



Parliamentarians for Global Action
Parlamentarios para la Acción Global
Action Mondiale des Parlementaires
برلمانيون من أجل التحرك العالمي

Stakeholder Report for the United Nations Universal Periodic Review of the Republic of Niger

Submitted by

Parliamentarians for Global Action (PGA)

**For the 36th Session of the Working Group on the Universal
Periodic Review (Third Cycle)**

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Parliamentarians for Global Action (PGA) is the largest non-governmental, cross-party, international network of individual legislators with approximately 1,200 members in 134 parliaments worldwide. PGA mobilizes parliamentarians as champions committed to promoting the rule of law, democracy, human security, inclusion, and gender equality. By using a peer-to-peer methodology and country-specific strategies, PGA educates, sensitizes, and builds the technical capacity of parliamentarians to take concrete initiatives and legislative actions to achieve results on PGA's campaign objectives. PGA supports individual parliamentarians in their national contexts and parliaments and then leverages that capacity with international networking to support democracy, human rights, and peace. The organization's vision is to contribute to creating a rules-based international order for a more equitable, safe, and democratic world. PGA is in general consultative status with the Economic and Social Council of the United Nations with headquarters in New York; its office in The Hague, Netherlands, fosters cooperation with The Hague-based International Organizations, including the International Criminal Court.

Introduction

1. With this submission, Parliamentarians for Global Action (PGA) wishes to promote the ratification/ accession and implementation of the Rome Statute of the International Criminal Court (ICC) and other key instrument on international criminal justice in Niger and raise awareness of key activities it has undertaken to this effect in Niger. PGA believes that the ratification and implementation of the Rome Statute is an essential step to strengthen the rule of law, seek justice for victims, and, most importantly, end impunity for the commission of grave international crimes. To this end, PGA provides the following recommendations and actions to encourage Niger to take the appropriate measures to adopt this essential instrument.

I. Legal Framework

2. Niger signed the Rome Statute on 17 July 1998 and deposited its instrument of ratification on 11 April 2002;
3. Niger has not ratified the Amendments to the Rome Statute adopted by the 2010 Review Conference (Kampala Amendments) on the crime of aggression and the use of certain weapons in armed conflict not of an international character;
4. Niger has not ratified the Agreement on Privileges and Immunities of the ICC (APIC);
5. Niger has not ratified the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity.

II. 2016 Universal Periodic Review

6. During the 2nd Cycle, Niger accepted recommendations to harmonize and fully align its national legislation with the Rome Statute and allow full cooperation with the ICC (Belgium and Costa Rica).ⁱ

III. PGA's Activities

7. During PGA's 9th session of the **Consultative Assembly of Parliamentarians on the ICC & the Rule of Law**, over a 100 Parliamentarians from 50 countries worldwide met in Dakar, Senegal, to affirm their support for the Rome Statute system against impunity. The Speaker of the Parliament from Niger, led their official delegation and participated in these important discussions.ⁱⁱ
8. During a Roundtable on the implementation of the Rome Statute convened in October 2017 in Niamey by PGA, one of Niger's PGA member stressed that the Parliament would be ready to adopt the reforms needed to fully implement the Rome Statute whenever the government would transmit them for consideration and adoption by Parliament.ⁱⁱⁱ
9. In 2019, Niger also participated in the PGA Working Group on the Fight against Impunity in Africa hosted by the National Assembly of the Gambia. 40 participants from 15 African countries met to explore mechanisms designed to provide accountability for serious human rights violations and international crimes.^{iv}

IV. Recommendations

10. PGA wishes to commend Niger's implementation of the Rome Statute into its domestic law. Nonetheless, PGA considers it appropriate to highlight that several underlying acts under genocide, crimes against humanity and war crimes, have not yet been incorporated. This leaves an important legal vacuum in Niger's legislation.
11. PGA recommends Niger to fully implement the Rome Statute to guarantee effective domestic investigations and prosecutions;
12. Ratified the Agreement on Privileges and Immunities of the ICC (APIC).
13. Ratify the Kampala Amendments to the Rome Statute; *and*
14. Ratify the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity.

End Notes

ⁱ Responses to Recommendations & Voluntary Pledges: Niger (01 September 2016) https://www.upr-info.org/sites/default/files/document/niger/session_24_janvier_2016/recommendations_and_pledges_niger_2016.pdf

ⁱⁱ Parliamentarians for Global Action, *Consultative Assembly of Parliamentarians on the ICC and the Rule of Law* (10 December 2016), available at: <https://www.pgaction.org/news/cap-icc-ix.html>

ⁱⁱⁱ Parliamentarians for Global Action, *Roundtable on Strengthening the Implementation of the Rome Statute and the Fight against Impunity in Niger* (02 November 2017), available at: <https://www.pgaction.org/news/roundtable-niger.html>

^{iv} Parliamentarians for Global Action, *Working Group on the Fight against Impunity in Africa* (12 July 2019), available at: <https://www.pgaction.org/news/banjul-working-group-on-the-fight-against-impunity-in-africa.html>