



Réseau Ouest Africain des
Défenseurs des Droits Humains



West African Human Rights
Defenders Network



The Republic of Niger
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Submission by CIVICUS: World Alliance for Citizen Participation, NGO in
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and

Réseau Ouest Africain des Défenseurs des Droits Humains
(West African Human Rights Defenders Network)

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1. Introduction

- 1.1 CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in over 180 countries throughout the world.
- 1.2 Established in 2005, the West African Human Rights Defenders Network (ROADDH) is headquartered in Lomé, Togo, and comprises national coalitions of human rights defenders (HRDs) and focal points from 16 West African countries. ROADDH holds observer status with the African Commission on Human and Peoples' Rights (ACHPR) and participates as a member of the steering committee for the NGO Forum, which precedes the ACHPR's ordinary sessions. It is part of the Human Rights Council Network (HRC Net), a global coalition of CSOs engaged in advocacy and lobbying with the United Nations (UN) Human Rights Council.
- 1.3 The Nigerien Network of Human Rights Defenders (RNDDH) is the Nigerien section of the ROADDH. RNDDH specialises in the defence, protection and promotion of HRDs and cooperates and dialogues with UN treaty bodies, UPR processes and the ACHPR.
- 1.4 In this submission, CIVICUS, ROADDH and RNDDH examine the Government of the Republic of Niger's compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. Specifically, we analyse the Government of Niger's fulfilment of the rights to freedoms of association, expression and peaceful assembly and unwarranted restrictions on HRDs since its previous UPR examination in March 2021. We assess Niger's implementation of recommendations received during the 3rd UPR cycle relating to these issues and provide follow-up recommendations.
- 1.5 During the 3rd UPR cycle, the Government of Niger received 14 recommendations relating to the space for civil society (civic space). It accepted all 14 recommendations. However, an analysis of legal sources and human rights documentation, as discussed in this submission, along with consultations with HRDs and experts, reveals that the Government of Niger has fully implemented only one recommendation, partly implemented one and not implemented 12 others. The Nigerien Government has continuously failed to address unwarranted restrictions on civic space since its previous UPR examination, and acute gaps in implementation were found with regard to protecting the rights to freedoms of association, expression and peaceful assembly and ending the persecution of HRDs.
- 1.6 Since its 26 July 2023 military coup, Niger has experienced a severe deterioration of civic space and widespread human rights violations, including unlawful detentions

and judicial harassment of civil society activists and critics.¹ The military authorities have also targeted journalists and media outlets, suspended political parties and prosecuted democracy activists.²

1.7 We are deeply concerned about the deteriorating situation for human rights defenders (HRDs) and civil society leaders in Niger. HRDs face arbitrary arrests, detentions, and judicial harassment, with these violations intensifying since the July 2023 military coup.

1.8 We further note with alarm the continuous violations of the right to freedom of expression, particularly targeting journalists and media outlets. Press freedom violations have escalated, including censorship, increased restrictions, intimidation and attacks, creating a chilling effect on journalism and public discourse.

1.9 As a result of these issues, civic space in Niger is currently classified as ‘repressed’ by the CIVICUS Monitor, indicating severe civic space restrictions.³

- Section 2 of this submission examines Niger’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
- Section 3 examines Niger’s implementation of UPR recommendations and compliance with international human rights standards relating to the protection of civil society activists, HRDs and journalists.
- Section 4 examines Niger’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression and media freedom.
- Section 5 examines Niger’s implementation of UPR recommendations and compliance with international human rights standards related to freedom of peaceful assembly.
- Section 6 contains recommendations to address the concerns raised and advance implementation of recommendations under the 3rd cycle.
- Section 7 is an annex on the implementation of 3rd cycle UPR recommendations related to civic space.

¹ ‘Niger coup: A further blow for democracy in West Africa’, CIVICUS Lens, 4 August 2023, <https://lens.civicus.org/niger-coup-a-further-blow-for-democracy-in-west-africa>; ‘Niger: “Threatened and brought to heel”: Human rights and civic space under pressure since the 26 July coup’, Amnesty International, 18 March 2025, <https://www.amnesty.org/en/documents/afr43/8865/2025/en>.

² ‘Press freedom violations: two journalists arrested, intimidation’, CIVICUS Monitor, 27 May 2024, <https://monitor.civicus.org/explore/press-freedom-violations-two-journalists-arrested-intimidation>.

