

1. ISSUES OF THE CHILD

In 2008, the Ministry for the Promotion of the Woman and Protection of the Child made a study on the Analysis of the Situation of the Child and the Woman in Niger with a view to examine the realization of the rights of the children and the women since the last analysis in 1998. It clarifies the progress made, but also the fields where the rights are not respected, with the risks for the present and the future.

The study showed that Niger is markedly committed to human rights as contained in the Universal Declaration of Human rights (DUDH), in its legal texts, in particular its Constitution, and by ratifying the majority of the international legal instruments which implement it. The State ratified the Convention on the Rights of Child (CDE) in 1990. At the regional level Niger ratified, in 1986, the African Charter of the human rights and the peoples (CADHP) and, in 1996, the African Charter of the rights and the wellbeing of child (CADBE).

On the national level, the legislation offers a framework of protection of the rights of the children with the progressive harmonization of the national legislation with the CDE and the CADBE. Specific legal texts regulate many fields of the rights of the children; the project of code of the child that was revised and validated in 2010, is in the process of being adopted.

With regard to the right to health; this study emphasizes that: the mortality of the children remains a major problem of health: one out of five (198 %) children dies before 5th birthday. Diseases are the main cause, especially malaria, but also acute respiratory infections and diarrhea. Malnutrition worsens morbidity and can lead to the death, just like accidents related to the childbirth.

The nutritional situation of the children of less than five years remains alarming, in spite of an improvement since the food crisis of 2005: two children out of five suffer from chronic malnutrition (due to an inadequate food intake and illnesses) and one of ten of acute malnutrition (due to an insufficient food or a recent illness). Also, eight children out of ten are weakened and one on five is born underweight. The explanatory factors are the inadequate practice of breast feeding associating water and solid foods too early, the little diversified food, of the frequent diseases and the traditional practices like early weaning or the food deprivations. The young age of the mother and her health also weaken the nutritional state of the child.

As regards the right to a durable environment, the life environment of the children remains unfavorable to their wellbeing and their health. The great majority of the population lives in mud and straw made residences. The medical facilities are very rare. Half of the population continues to use the water of wells not protected or other sources from at risk sources. These conditions are more difficult in rural zones and even in urban environment where the systems of waste management are poor.

In the field of the right to education, the access to education saw progress at all levels: preschools developed in urban environment but remains still limited to 2% of the children of the age bracket; primary education almost doubled since 1998, however almost two children out of five from 7 to 12 years are not in class; secondary education accommodates more children but four out of five remain are left out of junior high and very few reach the senior level.

The school supply almost doubled thanks to achievements of scale, in particular in rural zone: construction of classes and latrines, equipment in didactic material, recruitment of teaching personnel, Community participation. However, it remains insufficient vis-a-vis the increasing number of children. The request for schooling is slowed down by the weak motivation of the parents who do not see the worth or value of formal education and are wary of opportunity costs.

The quality of education did not progress. In primary education schools, even if the proportion of 12 year old children reaching the class of CM2 (6th year of the primary education) without repeating slightly increased and if the rates of success to the examinations improved a little, the level of the knowledge obtained at the end of the cycle is extremely low (four children out of five are in situation of failure).

Regarding the right of the child to protection, the abuses and violence made to the children remain an undeniable reality and many children live under difficult conditions. They are working children, child beggars, child domestics, children victims of trafficking and child prostitutes.

Many children are forced to live in the street, some are in conflict with the law, others use psychotropic substances. Children undergo violence in their family, at school or at the work place. Girls undergo the early and forced marriages and some the excision.

A combination of factors contribute to carry damage to the children and to fail to ensure their protection: poverty forces the children to take part in the strategies of survival of the families and the society pushes them into the work force as a means of socialization with drifts towards the exploitation in all its forms.

With regard to the right to the participation, the children have few opportunities to express their opinion and participate in decisions affecting their lives.

PROGRESS MADE

a) On the strategy front :

- ✓ Elaboration of the document on the National Orientations for care of Children in Situation of Vulnerability which identifies the various types of vulnerability and which determines various methods of care as well as the minimum package of services;
- ✓ Elaboration of a document of cartography and analysis of the current system of protection of the child in Niger. A consensus was gradually formed around the need for implementing a systemic approach including the prevention, rather than to react to specific violations when those appear. This new approach of the protection of the child consists in not laying the stress on specific projects,

partitioned on particular problems, but rather on a systemic approach which makes it possible to protect the child, and his or her family, in a more effective and holistic way. An approach system has the advantage of meeting the multidimensional needs for protection of the child in his family/community, clarifying the responsibilities and the perennality of the interventions, rationalizing the use of the resources and of maximizing the impact.

- ✓ The elaboration of a framework of protection of the child and its action plan: this document aims at the implementation of the right of the child to protection and reciprocally of the duty of protection on behalf of the families, the society and the State with respect to the children.

