

Responses to Recommendations

NIGER

Review in the Working Group: 1 February 2011
 Adoption in the Plenary: 9 June 2011

Niger's responses to recommendations (as of 22.11.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
77 recs. accepted (among which 4 are considered as already implemented or in the process of implementation); 2 rejected; 33 pending	The delegation provided comments on the pending recommendations without clear responses	Out of the 33 pending, the delegation declared accepting 29 and rejecting 4	Accepted: 106 Rejected: 6 No clear position: 0 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/17/15:

A - 76.1 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (Denmark);

A - 76.2 Ratify the 1954 Convention relating to the Status of Stateless Persons (Slovakia);

A - 76.3 In light of the current lack of normative legislation to support the consistent development and implementation of the country's human rights programme, continue to call for technical assistance and advice on best practices from the international community (Indonesia);

A - 76.4 Finalize, adopt and implement the pastoral law so that it serves as an instrument to reduce the level of resource-based conflicts in the country (Norway);

A - 76.5 Continue its efforts in order to re-establish the functioning of a national human rights institution in accordance with the Paris Principles (Argentina);

A - 76.6 Re-establish an A-status national human rights institution as soon as possible (Thailand);

A - 76.7 Consider replacing the National Observatory for Human Rights with a permanent and independent human rights institution, in accordance to the Paris Principles (Indonesia);

- A - 76.8 Develop, in cooperation with all relevant national institutions, a comprehensive national human rights plan and a national human rights education plan (Slovenia);
- A - 76.9 Work with the United Nations Country Team to develop a national human rights plan which incorporates human rights education and training (Thailand);
- A - 76.10 Promote the need for practical educational measures to spread a culture of human rights and raise students' awareness of these rights (Saudi Arabia);
- A - 76.11 Continue implementing the strategies and plans for the socio-economic development of the country (Cuba);
- A - 76.12 Strengthen efforts to fulfil obligations in accordance with the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child (Australia);
- A - 76.13 Further improve the normative framework in order to better guarantee women's and children's rights (Italy);
- A - 76.14 Continue implementing programmes and measures to improve the enjoyment of the right to education, the right to health and the right to food (Cuba);
- A - 76.15 Ensure the promotion of good governance through transparent conduct of public affairs (Norway);
- A - 76.16 Continue its implementation of the timetable for restoring democracy without delay (Denmark);
- A - 76.17 Continue its cooperation with different human rights mechanisms of the United Nations in order to promote and protect human rights in the country (Azerbaijan);
- A - 76.18 Seek the advice of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and continue to cooperate with him (Italy);
- A - 76.19 Take effective measures to ensure equal opportunities and treatment of women and men in the labour market in both private and public sectors (Malaysia);
- A - 76.20 Adopt measures that ensure that people with disabilities enjoy their rights on an equal footing, including free access to health and on the basis of their informed consent, access to education, employment and social security, as well as full participation in the political, social and economic life of the country (Spain);
- A - 76.21 Introduce an official moratorium on the death penalty and resubmit the proposals for a complete abolition of the death penalty to the new Parliament once established (Denmark);
- A - 76.22 In line with the recommendations from the Committee on the Rights of the Child, take immediate steps to halt and abolish the death penalty and life sentences for crimes committed by persons under 18 (Norway);
- A - 76.23 Introduce in the Criminal Code all necessary amendments aimed at criminalizing acts of torture and the crime of enforced disappearance (France);
- A - 76.24 Bring national legislation on torture and other ill-treatment in line with international human rights standards and make any such act a criminal offence (Denmark);
- A - 76.25 Carry out an awareness-raising and information campaign aimed at resisting customs and traditions, which have given rise to discriminatory practices and violence against women, especially in the family environment (Canada);
- A - 76.26 Continue to strengthen awareness-raising and sensitization activities for practitioners, families, traditional or religious leaders and the general public in order to encourage change in

traditional attitudes aiming at effective eradication of female genital mutilation, Wahaya and other harmful practices (Slovenia);

A - 76.27 Address traditional practices that are against human rights, inter alia female genital mutilation, through more concerted efforts, involving local levels (Norway);