³ CIVICUS Monitor: Niger, <https://monitor.civicus.org/country/nigerhttps://monitor.civicus.org/country/niger/>.

2. Freedom of association

- 2.1** During Niger's examination under the 3rd UPR cycle, the government received and accepted six recommendations on the right to freedom of association and creating an enabling environment for CSOs. Among other recommendations, the government committed to 'respect and fully guarantee the rights of the freedoms of association, peaceful assembly and expression in the context of measures undertaken to respond to violent extremism and terrorism'. However, the government has not implemented any of the recommendations.
- 2.2** Article 36 of the Charter of Refoundation⁴ of Niger, which mirrors article 32 of the now defunct 2010 Constitution, guarantees freedom of association. Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Niger is a state party, also guarantees freedom of association. Despite these guarantees, authorities have arbitrarily suspended and expelled CSOs, placed additional legal restrictions on them, targeted humanitarian CSOs and suspended all political parties.
- 2.3** On 24 February 2022, Niger adopted a draft decree to implement article 20.1 of Law No. 91-006 of 20 May 1991, which amended and supplemented Ordinance No. 84-06 of 1 March 1984 concerning the regime governing associations.⁵ This new decree includes provisions that could potentially constrain CSO operations.⁶ For example, it mandates state approval for all projects and activities related to associations and imposes stringent controls on CSO activities, significantly restricting freedom of association.
- 2.4** Since the previous UPR review, authorities have arbitrarily suspended several associations and withdrawn the operating licences of some.

⁴ The Charter of Refoundation, promulgated on 26 March 2025 following the 2023 military coup, serves as Niger's fundamental law while largely preserving key civic space provisions from the suspended 2010 Constitution and maintaining the principle of state continuity in line with Ordinance No. 2023-02 of 28 July 2023, relative to the organisation of public power during the transition period. Charter of Refoundation, <https://droit-et-politique-en-afrique.info/wp-content/uploads/2025/04/Niger-Charte-de-la-refondation-du-26-mars-2025-Ordonnance-de-dissolution-des-partis-politiques-du-26-mars-2025.pdf>.

⁵ 'Niger: one more decree, one less fundamental freedom', International Federation for Human Rights, 7 April 2022, <https://www.fidh.org/en/region/Africa/niger/niger-one-more-decree-one-less-fundamental-freedom>.

⁶ 'Niger : Un décret de plus, une liberté fondamentale de moins', Tournons la Page, 7 April 2022, <https://www.tournonslapage.org/fr/actualites/niger-un-decret-de-plus-une-liberte-fondamentale-de-moins>.

- 2.5 On 31 May 2025, the Nigerien Government, via note verbale, expelled the International Committee of the Red Cross (ICRC) from Niger.⁷ The government accused the ICRC of ‘collusion’ with armed groups, an allegation the ICRC refuted.
- 2.6 On 12 November 2024, Minister of the Interior General Mohamed Toumba signed orders number 01208 and 01209 withdrawing the operating licences of two CSOs: *Agence d’Aide à la Coopération et au Développement* (ACTED) and *Action Pour le Bien-Être*. While the official explanations for the suspension of the two remain unclear, reports point to issues related to national security and adherence to regulations that purport to improve governance and protect national interests.
- 2.7 On 29 January 2024, the Ministry of the Interior suspended until further notice the authorisation to operate of Maison de la Presse, an independent media association.⁸ This association, which unites 32 socio-professional media associations and promotes freedom of expression and information, had criticised the military transitional authorities’ respect for media freedoms. While the decree suspending the Maison de la Presse does not outline the specific grounds for suspension, it announces the creation of a new ad hoc management committee headed by the Secretary General of the Ministry of the Interior to oversee the association.
- 2.8 In April 2021, ACTED faced a severe restriction on its operations when Issa Lémine, Governor of the Diffa region, ordered the suspension of its activities ‘until further notice’.⁹ Lémine accused ACTED of ‘racketeering’ and maintaining ‘dubious and subversive connections at the benefit of a terrorist organisation’.
- 2.9 On 26 March 2025, Army General and President of the Republic, Abdourahamane Tchiani, signed Ordinance No. 2025-06 dissolving political parties. This decision followed recommendations from a national conference, which called for the dissolution of political parties and the extension of the transition period.¹⁰

⁷ ‘Niger: The ICRC has been forced to suspend its humanitarian activities on behalf of local communities’, ICRC, 5 June 2025, <https://www.icrc.org/en/article/niger-icrc-forced-suspend-humanitarian-activities-behalf-local-communities>.

