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Freedom Of The Press - Niger (2011)

Status: Partly Free
Legal Environment: 21
Political Environment: 21
Economic Environment: 17
Total Score: 59

Status change explanation: Niger improved from Not Free to Partly Free following a regime change that toppled President Mamadou Tandja and brought a transitional military government to power. The new government created a new, more independent media regulatory body and reduced harassment of journalists, censorship, and official control over the media.

Media freedom, which had deteriorated in 2009 in the wake of an attempted power grab by Tandja—who aimed to extend his rule for a third term—dramatically improved in 2010 following a coup by a military junta in February. The new transitional military government, headed by Colonel Salou Djibo, wrote a new constitution designed to reduce the power of future presidents; the charter was supported by more than 90 percent of voters in an October referendum. Elections were scheduled for early 2011.

Article 23 of the Nigerien constitution guarantees every person the right to freedom of thought, opinion, and expression. Government control of media licensing, the requirement that journalists be accredited, and a biased judiciary remain in place and still limit media freedom and contribute to widespread self-censorship. A new media decree was issued in June 2010 stipulating that foreign journalists and media outlets seek clearance from the Ministry of Communication and pay large, nonrefundable fees prior to entering the country to work on films or documentaries, and, on completion, submit final versions of their work to the ministry. However, the decree was suspended in July following widespread protests. No legal cases were brought against journalists during the year, and in March Ali Soumana of *Le Courrier* was cleared of all charges from a 2009 case.

The media landscape witnessed a number of positive developments in support of freedom of expression under the new government. A series of new measures followed a government-hosted forum in late March on ways to improve the media climate. In June, a government decree decriminalized media offenses, leaving fines but not jail time in place as punishments for libel and publication of false information. Another result of the forum was the creation of an independent journalists' organization, the Niger Independent Monitoring Center for Media Ethics and Conduct (ONIMED), to self-regulate the industry by monitoring broadcasts and publications. Plaintiffs who bring complaints to the media self-regulatory body cannot also take legal action on those complaints, but, according to a report by Reporters Without Borders, complainants seem to trust the self-regulatory body and prefer it to the courts.

In April, veteran journalist Abdourahamane Ousmane was

appointed to head the new official media regulatory body, the National Communication Observatory (ONC), which replaced Tandja's repressive High Council on Communication (CSC). Ousmane at the same time served as the chair of the Nigerien Reporters Network for Human Rights (RJDH); he was also a former editor in chief of a privately owned media group, *Alternative*. In June, the ONC authorized the reopening of the privately owned Sahara FM station, which had been closed in April 2008 by the Tandja administration for allegedly disseminating information likely to incite hatred and for undermining the morale of the country's military. In October, the ONC issued new licenses and license extensions for a number of private television stations and commercial and community radio stations.

Harassment of journalists continued to be reported in 2010. In September, Moussa Aksar, publisher of the privately owned newspaper *L'Evenement*, was arrested, detained, and released a day later by security personnel from Niger's intelligence service. Five days before, Aksar had made comments on a French television channel blaming security agents for lapses in the north of the country linked to the abduction of seven foreign nationals by terrorists.

Some 45 private newspapers compete with a state-run daily in the print media market and provide some criticism of the government. The state continues to dominate the broadcasting landscape, though there are 15 private radio stations that broadcast in French and local languages. Some stations air programming from foreign services like Voice of America and Deutsche Welle. Radio is the most widely accessible source of news. Three private television stations operate alongside two state-run stations. Restrictive press licensing legislation and a heavy tax on private media outlets continues to hinder the development of the private media sector. In September, the Niger Press Club appealed for an end to the practice of outside individuals and groups paying journalists "bonuses" for certain articles. Although the government does not restrict internet access, only 0.83 of the population accessed the medium in 2010.