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U.S. Department of State

Niger Country Report on Human Rights Practices for 1998

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NIGER

Niger is a republic dominated by a strong presidency. On January 27, 1996, a group of army officers led by then-Colonel Ibrahim Mainassara Bare overthrew the elected government. The leaders of the coup d'etat established a Military Council of National Salvation and a subordinate interim cabinet. The Government subsequently organized a constitutional conference, held a referendum on the new Constitution, and conducted a seriously flawed presidential election, in which Bare was declared the winner. The opposition boycotted the November 1996 legislative elections. Progovernment parties and sympathizers claimed all 83 National Assembly seats. In July the Government and the opposition agreed to cooperate and hold the country's first local elections, in February 1999, to be supervised by a newly formed independent electoral commission. The judiciary remains subject to executive interference.

Security forces consist of the army, the Republican Guard, the gendarmerie (paramilitary police), and the national police. The police and the gendarmerie traditionally have primary responsibility for internal security. However, since the 1996 coup the army has had a much more prominent role. Army officers led the coup with some support from the gendarmerie. Some members of the security forces committed serious human rights abuses during the year.

The economy is based mainly on traditional subsistence farming, herding, small trading, and informal markets. Less than 15 percent of the economy is in the modern sector. Uranium is the most important export. Per capita income is about \$230. Drought, deforestation, soil degradation, low literacy, a flat uranium market, high import prices and burdensome debt further weakened the already troubled economy. Niger is heavily dependent on foreign assistance, which diminished briefly after the 1996

coup, but largely has been restored.

The Government's human rights record improved in some respects, but worsened in others, and many serious problems remain. The 1996 coup and the fraudulent 1996 presidential election effectively disenfranchised citizens, preventing them from exercising their right to change their government. Security forces on occasion intimidated opposition political figures and violated laws governing searches, treatment of prisoners, and length of detention. Prison conditions remained poor, and arbitrary arrest and detention remain problems. The overloaded judicial system and delays in trials resulted in long periods of pretrial confinement. The judiciary is also subject to executive influence. The Government continued to ban some peaceable meetings and demonstrations, although less often than in previous years. The Government intimidated the private press, intensified restrictions on broadcast media and closed a private radio station, and arrested, detained, and mistreated journalists. However, in August the Government enacted amendments that moderated some aspects of its restrictive 1997 press law, and private newspapers often highly critical of the Government and its policies continued to publish. The Government continued to limit freedom of association and restricted freedom of movement. Societal discrimination and domestic violence against women continued to be serious problems. Female genital mutilation persists, despite government efforts to combat it. There is societal discrimination against the disabled and against ethnic minorities. The Government restricts some worker rights.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political killings by government officials. However, security forces were involved in several incidents in which they killed people. On January 21, a reportedly deranged student tried to gain access to the presidential compound by vehicle, and a presidential guard shot and killed by. On February 20, a presidential guard fired into a vehicle that was approaching the presidential compound late at night, killing all four of the civilian occupants. The guards were not disciplined; they each received cash awards for their efforts. On February 21, a presidential guard shot and killed a member of the Interior Ministry's Republican Guard at the entrance of the presidential compound. The presidential guard was arrested and awaited judicial proceedings at year's end.

At the end of February, soldiers in Diffa, Agadez, and Zinder mutinied and took government officials hostage, demanding payment of their salaries. Shots were fired into the air but no deaths were reported. No soldiers were disciplined. However, in May several units of the Republican Guard also mutinied over nonpayment of salaries. A number of persons were injured and four members of the Republican Guard were killed when the Presidential Guard ended the mutiny. The mutiny leaders were arrested.

Disagreements over land usage between sedentary farmers and herders led to at least two incidents of mob violence and killings in the Dosso and Tillaberry departments in the southwest region.

Violence related to the Tuareg ethnic insurgency in the north continued to decrease in the wake of the November 1997 supplemental peace accord, which has been followed by the return of many refugees from Algeria.