⁸ ‘Media association Maison de la Presse suspended until further notice’, CIVICUS Monitor, 13 February 2024, <https://monitor.civicus.org/explore/media-association-maison-de-la-presse-suspended-until-further-noticehttps://monitor.civicus.org/explore/media-association-maison-de-la-presse-suspended-until-further-notice/>.

⁹ ‘Niger: Supectée de “connexions douteuses” l’ONG Acted suspendue dans le Sud-Est’, Africa Radio, 13 April 2021, <https://www.africaradio.com/actualite-80667-niger-supectee-de-connexions-douteuses-l-ong-acted-suspendue-dans-le-sud-est>.

¹⁰ ‘The Final report of the work on the Nigerien national conference was ceremoniously presented to Tiani in Niamey’, Pravda Niger, 11 March 2025, <https://niger.news-pravda.com/en/niger/2025/03/11/903.html>.

3. Harassment, intimidation and attacks against civil society activists, human rights defenders and journalists

- 3.1 Under Niger's previous UPR examination, the government received nine recommendations related to the protection of civil society activists, HRDs and journalists. The government received recommendations on 'the finalisation and adoption of the law on the protection of HRDs' and to 'guarantee freedom of expression, association and assembly and end the detention of civil society actors, human rights defenders and journalists' and 'take firm measures to ensure that HRDs, journalists and actors and peaceful activists are free to enjoy their fundamental rights of the freedoms of association and expression'. The government accepted all nine recommendations, but has implemented only one, on the adoption of the law on the protection of HRDs. The government has failed to operationalise the remaining recommendations effectively.
- 3.2 Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. The ICCPR further guarantees freedoms of association, expression and peaceful assembly.
- 3.3 On 15 June 2022, Niger's then National Assembly adopted the Law establishing the Rights and Duties of Human Rights Defenders,¹¹ offering substantial protections for HRDs. It grants immunity from prosecution for opinions expressed by HRDs and reports published in the course of their work.¹² However, the law also imposes some restrictions. For example, article 17 mandates financial transparency through annual reporting, which might serve as a mechanism for excessive government oversight. Additionally, article 21 permits the expulsion, extradition, or refoulement of HRDs in cases of national security threats, a provision the government could potentially misuse to target activists who criticise it.
- 3.4 Despite the adoption of a law protecting HRDs, activists continue to be arbitrarily arrested and subjected to judicial harassment. For instance, on 23 January 2023 Abdoulaye Seydou, an HRD and coordinator of the M62 movement, was arrested and prosecuted after his organisation accused security forces of committing human rights violations during an air raid in response to a terrorist attack.¹³ Initially, he was charged with 'complicity in the arson of sheds and houses used as dwellings' of goldminers. Although these charges were later dismissed, he was sentenced to nine

¹¹ Law establishing the Rights and Duties of Human Rights Defenders, 15 June 2022, <https://ishr.ch/wp-content/uploads/2022/07/Loi-fixant-les-droits-et-les-devoirs-des-defenseurs-des-droits-de-lHomme-au-Niger-2022.pdf>.

¹² 'Niger adopts a law on human rights defenders; restrictive cybercrime law reviewed', CIVICUS Monitor, 9 August 2022, <https://monitor.civicus.org/explore/niger-adopts-law-human-rights-defenders-restrictive-cybercrime-law-reviewed>.

¹³ 'Arbitrary arrest, judicial harassment of HRD', CIVICUS Monitor, 20 March 2023, <https://monitor.civicus.org/explore/arbitrary-arrest-judicial-harassment-of-hrd>.

months in prison for ‘production and dissemination of data likely to disturb public order’ under Niger’s 2019 Repression of Cybercrimes Law.

