

	Quick Facts	
	Immigration detainees (2018)	Not Available
	Detained minors (2018)	Not Available
	Refugees (2019)	179,997
	International migrants (2019)	294,161
	New asylum applications (2019)	43,584
	Is the NHRI recognised as independent (2019)?	Yes
Ratio of relevant international treaties ratified (2019)	17/19	

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/africa/niger>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	Not Available	2018	Number of immigration detainees on a given day	Not Available	2018
Top nationalities of detainees	Not Available	2018	Number of detained asylum seekers	Not Available	2018
Total number of detained minors	Not Available	2018	Number of detained unaccompanied minors	Not Available	2018
	Not Available	2017			
Number of detained accompanied minors	Not Available	2018	Number of detained stateless persons	Not Available	2018
Immigration detainees as a percentage of total international migrant population	Not Available	2018	Estimated total immigration detention capacity	Not Available	2018
Criminal prison population	8,525	2015	Prison population rate (per 100,000 of national population)	44	2015
	6,899	2012		40	2012
	7,093	2011		43	2011
	6,664	2008		44	2008
	7,432	2005		55	2005
	6,000	2002		51	2002
	5,263	1998		51	1998

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	24,200,000	2020	International migrants	294,161	2019
	21,477,348	2017		296,000	2017
	19,399,000	2015		189,300	2015
International migrants as a percentage of the population	1.4	2017	Refugees	179,997	2019
	1	2015		175,418	2018
				165,732	2017
				166,084	2016
				124,721	2015
				77,830	2014
Ratio of refugees per 1000 inhabitants	8.02	2016	Total number of new asylum applications	43,584	2019
	4.07	2014		16	2016
				78	2014

DOMESTIC LAW

LEGAL TRADITION

Legal tradition	Name	Observation Date
	Civil law	2017
	Customary law	

LAWS AND REGULATIONS

Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	Constitution of the 7th Republic (Constitution de la 7ème République), Art.12 and Art.18	2010	

LAWS AND REGULATIONS

Core pieces of national legislation	Name	Year Adopted	Last Year Amended
	Law No. 40 on the Entry and Stay of Foreigners (Ordonnance N° 81-40 relative à l'entrée et au séjour des étrangers au Niger)	1981	
	Decree No. 87-076 (Décret N° 87-076/PCMS/MI/MAE/C du 18 juin 1987 réglementant les conditions d'entrée et de séjour des étrangers au Niger)	1987	

LAWS AND REGULATIONS

Additional legislation	Name	Year Adopted	Last Year Amended
	Law No. 2015-36 (Loi N° 2015-36 relative au trafic illicite de migrants)	2015	

CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES

Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2018

CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES

Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration	Observation Date
	Unauthorised stay	730	2018

PROCEDURAL STANDARDS

Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Access to consular assistance	Yes		2015

VULNERABLE PERSONS

Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Victims of trafficking	Provided		2015

COVID-19 UPDATES

	Update Status	Observation Date
Latest Update	<p>Niger's Covid-19 situation has been directly impacted by measures taken in neighbouring countries, including in particular Libya, whose push backs of migrants into Niger has forced the country to set up quarantines. As of 31 March, 34 people had tested positive for Covid-19 in Niger. The government has taken certain measures to avoid the spread of the virus, including border closures, curfews, travel bans within the country, and a mandatory two-week quarantine for people arriving in the country. However, this situation has led to hundreds of women, men and children being stuck in Niger. In particular, people returned from Algeria to Niger are now forced to quarantine in tent facilities set up in the border post of Assamaka or in the city of Arlit. The mayor of Arlit stated that "despite the border closure, we see that movements are continuing: People travel through minor routes to avoid border controls and reach Arlit without going through the quarantine." Also, in March, a convoy of pick-up cars carrying 256 people was pushed-back into Niger by Libyan armed forces, leaving migrants in the heat of the desert for days before receiving humanitarian assistance by the IOM and Niger's Civil Protection Department. A transfer to Agadez was organised and people were placed in a quarantine centre in the town set up by the IOM.</p> <p>Subsequently, on 4 and 5 April, 44 people were found at Assamaka and brought to the IOM quarantine site. Organisations such as Doctors Without Borders and the International Federation of the Red Cross have been providing medical and psychological assistance within the centre. In all six IOM operated transit centres in Niger, hand-washing stations have been installed and regular checks for Covid-19 symptoms are undertaken. However, as the centres are operating at their full capacity, the IOM is concerned about a possible outbreak of the virus. On 27 March 2020, President Mahamadou Issoufou announced that 1,540 prisoners would be released due to the Covid-19 crisis and the risk of contagion within prisons. Priority would be given to older prisoners, prisoners with chronic diseases and all of those sentenced to less than 9 months in prison.</p>	2020