On August 21, in Ndjamena, Chad, the Government signed a ceasefire and a peace accord with the Toubou ethnic group's Democratic Front for Renewal (FDR), based in eastern Niger, which was the last

major group still engaged in armed conflict with the Government. The agreement calls for the incorporation of rebel elements into government security and civilian services.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices and in 1998, unlike the previous year, there were no reports that officials employed them.

In April paramilitary police fired tear gas to break up groups of demonstrators who were protesting the rule of President Bare.

Prison conditions are poor. Prisons are underfunded and understaffed. They are overcrowded and diet, health, and sanitary conditions are very poor. Prisoners are segregated by sex, but minors and adults are incarcerated together. Family visits are allowed, and prisoners can receive supplemental food and other necessities from their families. There are no reports of unduly harsh treatment, beyond the very poor conditions of detention, but petty corruption among prison staff is reported to be rampant.

Human rights monitors, including the International Committee of the Red Cross, have unrestricted access to prisons and detention centers and visit them.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention are problems. Although the Constitution prohibits arbitrary arrest and detention, and laws officially prohibit detention without charge in excess of 48 hours, police violate these provisions in practice. If police fail to gather sufficient evidence within the detention period, the prosecutor gives the case to another officer, and a new 48-hour detention period begins. Police, acting under authority given them by the Security Law, conduct sweeps to detain criminals and ensure that identity documents are in order.

The judicial system is seriously overloaded. There are no statutory limits on pretrial confinement of indicted persons. Detention frequently lasts months or years. Some persons have been waiting as long as 7 years to be charged. Of 865 prisoners in Niamey's prison in April, 666 (77 percent) were awaiting trial or had no charges brought against them. On September 23, the police picked up 900 people for questioning, of whom 129 were found to be wanted for various infractions; they were arrested and remained in detention at year's end.

The law provides for a right to counsel, although there is only one defense attorney known to have a private practice outside the capital. A defendant has the right to a lawyer immediately upon detention. The State provides a defense attorney for indigents.

Bail is available for crimes carrying a penalty of less than 10 years' imprisonment. Widespread ignorance of the law and lack of financial means prevent full exercise of these rights.

On January 1, police arrested former Prime Minister Hama Amabou and former ministers Mohamed Bazoum and Issoufou Assoumane, among others, for allegedly plotting to assassinate the President. They were released after a week in detention and charges were never filed. On May 3, security forces

arrested Elhadji Oubandawaki, an activist in the opposition CDS party, during the Government's closure of a private radio station that had broadcast a protest of government press censorship (see Section 2.a.). He was released without being charged within 3 weeks of being arrested.

The Constitution prohibits exile, and there were no reports of its use.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, but it is subject to executive interference. Although the Supreme Court has on occasion asserted its independence, human rights groups assert that family and business ties influence the lower courts and undermine their integrity. Judges sometimes fear reassignment or having their financial benefits reduced if they render a decision unfavorable to the Government.

Defendants and prosecutors may appeal a verdict, first to the Court of Appeals, then to the Supreme Court. The Court of Appeals reviews questions of fact and law, while the Supreme Court reviews only the application of the law and constitutional questions.

The State Security Court that the Government reestablished in 1997, with jurisdiction over crimes against national security, lapsed during the year; its members were neither reappointed nor replaced when their 1-year terms expired.

Traditional chiefs can act as mediators and counselors and have authority in the realm of customary law as well as status under modern law where they are designated as auxiliaries to local administrators. They are charged with collecting local taxes and receive stipends from the Government but do not have police or judicial powers and can only mediate, not arbitrate, disputes under customary law. Customary courts, located only in large towns and cities, try cases involving divorce or inheritance. They are headed by a legal practitioner with basic legal education who is advised by an assessor knowledgeable in the society's traditions. The judicial actions of chiefs and customary courts are not regulated by code, and defendants may appeal a verdict to the formal court system. Women do not have equal legal status with men and do not enjoy the same access to legal redress (see Section 5).

