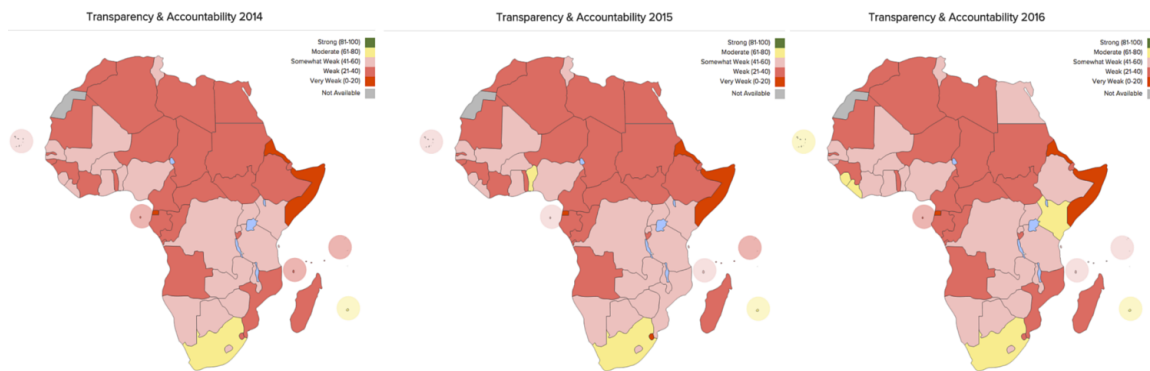


Africa Integrity Indicators – Country Findings



Who is Global Integrity?

Global Integrity supports progress toward open and accountable governance in countries and communities around the world. We focus on generating research and data, supporting the work of country-level reformers, and influencing global conversations on open governance. Our work covers a number of themes, with data, learning and citizen engagement at the core of everything we do. To know more about us, visit our website at www.globalintegrity.org.

What are the Africa Integrity Indicators?

In 2012, Global Integrity embarked on a five-year collaboration with the Mo Ibrahim Foundation to generate the Africa Integrity Indicators (AII), which assesses key social, economic, political and anti-corruption mechanisms at the national level across the continent. Global Integrity staff recruits and manages teams of in-country contributors in 54 countries to generate original governance data on an annual basis.

The questionnaire has 114 indicators and is divided in two main categories: Transparency & Accountability and Social Development. The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information. The Social Development indicators category consists of 51 indicators about gender, rights, welfare, rural sector, business environment, health and education.

The rich data set is designed to be particularly fruitful in identifying both bright spots as well as areas for improvement at the country level. The years of data include [2013](#), [2014](#), [2015](#), [2016](#); the next round of research will begin later in 2016 and be published in April 2017. To access our data, visit our project website at <http://aii.globalintegrity.org>.

Note: Each round of research is named from its year of publication. Thus, the 2016 round of research covers the period from September 2014 to September 2015, with only sources relevant to this period of study being accepted.

Get in touch with us

Global Integrity is dedicated not only to producing high quality data, but ensuring that it is as useful as possible for reformers (both inside and outside of government) around the world. If you're interested in working with this data to identify opportunities to support open governance efforts in your country, contact us at aii@globalintegrity.org.

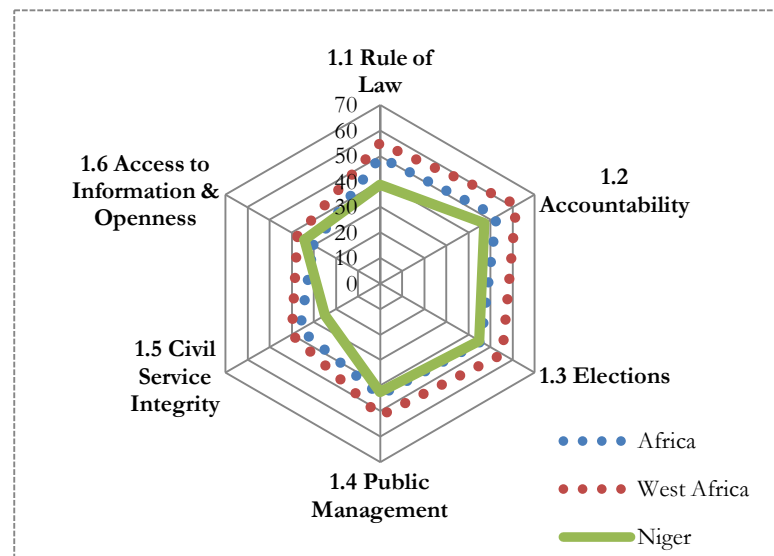
Niger – Country Findings Summary

1. Transparency & Accountability

The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information & openness. The indicators look into transparency of the public procurement process, media freedom, asset disclosure requirements, independence of the judiciary, and conflict of interest laws, among others.

The overall category score only showed a slight change, increasing by one point from 38 in 2015 to 39 in 2016 (“weak” on the Global Integrity scale).¹ None of the [six subcategories](#) went beyond the “somewhat weak” area of the Global Integrity scale, as all subcategories earned aggregate scores below 50.

