



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

109th session

11–28 April 2023

Item 4 of the provisional agenda

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined twenty-second to twenty-fifth periodic reports of the Niger*

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report.¹ The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

Statistics

2. Recent, comprehensive and disaggregated statistical data on the ethnic composition of the population and on the socioeconomic situation of the different ethnic groups in the State party.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4 and 6)

3. Specific examples of cases in which provisions of the Convention have been invoked before or applied by domestic courts.

4. Adoption of a definition of racial discrimination in accordance with article 1 of the Convention. Progress on amendments to article 102 of the Criminal Code on racial discrimination to ensure its compliance with articles 1 and 4 of the Convention. Information on the draft legislation aimed at defining and providing for sanctions specific to racial discrimination referred to in paragraph 58 of the combined twenty-second to twenty-fifth periodic reports of the Niger.²

* The present report was submitted after the deadline owing to circumstances beyond the submitter's control.

¹ [A/65/18](#), para. 85.

² [CERD/C/NER/22-25](#).



5. Results of measures aimed at ensuring access to justice in cases of racial discrimination, including awareness-raising campaigns concerning existing legal remedies in relation to racial discrimination, as well as training for judges. Updated information on the number of complaints lodged, investigations undertaken and penalties issued in cases regarding racial discrimination.

Situation of ethnic groups (arts. 2 and 5)

6. The impact of the implementation of special measures to combat racial discrimination against certain ethnic minorities. Measures taken to promote the realization of the economic, social and cultural rights of persons belonging to ethnic minorities and those who self-identify as members of indigenous peoples.

7. The impact and results of the implementation of measures taken to eliminate the practice of slavery, including the application of article 270 of the Criminal Code. Updated information on the number of complaints filed, investigations conducted and convictions handed down in cases concerning descent-based slavery. Information on the implementation of other measures to combat slavery, including the implementation of awareness-raising campaigns and of a specific national action plan for combating traditional slavery.

8. Measures adopted to combat discrimination against the descendants of slaves, including the Tuareg.

9. The impact of measures adopted to combat discrimination against women based on descent, particularly with regard to access to land. Concrete measures adopted to eliminate harmful practices against women, including slavery, forced marriages, early marriages and the practice of wahaya. Information on awareness-raising campaigns focusing on the general population, and especially on traditional and religious leaders, with the aim of eliminating these practices.

10. Measures taken to ensure that indigenous peoples maintain their nomadic pastoralist way of life and to ensure adequate access to education and health services.

11. Information on the application of the mining law of 30 June 2017 and its results in terms of the distribution of revenues from the development of natural resources. The implementation and impact of measures, including consultative measures, taken to ensure the protection of ethnic minorities affected by natural resource development projects. Measures taken to prevent and mitigate the impacts of these projects and the compensation awarded for the damages and losses suffered.

12. Measures taken to protect ethnic minorities and indigenous peoples from land grabbing and expropriation. Measures taken to harmonize the legislative framework concerning agricultural and pastoral lifestyles and measures taken for the effective implementation of the 2010 Pastoral Code. Impact of “joking relationship” outreach in resolving inter-community conflict.

13. Measures, including measures under the Support Project for Combating Forced Labour and Discrimination (PACTRAD), taken to ensure access to birth registration for children of slave descent.

14. Measures taken to promote the dissemination of and respect for the traditions and culture of the various ethnic groups and to encourage the use of indigenous languages.

Situation of non-nationals (arts. 5 and 6)

15. Information on Act No. 2015–36 of 26 May 2015 on the smuggling of migrants. Measures taken to ensure that refugee status determination procedures are in accordance with international standards and to uphold the principle of non-refoulement.

16. Concrete measures taken to ensure effective protection for migrants, asylum-seekers and refugees. The impact of measures taken to improve the living conditions and enhance the social integration of refugees and asylum-seekers.

Human rights training and awareness-raising (art. 7)

17. Updated information on education and training programmes on human rights, including on the provisions of the Convention, and on awareness-raising campaigns designed to strengthen national cohesion and eliminate any discriminatory practices based on ethnicity or descent.
