

**National Democratic Institute for International Affairs
American Center for International Labor Solidarity**

**NIGER ASSESSMENT MISSION
FINAL REPORT**

February 2 to 14, 1998

INTRODUCTION

From February 2 to 14, 1998, a five-member team representing the National Democratic Institute for International Affairs (NDI) and the American Center for International Labor Solidarity (Solidarity Center) visited Niger at the request and with the funding of the United States Agency for International Development (USAID). The team was led by the Honorable Audrey McLaughlin, former leader of Canada's New Democratic Party. NDI was additionally represented by Senior Program Officer for West Africa Timothy McCoy, and former in-country representative Benjamin Feit. The Solidarity Center was represented by Program Officer Isabelle Chaduteau and its Abidjan-based Regional Representative, Glenn Lesak.

The Solidarity Center and NDI undertook this mission to assess the feasibility of potential democracy and governance programs in Niger following the military coup d'état of January 27, 1996, which overthrew the country's democratically elected government and replaced it with a military-led regime. With the idea of advancing a full and swift return to a democratic civilian government, the mission examined two specific areas: 1) the degree to which the Nigerien regime would or could impede democracy and governance programming and threaten potential partners, and whether alternatives to in-country assistance exist; and 2) the capacity within Niger's community of democratic reformers to effectively pursue genuine political change, the results that could be expected and the timeframe for such results.

While in Niger, the team met leaders from the democratic opposition and pro-regime political parties; leaders and activists within Niger's trade union movement; representatives of Niger's most prominent democracy and governance, human rights and women's civic organizations; journalists from independent print and electronic media; and representatives of the donor community, including the US, Canadian, Danish, German and Swiss embassies/consulates (*See Appendix A*). These meetings were held in Niamey, Dosso, Maradi, Tahoua and Tillabéri. As agreed upon during pre-mission planning, the team did not meet with officials of the military regime.

I. BACKGROUND

A. Pre-1989 Political History

Partisan politics first emerged in Niger in 1946, when Nigerien attendees at a conference held in the territory now known as Mali helped form a pan-African movement called the *Rassemblement Démocratique Africain* (RDA). The Nigeriens who attended the conference returned home to establish one of Niger's first political parties, the *Parti Progressiste Nigérien* (PPN). Soon, offshoots of the PPN emerged, notably the *Union Progressiste Nigérienne* (UPN) and the *Union Nigérienne des Indépendants et Sympathisants* (UNIS). UNIS came to dominate politics after winning the 1948 legislative election. However, by 1960, the PPN -- with the help of Niger's colonial master France -- regained its pre-eminent position in Nigerien politics. The PPN extended its control over the unions and the media to such a degree that Niger became a *de facto* one-party state. By the time France granted full independence to Niger on August 3, 1960, the PPN had virtually eliminated all other political opposition.

Niger's first post-independence government, headed by the PPN's Hamani Diori, lasted until April 15, 1974, when a group of military officers, citing economic problems, corruption and excessive dependence on France, staged a coup and toppled the regime. The new military regime, headed by Armed Forces chief of staff Lt. Colonel Seyni Kountché, created a 12-officer *Conseil Militaire Suprême* (CMS), which suspended the constitution, dissolved the National Assembly and banned all political parties. Only in June 1987 were Nigeriens able to vote in a referendum on a new National Charter. In November 1987, Kountché died and the CMS immediately designated Army Chief of Staff Col. Ali Saïbou as the new head of state.

B. Democratic Transition

In 1989, Saïbou announced the formation of Niger's first officially recognized political party since the 1974 coup. Known as the *Mouvement National pour une Société de Développement* (MNSD), the party was intended by Saïbou to be "the final step in normalizing Niger's politics". However, Saïbou was not yet prepared to permit the establishment of a multiparty system and elections held in 1989 to approve a new constitution and establish a new national legislature were organized within the framework of the single party. Trade union and student activists reacted to the continuation of single-party politics by organizing general strikes and demanding a transition to multiparty politics. In 1991, Saïbou finally agreed to allow multipartyism, and Niger took its first steps to democracy by convening a National Conference. The National Conference called for multiparty democratic elections in 1993, while allowing Saïbou to remain interim president under its supervision. Political parties flourished, with 17 parties gaining official registration by October 1992. The transitional leadership appointed by the conference drafted a new constitution, which was approved in December 1992.

