lives.

287. Table 27 below shows the proportion of participants in literacy activities compared to the illiterate population (aged 15 and over).

(b) Gross and net enrolment and attendance rates for primary and secondary schools and vocational training centres

Gross and net enrolment and attendance rates for primary schools

288. Table 28 below shows the evolution of the new enrolment rate in the first year of study of basic cycle 1 (primary level).

289. The number of new students enrolled in the first year of primary education increased from 410,975 in the period 2008/09 to 475,166 in the 2011/12 period, increasing on average by 5 per cent each year. Over the same period, the number of girls enrolling in the first year of primary education was greater than that of boys (6 per cent compared to 4.1 per cent).

290. Table 29 below shows the evolution of the gross admission rate for the primary level introductory class.

291. Although the gross admission rate increased by 7.5 points between 2009 and 2012, it was 1.9 points lower than in 2011. The rate decreased for both boys (2.7 points) and girls (1 point).

292. As to place of residence, the rate has improved significantly in urban areas, having increased by 8 points compared to 2011. The rate has decreased by 5.5 points in rural areas. The disparities between places of residence are growing, with an urban-rural gap of 30.8 points.

293. Table 30 below shows the evolution of the gross enrolment rate by place of residence and sex.

294. The gross enrolment rate increased by 11.4 points between the periods 2008/09 and 2011/12, increasing on average by 3.8 points each year. Over the same period, the gross enrolment rate for girls increased by 12 points compared to 10.8 points for boys.

295. The gender parity index is improving over time, having increased from 0.76 in 2008/09 to 0.8 in 2011/12. Over the same period, the urban-rural gap widened further. The parity index increased from 1.21 in 2008/09 to 1.5 in 2011/12. Although generally positive results have been achieved in terms of gender parity in school enrolment, more attention should be paid to completely eliminating disparities between places of residence.

Gross and net enrolment and attendance rates for secondary schools

296. Table 31 below shows the development in the new enrolment rate in basic cycle 2 in both public and private schools.

Gross and net enrolment and attendance rates for vocational training centres

297. Table 32 below shows the number of vocational training centres and the number of students enrolled in them.

(c) Retention, completion and transition rates, and the percentage of dropout from primary and secondary schools and vocational training centres

Retention, completion and transition rates, and the percentage of dropout from primary schools

298. Table 33 below shows the change in the primary education completion rate in per cent, which remains low among girls, especially those living in rural areas.

299. Tables 34 and 35 below show the results of the end-of-year examinations for basic cycle 1, the school-leaving certificate completion rate by sex and place of residence and the primary education completion rate from 2011 to 2012.

Retention, completion and transition rates, and the percentage of dropout from secondary schools

300. Tables 36, 37, 38 and 39 below show the number of students repeating a year in basic cycle 2 in both public and private schools and third-year admission rates (basic cycle 2 completion rates by region and sex for the periods 2008/09 and 2009/10, third-year admission rates and basic cycle 2 completion rates in both public and private schools and the completion rate in the school-leaving exam in both public and private schools).

(d) The average teacher/pupil ratio, with an indication of any significant regional or rural/urban disparities, as well as the percentage of trained teachers

301. Table 40 below shows the evolution in the number of schools, teachers and students by status.

(e) The number of indigenous and minority children who receive State-funded education in their own language

302. Niger does not recognize the existence of this population group in its national territory. Efforts are under way to guarantee instruction in the country's national languages through the establishment of a ministry responsible for primary education, literacy, the promotion of the country's national languages and civic education.

(f) The percentage of children in the non-formal education system

303. Table 41 below shows the participation rate in non-formal education activities among the total population aged between 9 and 14 years.

(g) The percentage of children who attend preschool and other early childhood development education facilities

304. Table 42 below shows the evolution of the number of children attending preschool and the gross preschool enrolment rate.

305. The number of children enrolled in preschool increased significantly between the periods 2008/09 and 2011/12, rising from 48,119 to 110,175, with a growth rate of 34.2 per cent. The number of community-managed facilities increased fivefold between 2008/09 and 2011/12 and quadrupled their pupil numbers from 6,278 to 25,824, with parity between girls and boys.

306. No marked disparity may be observed between girls and boys in children's preschool enrolment in 2012 as the girl/boy ratio stood at 1. In the private sector, the ratio was 0.99 in favour of boys.

307. Unlike at the basic cycle 1 level, the community and the private sectors contribute significantly to the growth in preschool enrolment, accounting for 23.4 per cent and 12.7 per cent, respectively.