- 3.5** On 3 December 2024, police officers in Niamey arbitrarily arrested and illegally detained HRD Moussa Tchangari, Secretary General of the CSO Alternative espaces citoyens, during a raid at his home.¹⁴ Police held Tchangari without due process for a month before charging him, on 3 January 2025, with criminal conspiracy related to a terrorist undertaking, undermining national defence and plotting against the authority of the state.¹⁵ He was subsequently transferred to Filingué prison, located 170 km from Niamey, where he remains in pretrial detention without a trial. The charges are believed to be related to Tchangari’s criticism of the establishment of a terrorism database on 27 August, a decree on 10 October that targeted some citizens, a decision on 12 November to withdraw CSO licences and his concerns about arbitrary arrests.¹⁶
- 3.6** Journalists have also been arrested and subjected to judicial harassment, particularly under the 2019 Law on the Repression of Cybercrimes and defamation laws. Authorities have frequently employed Charges of ‘production and dissemination of data likely to disturb public order’ under the Law on the Repression of Cybercrimes to silence dissent. For instance, police charged journalist Samira Sabou under the Cybercrimes Law in 2023 for posting leaked government information.¹⁷ Authorities have also used defamation laws to prosecute journalists, as seen in the case of Samira Sabou and Moussa Aksar, who received suspended sentences and fines in 2022 for sharing a report on drug trafficking.¹⁸
- 3.7** Journalists have also faced arbitrary arrests and detentions for reporting on sensitive political issues, particularly those related to military affairs and international relations. For example, on 7 May 2025, law enforcement officers in Agadez arrested three journalists from the private radio station Sahara FM: acting editor-in-chief, Hamid Mahmoud, news presenter Mahaman Sani and Massaouda Jaharou. Camaraman.¹⁹ Police arrested the three journalists following their report on the

¹⁴ ‘Civic space continues to deteriorate under the military regime’, CIVICUS Monitor, 1 July 2025, <https://monitor.civicus.org/explore/civic-space-continues-to-deteriorate-under-the-military-regime>.

¹⁵ ‘Prominent activist remains detained in Niger: Authorities should release Moussa Tiangari, stop harassing civil society’, Human Rights Watch, 7 July 2025, <https://www.hrw.org/news/2025/07/07/prominent-activist-remains-detained-in-niger>.

¹⁶ CIVICUS Monitor, 1 July 2025, op. cit. <https://monitor.civicus.org/explore/civic-space-continues-to-deteriorate-under-the-military-regime/>

¹⁷ ‘Niger journalist Samira Sabou arrested by unidentified men’, Committee to Protect Journalists, 2 October 2023, <https://cpj.org/2023/10/niger-journalist-samira-sabou-arrested-by-unidentified-men>.

¹⁸ ‘Two journalists charged under the Cybercrime Law’, CIVICUS Monitor, 29 October 2021, <https://monitor.civicus.org/explore/two-journalists-charged-under-cybercrime-law>.

¹⁹ ‘Niger Republic Junta detains three journalists after reporting rift with Russia, Turkey’, Sahara Reporters, 11 May 2025, <https://saharareporters.com/2025/05/11/niger-republic-junta-detains-three-journalists-after-reporting-rift-russia-turkey>.

alleged collapse of military cooperation between Niger and Russia. The journalists appeared in court on 9 May 2025 and the judge released them, but police rearrested them and kept them in custody later that night. On 13 June 2025, following a decision by the Military Court of Niger, two of the three journalists, Mahmoud and Sani, were detained over allegations of plotting against state authorities.²⁰ The two were transferred to Kollo prison, around 50 kilometres south of Niamey. Jaharou was released on bail.

- 3.8** Academics have also faced reprisals for expressing criticism of or disagreement with military authorities. The removal from office of six academics and state officials in August 2023 is part of a broader attack on civil society and academic freedom.²¹ These individuals were targeted after distancing themselves from a statement issued by the National Union of Teachers and Researchers pledging their support for the National Council for the Safeguard of the Homeland (CNSP).²²