On February 14, 1993, Nigeriens voted in their country's first multiparty legislative elections, choosing representatives to an 83-member National Assembly. A total of 569 candidates representing

12 different political parties contested the elections. The election results gave the MNSD 29 seats in the National Assembly, followed by the *Convention Démocratique et Sociale* (CDS) with 22 seats, the *Parti Nigérien pour la Démocratie et le Socialisme* (PNDS) with 13 seats and the *Alliance Nigérienne pour la Démocratie et le Progrès* (ANDP) with 11 seats. Five smaller parties won the remaining eight seats.

Following the legislative elections, two rounds of presidential elections were held on February 27 and March 27, 1993. CDS leader Mahamane Ousmane and MNSD leader Tandja Mamadou emerged from the first round as the two top vote-getters. Ousmane was elected president after the second round of voting on a wave of support generated by an alliance of parties known as the *Alliance des Forces du Changement* (AFC). Immediately following the elections, AFC parties (CDS, PNDS, ANDP and six smaller parties), having together secured an overall majority in the National Assembly, formed the first government of Niger's Third Republic. Niger's 1993 elections, the first competitive elections since the country's independence, marked the culmination of the transition to a multiparty democratic system. The process of conducting and competing in both the legislative and presidential elections was generally professional, transparent and without fraud, and the results were publicly accepted by all major political parties. Observers both inside Niger and in the wider international community hailed the elections as a model for other democratic transitions in Africa and elsewhere.

C. Coalition Government

Although victorious in the 1993 legislative and presidential elections, the AFC was less successful at remaining cohesive once in power. In fact, the AFC was a fragile coalition of ethnic groups and differing political ideologies. Disagreements regarding the constitutional prerogatives of the president and prime minister developed into a full blown political crisis in September 1994 with the resignation of Prime Minister Issoufou and the withdrawal of his party, the PNDS, from the AFC. The PNDS' departure left President Ousmane's alliance with only 37 of the 83 seats in the National Assembly. An attempt by the president to appoint a new prime minister from within the ranks of the AFC failed a motion of no confidence by the new parliamentary majority comprised of deputies from the MNSD and the PNDS. Shortly afterward, President Ousmane dissolved the 18-month old National Assembly, as permitted under the Nigerien constitution, and scheduled new legislative elections.

After several delays in voting because of logistical and administrative problems, Nigeriens went to the polls on January 12, 1995. Twelve of Niger's 18 registered parties fielded a list of more than 500 candidates. Final results of these elections gave the MNSD/PNDS coalition 43 seats, a slim majority in the 83-seat National Assembly. This result was accepted by all parties, as well as by international and domestic observers, and was validated by the Constitutional Chamber of Niger's Supreme Court.

D. Cohabitation

Niger thus entered a period of power sharing, or *cohabitation*, during which the narrow majority in the National Assembly did not include President Ousmane's CDS political party. Required by the Constitution to name a prime minister from within the new Assembly majority, Ousmane eventually chose MNSD Vice-President Hama Amadou to head Niger's government.

With the president and prime minister from opposing parties, an institutional crisis erupted in the summer of 1995 that tested the strength of Niger's nascent democracy. The crisis, which revolved around a dispute over executive appointments, resulted in President Ousmane refusing to preside over meetings of the Council of Ministers. Because the president is mandated by the Nigerien constitution to chair such meetings if the Council's decisions are to be deemed as binding, Ousmane's refusal blocked the work of the government. The matter was appealed to the Supreme Court, which in August 1995 ruled that the president must convene government meetings and that he and the prime minister must reach consensus on the Council of Ministers' agenda. The Court's decision helped ease momentarily political tensions in Niger.