308. The gross preschool enrolment rate increased by 3.8 percentage points between 2009 and 2012.

(h) The number/percentage of children in after-school programmes

309. A total of 859 or 5.7 per cent of children participate in such programmes.

(i) The number of public playgrounds, with an indication of whether they are located in rural or urban areas

310. Table 43 shows the evolution in the number of sports grounds in basic cycle schools.

(j) The number/percentage of children participating in organized leisure, cultural and artistic activities, with an indication of whether they live in rural or urban areas

311. Data not available.

H. Special protection measures**1. Children outside their country of origin seeking refugee protection and internally displaced children****(a) The number of internally displaced, asylum-seeking and refugee children**

312. Data not available.

(b) The number and percentage of such children attending primary and secondary schools, vocational training centres and having access to health-care services

313. Data not available.

(c) The number of children who have disappeared during or after the proceedings to determine their eligibility for refugee status

314. Data not available.

2. Children in armed conflicts, including physical and psychological recovery and social reintegration**(a) The number and percentage of persons under 18 who are recruited or who voluntarily enlist in the armed forces, and the proportion of those who participate in hostilities**

315. This provision does not apply in Niger.

- (b) **The number and percentage of children who have been demobilized from armed groups or forces and reintegrated into their communities, including the proportion of such children who have returned to school and been reunited with their families**

316. Data not available.

- (c) **The number and percentage of child casualties due to armed conflict**

317. Data not available.

- (d) **The number of children who receive humanitarian assistance**

318. Data not available.

- (e) **The number of children who receive assistance for their physical and psychological recovery following their involvement in armed conflict**

319. Data not available.

- (f) **The number of students attending military schools and the minimum age of admission**

320. Data not available.

- (g) **The number of asylum-seeking and refugee children coming to the State party from areas where children may have been recruited or used in hostilities**

321. Data not available.

- (h) **The number of children who benefited from physical and psychological recovery and social reintegration measures**

322. Data not available.

3. Economic exploitation of children, including child labour — the areas of activity of economically active children

- (a) **The number and percentage of children below the minimum legal age of employment who are involved in child labour as defined by International Labour Organization Conventions No. 138 and No. 182, disaggregated by type of employment**

323. Table 44 below outlines the situation of economically active children.

- (b) **The number and percentage of such children with access to recovery and reintegration assistance, including free basic education and/or vocational training**

324. Data not available.

- (c) **The number of street children**

325. According to the 2011 report on the human rights situation in Niger, there are more than 11,000 children living on the streets.

4. Sexual exploitation, abuse and trafficking

- (a) **The number of children involved in sexual exploitation, including prostitution, pornography and trafficking**

326. Data not available.

- (b) **The number of such children provided with access to rehabilitation programmes**

327. Data not available.

- (c) **The number of reported cases of sexual exploitation, sexual abuse, sale of children, abduction of children and violence against children during the reporting period**
328. Fourteen cases were officially recorded during the period in question.
- (d) **The number and percentage of such cases that have resulted in sanctions, with information on the country of origin of the perpetrator and the nature of the penalties imposed**
329. Two such cases were recorded.
- (e) **The number of children trafficked for other purposes, including labour**
330. Fifteen cases were recorded over the period in question.
- (f) **The number of border and law enforcement officials who have received training with a view to preventing child trafficking and ensuring respect for their dignity**
331. Data not available.
- (g) **The number of reported cases of sale of children, child prostitution, child pornography and child sex tourism**
332. Data not available.
- (h) **The number of such cases that have been investigated, prosecuted and sanctioned**
333. A total of 137 cases were recorded over the period in question.
- (i) **The number of child victims of such crimes provided with recovery assistance or compensation in accordance with the provisions of article 9 (3) and (4) of the Optional Protocol**
334. Data not available.

5. Administration of juvenile justice

335. Table 45 below shows the number of juveniles imprisoned broken down by the reasons for their imprisonment.

336. By the end of 2011, 237 juveniles had been detained in the country's short-stay prisons for various offences. Of this number, 212 were in pretrial detention and 25 had been sentenced.

337. All juveniles who are subject to criminal prosecution are assisted under pain of nullity by a court-appointed lawyer or defender in accordance with the provisions of article 15 of Order No. 99-11 of 14 May 1999.