Defendants have the right to counsel, to be present at trial, to confront witnesses, to examine the evidence against them, and to appeal verdicts. The Constitution affirms the presumption of innocence. The law provides for counsel at public expense for minors and indigent defendants charged with crimes carrying a sentence of 10 years or more. Although lawyers comply with government requests to provide counsel, they generally are not remunerated by the Government.

At year's end, there were no reports of political prisoners.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The law requires that police have a search warrant, normally issued by a judge. Police may search without warrants when they have strong suspicion that a house shelters criminals or stolen property. However, human rights organizations report that police often conduct routine searches without warrants. The State Security Law also provides for warrantless searches.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, but the Government did not respect this right in practice.

The Government publishes a French-language daily, *Le Sahel*, and its weekend edition. There are about 12 domestically published private French-language weeklies or monthlies, some of which are loosely affiliated with political parties. The private press remained relatively assertive in criticizing government actions, but there were several attempts by the Government to stifle freedom of the press. Foreign journals circulate and report freely. In August the Government enacted amendments that relaxed some of the restrictions of the 1997 press law that had imposed severe criminal penalties for libel, especially for libeling the President, and had circumscribed press activities. The August amendments lightened the 1997 law's libel penalties and its restrictions on the publication of government documents. However, the strict accreditation requirements imposed on journalists by the 1997 law remained in place.

On April 16, 11 men, some of whom wore military uniforms, attacked that the offices and printing plant of the private weekly *Le Republicain* and unsuccessfully tried to burn down the print shop. Police investigated and ultimately filed false charges of insurance fraud against the weekly's owner. Although the owner has been released, the charges have not been dropped formally.

The Government on May 13 closed down the offices of several private newspapers, ostensibly for nonpayment of taxes. The newspapers reopened 2 weeks later.

Since literacy and personal incomes are both very low, radio is the most important medium of public communication. The government-owned radio *Voix du Sahel* transmits 14 hours per day, providing news and other programs in French, Hausa, Zarma, Tamashek, Fulfulde (also known as Fulani or Kanouri and several other local languages. Several private radio stations broadcast on FM in Niamey, including Radio France International, Africa Number One, Radio et Musique, Radio Souda, Radio Tenere, and Anfani; the last four are locally owned and feature popular news programs in local languages, including Zarma and Hausa.

These private radio stations were generally less critical of government actions than the private newspapers were. Radio Afani remained the domestic station most critical of the Government. Radio et Musique has tried to present news coverage that includes opposition as well as Government points of view. The other private domestic radio stations are smaller and are either owned by individuals who agree with the Government or offer little domestic news programming.

President Bare on April 29 warned private radio stations to stop carrying reports and statements capable of heightening political tension. Police on May 3 shut down a Voice of America (VOA) affiliate, Radio Afani, shortly after it broadcast a statement by journalists protesting government restrictions on media freedom. Moussa Tchangari, director of the newspaper, *L'Alternative*, and Souleymane Keita, the British Broadcasting Company (BBC) correspondent from Zinder, were arrested and later released for their role in drafting and broadcasting the protest. On August 1, the Government's Superior Council on Communication prohibited domestic broadcasting services from rebroadcasting programs of foreign origin, such as VOA, BBC, and Deutsche Welle programs without a time delay that would enable the Government to hold local broadcasters responsible for the programs' content. However, domestic affiliates of international services generally did not comply with this prohibition, and the Government apparently did not enforce it.

The government-operated multilingual National Radio Service provided minimal air time for opposition political views.

Television is a far less important medium than radio. Government-owned Tele-Sahel broadcasts about 4 hours every evening, with programming emphasizing news in French and other major national languages. There are no private television broadcasting stations, apparently because the economic conditions necessary to support one may not exist. The director of a private radio station operates a wireless cable television service for the capital, offering access to international channels.

SONITEL, the state-owned telephone monopoly, operates the country's only Internet service provider. There are no private Internet service providers because government regulation of the telecommunications sector sets prices at prohibitive levels; several individuals hope to enter the Internet service provider market after an anticipated deregulation of the sector. The Government does not restrict access to the Internet through SONITEL, although technical difficulties often do.