The relative political calm was shattered on January 3, 1996, when President Ousmane sent a draft budget back to the National Assembly for a second reading. The constitution gave the president the right to demand a second reading on any legislation. However, in September 1995, Niger's Supreme Court ruled that such a request must be undertaken with the consultation and countersignature of the prime minister. Ousmane had failed to consult the prime minister and did not receive the required countersignature before returning the budget to the Assembly. Prime Minister Amadou protested Ousmane's action and petitioned the Supreme Court, which ruled in the Prime Minister's favor. Speculation mounted that Ousmane was on the verge of dissolving parliament for the second time in slightly more than one year. This speculation was brought to an abrupt end on January 27, 1996, when elements of the Nigerien army under the command of Col. Ibrahim Baré Maïnassara overthrew Niger's democratically elected government.

E. Return of Military Rule

The army's seizure of political power in Niger was accompanied by the arrest of President Ousmane, National Assembly President Mahamadou Issoufou and Prime Minister Hama Amadou. The military also declared martial law and announced that it intended to end the political logjam that had existed for more than a year. In a gesture that won considerable popular support at the time, Baré expressed disinterest in remaining head of state and vowed to return the country to democratic rule in a short time. However, he replaced all local administrators and members of the government with military officers. In the face of considerable international and domestic pressure, Baré announced presidential elections for July 1996. Despite his earlier promises to relinquish power, Baré subsequently announced his candidacy for the presidency.

Events surrounding the July 1996 presidential election unmasked the true nature of Baré's proclaimed dedication to a democratic transition. The deposed president, National Assembly

president and prime minister were kept under house arrest until a few days before the election. There was widespread government-sponsored intimidation of journalists and supporters of the four candidates opposing Baré. The regime rejected the National Independent Election Commission's (CENI) request to postpone the elections due to logistical problems and, as a result, no voter lists were posted before the elections, which proved to be as poorly administered as pre-election preparations. As preliminary results that showed Baré in third place began to arrive in Niamey after the first day of voting, the regime abruptly disbanded the CENI and replaced it with the National Election Commission (CNE), controlled by the Ministry of the Interior. The CNE was then made responsible for overseeing polling activities through the second day of voting. In violation of the electoral code, both the final vote count and the centralization of votes were carried out in secret. The CNE declared Baré the winner of the election with just over 52 percent of the vote, even though international and domestic observers noted serious irregularities in the vote tabulation process and denounced widely publicized actions by the military to confiscate ballot boxes. Leaders of political parties and members of civil society, including the *Collectif* -- a coalition of Nigerien NGOs that observed the elections -- criticized the administration of the elections and contested the official results.

Following the election, Niger's human rights record deteriorated further. The four candidates who opposed Baré were placed under house arrest again after the election. Political activity and public gatherings were banned, and many civic and political activists were jailed or harassed. The government also curtailed the print and broadcast media, arresting and sometimes beating Nigerien journalists and members of the international media. Baré appointed military officers to key ministerial positions in the post-election government and, in an attempt to counter public criticisms of the regime, coopted many political and civic activists into the government.

At the same time, many Nigeriens across the political spectrum continued to speak out against the flawed elections and pressed for a political system that would fully reflect the will of the Nigerien people. In late 1996, eight opposition parties, comprising most of the pre-coup political leadership, formed the *Front pour la Restauration et la Défense de la Démocratie* (FRDD) and began to demand democratic reforms. These reforms included revising Niger's electoral system to allow for meaningful participation by all political parties in legislative elections that the regime planned for late 1996. As negotiations between the FRDD and Baré came near to an agreement that would have paved the way for the opposition to participate, Baré withdrew from the agreement at the last minute, saying that he was not prepared to "commit political suicide". The FRDD subsequently boycotted the legislative elections, even as a handful of smaller parties participated, including the ANDP. Baré's slate won an overwhelming majority of seats in the National Assembly. Following the legislative contests, the FRDD steadily increased the level of its activities as public dissatisfaction with the Baré regime grew during 1997. During the second half of 1997, demonstrations in support of the FRDD were organized in several of Niger's major cities. Several of these demonstrations were violently suppressed by the regime.