338. The percentage of juveniles in conflict with the law who benefited from diversion measures was 38.42 per cent out of a total of 203 juveniles surveyed during the study. The study in question shows that 25 juveniles were sentenced for the following acts:

- 15 for simple theft
- 3 for infanticide
- 2 for fatal blows
- 1 for assault and battery
- 1 for murder
- 1 for rape
- 1 for attempted rape and
- 1 for violence and assault

339. The substitute penalty provided for in domestic law is community service. This penalty is provided for in article 33 of Ordinance No. 99-11 of 14 May 1999 and is put into effect by Decree No. 2006-023/PRN/MJ of 20 January 2006, which lays down the relevant implementing regulations.

340. Although there is no probation programme, juveniles who have shown a willingness to reintegrate into the community have participated in learning and empowerment programmes.

341. According to the study conducted, the recidivism rate of juveniles in conflict with the law is 26.58 per cent, which is more than a quarter of all prisoners in that category.

6. Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings

(a) The number of persons under 18 years of age held in police stations or pretrial detention after having been accused of committing a crime reported to the police, and the average length of their detention

342. Thirty-eight cases were recorded.

(b) The number of institutions specifically for persons under 18 years of age alleged or accused of or recognized as having committed a crime

343. The 11 short-stay prisons attached to the *tribunaux de grande instance* (courts of major jurisdiction) have wings specifically for juveniles. There are plans to build 27 additional wings for juveniles as part of the implementation of phase II of the Support Programme for Justice and the Rule of Law (PAJED II); the aim of this project is to equip all prisons with wings for juveniles.

(c) The number of persons under 18 years of age in such institutions and the average length of stay

344. Over the 2011–2012 period, there were 259 persons under 18 years of age in pretrial detention. The average length of their detention is 6 months for misdemeanours and 1 year for serious crimes, which may be extended by reasoned order of a juvenile judge.

(d) The number of persons under 18 years of age detained in institutions where they are not separate from adults

345. Twenty-nine district courts do not have a juvenile wing.

(e) The number and percentage of persons under 18 years of age who have been found guilty of an offence by a court and have been sentenced to detention, and the average length of their detention

346. Two hundred and thirty-two cases were recorded.

(f) The number of reported cases of abuse and maltreatment of persons under 18 years of age during their arrest and detention/imprisonment

347. Only one case was recorded over the period in question.

Conclusion

348. From the present report, which outlines the legislative and administrative measures and new policies adopted to give effect to the articles of the Convention, it would appear that the children's rights situation in Niger has improved significantly since the submission of the country's previous periodic report.

349. Progress has been made thanks to the efforts of the successive political regimes that made the cause of children in Niger a priority. This commitment to children was reflected in the adoption of appropriate measures in the areas of education and health, the

accessibility of these essential social services being considered a prerequisite for children to flourish. In addition, the fundamental principles of the Convention are reflected in the Constitution of 25 November 2010 and in the relevant national texts.

350. Indeed, the Constitution enshrines the State's obligation to protect its young people against exploitation and abandonment. In this endeavour, it is supported by communities that, through development programmes, work to create an enabling environment for young people to flourish while ensuring their full participation. Articles 21, 22 and 23 of the Constitution reaffirm the scope of the protection provided by the State, which has a duty to ensure the physical, mental and moral well-being of the family and, in particular, of mothers and children. The State also implements policies and programmes to improve social indicators in the areas of school enrolment, health, marital status and household poverty reduction so as to expand and guarantee the availability of quality care for children.

351. The State's desire to ensure the protection of children is also reflected in its efforts to guarantee access to justice through the establishment of a special mechanism in the form of specialized courts dealing exclusively with cases involving children as perpetrators or victims. Similarly, the Trafficking in Persons Act attaches great importance to the protection of children within the framework of the activities of operational units tasked with combating that phenomenon.

352. Since the general elections that ushered in the seventh Republic, the incumbent Government has been striving to fulfil the pledges on which it was elected. Thus, its three-pronged action plan aimed at promoting good governance, social development and an economy characterized by growth and sustainable development is a reflection of its commitment to the promotion and protection of children's rights.

353. However, despite the progress made by Niger, there are still many challenges to be overcome, particularly in the socioeconomic field, in order to ensure that the rights of all children are respected.

354. Aware of these challenges, Niger, with the support of its partners, has undertaken to devise concrete initiatives that will undoubtedly contribute to the realization of children's rights.

355. Lastly, the State of Niger remains committed to further promoting and protecting the rights and freedoms set out in the Convention on the Rights of the Child.