The news coverage of the state-owned media reflects government priorities. Presidential activities and conferences dealing with development issues are always covered. Analysis or investigative reporting on domestic topics is extremely rare. Coverage of opposition party events has also been sparse, even during election campaigns--although, during the 1996 legislative elections, there were no opposition candidates to cover. During August and September, state-owned television, in compliance with new guidelines from the Ministry of Communications, devoted more news coverage to opposition candidates. However, during the final quarter of the year, state-owned television news relapsed into its prior habit of giving much more coverage to the ruling party than to all opposition parties combined. The President's brother was credibly said to have encouraged this return to past form.

Academic freedom is respected.

University students on February 27 conducted two violent demonstrations to protest the deterioration of educational facilities and nonpayment of their stipends (then 2 years in arrears). Student used rocks, Molotov cocktails, darts, and arrows. Several students and gendarmes were injured. The university dorms and dining facilities were closed to students.

b. Freedom of Assembly and Association

The Constitution provides for freedom of assembly; however, the Government on occasion banned peaceable meetings and demonstrations. The Government retains the authority to prohibit gatherings either under tense social conditions or if advance notice (48 hours) is not provided. Opposition parties are legally permitted to hold demonstrations but their requests for permission to march were occasionally denied or canceled. The Government prohibited several opposition demonstrations during April and May, when opposition leaders were calling for the replacement of President Bare. During the year, unlike some recent years, the security forces did not break up any peaceful demonstrations.

The Constitution, with some limitations, provides for freedom of association. Citizens may form political parties of any kind except those based on ethnicity, religion, or region, and the Government respects these provisions in practice. There are 24 political parties.

c. Freedom of Religion

The Constitution prohibits any interference with the practice of religion, and the Government generally respects freedom of religion. Most citizens practice Islam. Christians (including Jehovah's Witnesses) and Baha'is practice freely. Foreign missionaries work freely, but their organizations must be registered as Nigerien associations.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for freedom of movement and does not restrict either emigration or repatriation. However, security forces at checkpoints monitor the travel of persons and the circulation of goods, particularly near major population centers, and sometimes demand extra payments. Attacks by bandits on major routes to the north have declined considerably, although persons often travel in convoys with military escorts for security. Among the Hausa and Fulani peoples in eastern Niger, some women are cloistered and may leave their homes only if escorted by a male and usually only after dark (see Section 5).

In May the Government stopped restricting international travel by opposition figures; immigration officials no longer maintain a list of persons who may not leave the country.

The Government cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. In accordance with United Nations principles, the Government offers first asylum to refugees. To date it has offered asylum to several thousand persons from neighboring countries as well as smaller numbers from distant countries. There remain a few Chadian refugee families; 3,000 Tuareg refugees from Mali returned to their country with UNHCR assistance and Nigerien refugees in Algeria were repatriated voluntarily earlier this year.

A human rights organization received one unconfirmed report that two Chadian refugees allegedly were deported forcibly to an unknown destination. Apart from this, there were no reports of forced repatriation of refugees or of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides for the right of citizens to change their Government; however, the January 1996 coup and the fraudulent presidential election later that year effectively disenfranchised citizens, preventing them from exercising this right. President Bare rules by decree when the National Assembly is not in session, and his regime continues to govern, although its field of maneuver is circumscribed by fiscal constraints. The executive is largely unchecked by the weak assembly and judicial branches. The Prime Minister and all other ministers serve at the pleasure of the President. The Council of Ministers, over which the President presides, appoints key officials including members of the Supreme Court, officers of the security forces, regional governors, public and private administrators, and the heads of state-owned companies. The President can initiate legislation either by proposing an act to the National Assembly or by submitting it to a popular referendum.

President Bare overthrew a democratically elected Government. In the days following the coup, Bare and the coup leadership dissolved the National Assembly, banned political party activity, suspended the Constitution, and declared a state of emergency.