Increasingly, the regime's undemocratic practices and public utterances undermined any residual public support from the January 1996 coup. The government's rejection of democracy and

rule of law compounded instability in the region and undermined hard won democratic progress made by Nigeriens since the 1992-93 transition. Nevertheless, despite the return of military rule to Niger, opposition forces and elements of civil society, including human rights groups, labor and the media, continued their nonviolent struggle for a return to democratic governance.

II. OBJECTIVES

In late 1997, NDI and the Solidarity Center -- both possessing several years of experience in working in Niger before the July 1996 elections -- responded favorably to requests from USAID and the State Department to send a small assessment team to Niger. The agreement followed an extensive round of discussions between the two institutions, USAID and other agencies of the US Government. The team's scope of work (*See Appendix B*) focused on assessing the feasibility of potential democracy and governance programs in Niger, with the idea of working toward the goal of a full and swift return to a democratic, civilian government. The team was also tasked with determining whether a democracy and governance program centered exclusively on nongovernmental entities would be possible.

The assessment team's specific objectives were to examine:

- The degree to which the government of Niger would or could impede democracy and governance work and even physically threaten potential partners, and whether alternatives to in-country assistance existed if such assistance is not feasible; and
- The capacity within Niger's community of democratic reformers to effectively pursue genuine political change, the results they could be expected to achieve and the timeframe for such results.

The team's scope of work specified that the assessment mission would not seek to support any political processes initiated by the Baré regime and would not meet with government officials. At the same time, the team would explore programmatic opportunities involving those individuals and organizations that remained committed to advocating for a return to democracy in Niger, namely the trade union movement; civil society advocacy organizations; human rights organizations; the independent media; political parties; and women's groups. Prior to departure, NDI and the Solidarity Center agreed to divide the mission's meetings to permit the Solidarity Center to focus primarily on the trade unions, while NDI would focus primarily on political and civic organizations. Both institutions also agreed to hold joint meetings while in Niger, as appropriate.

III. FINDINGS

A. Overview

Representing organizations with previous extensive involvement in democratic development activities in Niger, the team was struck by the roll back of considerable gains in civic and political rights and practices that had been achieved by Nigeriens between 1989 and 1996. Civic groups, including women's organizations that were once a vibrant force for democratic governance, have been all but destroyed through the cooptation or harassment of their leadership. The struggling trade union movement, the engine of political change in Niger during the democratic transition of the early 1990s, has been crippled by the infiltration of its leadership by Baré sympathizers and the government creation of parallel unions. The independent media that still struggles to thrive in Niger is now subjected to constant harassment and other punitive measures by the regime. Even the formerly independent judiciary is now embodied by a Supreme Court whose membership has been "stacked" with Baré supporters since the 1996 coup. The team concluded that the FRDD coalition, founded in September 1996 and universally recognized as the vanguard of the current democratic movement in Niger, now provides the only forum for the development of a peaceful and participatory political culture. Coupled with those democratic elements within the trade union movement, the FRDD seems to be the bearer of hope for a future democratic pluralistic society in Niger. Shoring up this coalition of diverse political parties and rebuilding the trade union movement would be the most viable option for constructing a firewall against the further erosion of Nigerien democracy.

The assessment team also found that the Baré regime continues to struggle with severe credibility problems at home, and seeks international sanction for its actions since it overthrew Niger's democratically elected government. Baré increasingly is turning to outside help, from France, Libya, Nigeria and others, as he seeks to address the country's most pressing concerns. Internally, Baré's support comes from three groups: the upper echelons of the military, particularly within the Niamey-based parachutists' regiment, with which Baré was affiliated prior to the coup; traditional chiefs, who believe that they lost some of their political power under the deposed democratic government; and conservative elements within the Islamic community, who also benefit from Niger's warming relations with Libya and Iran.