4. Freedom of expression and media freedom

- 4.1** Under the 3rd UPR cycle, Niger received and accepted eight recommendations relating to freedom of expression, media freedom and protection of journalists. For instance, the government pledged to ‘guarantee full respect for the right to freedom of expression and media freedom by preventing all harassment and undue detention of journalists and civil society activists’ and committed to ‘adapting the 2019 Law on the punishment of cybercrime to the Niger’s human rights protection obligations’. However, the government has not implemented any of the recommendations.
- 4.2** Article 19 of the ICCPR guarantees the rights to freedoms of expression and opinion. Article 34 of the Charter of Refoundation, which mirrors article 30 of the defunct 2010 Constitution, also guarantees the right to freedom of expression. However, in practice, military authorities have reinstated repressive provisions of the Law on the Repression of Cybercrimes and suspended media outlets as a result of their reporting.
- 4.3** On 7 June 2024, Abdourahamane Tchiani signed a new law amending the legislation on the repression of cybercrimes.²³ This law reinstates criminal penalties for digital communication offences, imposing prison terms of one to three years and fines up to five million CFA francs (approx. US\$8,900) for defamation and insults via electronic

²⁰ ‘Military court remands two Nigerien journalists for alleged plot against state’, Daily Post, 14 June 2025, <https://dailypost.ng/2025/06/14/military-court-remands-two-nigerien-journalists-for-alleged-plot-against-state>.

²¹ ‘Niger: Authorities putting rights at risk’, Amnesty International, 23 October 2023, <https://www.amnesty.org/en/latest/news/2023/10/niger-authorities-putting-rights-at-risk>.

²² ‘Niger: Press freedom violations escalate after military coup’, CIVICUS Monitor, 31 October 2023, <https://monitor.civicus.org/explore/niger-press-freedom-violations-escalate-after-military-coup>.

²³ *Ordonnance 2024-28 Cybercriminalite*, <https://www.scribd.com/document/743730349/Ordonnance-2024-28-Cybercriminalite>.

means.²⁴ It also enforces stricter penalties of two to five years in prison for spreading information that could disturb public order or compromise human dignity. This amendment reverses April 2022 revisions to the Law on the Repression of Cybercrimes that decriminalised online defamation and insults via electronic information systems.²⁵ Authorities have used the Cybercrimes Law against HRDs and journalists (see also 3.6).²⁶

4.4 Censorship has increased under military authorities, including through the blocking of signals and suspension of media outlets. For example, on 12 December 2024, Minister of Communication Raliou Sidi Mohamed suspended the BBC for three months.²⁷ This decision followed allegations the BBC had spread misinformation threatening social stability and lowering troop morale.²⁸

4.5 On 3rd August 2023, the CNSP (National Council for the Safeguard of the Homeland) ordered²⁹ the blocking of signals of French broadcasters France 24 and Radio France Internationale.³⁰ This action, described as an effective suspension by France Médias Monde, was made outside any conventional and legal framework.³¹ The move significantly restricted Nigeriens' access to diverse information sources and international perspectives. Additionally, the private TV station Canal 3 faced a brief suspension in January 2025, though it was quickly revoked.³²

²⁴ 'Niger reinstates prison sentences for journalists for defamation, insult', Committee to Protect Journalists, 20 June 2024, <https://cpj.org/2024/06/niger-reinstates-prison-sentences-for-journalists-for-defamation-insult>.

²⁵ CIVICUS Monitor, 9 August 2022, op. cit. <https://monitor.civicus.org/explore/niger-adopts-law-human-rights-defenders-restrictive-cybercrime-law-reviewed/>

²⁶ CIVICUS Monitor, 29 October 2021, op. cit. <https://monitor.civicus.org/explore/two-journalists-charged-under-cybercrime-law/>

²⁷ 'Niger Government issues 3 month BBC ban for misinformation and destabilisation', West Africa Weekly, 13 December 2024, <https://home.westafricaweekly.com/niger-authorities-ban-bbc-for-three-months-cite-destabilisation-concern> <https://home.westafricaweekly.com/niger-authorities-ban-bbc-for-three-months-cite-destabilisation-concern/>.

²⁸ 'Niger junta suspends BBC accusing it of 'spreading false news' in coverage of attack', Associated Press, 11 July 2023, <https://apnews.com/article/niger-junta-bbc-suspension-0608d2b8c2f21f687442614c692c679f>.

²⁹ 'Coup d'État au Niger : La junte coupe le signal de RFI et de France 24', Jeune Afrique, 3 August 2023, <https://www.jeuneafrique.com/1470511/politique/coup-detat-au-niger-la-junte-coupe-le-signal-de-rfi-et-de-france-24>.

³⁰ CIVICUS Monitor, 31 October 2023, op. cit.