It envisages three strategic axes:

1. Put in place series of the actions of prevention for any form of abuse, violence and exploitation with regard to the children;
 2. Provide care to children victims of any form of abuse, violence and exploitation taking into consideration their specific situations;
 3. Develop and reinforce the components of the national system of protection of the child.
- ✓ Adoption of the policy of social protection which has inter alia specific objectives the reinforcement the social security and the promotion of work and employment; This policy will make it possible for the government to initiate actions making it possible to prevent and deal with social problems so that each individual can live decently.
Development of the bill on the protection of the girls in school which aims at protecting the girl during schooling;
 - ✓ Revision and validation of the project of code of the child that will be adopted soon and that aims at protecting the rights of the child and the harmonization of the international and national texts relating to the rights of the child;
 - ✓ Realization of a study on the profile of the actors intervening in the field of the protection of the child and their needs in capacity building; this study will be validated in January 2012 and will be accompanied by a plan of training;
 - ✓ Development of a project of national policy for youthful legal protection, etc
 - ✓ On the level of the supply of services
In the field of health:
 - Exemption from payment of fees for children 0 to 5 years;
 - Free distribution of mosquito nets to the mothers of infants;
 - Free Cesarean and coverage for certain cancers;
 - Exemption from payment of certain vaccinations to the children of 0 to 1 year within the framework of the program of vaccination.

The 2011 Report of the African Child Policy Forum ranked Niger in 3rd position after two other African countries for the progress made within the framework of the wellbeing of the child in particular in the field of health where the rate of

immunization passed from 40 to 75% of 2005 to 2008 with an impressive fall of the infant mortality rate.

✓ In the field of justice:

- the Bill modifying ordinance 99-11 of May 14, 1999 on the jurisdiction of the minors: this document will make it possible to correct certain insufficiencies observed in the implementation of this ordinance 99-11 relating to the creation and the operation of the jurisdictions for minors;
- Adoption of an ordinance on the fight against the trafficking of the people whose decree of application is forthcoming;
- The ratification of the protocol of CEDEAO on human trafficking;
- The creation of a Department of youth legal

✓ In the field of education:

- Creation of a directorate of the promotion of the schooling of the girl in 2000;
- Development of a Decennial Programme of Development of Education (PDDE);
- Institutionalization of the promotion of the schooling of the girls;
- Existence of Community structures favorable to promotion of schooling in general and that of the girls in particular;
- Existence of models favorable to the promotion of the schooling of the girls: Model schools, Teaching in Rural Medium Insulated (ERI);
- Adoption of a policy of schooling and Training of the girls supplied with her action plan.

✓ In the field of protection:

- Extension of Educational, Legal and Preventive Services (SEJUP);
- Adoption of the project of code of the child;
- Creation of a center for children in difficulty in the family

b. At community level:

Niger currently carries out an experimental programme of protection at Community level. The objective of this program which relates to 100 villages distributed in the areas of Maradi, Zinder Agadez, Tahoua and Tillabéry, is to contribute to the realization of a protective environment of the child at community level and to start referral systems for better care.

The adoption and the implementation of all the provisions evoked above for implementation the effective of the rights of the children allowed an improvement of several indicators relating to survival, the protection and the development of the child. On a purely illustrative basis:

- The infant mortality rate and the infant-death rate passed respectively from 123 and 272‰ during period 1993 to 1998 to 81 and 198‰ in 2009;
- The rough rate of schooling passed from 37,30% in 2001 to 62,6% in 2009;
- The proportion of children to pre-school passed from 2,50% in 2000 to 4,5% in 2006;
- The proportion of the children in hard work fell of 70,10% in 2000 to 38% in 2006;

- A significant number children victims of trafficking were reunited with their families, or repatriated in accordance with the Multilateral agreement of Co-operation as regards Fight against the Trafficking of the Children in West Africa;
- Case of 9 000 street children were reviewed and taken care of in 2011 by the Legal and Preventive Services (SEJUP);
- Reintegration to their families of 300 children talibés in the areas of Tahoua;
- Several abandoned children were the subject of national or international adoption;
- Adoption of a national policy of social protection in September 2011;
- The definition of new orientations relating to the promotion of decent work through the Program of Decent Work (PPTD);

3. **Perspectives**

The efforts to be deployed in the years to come will be directed towards the realization of the national priorities including inter alia:

- Creation in each area of the country of a center of socio-professional reintegration for street children and children in conflict with the law;
- The creation of centers of reintegration of the children guide of beggars and the *talibés* children;
- Extension of Educational, Legal and Preventive Services (SEJUP) in all departments of the country;
- The creation of reception centers for the girls in situation of vulnerability;
- The significant reduction of the infant mortality rate,
- The fight against violence, sexual exploitation of the children, the early marriage;
- Raising the rate of birth registration;
- Increasing the gross enrolment rate in schools
- To extend the cover of social security to the not yet reached populations;
- To support the promotion of the policy of employment, especially with regard to decent work and the access to the productive activities for most vulnerable.

CONCLUSION

In order to achieve the goals of the protection of the child and the promotion of his rights, the government of Niger privileged the development of a dynamic partnership with its technical and financial partners. The principal ones are the UNICEF, the BIT/IPEC and the Embassy of the United States (to quote only these) which intervene in fields such as the fight against the exploitation of the children, the installation of the committees of vigilance on the trafficking of the children, the assistance to children living in prison, the reinforcement of the capacities of the actors involved in the defense of the cause of the child, , etc.

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