



NIGER

ARTICLE 5 DEADLINE: 31 DECEMBER 2020
(UNCLEAR WHETHER ON TRACK TO MEET DEADLINE)

PROGRAMME PERFORMANCE	2017	2016
Problem understood	7	9
Target date for completion of mine clearance	1	1
Targeted clearance	8	8
Efficient clearance	6	6
National funding of programme	6	6
Timely clearance	5	5
Land-release system in place	6	6
National mine action standards	6	6
Reporting on progress	5	4
Improving performance	6	7
PERFORMANCE SCORE: AVERAGE	5.6	5.8

PERFORMANCE COMMENTARY

Norwegian People's Aid (NPA) undertook an assessment mission to Niger in 2017 and identified three hazardous areas contaminated with anti-personnel mines, one of which was previously unknown. In April 2018, Niger submitted its first Anti-Personnel Mine Ban Convention (APMBC) Article 7 transparency report since 2012, which included a demining workplan for 2017–20. However, this workplan is based on clearance of only one of the three mined areas and will need to be revised once the extent of the contamination is confirmed.

RECOMMENDATIONS FOR ACTION

- Niger should provide an updated workplan based on the new assessment of contamination, with benchmarks against which progress can be assessed, including a monthly and annual breakdown of areas to be addressed and a corresponding budget.
- Niger should provide regular updates on progress in addressing its APMBC Article 5 obligations and continue to submit an annual Article 7 report that includes up-to-date information on contamination and clearance.
- Niger should develop a resource mobilisation plan that includes the new assessment of contamination to meet funding needs beyond expected national contributions.
- Niger should ensure that its national mine action standards are in accordance with international standards and that there is a quality management system in place to safeguard the quality of demining operations.

CONTAMINATION

The extent of anti-personnel mine contamination in Niger is unclear. In April 2018, Niger reported that it had two mined areas in Madama, a military base in the north-east of the country: a confirmed hazardous area (CHA) of 39,394m² (Area 1) and a suspected hazardous area (SHA) of 196,243m² (Area 2).¹ Niger deployed a team of 60 deminers to the CHA in November 2014, and reported that, as at November 2015, more than 17,000m² had been cleared with 750 mines destroyed.² On 25 October 2016, Niger confirmed that all 39,304m² had been demined, with the destruction of 1,075 mines.³ However, this is contradicted in its latest Article 7 report, where Niger stated that only half of Area 1 has been cleared, which would give a new contamination estimate of 19,697m².⁴

NPA undertook an assessment mission to Niger on 4–11 December 2017, travelling to Madama, and identified a total of three hazardous areas (Area 1, Area 2, and also a third previously unknown mined area – Area 3). Although deminers were deployed to Area 1, a perimeter minefield encircling a former French military position, from November 2014 to January 2016, NPA found uncertainty as to whether the area had been fully cleared. There are differing reports of the extent of clearance, which range from 29,000 up to 39,304m² and the national authority told NPA about an issue with an item found during quality control. Area 2, a fenced minefield immediately south of the former French military position, is believed to contain Model 51/55 bounding fragmentation anti-personnel mines and may also contain M51 blast anti-personnel mines. Area 3, a minefield close to Area 2 seemingly laid to prevent traffic between two oases, is an unfenced and unsurveyed minefield the size of which is unknown but mines were reportedly laid in a single straight line north-west to south-east.⁵ Twelve M51 blast anti-personnel mines have been cleared in an ad-hoc manner by the Niger Armed Forces (FAN) who were using the area for military exercises. This was reported to NPA during the assessment mission and NPA also observed one M51 mine in the area, which was visible from a frequently used path.⁶

Niger also identified five additional SHAs in the Agadez region (in the Achouloulouma, Blaka, Enneri, Orida, and Zouzoungga) but they were believed to contain only anti-vehicle mines.⁷ Niger reported that non-technical and technical survey in May 2014 had removed the suspicion of the presence of anti-personnel mines.⁸ The areas are all located in Niger's Agadez region, in the north in a remote desert area, 450km from the rural community of Dirkou in Bilma department and reported to contain mines that date back to the French colonial era.⁹

Niger's contamination includes other areas that contain only anti-vehicle mines, which are the result of rebellion in 1990–2000 as well as fighting in 2007 between the Nigerien army and a non-state armed group, the Nigerien Justice Movement (Mouvement des Nigériens pour la Justice), and some splinter factions.