³¹ 'Niger blocks RFI and France 24 in wake of coup', Committee to Protect Journalists, 3 August 2023, <https://cpj.org/2023/08/niger-blocks-rfi-and-france-24-in-wake-of-coup> <https://cpj.org/2023/08/niger-blocks-rfi-and-france-24-in-wake-of-coup/>.

³² 'Le Niger suspend Canal 3 TV et un de ses journalistes', Jeune Afrique, 18 January 2025, <https://www.jeuneafrique.com/1649739/politique/le-niger-suspend-canal-3-tv-et-un-de-ses-journalistes>.

5. Freedom of peaceful assembly

- 5.1** During Niger's examination under the 3rd UPR cycle, the Government of Niger received five recommendations on the right to freedom of peaceful assembly. Among other recommendations, the government committed to 'lift restrictions on freedom of assembly and demonstration and ensure open access to information, including through the Internet; guarantee civil and political rights and implement the antiterrorism law in accordance with international standards'. The government accepted all five recommendations. However, as evidenced below, it has not implemented any of them.
- 5.2** Article 36 of the Charter of Refoundation of Niger, mirroring article 32 of the defunct 2010 Constitution, explicitly guarantees the right to peaceful assembly. ICCPR article 21 also upholds this right. However, security forces frequently meet peaceful protests with forceful dispersal and frequently arbitrarily detain protesters.
- 5.3** Authorities frequently ban civil society protests, using grounds such as risks to disturbing public order. On 10 February 2022, local authorities in Niamey banned a public protest meeting of the democracy movement Tournons la Page Niger, which was scheduled for the following day.³³ The authorities cited health and security reasons for the ban, despite the group having notified them of the planned meeting a week in advance. This protest action was organised to demand the release of all political prisoners and prisoners of conscience and justice for terrorism victims, and to oppose the presence of foreign military bases.
- 5.4** Following the military coup, pro-junta demonstrations have often been permitted and even encouraged, while protests critical of the military authorities have faced restrictions. For instance, on 2 and 3 September 2023, thousands of people were allowed to gather in Niamey and Ouallam to demand the departure of French soldiers.³⁴ During the same period, protests critical of the junta were met with swift bans. On 23 November 2023, local authorities in Niamey banned a pro-democracy protest planned for 25 November 2023, citing 'security reasons and risks of infiltration and disturbing public order'.³⁵ The protest, organised by the Forum pour

³³ 'Public meetings and protests banned; activist arrested for defamation', CIVICUS Monitor, 25 March 2022, <https://monitor.civicus.org/explore/public-meetings-protests-banned-activist-arrested-defamationhttps://monitor.civicus.org/explore/public-meetings-protests-banned-activist-arrested-defamation/>.

³⁴ 'Au Niger, nouvelles manifestations pour réclamer le départ des soldats français', Le Monde, 3 September 2023, https://www.lemonde.fr/afrique/article/2023/09/02/au-niger-nouvelles-manifestations-pour-reclamer-le-depart-des-soldats-francais_6187589_3212.html.

³⁵ 'Niger: Une manifestation pour la libération du président Bazoum interdite', Air Info, 23 November 2023, <https://airinfoagadez.com/2023/11/23/niger-une-manifestation-de-soutien-au-president-dechu-interdite-a-niamey>.

une Citoyenneté Responsable, aimed to demand the liberation of former President Bazoum, who was overthrown in the 2023 military coup. The swift ban, issued just two days before the planned event, effectively silenced dissent against the military regime.

- 5.5** Police frequently arrest protesters. For example, on 10 December 2021, during the annual citizen caravan of democracy in Niamey, a peaceful event organised to commemorate International Human Rights Day, the police arrested four activists from Tournons la Page Niger – Moubarak Habou, Hima Hamani, Biliyaminou Idi and Armadan Moussa.³⁶ Additionally, plainclothes police officers violently detained Mathieu Pourchier, an advocacy officer for the French CSO *Agir Ensemble Pour Les Droits Humains*, 30 minutes before the other arrests, even though he was not present at the procession site. All five were charged with illegal assembly, even though local authorities had not banned the event.³⁷

6. Recommendations to the Government of Niger

- CIVICUS, ROADDH and RNDDH call on the Government of Niger to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.
- At a minimum, the following conditions should be guaranteed: freedoms of association, expression and peaceful assembly, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state's duty to protect. In the light of this, the following specific recommendations are made:

6.1 Freedom of association

- Take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit freedom of association.
- Repeal Ordinance No. 2025-06 dissolving political parties, signed on 26 March 2025, and reinstate the legal status of all political parties to ensure political pluralism and the right to freedom of association.