INTERNATIONAL LAW

Relevant international treaties and date of ratification

International treaties	Name	Ratification Year
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2014
	OP ICESCR, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	2014
	VCCR, Vienna Convention on Consular Relations	1966
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1967
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1986
	ICCPR, International Covenant on Civil and Political Rights	1986
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1999
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1998
	CRC, Convention on the Rights of the Child	1990
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	2009
	CRPD, Convention on the Rights of Persons with Disabilities	2008
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance	2015
	CRSR, Geneva Convention Relating to the Status of Refugees	1961
	CRSSP, Convention Relating to the Status of Stateless Persons	2014
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2004
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2009
PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1970	
Ratio of relevant international treaties ratified	17/19	

Relevant international treaties and date of ratification

International treaty reservations	Name	Reservation Year	Observation Date
	CEDAW Article 2	1999	2017

Relevant international treaties and date of ratification

Individual complaints procedure	Name	Acceptance Year
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1986
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2004
	CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2008

Relevant international treaties and date of ratification

Ratio of complaints procedures accepted	Number	Observation Date
	3/9	2017

Relevant international treaties and date of ratification			
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
		Committee on Migrant Workers	§ 33. In the light of the Committee's general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families, the Committee recalls that administrative detention should be used only as a last resort and that children should never be detained solely for immigration-related reasons. It recommends that the State party consider alternatives to administrative detention. The Committee also recommends that the State party: (a) Include detailed, disaggregated information in its second periodic report on the number of migrant workers detained for immigration offences and the place, average duration and conditions of their detention; (b) Ensure that migrant workers detained for violations of immigration law are not held together with persons accused or convicted of a criminal offence; [...]

Regional treaties, regulations, and directives		
Regional legal instruments	Name	Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	ACHPR, African Charter on Human and Peoples Rights	1986
	ACRWC, African Charter on the Rights and Welfare of the Child	1999

Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recommendation Issued	Year Issued	Observation Date
	No	2011	2017
	No	2016	2017

INSTITUTIONAL INDICATORS			
Detention monitoring institutions			
Authorized monitoring institutions	Institution	Institution Type	Observation Date
	Commission Nationale des Droits Humains (CNDH)	National Human Rights Institution (or Ombudsperson) (NHRI)	2018
Detention monitoring institutions			
Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?		Observation Date
	Yes		2019
Detention monitoring institutions			
Does NHRI carry out visits?	Does NHRI carry out visits in practice?		Observation Date
	Yes		2015
Detention monitoring institutions			
Does NHRI have capacity to receive complaints?	Does NHRI have capacity to receive complaints?		Observation Date
	Yes		2012

Foreign sources of funding for detention operations		
Does the country receive external sources of funding?	Benefitted from non-state funding sources?	Observation Date
	Yes	2016
Foreign sources of funding for detention operations		
Description of foreign assistance	Description of non-state assistance	Observation Date
	From the EU Emergency Trust Fund for Africa: 6 million EUR for the establishment of a joint investigation team to combat irregular migration, human trafficking, and people smuggling	2016
	From the EU Emergency Trust Fund for Africa: 30 million EUR to support Niger in its fight against organised crime, smuggling, and human trafficking (AJUSEN)	2016
	From the EU Emergency Trust Fund for Africa: 7 million EUR for the response mechanism and resources for migrants (MRRM)	2016
	From the EU Emergency Trust Fund: 15 million EUR for the trust fund's Programme de renforcement de la gestion et de la gouvernance des migrations et le retour durable au Niger (Sustainable Return from Niger - SURENI)	2016

More information about immigration detention in Niger is available at the website of the Global Detention Project (www.globaldetentionproject.org)