In 2017, there were numerous reports of casualties and incidents involving the use of landmines by Boko Haram in Nigeria close to the border with Niger (see Mine Action Review's *Clearing the Mines* report on Nigeria for further information). In January 2016, at least six Nigerien soldiers were reported to have been killed by an explosion when an army vehicle detonated a mine 10km from Kabalewa, in Diffa region, on the banks of the Yobe river along the border with Nigeria.¹⁰ In its latest Article 7 report (for 2013 to April 2018) Niger reported that the region of Diffa has become difficult for humanitarian agencies for fear of mines, explosive remnants of war (ERW), and improvised devices because of the actions of Boko Haram.¹¹

PROGRAMME MANAGEMENT

The national mine action programme is managed by the National Commission for the Collection and Control of Illicit Weapons (Commission Nationale pour la Collecte et le Contrôle des Armes Illicites, CNCCAI), which reports directly to the President. All demining has been carried out by the Nigerien army.

Strategic Planning

Niger's first extension request in 2013 included a workplan for 2014–15 requiring clearance of the Madama mined area, technical survey in the northern Kowar (Kaouar) department (Agadez region), and verification of other suspected mined areas. Niger's third extension request submitted in 2016 contains a vague workplan for 2016–20, but does not contain details of annual clearance outputs or milestones.¹²

In its latest Article 7 report, Niger included a workplan for 2017–20 of the SHA covering 196,253m² with clearance purported to begin in June 2018.¹³ In its statement at the June 2018 APMBBC Intersessional Meetings, however, Niger stated that clearance would begin by the end of the year.¹⁴

Legislation and Standards

Niger reported that, as at November 2015, it had drafted national mine action standards (NMAS) in accordance with the International Mine Action Standards (IMAS). No information has been provided on whether Niger's NMAS have been finalised and adopted.

Operators

Niger reported that, as at November 2015, it was in the process of training deminers and eight community liaison officers for deployment in Kowar. It has reportedly had between 60 and 90 deminers operating at Madama since November 2014; in mid-2015, however, it acknowledged that due to lack of adequate equipment, it was not possible for all deminers to work at the same time.¹⁵

In May 2015, NPA conducted an evaluation mission in Niger and subsequently offered to provide assistance to national demining efforts by donating equipment to enable the deployment of more deminers and short-term technical support to improve Niger's clearance productivity.¹⁶ In December 2017, NPA conducted a second monitoring mission in Niger to assess the possibility of assisting Niger to reach its Article 5 clearance deadline. Three possible options for intervention are being explored with a follow-up mission planned for the end of 2018.¹⁷

LAND RELEASE

There was no clearance or survey undertaken in Niger in 2017. Niger stated that this was because it had insufficient funds to carry out demining activities given the financial situation of the country. It is unclear how much land was actually cleared in Madama from 2014 to 2016 with reports from ranging from 19,697m² to full clearance of 39,304m².¹⁸ During NPA's monitoring mission in December 2017 reports of clearance ranging from 29,000–39,304m² were given.¹⁹

ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBBC (and in accordance with the four-year extension request granted by states parties in 2016), Niger is required to destroy all anti-personnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 31 December 2020.

States parties decided to grant this second request while noting, as with its previous extension request, that Niger had failed to provide a detailed annual workplan for clearance and benchmarks against which to assess progress. As such, Niger was requested by states parties to provide a revised detailed workplan with a list of all areas known or suspected to contain anti-personnel mines, along with monthly and annual projections of which areas would be addressed during the extension period. The importance of submitting an updated Article 7 report on an annual basis was further emphasised.²⁰

In April 2018, Niger submitted its first Article 7 report since 2012. Unfortunately, much of the report is repetition of the same information from its 2015 and 2016 Article 5 deadline extension requests. Niger did include a workplan for demining a total of 196,253m² in 2017–20. However, the figures given in the table are inaccurate and some of the totals are illegible.²¹

Niger's Article 5 clearance deadline under its first extension request expired on 31 December 2015. It stated that due to greater than expected contamination at Madama and the identification of the other area of suspected mine contamination, it would not meet this deadline. On 12 November 2015, just a few weeks before the Fourteenth Meeting of States Parties, Niger submitted a second request for a five-year extension until 31 December 2020.