³⁶ 'Niger : Protestations d'ONG après l'arrestation de cinq activistes, dont un Français', France 24, 12 December 2021, <https://www.france24.com/fr/afrique/20211212-niger-protestations-apr%C3%A8s-l-arrestation-de-cinq-activistes-dont-un-fran%C3%A7ais>.

³⁷ 'Niger : Les poursuites à l'encontre des cinq défenseurs des droits humains libérés doivent être abandonnées', 15 December 2021, Tournons la Page, <https://www.tournonslapage.org/fr/actualites/niger-les-poursuites-a-lencontre-des-cinq-defenseurs-des-droits-humains-liberes-doivent-etre-abandonnees>.

- Establish an independent commission, comprising representatives from civil society, legal experts and government officials, to review and reform laws and regulations affecting CSOs, with the aim of creating a more enabling environment for their operations.
- Conduct thorough and impartial investigations into all cases of arbitrary arrests and detentions of civil society activists and ensure accountability for those responsible for unlawful detentions.
- Amend the legal framework and develop and implement a comprehensive national policy on CSO operations that clearly outlines registration procedures, reporting requirements and appeal mechanisms, ensuring that any decisions to suspend or expel CSOs are subject to judicial review and comply with international standards on freedom of association.

6.2 Protection of civil society activists, human rights defenders and journalists

- Amend Ordinance No. 2024-28 on the Repression of Cybercrimes to decriminalise defamation and insults via electronic means and align it with international standards on freedom of expression, ensuring that no civil society activist, HRD or journalist faces imprisonment for their legitimate work.
- Establish an independent oversight mechanism to investigate and prosecute cases of arbitrary arrest, detention and harassment of civil society activists, HRDs and journalists, with the power to recommend disciplinary actions against officials responsible.
- Fully implement the 2022 Law on the Rights and Duties of Human Rights Defenders, including by creating a dedicated protection unit within the Ministry of Justice to provide rapid response and security measures for HRDs at risk.
- Recognise civil society activists, HRDs and journalists as key actors in holding the state accountable.
- Ensure that all civil society activists, HRDs and journalists can carry out their legitimate activities without fear or undue interference, obstruction or legal and administrative harassment.
- Publicly condemn cases of harassment and intimidation of civil society activists, HRDs and journalists when they occur.
- Conduct a thorough review of all cases of civil society activists, HRDs and journalists since the 2023 coup, ensuring due process, and release those held solely for exercising their rights to freedom of association, expression and peaceful assembly.

6.3 Freedom of expression and media freedom

- Repeal the June 2024 amendment to the Law on the Repression of Cybercrimes and enact new legislation that decriminalises defamation and insults via electronic means.
- Establish an independent media regulatory body comprised of representatives from journalism associations, civil society and legal experts, to oversee media licensing and media activities.
- Immediately reinstate the broadcasting licences of suspended media outlets and ensure that any withdrawal of licences is subject to judicial review and comply with international standards on freedom of expression and media freedom.
- Conduct thorough and impartial investigations into all reported cases of attacks, threats and intimidation against journalists, publish the findings and prosecute those responsible.

6.4 Freedom of peaceful assembly

- Amend the legal framework governing public assemblies to remove provisions that allow for blanket bans on protests, ensuring that any restrictions on assemblies are strictly necessary, proportionate and in line with international human rights standards.
- Review all cases of individuals charged or convicted for participating in peaceful assemblies since 2021, with a view to dropping charges or providing amnesty where appropriate.
- Establish an independent oversight mechanism to investigate all cases of excessive use of force during protests, with the power to recommend disciplinary actions and prosecutions against security forces found responsible for violations.
- Adopt and enforce clear guidelines for law enforcement officials on facilitating peaceful assemblies, prohibiting the use of excessive force, and ensuring that any restrictions on assemblies are strictly necessary and proportionate, in line with international human rights standard.
- Develop and implement a comprehensive training programme for law enforcement officials on human rights-compliant crowd management techniques, emphasising de-escalation strategies and the protection of protesters' rights.
- Adopt clear and transparent guidelines for local authorities on the process of notifying and authorising peaceful assemblies, ensuring that the notification process is not used as a de facto authorisation system.