In a 1996 referendum with a low turnout, voters approved a new constitution that reiterated rights granted under the 1992 document. The Constitution provides for a political system with checks and balances, an ethnically representative 83-seat National Assembly, and an independent judiciary. Citizens 18 years of age and over can vote, and voting is by secret ballot. The most important constitutional changes increased the powers of the presidency and diminished those of the prime minister.

The military government organized a presidential election in July 1996, in which General Bare ran against four political party candidates. However, midway through the voting, when preliminary results showed Bare running last, the regime dismissed the independent electoral commission, took control of

the ballot boxes, and prevented political party representatives and neutral observers from monitoring the vote tabulation. Bare claimed 52 percent of the vote, a result widely viewed as fraudulent by both local and international observers.

In November 1996, a new National Assembly was chosen by popular vote in a low-turnout contest boycotted by most of the political opposition. The legislative elections generally were regarded as administratively correct but meaningless since the opposition fully boycotted them. Observers selectively monitored the election.

In January the Government arrested three prominent opposition figures on suspicion of plotting to assassinate the President. They spent a week in detention before being released without being charged. The opposition in April launched a campaign to force Bare to resign. Violent demonstrations were followed by harassment of opposition members and journalists. The Government prohibited some opposition demonstrations.

The Government and 11 opposition parties on July 31 reached an agreement to hold local elections with the full participation of all parties. The Government agreed to restore the electoral code of 1996, and to accept: The independent electoral commission as constituted in 1997; a formula for determining the members of the Constitutional Chamber; equitable access to the media; amending the press law; neutrality of government officials; and nonuse of state resources for partisan activities. The Government has honored these commitments, and elections were scheduled for February 7, 1999.

In these elections, voters were to choose members of governing councils for regional, departmental, and community governments. The central Government is to continue to appoint the governors, prefects, and mayors who will continue to exercise executive power at these levels, respectively. The subnational governments are to be empowered within prescribed limits to tax, borrow and receive external assistance directly. Nevertheless, the extent to which they may have to rely on the central Government for their revenues and administrative personnel remains unclear.

Women traditionally play a subordinate role in politics. The societal practice of husbands' voting their wives' proxy ballots effectively disenfranchises many women. This practice was used widely in presidential and National Assembly elections.

In the National Assembly elected in November 1996, only 1 of the 83 elected members was female, compared with 3 in the previous legislature. The last precoup government appointed five women to cabinet positions; the present one has three female ministers.

The Government has supported greater minority representation in the National Assembly, but no seats in the National Assembly are reserved for ethnic minorities. President Bare is from the Hausa ethnic group; previous presidents have been from both of the country's two largest ethnic groups (see Section 5). All major groups are represented in the Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several independent human rights groups and associations normally operate without government hindrance, and they publish findings and conclusions that often are highly critical of the Government in their own publications and in the small private press. Notable among the associations are the Nigerien Association for the Defense of Human Rights (ANDDH); Democracy, Liberty, and Development (DLD); the Nigerien League for the Defense of Human Rights (LNDH); the Network for the Integration and

Diffusion of the Rights in the Rural Milieu (known as "ridd-fitla"); the Niger Independent Magistrates Association (SAMAN); the Observatoire Nationale des Elections (ONE), a reconstitution of the 1996 "Collectif;" and the Association of Women Jurists of Niger. There are several other women's rights groups. The International Committee for the Red Cross is active in Niger. The Government, which welcomed international observers during the 1996 elections, invited international observers to the February 1999 subnational elections.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on sex, social origin, race, ethnicity, or religion. In practice, however, there is discrimination against women, children, ethnic minorities, and disabled persons, including limited economic and political opportunities.

Women

Domestic violence against women is widespread, although firm statistics are lacking. Wifebeating is reportedly common, even in upper social strata. Families often intervene to prevent the worst abuses, and women may (and do) divorce because of physical abuse. While women have the right to seek redress in the customary or modern courts, few do so, due to ignorance of the legal system, fear of social stigma, or fear of repudiation. Women's rights organizations report that prostitution is often the only economic alternative for a woman who wants to leave her husband.