Instead, states parties decided to grant Niger a one-year extension only, noting that Niger had failed to submit its request within the agreed timeline prior to the meeting and thus had not permitted time for sufficient analysis or discussion. The decision “noted that Niger and the Convention as a whole would benefit from a full extension process taking place” and requested that, as such, Niger “submit a request, in accordance with the established process, by 31 March 2016”.²² The decision also observed that the plan presented by Niger in the request was “workable but lacks ambition” and requested that Niger provide, in its revised submission, an updated workplan with an up-to-date list of all areas known or suspected to contain anti-personnel mines and annual clearance projections during the period covered by the request.²³

In April 2016, Niger re-submitted its extension request for a period of four years, until 31 December 2020.²⁴ The revised submission includes geo-coordinates for the Madama mined area, but fails to include a detailed annual workplan or any specific annual projections for the clearance of the remaining mined areas, despite this being an essential part of any extension request, and it having been explicitly requested to do so by the meeting of states parties.²⁵

In its extension requests, Niger has noted desert environment, insecurity, and lack of funding as challenges for the implementation of its clearance obligations, along with the remote location of contamination and the need for a weekly military escort to carry out demining.²⁶

Niger funded all mine action activities in 2014–15.²⁷ Under its latest extension request, Niger has said that more than US\$3.2 million in funding is needed to fulfil its remaining Article 5 obligations, including \$1 million for the CNCCAI from the national budget over the five-year period, and \$2.2 million to be mobilised from external donors.²⁸ In its statement at the June 2018 APBMC Intersessional Meetings, Niger stated that without the support of partners it was unlikely that Niger would be able to complete clearance by its Article 5 deadline and reserved the right to submit another extension request by the end of December 2019.²⁹

Niger has made repeated appeals for international assistance for mine action and claimed receiving no external support for its activities, save for assistance from France for medical evacuation in the case of demining accidents.³⁰ However, as noted above, following an assessment mission to Niger in May 2015, NPA submitted an offer to provide Niger with assistance, including provision of personal protective equipment, so that more deminers could work simultaneously, as well as a technical advisor to evaluate current methodology and trial equipment, which it believed could significantly increase speed and productivity.³¹ Danish Demining Group (DDG) also offered to help Niger to complete clearance, but Niger did not respond to either organisation’s offer.³² In December 2017, NPA undertook a second monitoring mission to Niger as NPA was unable to access Madama during the first mission. NPA planned to conduct a follow-up mission by the end of 2018 and supports the view that Niger should develop a resource mobilisation plan that demonstrates their national commitment to demining.³³

At the Fifteenth Meeting of States Parties in December 2016, France announced that it would provide support to contribute to the clearance of the area around Madama fort, set to begin in 2017.³⁴ In June 2017, Niger confirmed that it had accepted France’s offer for technical support for an evaluation of the terrain around Madama, which it stated would better inform its planning and allow it to prepare an updated Article 7 transparency report.³⁵ In its statement at the June 2018 Intersessional Meetings, Niger stated that it was still waiting on the offer of support from France to manifest.³⁶