A - 76.28 Implement and apply legislative as well as other measures that aim at the eradication of harmful tradition practices such as female genital mutilation (Poland);

A - 76.29 Continue and strengthen awareness-raising activities aimed at eradicating traditional practices that are harmful to children, including female genital mutilation (Italy);

A - 76.30 Follow-up the Committee on the Rights of the Child's recommendations relating to the practice of female genital mutilation, and organize awarenessraising campaigns in public and in schools (Germany);

A - 76.31 Take all appropriate measures to ensure an effective implementation of the prohibition of female genital mutilation, especially in terms of prevention, sensitization, control and legal sanctions (Belgium);

A - 76.32 Prioritize the implementation of a comprehensive approach to combat all forms of violence against women, in line with what the Committee on the Elimination of Discrimination against Women recommended (Chile);

A - 76.33 Continue its measures to tackle the problem of violence against women, including domestic violence and to address gender equality in all spheres of life (Azerbaijan);

A - 76.34 Develop and strengthen appropriate legislative measures to address the issues of trafficking, sexual abuse and sexual exploitation of children and take measures to ensure prompt prosecution of perpetrators of sexual offences against children (Malaysia);

A - 76.35 Reinforce legislative measures to combat sexual exploitation and sexual abuses, in line with what the Committee on the Rights of the Child recommended (Chile);

A - 76.36 Implement the recommendations made by the Committee on the Rights of the Child, especially eradicate traditional practices such as female genital mutilation, sexual exploitation, corporal punishment in children's education and forced child begging (Ecuador);

A - 76.37 Adopt a national action plan to combat slavery and human trafficking (Switzerland);

A - 76.38 Take measures to combat and abolish all forms of slavery in practice (Sweden);

A - 76.39 Make all possible efforts in order to guarantee compliance with the interdiction of slavery in the new constitution (Norway);

A - 76.40 Adopt a national action plan to combat and eliminate slavery in all forms and ensure that all victims are provided with assistance and rehabilitation (Poland);

A - 76.41 Promote a wide as possible consultation process that includes religious leaders, traditional leaders, members of the security forces, staff members of the administration of justice, as well as civil society in order to determine the Government's needs in the fight against slavery and related practices (Spain);

A - 76.42 Take all appropriate measures to eliminate all forms of slavery and ensure that perpetrators of such practices are systematically brought to justice (Luxembourg);

A - 76.43 Systematically prosecute all perpetrators of slavery and slavery-like practices in line with the provisions set out in the Criminal Code (United Kingdom);

A - 76.44 Take all necessary measures to ensure that perpetrators of all forms of slavery are systematically brought before justice and that victims benefit from a protection and compensation system (Switzerland);

A - 76.45 Ensure that the Penal Code is effectively enforced, perpetrators of slavery are duly prosecuted, and that the victims are granted due compensation and rehabilitation (Slovakia);

A - 76.46 Develop mechanisms for full and fair reparations for victims of slavery, including compensation and rehabilitation (Sweden);

A - 76.47 Adopt the draft law on trafficking in persons (Canada);

A - 76.48 Accelerate the implementation of its new legislation and intensify its law enforcement efforts targeted at combating all forms of human trafficking and slavery (United States of America);

A - 76.49 Continue its efforts in order to strengthen its legislation relating to human trafficking and the assistance mechanisms for these victims, as well as to guarantee the proper investigation, trial and punishment of these conducts in light of international standards (Argentina);

A - 76.50 Implement standard procedures to identify victims of human trafficking, establish a referral mechanism to facilitate the provision of protective services for them and dedicate financial or in kind support to NGOs providing services to victims (United States of America);

A - 76.51 Strengthen the existing measures to combat child trafficking, forced labour, begging and sexual exploitations of children, including migrant children (Switzerland);

A - 76.52 Pass and implement legislation aimed specifically at eliminating all forms of child labour (United States of America);

A - 76.53 Adopt and implement a national plan of action to prevent and combat child labour (Poland);

A - 76.54 Address the violent conflicts between nomadic pastoralists and sedentary farmers as a matter of urgency, bring to justice those responsible for the killings and human rights violations and compensate victims (Norway);

