

NIGER



ARTICLE 5 DEADLINE: 31 DECEMBER 2020
 (NOT CLEAR IF ON TRACK TO MEET DEADLINE)

MINE ACTION PROGRAMME PERFORMANCE	For 2016	For 2015
Problem understood	9	8
Target date for completion of mine clearance	1	4
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	4	5
Improving performance	7	8
PERFORMANCE SCORE: AVERAGE	5.8	6.2

PERFORMANCE COMMENTARY

In December 2016, Niger was granted its third Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline extension, for a period of four years until the end of 2020. It failed to submit a detailed workplan to accompany the extension request as required by 30 April 2017, nor has it provided sufficient information to justify requiring up to four years to clear a relatively small area of remaining contamination. It is also in violation of its obligation to submit annual Article 7 transparency reports.

RECOMMENDATIONS FOR ACTION

- Niger should provide a detailed workplan to accompany its revised Article 5 extension request, 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 Article 5 obligations and submit annual Article 7 reports, which it has failed to do since 2012.
- Niger should develop a resource mobilisation plan to meet funding needs beyond expected national contributions, and should accept offers of assistance in a timely manner, which would improve the speed and efficiency of clearance and enable completion far earlier than 2020.

CONTAMINATION

At the end of 2016, Niger reported that only one suspected hazardous area (SHA) remained, with an estimated size of 196,523m² and believed to contain both anti-personnel and anti-vehicle mines.¹ This mined area had been discovered during survey of the mined area nearby that had been the subject of Niger's extension request in 2016.

Previously, at the end of 2015, Niger had approximately 22,300m² of anti-personnel mine contamination remaining from a mined area identified in 2014, covering 39,000m².² The area, located at Madama military post, was identified during an assessment mission in June 2011 and initially estimated to cover 2,400m².³ Technical survey in 2014 concluded that the extent of contamination was considerably larger than the earlier estimate.⁴ Niger deployed a team of 60 deminers to the area in November 2014, and reported that, as at November 2015, more than 17,000m² had been cleared with 750 mines destroyed.⁵ On 25 October 2016, Niger confirmed that 39,304m² had been demined, with the destruction of 1,075 mines.⁶ It is not known if the area as a whole has yet been formally released.

Five additional SHAs were also identified in Agadez region (in the Achouloulouma, Blaka, Enneri, Orida, and Zouzoulinga) 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 French MI AP ID 51 mines, which 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 2015–16, there were a number of reports of casualties and incidents involving the use of "landmines" and victim-activated improvised explosive devices (IEDs) by Boko Haram, primarily in the south-eastern Diffa region along the border with Nigeria, as Niger increased its participation in joint military offensives against Boko Haram as part of a Multi-National Joint Task Force launched in 2015.¹⁰ Most reports appear to describe the use of locally produced victim-activated improvised explosive devices (IEDs) made by Boko Haram, which were either anti-personnel mines or anti-vehicle mines.¹¹ It is not clear how many civilians were casualties of these devices in 2015–16; a number of reports cite mainly Nigerien soldiers, but also civilians killed or injured by mines, in incidents which appear to have involved improvised roadside bombs targeting vehicles.

In one incident, 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.¹² In February 2015, two people on a horse and cart were killed in Zaourararm when a mine exploded beneath it, thought to have been planted by Boko Haram.¹³ Just days earlier, two soldiers were reported to have been killed and four injured by a mine laid by Boko Haram near the town of Bosso.¹⁴

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.

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 Kawar (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.¹⁵

Operators

Niger reported that, as at November 2015, it had drafted national mine action standards in accordance with the International Mine Action Standards (IMAS) and was in the process of training deminers and eight community liaison officers for deployment in Kawar. 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.¹⁶

In May 2015, Norwegian People's Aid (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.¹⁷ Niger has not accepted the support NPA offered.

LAND RELEASE

According to Niger, as at 25 October 2016, all 39,304m² of the confirmed mined area at Madama had been cleared, with the destruction of 1,075 mines.¹⁸ Previously, Niger reported that from the initiation of operations at Madama in November 2014 to November 2015, a total of 17,000m² had been cleared and 750 mines destroyed.¹⁹

ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBC (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

Niger failed to submit a revised workplan by 30 April 2017, but at the convention's intersessional meetings in June 2017, Niger informed states parties of monthly and annual demining projections, beginning in July 2017 through to July 2020, including a total of 25,000m² to be addressed in 2017; 68,500m² in 2018; 69,247m² in 2019; and 35,000m² in 2020, for a total of 197,747m² to be addressed.²¹

