



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur on follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined third and fourth periodic reports of the Niger, at the Committee's sixty-seventh session, held in July 2017. At the end of that session, the Committee's concluding observations ([CEDAW/C/NER/CO/3-4](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 50 on follow-up to the concluding observations, the Committee requested the Niger to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 21 (a), 23 (a), 23 (d) and 29 (b) of the concluding observations.

The Committee welcomes the follow-up report received in January 2021 ([CEDAW/C/NER/FCO/3-4](#)) under the CEDAW follow-up procedure. At its seventy-ninth session, held remotely due to the ongoing COVID-19 pandemic in June 2021, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 21 (a)** of the concluding observations, urging the State party to “**specifically criminalize the practice of *wahaya*, with the same penalties as other forms of slavery**”:

The Committee notes the information on the legislative framework to criminalize slavery, trafficking in persons, and forced labour. However, the Committee regrets the lack of information on measures taken to amend the legislation to criminalize specifically the practice of *wahaya*. The Committee considers that the State party has taken no action to implement the recommendation. It considers that the recommendation is **not implemented**.

The Committee notes that the information provided by the State party fails to address the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 21 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Amend the Criminal Code to criminalize specifically the practice of *wahaya*, with the same penalties as other forms of slavery.

In relation to the recommendation made in **paragraph 23 (a)** of the concluding observations, urging the State party to “**enact legislation to specifically define and criminalize sexual violence against women, including statutory and marital rape, and strengthen the protection of victims and the prosecution and punishment of perpetrators**”:

His Excellency
Mr. Laouali Labo
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Niger
to the United Nations Office at Geneva

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The Committee notes with appreciation the information on the various policy measures taken to combat sexual and gender-based violence against women, such the adoption of the national strategy and action plan (2017–2021) to response and prevent gender-based violence, the manual of standard operating procedures to prevent and respond to gender-based violence, and the national strategic plan to end child marriage (2019–2021). Furthermore, the Committee notes the information on the organization of raising awareness campaigns in partnership with religious leaders on female genital mutilation and child marriage. Nevertheless, the Committee regrets that no action was taken to adopt a law to define and criminalize sexual violence against women, including statutory and marital rape. The Committee considers that the State party has taken no action to implement the recommendation. It considers that the recommendation is **not implemented**.

The Committee notes that the information provided by the State party is incomplete and it fails to address the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

With regard to the recommendation made in **paragraph 23 (d)** of the concluding observations, urging the State party to “**increase the number of shelters, especially in rural areas, and provide medical treatment, psychosocial rehabilitation and reintegration programmes, as well as legal assistance, to victims of gender-based violence;**”:

The Committee notes the information on the implementation of the spotlight initiative that aims at eliminating all forms of violence against women and girls by 2030, including in rural areas. According to the information by the State party, this initiative aims also at enhancing the legal framework, strengthening designated institutions for budget and planning, organizing community dialogues, improving data collection, and supporting women’s non-governmental organization. The Committee also takes note of the information on the launching of four holistic support centres for victims in Tillabéri, Zinder, Maradi and Tahoua. The Committee also notes the efforts by the State party to end child marriage through the adoption its national strategic plan and the establishment of children’s committees, including in villages, to facilitate the access to free health services for girls who are victims of violence, abuse and exploitation. However, the Committee regrets the lack of information on measures taken to expand the provision of medical, psychosocial, legal and social assistance to victims of gender-based violence. The Committee considers that the State party took some steps towards the implementation of the recommendation, but that it needs to take further action to implement all measures recommended by the Committee. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 23 (a) and (d)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

(a) **Adopt legislation defining and criminalizing sexual violence against women, including statutory and marital rape and strengthen the protection of victims and the prosecution and punishment of perpetrators; and**

(b) **Ensure the availability of shelters specifically in rural areas for women who are victims of violence and provide them with medical treatment, psychosocial rehabilitation and reintegration programmes, as well as legal assistance.**

Regarding the recommendation made in **paragraph 29 (b)** of the concluding observations, urging the State party to “**ensure the re-entry into school of young mothers,**

including through the repeal of Decision No. 65/MEN/DEST/EX of 10 July 1978, which temporarily excludes girls who become pregnant from school and definitively excludes them when they marry”:

The Committee welcome the adoption of Joint Decree No. 000335MEP/A/PLN/EC/MES/MEP/T of 22 August 2019, amending Decree No. 000025, which stipulates that young mother should be allowed to re-enrol in schools after giving birth. According to article 8 of the Joint Decree, teenage mothers should be provided with out-of-school educational support and childcare services, and school officials who refuse allowing the re-enrolment of young mothers should be punished. The Committee welcomes the implementation of the “*Illimin zaman douniya*” initiative, with the support of the United Nations Population Fund (UNFP), to reduce the rates of child marriage and early pregnancy. The Committee notes that, according to data provided by the State party, nearly 130 young mother returned to schools, which reflects the need to continue strengthening and expanding its efforts in this regard. The Committee considers that the State party has provided evidence that it has taken substantial action towards the implementation of the recommendation, but that this action fails to respond fully to the recommendation. It considers that the recommendation has been **substantially implemented**.

The Committee notes that the information received from the State party is thorough and extensive and that it relates directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee recommends that, in relation to **paragraph 29 (b)** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

Ensure the effective implementation of Joint Decree No. 000335MEP and compliance with it.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Louiza Chalal
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women