Despite the Constitution's provisions for women's rights, the deep-seated traditional belief in the submission of women to men results in discrimination in the political process (see Section 3) and in education, employment, and property rights.

Discrimination is worse in rural areas, where women do much of the subsistence farming as well as child-rearing, water- and wood-gathering, and other chores. Despite constituting 47 percent of the work force, women have made only modest inroads in civil service and professional employment and remain underrepresented in these areas.

Women's inferior legal status is evident, for example, in head of household status: A male head of household has certain legal rights, but divorced or widowed women, even with children, are not considered to be heads of households. In 1994 the Government considered a draft family code intended to eliminate gender bias in inheritance rights, land tenure, and child custody, as well as to end the practice of repudiation, which permits a husband to obtain an immediate divorce with no further responsibility for his wife or children. However, in June 1994, when Islamic associations condemned the draft code, the then Government suspended discussions. The Bare Government has taken no further action, nor has the current legislature discussed the draft family code. Islamic militants reportedly threatened women who supported the code with physical harm.

Children

Although the Constitution provides that the State promote children's welfare, financial resources are extremely limited. The minimum period of compulsory education is 6 years. However, only about 25 percent of children of primary school age attend school, and about 60 percent of those who finish primary schools are boys.

The majority of young girls are kept at home to work and rarely attend school for more than a few years, resulting in a female literacy rate of 7 percent, compared with 18 percent for males. Tradition among

some ethnic groups allows young girls from rural families to enter into marriage agreements on the basis of which girls are sent at the age of 10 or 12 to join their husbands' families under the tutelage of their mothers-in-law. There are credible reports of underage girls being drawn into prostitution, sometimes with the complicity of the family.

Female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health, is practiced by several ethnic groups in the extreme west and far eastern areas of the country. Clitoridectomy is the most common form of FGM. FGM is not illegal, but the Government is firmly engaged in an effort to eliminate the practice. The Government is working closely with a local nongovernmental organization (NGO), the United Nations Children's Fund, and other donors to develop and distribute educational materials at government clinics and maternal health centers.

People With Disabilities

The Constitution mandates that the State provide for persons with disabilities. However, the Government has yet to implement regulations to mandate accessibility to buildings and education for those with special needs. Regulations do not mandate accessibility to public transport, of which there is little. Societal discrimination against persons with disabilities exists.

National/Racial/Ethnic Minorities

The Hausa and Djerma ethnic groups make up about 56 percent and 22 percent, respectively, of the country's population of nearly 10 million. These two groups also dominate government and business. Ethnic minorities--Tuareg, Fulani, Toubou, Kanouri, and Arab--continue to assert that the Hausa and Djerma discriminate against them. The Government has increased education and health care for ethnic minorities. It supports the April 1995 peace accord, which called for special development efforts in the north where the Tuareg population is dominant. However, nomadic peoples, such as Tuaregs and many Fulani, continue to have less access to government services.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides formal recognition of workers' longstanding right to establish and join trade unions. However, more than 95 percent of the work force is employed in the nonunionized subsistence agricultural and small trading sectors.

The National Union of Nigerien Workers (USTN), a federation made up of 38 unions, represents the majority of salary earners; most are government employees, such as civil servants, teachers, and employees in state-owned corporations. The USTN and the affiliated National Union of Nigerien Teachers (SNEN) profess political autonomy, but like most unions, have informal ties to political parties. There is also a small breakaway union confederation, and independent teachers' and magistrates' unions. However, police, water, and forest worker unions, shut down by the Government in 1996 because of their "paramilitary nature," remain suspended. The customs workers union, suspended in 1996 for the same reason, was dissolved in 1997.

The Constitution provides for the right to strike except for security forces and police. In March 1994, the National Assembly passed a strike law specifying that labor must give notice and begin negotiations before work is stopped; that public workers must maintain a minimum level of service during a strike;

that the Government can requisition workers to provide minimum service; and that striking public sector workers not be paid for the time they are on strike. The latter condition already prevailed in the private sector.