Nearly all of the team's interlocutors, including some in the pro-Baré camp, saw a direct correlation between the current political impasse and the regime's credibility problems. A series of unkept promises and inflammatory declarations by Baré have fostered a profound distrust of the regime within the public and a growing sense that Baré is incapable of governing the country. These promises and declarations include the General's post-coup announcement that he would not be a candidate in the 1996 presidential elections, only to reverse himself shortly afterwards; his declaration that political parties are a hindrance to democracy, only to establish his own party less than a year later; the dissolution of the independent electoral commission (CENI) midway through the presidential election, an act widely referred to by Nigeriens as the "electoral hold-up"; the last-minute withdrawal of the regime from an agreement that would have cleared the way for opposition participation in the 1996 legislative elections; the dissolution of a Council of Elders (*Conseil des*

Sages), which Baré had created in May 1997 to help resolve the country's political impasse, after the Council criticized the regime for renegeing on the 1996 legislative elections agreement; the acrimonious December 1997 dissolution of government on grounds of incompetence, only to reappoint 15 of the 24 ministers to the new government; and the arrest of several opposition leaders for involvement in a purported coup attempt on January 1, 1998, only to release them uncharged several days later.

As a result of Baré's inability to fulfill promises made at the time of the January 1996 coup d'état to redress the country's economic problems, even some of the early proponents of the regime are rethinking their support. The team was told that, because of the regime's unpopularity, regime officials, including members of the current National Assembly and General Baré himself, have refrained from conducting extensive visits to the country's interior.

The FRDD remains cohesive and active throughout the country. At the same time, it continues to be barred from meaningful participation in the country's official decision making process and operates under the constant threat of intimidation by the regime. Opposition parties, denied access to state media, are impeded in their efforts to communicate with their grassroots network of supporters and lack resources necessary for remaining in contact with their supporters in Niger and elsewhere. Opposition leaders have been arrested and prevented from traveling outside of Niamey. These parties have also been distanced from preparations underway for local elections scheduled for June 1998 and have addressed their concerns to the regime (*See Appendix C*). Sporadic negotiations between the opposition and the regime have not yielded any tangible results, including talks arranged in conjunction with the Baré-appointed Council of Elders.

The Baré regime is increasingly focused on preparations for the upcoming local elections, although critics see much of this attention as an attempt to win support from the donor community. The team concluded that the transparent organization of these elections is problematic at best and unlikely at worst. The main opposition parties, thus far barred from almost all aspects of electoral preparations, have agreed to participate only if certain conditions are met, including the reinstatement of the pre-July 1996 electoral commission and revision of electoral lists. The legal framework for the elections has not been finalized, even though the elections are scheduled for June. The current composition of institutions responsible for overseeing the electoral process and verifying its results are perceived by the opposition as being too closely aligned with Baré. For example, the individual currently responsible for oversight of the computerization of electoral lists is also the Assistant Secretary for Elections in Baré's political party. Additionally, much of the leadership of the country's judicial system, which would be called upon to announce official election results and resolve any electoral disputes, is generally believed to be controlled by Baré. Opposition parties also cite statements made by Baré proclaiming that he "does not believe in democracy and is not convinced that democracy is good for this country" as evidence of the regime's hollow commitment to genuine elections.

Many democrats in Niger refer to past electoral fraud committed by the regime and doubt its willingness to organize open and transparent elections, especially since many observers believe that

these elections could highlight the regime's lack of support at the local level. In addition to political parties, much of the trade union movement (which has previously been active in monitoring and organizing Niger's elections) is awaiting the finalization of the legal framework for the elections before making an ultimate determination about its involvement in the process. In the view of the assessment team, these concerns are justified. Conditions do not presently exist for credible elections. Extraordinary steps, including a new electoral commission, would have to be taken by the Baré regime if there were even to be the possibility for genuine polls.

B. Political Parties

1. The Opposition Coalition

Independent observers, trade union representatives, NGO leaders and members of the independent media unanimously recognize that the main opposition parties represent the vanguard of the current pro-democracy movement in Niger. Indeed, the opposition was recognized as currently assuming the role played by the trade union movement during the 1992-93 transition. Based on unanimous suggestions by political party leaders and independent observers, there exists substantial opportunity to provide assistance to political parties (*See Section III, Recommendations*).