Niger has not, however, submitted an updated Article 7 report covering calendar year 2016, also due by 30 April 2017. At the intersessional meetings, it stated it was unable to submit an updated Article 7 report as requested and that it was waiting for assistance from France, which was to be provided in the summer of 2017, to conduct a field evaluation in order to better refine its planning and inform the report.²²

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”.²³ 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.²⁴

In April 2016, Niger re-submitted its extension request for a period of four years, until 31 December 2020.²⁵ 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.²⁶

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.²⁷

Niger funded all mine action activities in 2014–15.²⁸ 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.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 also offered to help Niger to complete clearance, but Niger did not respond to either organisation’s offer.³²

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 2017.³³ 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.³⁴ Given the relatively small amount of suspected contamination remaining, Niger should be able to complete survey and clearance of this limited area of contamination remaining well in advance of its four-year extended deadline.

- 1 Executive Summary of Niger's Third Article 5 deadline Extension Request, 4 October 2016.
- 2 Second Article 5 deadline Extension Request, 6 November 2015, pp. 6 and 8.
- 3 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.
- 4 Statement of Niger, Intersessional meetings (Committee on Article 5 Implementation), Geneva, 25 June 2015; and interview with Youssouf Maïga, Chair, National Commission for the Collection and Control of Illicit Weapons (Commission Nationale pour la Collecte et le Contrôle des Armes Illicites, CNCCAI), in Geneva, 25 June 2015.
- 5 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.
- 6 Analysis of Niger's Third Article 5 deadline Extension Request, 25 October 2016, p. 3.
- 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, Intersessional meetings (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 See M. P. Moore, "This Month in Mines, February 2015", Landmines in Africa blog, 12 March 2015, at: <https://landminesinafrica.wordpress.com/2015/03/12/the-month-in-mines-february-2015/>; and "Multinational Joint Task Force (MNJTF)", *GlobalSecurity.org*, at: <http://www.globalsecurity.org/military/world/int/mnjtf.htm>.
- 11 M. P. Moore, "This Month in Mines, February 2015", Landmines in Africa blog.
- 12 "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/>.
- 13 "Two people killed by suspected Boko Haram mine blast in Niger", *Reuters*, 26 February 2015, at: <http://www.reuters.com/article/us-nigeria-violence-niger/two-people-killed-by-suspected-boko-haram-mine-blast-in-niger-idUSKBN0LU1NR20150226>.
- 14 "Boko Haram mines kills two soldiers in southeast Niger: ministry", *Reuters*, 24 February 2015, at: <http://www.reuters.com/article/us-nigeria-violence-niger-idUSKBN0LS1E020150224>.
- 15 Third Article 5 deadline Extension Request, received 15 April 2016.
- 16 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, Intersessional meetings (Committee on Article 5 Implementation), Geneva, 25 June 2015; and interview with Chris Natale, Mine Action Advisor, Norwegian People's Aid (NPA), in Geneva, 26 June 2015.
- 17 Interview with Chris Natale, NPA, in Geneva, 26 June 2015.
- 18 Analysis of Niger's Third Article 5 deadline Extension Request, 25 October 2016, p. 3. In its revised second extension request, Niger gave new, but conflicting reports that as at March 2016, "more than 39,304m² had been demined and close to 1,075 mines removed"; but then also stated that "93,042m²" had been demined, and a total of 1,075 mines destroyed. It clarified to the Committee on Article 5 Implementation on 25 October 2016 that 39,304m² had been cleared and 1,075 mines destroyed.
- 19 Observations on the extension request submitted by Niger by the Committee on Article 5 Implementation, 27 November 2015, p. 4.
- 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 It erroneously reported, though, that this total was 196,253m². Statement of Niger, Intersessional meetings (Committee on Article 5 Implementation), Geneva, 8 June 2017.
- 22 *Ibid.*
- 23 "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.
- 24 *Ibid.*
- 25 Third Article 5 deadline Extension Request, 15 March 2016 (received 15 April 2016).
- 26 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; statement of Niger, Intersessional meetings (Standing Committee on Mine Action), Geneva, 5 June 2008 and 28 May 2012; and Article 5 deadline Extension Request, Decision, 5 December 2013.
- 27 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.
- 28 Interview with Youssouf Maïga, CNCCAI, Geneva, 25 June 2015.
- 29 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.
- 30 Statement of Niger, Intersessional meetings (Committee on Article 5 Implementation), Geneva, 19–20 May 2016; statement of Niger, 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 Statement of France, 15th Meeting of States Parties, Santiago, 30 November 2016.
- 34 Statement of Niger, Intersessional meetings (Committee on Article 5 Implementation), Geneva, 8 June 2017.