



We represent WILPF Niger, the national group of the Women's International League for Peace and Freedom in Niger. WILPF Niger has been working since 2018 on women's rights and their participation in peace processes and public and political life. We have submitted a joint report to the UPR in collaboration with the NGO Femmes, Actions, Développement. Our statement focuses on four themes.

1. Early and forced marriage

In Niger, 77% of women aged 20-24 are married before the age of 18, the highest rate in the world. Niger received eight recommendations in previous rounds on early and forced marriage, including several urging it to raise the legal age of marriage for girls to 18 and to withdraw its reservations to CEDAW. This has yet to be done. Decree 935-2017 on the education of girls and its implementing decree adopted in 2019 do not mention early marriage and do not provide for any sanctions. The implementing decree refers only to the provisions of the Penal Code on statutory rape, which does not cover most cases of early marriage that occur without fraud, violence, or kidnapping.

In addition, Niger's reservations to articles 2 and 16 of CEDAW continue to impede the adoption of effective measures against early and forced marriage of girls, despite Niger's acceptance of 19 UPR recommendations to withdraw its reservations. Niger also signed the Maputo Protocol prohibiting marriage without consent in 2004 but has yet to ratify it. In addition, although the legal age of marriage is 18 for boys and 15 for girls, many girls were married before age 15 under customary law. Article 72 of Law No. 2018-37 of June 1, 2018, provides that the courts must disregard the application of any custom that is contrary to international conventions, laws and regulations, or morals, including in matters of marriage and family, but enforcement of this provision needs to be strengthened.

Recommendations:

- a. Adopt a law strictly prohibiting child marriage, including of girls until the minimum age of 18, with criminal and administrative sanctions for non-compliance;
- b. Amend Article 144 of the Civil Code to reduce the age of marriage to 18 for girls;
- c. Train judges, religious and customary leaders, and other public authorities to accelerate changes in mentality regarding early and forced marriage;
- d. Sensitize the population, particularly parents and traditional leaders, on the evils of early and forced marriage and on the importance of schooling for girls;
- e. Effectively implement Article 72 of Law No. 2018-37 of June 1, 2018, which provides that the courts must set aside the application of any custom that is contrary to international conventions, laws and regulations, or morals;
- f. Provide employment and training opportunities for women and girls so that they have alternatives to marriage;
- g. Repeal all discriminatory legislation against women and girls, including those related to early and forced marriage, and lift all reservations to CEDAW, as already agreed to in the previous UPR cycle and recommended by the Committee on the Elimination of Discrimination against Women in 2007 and 2018;
- h. Ratify without delay the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol);
- i. Effectively implement the action plan to combat child marriage in partnership with civil society organizations and with indicators to monitor and evaluate its implementation.



2. Girls' right to education

In Niger, the net enrollment rate for girls is lower than for boys, starting in primary school, with 71% for boys and 66% for girls. As they get older, the gap widens with only 1 in 10 girls completing high school. Niger had received and accepted five recommendations during the previous rounds on girls' education, including a

recommendation that it guarantee the equal right to quality education for young mothers and married girls. Decision No. 65/MEN/DEST/EX of July 10, 1978, which excluded pregnant girls from school temporarily and permanently when they married was repealed in February 2019. The Committee on the Elimination of Discrimination against Women highlighted in 2017 the low school enrollment rate for girls, particularly in rural areas, as well as their low school completion rate due to, among other things, early marriage and pregnancy. Girls' education cannot seriously be improved until coercive measures are taken to eradicate early and forced marriage of girls.