Niger's political opposition continues to be spearheaded by the FRDD coalition (*See Appendix D*). Three of the FRDD's eight parties -- the CDS, MNSD and PNDS -- are generally recognized to be the country's largest and most viable political organizations. Indeed, Front members held 71 of the 83 seats in the deposed National Assembly. The Front's leadership is personified by Deposed President Mahamane Ousmane (CDS); Deposed National Assembly President Mahamadou Issoufou (PNDS); Deposed Prime Minister Hama Amadou (MNSD); and Former Interior Minister Tandja Mamadou, president of the (MNSD).

Although the parties within the FRDD have traditionally appealed to vastly divergent geographical constituencies, ethnic groups and social classes, Front leaders -- when met individually or jointly at the national, regional and local levels-- presented a generally consistent interpretation of Niger's political environment and stated that they have put aside their past differences to forge a cohesive alternative to the military regime. In contrast to parties with the pro-regime movement, the opposition seemed confident of the depth and breadth of its popular support. The team noted substantial evidence of coordination among the FRDD parties even at the local level, where office space and other facilities were sometimes shared. Individual parties within the front have retained and, many say, strengthened their bases of support in the regions. While the population has not forgiven the democratic opposition for the political impasse they created prior to the coup d'état (which the military cited as the reason for organizing the coup), it appears that the public would still choose the FRDD over the military regime. At the same time, the opposition professes to have drawn valuable lessons from the pre-coup and post-coup periods.

The FRDD seemed to have developed and sustained a coherent, non-violent strategy to regain power and return the country to democratic governance. The strategy is based in large part on a

series of demands articulated in September 1996 (*See Appendix E*). These include restoring Niger's independent election commission as it existed before the July 1996 elections; applying strictly the provisions within Niger's electoral code; revamping the Constitutional Chamber of Niger's Supreme Court to include magistrates named by their peers; ensuring the political neutrality of the Ministry of the Interior and defense and security forces; ending intimidation of political parties, NGOs and the independent media; ensuring unbiased access to state media for everyone; ensuring equitable access to state media for political parties; and incorporating political parties into the process of revising Niger's electoral lists and distributing voter identity cards.

The strategy emphasizes three elements: 1) the organization of Democratic Initiative Days (*Journées d'Initiatives Démocratiques*) -- or JIDs -- that focus on a particular topic, such as access to state media, around which demonstrations and rallies are organized; 2) international missions (when possible) by leaders of the democratic opposition to inform the international community of the situation in Niger and lobby for increased diplomatic pressure; and 3) the reinforcement of local political support through missions to the interior and public messages via Hausa-language broadcasts of VOA, BBC and Deutsche Welle.

Despite the coalition's successes, many members of the FRDD identified serious challenges that the opposition is facing in its efforts to remain a viable alternative to the military regime. FRDD leaders continue to be harassed by the regime, including the early January arrest of deposed Prime Minister Hama Amadou on unsubstantiated charges of being involved in a plot to overthrow Baré. Arrests and intimidation of opposition leaders were also reported in Dosso, Maradi, Tahoua, Tillabéri and Zinder. This and other forms of harassment employed by the regime serve to impede the coalition's efforts to communicate with and organize party supporters, and hamper coordination with other pro-democracy forces, such as those that still exist within the trade union movement. The assessment team was informed that opposition supporters in the civil service have been fired from their jobs or transferred to lower-paying positions. The opposition pointed to such actions as an intentional effort by the regime to restrict the financial resources available to the FRDD. Additionally, the regime's refusal to allow the opposition access to state media has hindered these parties' efforts to continue to educate the public about the current political situation, efforts that NGOs are no longer able and/or willing to carry out (*See III, C*). FRDD messages to its supporters are now broadcast most effectively via the VOA, BBC and Deutsche Welle, or through some of the independent Nigerien media, which usually requires some financial arrangement between the parties and the local correspondents for these media outlets.