During 1998 labor continued to challenge the Government on various issues affecting workers. The USTN called many short strikes, generally of 1 to 3 days' duration, to support demands for: Payment of several months' wage arrears; cancellation of salary reductions for civil servants and of an increase in income tax rates; and an end to government plans to privatize several state enterprises. Although these strikes failed to achieve their objectives, they demonstrated that the right to strike, within accepted procedures, is permitted.

The USTN is a member of the Organization of African Trade Union Unity and abides by that organization's policy of having no formal affiliations outside the African continent. However, it enjoys assistance from some international unions, and individual unions such as the teachers' union are affiliated with international trade union secretariats.

b. The Right to Bargain Collectively

In addition to the Constitution and the Labor Code, there is a basic framework agreement, negotiated by the USTN's predecessor, employers, and the Government, which defines all classes and categories of work, establishes basic conditions of work, and defines union activities. In private and state-owned enterprises, unions widely use their right to bargain collectively with management without government interference for wages over and above the statutory minimum as well as for more favorable work conditions. Collective bargaining also exists in the public sector. However, since most organized workers, including teachers, are government employees, the Government is involved in most bargaining agreements. The USTN represents civil servants in bargaining with the Government, and agreements between labor and management apply uniformly to all employees.

The Labor Code is based on International Labor Organization principles. It protects the right to organize and prohibits antiunion discrimination by employers. Labor unions reported no such discrimination.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Labor Code prohibits forced or compulsory labor, except by legally convicted prisoners. The code does not specifically mention forced or bonded labor by children. There were no reports of forced and bonded labor.

d. Status of Child Labor Practices and Minimum Age for Employment

Child labor in nonindustrial enterprises is permitted by law under certain conditions. Children under the age of 14 must obtain special authorization to work, and those 14 to 18 years of age are subject to limitation on hours (a maximum of 4½ hours per day) and types of employment (no industrial work) so that schooling may continue. Minimum compulsory education is 6 years, but far fewer than half of school-age children complete 6 years of education.

The law requires employers to ensure minimum sanitary working conditions for children. Law and practice prohibit child labor in industrial work. Forced or bonded labor by children is not specifically prohibited, but there were no reports that it occurred (see Section 6.c.). Ministry of Labor inspectors

enforce child labor laws. Child labor is practically nonexistent in the formal (wage) sector, although children work in the unregulated agricultural, commercial, and artisan sectors, and some, especially foreign youths, are hired in homes as general helpers and baby sitters for very low pay. Rural children (the majority) regularly work with their families from a very early age--helping in the fields, pounding grain, tending animals, getting firewood and water, and other similar tasks. Some children are kept out of school to guide a blind relative on begging rounds. Others are sometimes employed by marabouts (Koranic teachers) to beg in the streets. There is no official recognition of this labor.

e. Acceptable Conditions of Work

The Labor Code establishes a minimum wage for salaried workers of each class and category within the formal sector. The lowest minimum wage is \$42 (24,565 CFA francs) per month. Additional salary is granted for each family member and for such working conditions as night shifts and required travel. Minimum wages are not sufficient to provide a decent standard of living for workers and their families. Government salaries are substantially in arrears, which was a factor in stimulating strikes and military mutinies during the year. Most households have multiple earners (largely in informal commerce) and rely on the extended family for support.

The legal workweek is 40 hours with a minimum of one 24-hour rest period. However, for certain occupations the Ministry of Labor authorizes longer workweeks of up to 72 hours. There were no reports of violations.

The Labor Code also establishes occupational safety and health standards. However, due to staff shortages, inspectors focus on safety violations only in the most dangerous industries: mining, building, and manufacturing. Although generally satisfied with the safety equipment provided by employers, citing in particular adequate protection from radiation in the uranium mines, union workers are in many cases not well informed of the risks posed by their jobs. Workers have the right to remove themselves from hazardous conditions without fear of losing their jobs.

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