- 1 Article 7 Report (for 2013–April 2018), Annex I, p. 19.
- 2 Second Article 5 deadline Extension Request, 6 November 2015, p. 8; and Executive Summary of Niger’s Second Article 5 deadline Extension Request, 27 November 2015, p. 2. Niger’s extension request stated that 17,000m² had been cleared and 628 mines destroyed. Second Article 5 deadline Extension Request, 6 November 2015, p. 9.
- 3 Analysis of Niger’s Third Article 5 deadline Extension Request, 25 October 2016, p. 3.
- 4 Article 7 Report (for 2013 to April 2018), Annex I, p. 17.
- 5 Email from Jean-Denis Larsen, DRC Country Director, NPA, 19 July 2017.
- 6 Emails from Jean-Denis Larsen, DRC Country Director, NPA, 19 July 2017 and 3 October 2018.
- 7 Observations on the extension request submitted by Niger by the Committee on Article 5 Implementation, 27 November 2015, p. 4; and Statement of Niger, Standing Committee on Mine Action, Geneva, 11 April 2014.
- 8 Third Article 5 deadline Extension Request, 15 March 2016, p. 6.
- 9 Executive Summary of Niger’s Second Article 5 deadline Extension Request, 27 November 2015; and statement of Niger, Third Review Conference, Maputo, 24 June 2014.
- 10 “Landmine Explosion Kills 6 Soldiers at Niger-Nigerian Border”, Africa News, 18 January 2016, at: <http://www.africanews.com/2016/01/18/landmine-explosion-kills-6-soldiers-at-niger-nigerian-border/>.
- 11 Article 7 Report (2013 to April 2018) Annex I, p. 17.
- 12 Third Article 5 deadline Extension Request, received 15 April 2016.
- 13 Article 7 Report (2013 to April 2018) Annex I, p. 23.
- 14 Statement of Niger, Committee on Article 5 Implementation, Geneva, 7–8 June 2018.
- 15 Niger stated that in addition to the 60 deminers active at Madama since November 2014, 40 were trained in February 2015, 30 of whom were said to have been deployed by April 2015. Statement of Niger, Committee on Article 5 Implementation, Geneva, 25 June 2015; and interview with Chris Natale, Mine Action Advisor, NPA, in Geneva, 26 June 2015.
- 16 Interview with Chris Natale, NPA, in Geneva, 26 June 2015.
- 17 Emails from Jean-Denis Larsen, NPA, 19 July 2017 and 3 October 2018.
- 18 Analysis of Niger’s Third Article 5 deadline Extension Request, 25 October 2016, p. 3; and Article 7 Report (for 2013 to April 2018).
- 19 Email from Jean-Denis Larsen, NPA, 19 July 2017.
- 20 Additionally, states parties stipulated four areas on which Niger should report, including progress made in accordance to its forthcoming 2016–20 workplan; any negative or positive impacts on implementation deriving from changes in the security situation; efforts to mobilise necessary financial and technical support; and any external finance and assistance received along with resources made available by the Government of Niger. “Decision on the request submitted by Niger for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention”, 15th Meeting of States Parties, Santiago, 1 December 2016.
- 21 Article 7 Report (2013 to April 2018), Annex I, p. 23.
- 22 “Decision on the request submitted by Niger for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention”, 14th Meeting of States Parties, Geneva, 4 December 2015.
- 23 Ibid.
- 24 Third Article 5 deadline Extension Request, 15 March 2016 (received 15 April 2016).
- 25 Historically, from 2002–06, Niger consistently reported the existence of mined areas in the country. However, at the 2008 Intersessional Meetings, Niger declared that no areas on its territory were suspected to contain anti-personnel mines, stating it had evidence only of the presence of anti-vehicle mines. Nonetheless, in May 2012, more than two years after the expiry of its Article 5 clearance deadline, Niger reported to states parties that at least one mined area contained anti-personnel mines in. In July 2013, more than four years after its original deadline expired, Niger submitted its first extension request, following the discovery of one known and five suspected mined areas in the Agadez region in June 2011. In granting the request, states parties regretted the delay between the discovery of contamination and the beginning of demining. See: Article 7 reports for 2002–06; Statements of Niger, Standing Committee on Mine Action, Geneva, 5 June 2008 and 28 May 2012; and Article 5 deadline Extension Request, Decision, 5 December 2013.
- 26 Article 5 deadline Extension Request, 1 July 2013; Executive summary of Niger’s Second Article 5 deadline Extension Request, 27 November 2015, p. 2; and Third Article 5 deadline Extension Request, 15 March 2016, p. 14.
- 27 Interview with Youssouf Maïga, CNCCAI, Geneva, 25 June 2015.
- 28 Third Article 5 deadline Extension Request, 15 March 2016, pp. 11–13; and Executive Summary of Niger’s Second Article 5 deadline Extension Request, 27 November 2015, p. 3.
- 29 Statement of Niger, Committee on Article 5 Implementation, Geneva, 7–8 June 2018.
- 30 Statements of Niger, Committee on Article 5 Implementation, Geneva, 19–20 May 2016; and 14th Meeting of States Parties, Geneva, 1 December 2015; Third Article 5 deadline Extension Request, 15 March 2016, p. 13; and Executive Summary of Niger’s Second Article 5 deadline Extension Request, 27 November 2015, p. 3.
- 31 Email from Chris Natale, NPA, 29 July 2016.
- 32 Statement of the International Campaign to Ban Landmines, 15th Meeting of States Parties, Santiago, 28 November 2016.
- 33 Emails from Jean-Denis Larsen, DRC Country Director, NPA, 19 July 2017 and 3 October 2018.
- 34 Statement of France, 15th Meeting of States Parties, Santiago, 30 November 2016.
- 35 Statement of Niger, Committee on Article 5 Implementation, Geneva, 8 June 2017.
- 36 Ibid.