A - 76.55 Repeal amnesty laws and bring to justice perpetrators of human rights violations, regardless of the time that has elapsed since the pertaining acts were committed (Canada);

A - 76.56 Order without delay the opening of impartial and independent investigations on information reporting acts of torture and ill-treatment and bring to justice perpetrators of such deeds (France);

A - 76.57 Further improve accountability structures with a view to eradicate impunity (Sweden);

A - 76.58 Further strengthen the institutional framework for the protection of freedoms of press and expression and guarantee these rights to all citizens (Germany);

A - 76.59 Ensure, in accordance with its international obligations, that the right to freedom of expression is fully respected (Slovakia);

A - 76.60 Ensure freedom of expression and assembly and that human rights defenders are respected and protected (Sweden);

A - 76.61 Respect the legitimate exercise of freedom of association and ensure all human rights activists operating in the country, including individuals cooperating with United Nations human rights mechanisms, are spared from any harassment or intimidation (Slovakia);

A - 76.62 Continue its efforts to ensure meaningful women representation in the future Government (Indonesia);

A - 76.63 Take immediate measures to guarantee all persons' right to participate in the Government of their country and to ensure that the transition process is carried out as scheduled (Sweden);

A - 76.64 Further its measures aimed at the reduction of poverty and dealing with food insecurity and access to water resources (Azerbaijan);

A - 76.65 Continue to pay high attention to and promote production of agriculture in order to reduce the number of people suffering from extreme poverty so as to guarantee a basic livelihood to people (China);

A - 76.66 Promote and advance policies that focus on the alleviation of poverty and the advancement of its entire people (Pakistan);

A - 76.67 Make food security a priority (Norway);

A - 76.68 Engage the relevant international organizations and international donors to address the problem of food crises and provide better access to safe drinking water for the population (Malaysia);

A - 76.69 Take all necessary measures granting women, especially those in rural areas, equal access to health services and healthcare, participation in decision making (Luxembourg);

A - 76.70 Continue to adopt measures in order to reduce effectively maternal mortality rate and child and infant mortality rates (China);

A - 76.71 Give priority to the continuation of efforts to promote the right to education (Saudi Arabia);

A - 76.72 Implement an awareness-raising campaign for parents aimed at increasing the school enrolment rate of girls (Canada);

A - 76.73 Ensure the increase of financial resource allocation to the field of public education with a view to improving the quality of education, build an appropriate infrastructure and ensure that compulsory primary education lasts for six years (Ecuador);

A - 76.74 Further expand its school feeding programme and integrate it with local agricultural production (Brazil);

A - 76.75 Strengthen its cooperation with the international community, in particular specialized agencies and programmes of the United Nations system with a view to building capacity and getting technical assistance in crucial areas such as human development, poverty eradication, education and health (Malaysia);

A - 76.76 Seek cooperation to United Nations agencies and international organizations, in order to request assistance to improve poverty indicators; access to food, drinking water and health (Chile);

A - 76.77 Seek assistance from the international community to advance its human rights agenda (Pakistan).

77. Niger considers that recommendations 76.22, 76.32, 76.33 and 76.47 above are already implemented or the in the process of implementation.

78. The following recommendations will be examined by Niger which will provide responses in due time, but no later than the seventeenth session of the Human Rights Council in June 2011:

A - 78.1 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CED), sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, inhuman, or Degrading Treatment or Punishment (OP-CAT) and establish a national independent mechanism to inspect detention places (France);

A - 78.2 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR), the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2), OP-CAT, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC), and CED (Argentina);

A - 78.3 Sign and ratify the principal human rights instruments to which it is not a party, namely the OP-ICESCR, OP-CAT, ICCPR-OP2, aimed at abolishing the death penalty, OP-CRC-AC and ratify CED (Ecuador);

A - 78.4 Sign and ratify the OP-ICESCR, OP-CAT, OP-CRC-AC (Spain);

A - 78.5 Accede to ICCPR-OP2, aimed at abolishing the death penalty and take the necessary steps to remove the death penalty from its justice system (Australia);

A - 78.6 Ratify ICCPR-OP2 (Sweden);

A - 78.7 Intensify its efforts with a view to a speedy ratification of CED and withdraw the reservations made to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (Spain);