2. Pro-Regime Parties

Baré's *Rassemblement pour la Démocratie et le Progrès* (RDP) was founded in August 1997 during a party congress held in Niamey. Although the party publicly proclaims its "commitment to democracy", its dependence on General Baré was revealed shortly after the party congress, when Baré overruled internal party rules and named the party president. Additionally, the party's founding manifesto and other fundamental documents make clear the party's support for Baré and the January 1996 coup d'état (*See Appendix F*).

Independent observers estimate that the RDP's support lies between 5 to 20 percent of the electorate. This would indicate diminished support for Baré since the 1996 presidential election, during which most observers believe that the General placed third with between 20 and 30 percent of the vote. The team's interlocutors in Niamey and in the regions agreed that support for the RDP was minimal, with the possible exception of some support in the area around Dosso, which is Baré's native region. Elements within the party itself acknowledged that little activity had taken place since the founding congress. The party's shortcomings have been recognized by some RDP members, who believe that the party must be re-oriented to focus on the true interests of the people. The delegation saw this as a potentially effective strategy vis-a-vis the opposition, but doubted the ability of moderates within the RDP to effect genuine change in a party that owes its existence to an autocrat.

Additionally, recent political developments within the pro-regime movement indicate that, at the very least, Baré's inability to deliver on promises made following the coup d'état is beginning to test the unqualified support that he previously enjoyed within the movement. For example, a newly formed coalition of three pro-regime parties, the *Alliance des Forces Démocratiques et Sociales* (AFDS), has publicly stated its displeasure with Baré's handling of the country's economy and electoral preparations. The new coalition, led by the ANDP, committed itself to working within the pro-Baré camp to advocate for a new political platform for the pro-regime camp and as a mediator between the regime and the opposition. The coalition leadership refused to join with the opposition, saying that to do so would surrender its ability to serve as a "buffer". Although some opposition leaders viewed the creation of the AFDS as "a good thing", most observers were skeptical of the new coalition and commented that it exists because of disgruntled politicians who did not receive ministerial appointments during the recent government shake-up. These observers believed that the AFDS would immediately cease its criticisms of Baré if provided with such appointments. As one opposition leader said, "Pay them, give them something, and they'll be back in his [Baré's] camp. Don't pay them, and they may insult him, but I don't believe that they'll truly break with him..."

C. *Civil Society*

In approaching its meetings with elements of Nigerien civil society, the team chose to target those groups that, since the 1992-93 transition, have demonstrated an interest in civic/political education, human rights and democracy and governance issues. The delegation also specifically chose to meet with women's organizations interested in increasing women's political participation (*See Section III, E*). These organizations were targeted because they have traditionally been among the most politically active of local civic groups and best situated to directly support and hasten the establishment of democratic political practices.

The team found that, while many of the NGOs that were active during the pre-1996 period are still present and functioning, none of these NGOs individually or even collectively are capable of taking a lead role in advocating a rapid return to democracy in Niger. Political leaders, within the opposition as well as the pro-regime parties, consider the organizations currently too weak to play an active role in Niger's political life. The opposition openly criticized all but a small number of Niger's NGOs for having been coopted by the Baré regime, or for having failed to speak out when

the regime violated internationally accepted human rights standards. NGOs were also described as not having a truly national network and not being able to “speak the language of the people.” As a result, the team concluded that these organizations do not currently provide an appropriate vehicle through which to foster a democratic renewal in Niger.

The relative impotence of Nigerien civil society in advocating for democratic reforms is based on two primary factors. First, many leaders of previously viable NGOs, including the *Rassemblement Démocratique des Femmes Nigériennes* (RDFN), *Démocratie, Liberté et Développement* (DLD) and GERDDES-Niger, were coopted by or decided to join the Baré regime, effectively stripping their organizations of credibility as independent actors in the political realm. One Nigerien observer commented that NGOs have become so tainted that most Nigeriens at the grassroots, if asked to attend an NGO meeting, would immediately suspect that there was a political agenda underlying the NGOs presence.