Recommendations :

- a. Include sanctions in Decree 935-2017 on the protection, support, and accompaniment of girls in school for those who do not respect it and who withdraw their daughters from school, and raise the age of girls protected by the decree to 18 instead of 16;
- b. Allocate the financial, material and human resources necessary for the implementation of Decree 935-2017 on the protection, support and accompaniment of girls during their schooling and its implementing decree in order to effectively support parents in the expenses related to the education of their daughters, the realization of school infrastructures and the establishment of vocational training for girls who do not succeed in school;
- c. Promote women's employment and facilitate access to employment for girls and women, particularly those from rural areas;
- d. Sensitize women, girls, parents, traditional leaders and the general public on the usefulness of schooling for girls.

3. Women's participation in political and public life

The participation of Nigerien women in political life has improved in recent years, but this progress remains limited. The previous parliament had only 17% women and the government 13.5%. Positive discrimination measures have been taken, such as the quota law No. 2000-008 of June 7, 2000, which was last revised in 2019, granting 25% of elective positions and 30% of nominative positions to women. Nevertheless, this law alone does not ensure the proper involvement of women in political and public life, as it only provides for the rejection of electoral lists in the event of non-compliance. This is not enough to improve women's representation because even if the names of women candidates are proposed to ensure the validation of electoral lists, these candidates are often poorly positioned on the lists.

Recommendations:

- a. Promote women's participation in political life through awareness-raising, facilitating access to information for women and making funds available for electoral campaigns for women;



- b. To sensitize political leaders and the general population on the benefits of women's participation in politics;
- c. Ensure compliance with Law 2000-008 on the quota by making access to public funding conditional only on political parties that respect the quota in drawing up their electoral list, by replacing the open electoral list system with a zipper system for the nomination of candidates by including a woman in every second row of the electoral lists and by applying sanctions, particularly monetary sanctions, in the event of non-compliance with the law;
- d. Pass a law requiring parity at all levels of political and public bodies, with effective sanctions.

4. Conflict prevention and implementation of the Women, Peace and Security Agenda

Since 2015, Niger, in some regions, has faced an unstable security situation due to the sharing of its borders with countries in conflict such as Mali, Libya and Nigeria. These conflicts force the population of the other countries as well as the Nigerien population to migrate to refugee camps in the regions of Tillabéry and Diffa. In conflict zones, particularly in the Diffa region where the terrorist group Boko Haram operates, women are the most affected as they are targeted by terrorists to be used as hostages, suicide bombers, or sex slaves. In July 2019, 39 people including 33 women and 6 children were abducted in Ngalewa in the Diffa region and these people have still not been found to date.

During a field survey conducted in 2019 in the Tillabéry region by the NGO FAD, interviewees confided that when the population suspected actors involved in conflicts and denounced them, sometimes those apprehended were quickly released, putting the denouncers and their families in danger, often killed in cold blood in front of everyone by armed groups (case of Torodi department). Women victims of violence during conflicts testified that if they denounced the acts, they put themselves in danger because the perpetrators might prosecute them, and they did not believe that the state was able to ensure their protection. Niger adopted a national action plan for the implementation of UN Security Council Resolution 1325 on Women, Peace and Security in October 2016. However, this could not be implemented due to lack of resources.

Recommendations:

- a. Sanction the perpetrators of violence against women in conflict situations (sexual assault, kidnapping, threats, murder of family members, etc.) and ensure the protection of victims, whether the perpetrators are members of armed groups or members of the community;
- b. Support women's participation in peace and conflict prevention processes, particularly through training activities for women on mediation, conflict management, and peace mechanisms;
- c. Accelerate the adoption of a policy and legislative framework to ensure the safety of asylum-seeking, returnee, and displaced women and girls and that they have access to food supplies, clean water and sanitation, shelter, health care, and education, and that they can easily obtain identity documents;
- d. Establish a specialized mechanism to investigate allegations of violence by security forces and armed groups and other human rights violations and abuses, with a particular focus on gender-based violence and other human rights violations perpetrated against women and girls, bringing perpetrators to justice and ensuring protection, compensation, and rehabilitation of victims;
- e. Allocate the necessary financial, human and material resources to implement the National Action Plan 1325 in partnership with civil society.