A - 78.8 Withdraw its reservations made to articles 2 and 16 of CEDAW, which were considered contrary to the object and purpose of this treaty (Belgium);

A - 78.9 Withdraw its reservations made to CEDAW (Canada);

A - 78.10 Withdraw its reservations to CEDAW (Norway);

A - 78.11 Continue its collaboration with the human rights mechanisms and become a party to the optional protocols of ICESCR and ICCPR (Indonesia);

A - 78.12 Step up efforts to improve regular cooperation with treaty bodies; lift reservations to CEDAW and consider ratifying outstanding human rights instruments, including OP-CAT, OP-CRC-AC and ICCPR-OP2 (Slovenia);

R - 78.13 Implement the recommendations provided by the Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples' Rights in February 2006 (Norway);

R - 78.14 Consider issuing a standing invitation to the special procedures of the Human Rights Council (Brazil);

R - 78.15 Issue an open and standing invitation to all special procedures (Spain);

R - 78.16 Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

A - 78.17 Repeal all discriminatory laws against women, withdraw all its reservations made to the Convention on the Elimination of All Forms of Discrimination against Women and increase its cooperation with the Committee on the Elimination of Discrimination against Women by implementing all recommendations made in 2007 (France);

A - 78.18 Follow-up the recommendation made by the Committee on the Elimination of Discrimination against Women in 2007 regarding the implementation of a strategy to modify or eliminate negative cultural practices and stereotypes that are harmful to and discriminate against women (United Kingdom);

A - 78.19 Pursue appropriate policies, such as its National Gender Policy, including public-oriented awareness campaigns to overcome the prevalence of patriarchal ideology with firmly entrenched stereotypes regarding the roles and responsibilities of women and men in the family and society (Slovakia);

A - 78.20 Take the necessary legal and financial measures to ensure the equal participation of women in all areas (Turkey);

A - 78.21 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Switzerland);

A - 78.22 Abolish the death penalty and ratify the Second Optional Protocol to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Belgium);

A - 78.23 Before abolishing the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, declare a de jure moratorium on executions (Belgium);

A - 78.24 Adopt at the earliest a draft law aimed at abolishing the death penalty, in line with the spirit of articles 11 and 12 of its new Constitution; repeal the provisions of its 1961 Criminal code, which provides for the application of the death penalty and; ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights which prohibits the death penalty under all circumstances (France);

A - 78.25 Declare a moratorium on the death penalty with a view to its abolition, and sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);

A - 78.26 Enact a moratorium on the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (United Kingdom);

A - 78.27 Impose a moratorium on executions with a view to abolish the death penalty (Norway);

A - 78.28 Establish a moratorium on executions with a view to abolishing the death penalty and to commute, without delay, all death sentences to terms of imprisonment (Sweden);

A - 78.29 Adopt a national action plan against torture and other cruel, inhuman or degrading treatment or punishment; ensure that all the complaints formulated in this field are the object of an impartial and effective investigation; and sign and ratify OP-CAT (Spain);

A - 78.30 Investigate in an effective and independent manner and as soon as possible, allegations of torture, ill-treatment and extrajudicial executions with a view to bring perpetrators to justice (Switzerland);

A - 78.31 Extend the criminalization of female genital mutilation to all those practices that are harmful to women's physical and psychological health (Spain);

A - 78.32 Control and stop domestic violence levels, especially towards women and children, through the creation of national protection institutions and revise the reservations to the Convention on the Elimination of All Forms of Discrimination against Women, especially those regarding age of marriage and abolish the practice of domestic violence (Ecuador);

A - 78.33 Take measures to guarantee effective access to justice for victims of gender-based violence, to provide health and psychological support for victims and to provide protection for women that report cases of gender-based violence (Brazil).

79. The recommendations below did not enjoy the support of Niger:

R - 79.1 Repeal past amnesty laws and bring to justice those responsible for human rights violations. Also, steps should be taken to establish an independent complaints mechanism with a mandate to investigate all allegations of human rights violations and abuses by security forces and armed opposition groups (Denmark);

R - 79.2 Establish an independent complaints mechanism mandated to investigate allegations of human rights violations (Canada).

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