Accountability was the highest performing subcategory with an average score of 47 in 2016. It was closely followed by Elections and Public Management, which respectively earned scores of 45 and 43. The subcategories Rule of Law (39) and Access to Information & Openness (34) earned aggregate scores in the 30 range. The lowest performing was the Civil Service Integrity subcategory with an aggregate score of 25 in 2016 (“weak” on the Global Integrity scale).



< Figure 1 > Niger's subcategory scores in comparison to the region and the continent. The radar chart depicts the country's aggregate scores of each of the six subcategories under Transparency & Accountability, in comparison to average scores of the continent (blue dotted lines) and the country's region (red dotted lines).

Selected highlights

- **The independence of the two existing bodies mandated to investigate allegations of public sector corruption is not guaranteed by law.** The Decree 2011-2191/PRN/MJ establishes the Haute Autorité contre la Corruption et Infractions Assimilées (HALCIA), but places the institution under the Presidency of the Republic ([indicator 11](#)). Likewise, the Bureau Information, Réclamation et Lutte contre la Trafic d'Influence (BIR/LTCI) that receives allegations of public sector corruption via a free hotline was created by order of the Minister of Justice and is under the direction of the

¹ The Global Integrity scale on the Africa Integrity Indicators website is as follows: 81-100 (Strong), 61-80 (Moderate), 41-60 (Somewhat weak), 21-40 (Weak), 0-20 (Very Weak)

executive branch. Members of the HALCIA are appointed by the President of the Republic who can also unilaterally remove them ([indicator 14](#)). The appointment of Maidah Zeinabou as head of the HALCIA in 2012 was met with criticism as her company Niger-Lait SA had been involved in tax evasion cases in the past. The extension of the HALCIA's mandate by presidential decree in September 2014 was also criticized. The HALCIA was created in July 2011 for a mandate of three years, and concerns were raised on social media that the extension served the President to exercise pressure on his political opponents ahead of the 2016 presidential elections. The HALCIA mainly commences investigations upon instruction from the Presidency. Members of the BIR/LTCI are reported to freely investigate all received allegations, but the Bureau does not have an autonomous budget and functions on a volunteer basis ([indicator 13](#)). As reports [indicator 12](#), not all allegations were investigated during the study period. For instance, in December 2014, certain individuals involved in the circulation of false passports were sentenced to prison terms whereas the former Minister of Foreign Affairs, who was also involved, did not face any judicial consequences. Instead, he occupied the position as Minister of State during the study period.

- **The latest appointments to the electoral commission reinforce its independence. However, the commission performed weak on its reporting.** The Constitution of 2010 mandates the Commission Electorale Nationale Indépendante (CENI) to organize and monitor national elections. However, the law does not establish the CENI's right to issue binding decisions, and it is the Constitutional Court that is charged with resolving electoral disputes and deciding on the cases to be heard ([indicator 19](#)). The CENI is not a permanent organ and is constituted prior to each election. The latest appointment of members in May 2015 was reported to reinforce the independence of the Commission ([indicator 20](#)). For instance, the president of the CENI Boubé Ibrahim has extensive experience in electoral matters as the former president of the municipal and departmental CENI, as well as as a former judge of electoral disputes. The attorney Kadri Oumarou Sanda was elected as first vice president based on the consensus of all political parties. Members of the CENI are irremovable until the end of the electoral process, and a removal is only decided following the judicial procedures established in the Penal Code. No removals took place during the study period ([indicator 21](#)). However, the CENI performed weak on [indicator 22](#), which assesses the timely and regular publication of electoral reports. The Commission does not publish any pre-election reports; none was published before the 2011 presidential elections, and none available until the end of the study period regarding the presidential elections planned for February 2016. On the other hand, the CENI submits a post-election report to the Constitutional Court. Yet no report was publicly available for the latest elections in 2011, except for a general report on the website of the United Nations Development Programme (UNDP).
- **Legal frameworks to guarantee civil service integrity are weak, and in practice, civil servants' work is subject to political interference.** The Penal Code and the General Civil Service Regulations establish formal rules to prevent conflicts of interest and nepotism, as notes [indicator 37](#). But no law requires civil servants to report cases of alleged corruption ([indicator 35](#)). Neither do any laws provide protection for whistleblowers in the civil service from recrimination or other negative consequences ([indicator 36](#)). Finally, there are also no restrictions for civil servants entering the private sector after leaving the government ([indicator 40](#)). In practice, civil servants are not always

appointed or evaluated according to professional criteria and political affiliation plays an important role, as report indicators [38](#) and [39](#). In April 2015, a number of officials were indicted for committing fraud in the recruitment process for vacancies at the Ministry of Interior, Public Security, Decentralization, and Religious and Customary Affairs. They had added 70 names to the list of finalists.