- Enact legislation that guarantees equal treatment and protection for all peaceful assemblies, regardless of their political affiliation or stance, and prohibits selective allowance or repression of protests based on their content or organisers.

6.5 Access to UN Special Procedures mandate holders

- Prioritise official visits by the following UN Special Procedure mandate holders: 1) Special Rapporteur on the situation of human rights defenders; 2) Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; 3) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; 4) Special Rapporteur on the Independence of Judges and Lawyers; 5) Special Rapporteur on extrajudicial, summary or arbitrary executions; 6) Special Rapporteur on the rights to privacy; and 7) Working Group on Arbitrary Detention.

6.6 State engagement with civil society

- Establish a formal mechanism for regular dialogue between government officials and diverse civil society representatives, including HRDs, journalists and opposition groups, to address civic space concerns and promote collaborative problem-solving.
- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with civil society on the implementation of UPR recommendations, including by holding periodical comprehensive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

7. Annex: Assessment of implementation of civic space recommendations under the 3rd cycle - Niger

Recommendation	Position	Assessment/Comments on level of implementation
122.117 Finalise the adoption of the law on the protection of human rights defenders as soon as possible, in collaboration with civil society (Canada); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Implemented Section 3: Para – 3.3.
122.127 Release detained human rights defenders and journalists and take measures to protect civic space, in particular by adapting the 2019 Law on the punishment of cybercrime to the Niger's human rights protection obligations (Luxembourg); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 3: Para – 3.4.
122.128 Ensure that freedom of expression, as enshrined in the Constitution as well as in relevant international human rights conventions, is fully respected in practice, including for those who wish to express dissenting views (Malawi); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 4: Para – 4.3.
122.130 Implement the antiterrorism law in accordance with international standards, guaranteeing freedoms of expression, association and peaceful assembly, as well as the legitimate work of human rights defenders and journalists (Spain); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 3: Para – 3.5. Section 5: Para – 5.1. – 5.4.
122.116 Guarantee, in law and in practice, the right to freedom of opinion and expression, in civic space	Accepted	Status: Not implemented

and online, in particular of journalists and human rights defenders (Canada); Source of Position: A/HRC/48/5/Add.1 - Para. I		Section 4: Para – 4.3./4.
122.119 Ensure the freedom of the media both online and offline, the safety of journalists and peaceful demonstrations (Estonia); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 4: Para – 4.3.
122.120 Guarantee freedom of expression, association and assembly and end the detention of civil society actors, human rights defenders and journalists (France); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 3: Para – 3.3.
122.121 Lift restrictions on freedom of assembly and demonstration and ensure open access to information, including through the Internet (Germany); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 5: Para – 5.3./4.
122.122 Ensure full respect for the right of freedom of expression and media freedom by preventing all harassment and undue detention of journalists (Ghana); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 3: Para – 3.4./6.
122.124 Promote and protect the right to freedom of expression and media freedom (Latvia); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 4: Para – 4.3./4.
122.126 Protect civil and political rights, in particular the rights to freedom of expression and opinion, freedom of the press as well as freedom of association and of peaceful assembly (Luxembourg); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 4: Para – 4.3./4.
122.131 Strengthen protections for civic actors, including by ending	Accepted	Status: Not implemented

arbitrary arrests of journalists and civil society activists who criticise the Government (United States of America); Source of Position: A/HRC/48/5/Add.1 - Para. I		Section 3: Para – 3.7.
122.125 Take measures to foster a safe, respectful and enabling environment for civil society and human rights defenders, especially women human rights defenders, free from persecution, intimidation and harassment (Latvia); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Partially implemented Section 4: Para – 3.3./6.
122.129 Encourage a safe and enabling environment for civil society by protecting it from harassment, restrictions and undue detention, and by removing obstacles to freedom of assembly, in particular by revising Ordinance 84-06 of 1 March 1984 to include the principle of declaration instead of authorisation (Netherlands); Source of Position: A/HRC/48/5/Add.1 - Para. I	Accepted	Status: Not implemented Section 5: Para – 5.3./4.