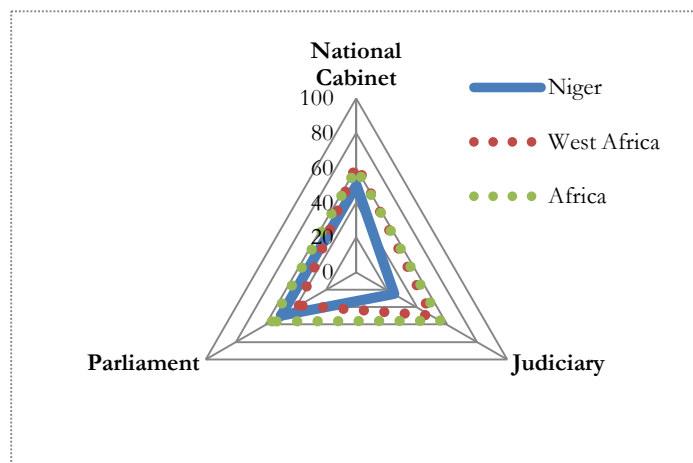
2. Social Development

This category covers seven subcategories, including rights (civil society space and minority rights), gender, business environment and infrastructure, rural sector, welfare, health, education, and civil registration. Because the Social Development portion of the research only includes a small number of questions per each topic area, we only provide the scores for each individual indicator and don't provide aggregated category or subcategory scores. However, the individual indicators themselves contain a wealth of information across a breadth of topics, a select few highlights of which are noted below.

Selected highlights

- **Voices critical of the government faced more obstacles in expressing their views in public than pro-governmental ones.** For instance, members of the opposition did not enjoy the same degree of freedom to associate in public settings, as reported in [indicator 67](#). The opposition coalition Alliance pour la République, la Démocratie et la Reconciliation (ARDR) was only able to hold one demonstration during the study period, despite submitting several requests for approval. Yet, groups and organizations close to the government did not face any restrictions in exercising their right to associate. In a similar manner, NGOs working on sensitive issues such as transparency, governance or human rights had to put up with a longer waiting period when getting registered ([indicator 68](#)). The research also reported cases of NGO employees being arrested during the study period as a retribution for their work ([indicator 69](#)). For instance, Moussa Tchangari, a civil society activist, was arrested by the anti-terrorism cell of Niger's security forces. He was accused of being associated with the terrorist group Boko Haram, while no concrete evidence was provided. Moussa Tchangari had previously voiced criticism against how the state of emergency played out in the Diffa region and the impact it had on the local population. However, no NGOs were shut down or harassed with unwarranted administrative burdens, explaining the comparatively high score of [indicator 70](#).
- **Whereas the civil laws guarantee the same rights for women and men in terms of land ownership, property, inheritance, divorce petition and independent travel, customary laws are discriminatory against women. Women's representation was also low in all three branches of the government.** The Constitution of 2010 establishes in its article 28 that every person has the right to property (indicators [77](#) and [78](#)). However, under customary laws, certain women only have access to land through their father or spouses. When it comes to inheritance matters, the organic law 2004-50 of July 22, 2004 requires the courts to apply the customs of the concerned parties. In most customary or religious laws, women are disadvantaged and are entitled to inherit a lesser part as compared to male members of the family ([indicator 79](#)). The organic law 2004-50 also recognizes the application of customs in matters of divorce. Repudiation is a right reserved for men, but not for women in customary law, as notes [indicator 80](#). Customary laws also require women to travel upon the authorization of their husbands ([indicator 82](#)). [Indicator 83](#), which assesses women's equal access to employment opportunities and benefits at the workplace, is the only indicator that received a 'Yes' score, as women are not only guaranteed the right to receive the same salary and treatment in the Labor Code, but are also not subject to any customary laws in this regard.

Women’s representation within the three branches of government also remained weak. Only five out of a total 36 ministers were women (13.88%). Thus, [indicator 85](#) earned a score of 50, which was below the West African average of 62 and the continental average of 60. In the highest branch of the judiciary, comprised of the State Council, the Constitutional Court, the Court of Cassation and the Court of Accounts, there were six women out of a total of 70 judges (8.57%). The 25 score of [indicator 86](#) showed a contrast to the regional average of 50 and the continental average of 56. The number of women within the parliament reached 16 out of 113 members (14.16%) and [indicator 87](#) earned a 50 score, above the regional average of 38, but below the continental average of 56.



< Figure 2 > Niger's female representation in the three branches of government compared to the country's region and the continent.

- **The National Statistics Office (INS) collects and publishes some statistics on youth unemployment, poverty and infrastructure, but at larger intervals.** The INS has not published any statistics on youth unemployment since 2012 ([indicator 91](#)). While the Agency for the Promotion of Employment does conduct annual surveys on this particular topic, and the results are used in presentations and press releases of the agency, the overall data is hard to access by the public. On poverty, the INS published reports that indirectly treat the issue, as noted in [indicator 92](#). These include the 2012 and 2014 report on the progress of the Millennium Development Goals that were respectively published in May 2014 and April 2015. In February 2015, the INS also published the Human Development Report of 2013 and a study on the emergence of a middle class and the reduction of inequalities in Niger. The latter was based on statistics from the period 2011-2013. In terms of infrastructure, the latest available data is from the statistical yearbook 2009-2013 ([indicator 93](#)).

The above findings capture selected highlights and are not an exhaustive analysis of the collected data. We encourage interested users to access our website [here](#) for detailed comments and sources for 114 individual indicators.