Secondly, of the NGOs with which the assessment team met, none -- with the exception of the relatively new and inexperienced *Démocratie 2000* -- stated a willingness to engage in robust pro-democracy programming. The team concluded that this reticence is based on threats (perceived and real) from the Baré regime to intimidate NGOs whose actions are seen as posing a threat to the military’s hold on power. Even the *Réseau d’Intégration et de Diffusion du Droit en Milieu Rural* (RIDD-Fitila), which has made serious attempts to re-invent itself in the wake of leadership defections to the regime and has succeeded in obtaining new funding from international donors, appeared uncomfortable talking about politics and admitted that it did not wish to conduct programs that could be perceived as too threatening to the regime.

Another active NGO, the *Association Nigérienne pour la Défense des Droits de l’Homme* (ANDDH), is hamstrung by political divisions within its leadership. It is also perceived by the democratic opposition and other independent observers as having a checkered record on advocating for human rights and democracy in the post-coup period. ANDDH now appears to be focusing more on capacity building activities. For example, during the team’s visit to Tahoua, ANDDH was holding a three-day seminar for its membership on accounting management. Two other potentially viable organizations, the Radio Clubs of Niger and the *Ligue Nigérienne des Droits de l’Homme* (LNDH), are handicapped by their association with state media and the controversial nature of their leadership, respectively.

D. Independent Media

Despite recent crackdowns and new laws imposing severe restrictions on journalists, Niger’s independent media remains relatively vibrant and plays an essential role in disseminating information and giving voice to the marginalized opposition and democrats within the trade union movement. This role is bolstered by the Hausa-language broadcasts of VOA, BBC and Deutsche Welle.

Newspapers, such as *Le Républicain*, *L’Alternative*, *La Tribune du Peuple* and *Haské*, publish articles that are at times critical of the regime. However, these newspapers are shackled by minimal

readership in a country with high rates of illiteracy. Most are also vulnerable to diminishing revenues from advertising. Since many of the advertisements in Nigerien newspapers originate with government ministries or state-owned enterprises, the regime is well placed to squeeze the amount of funding available to the independent written press.

Private radio stations, namely Radio Anfani and Radio R&M, play an important role in providing independent information to the public. Because of these stations' reputation for independence, the regime has repeatedly attempted to control their broadcasts. Observers noted that Radio R&M has progressively altered its programming to reflect the regime's perspective. Representatives of the radio admitted that the regime had successfully made attempts to control the content of its programming, most recently during the alleged January 1998 coup plot, when independent radio and newspapers were told by the regime not to report on events surrounding the purported coup attempt. Radio Anfani, which rebroadcasts VOA programming, still maintains a reputation for independence. Until recently, Radio Anfani and Radio R&M broadcasts did not extend beyond the Niamey area. However, on February 7, Radio Anfani opened a second station in Zinder, several hundred kilometers east of Niamey, and plans to open other regional stations in the near future. Shortly after the grand opening of the Zinder station, reports circulated in Niamey that the Baré-controlled Supreme Communications Council (CSC) had unsuccessfully pressured the Zinder *préfet* to shut down the new station because it offered an independent version of news events (*See Appendix G*).

The independent media in Niger complained vociferously to the team about the new press law passed by the regime-controlled National Assembly in November 1997. The new law places stringent restrictions on the media's ability to perform its function as an independent channel for information. These restrictions include prohibitions on reprinting government documents or official correspondences, and heavy fines, including imprisonment, for insulting Baré. Additionally, the law reconfigured the composition of the CSC so that nine of the Commission's 11 members would represent institutions controlled by the military regime. The Commission president is now nominated directly by Baré, whereas this had been an elected position filled by a vote of the previously diverse CSC membership, and only two Commission members are now nominated by the independent media.

As stated earlier, the opposition and trade unions unanimously decried the lack of access to the state media imposed by the regime. Any loosening of these restrictions has usually corresponded to the visit of representatives from international financial institutions. The opposition and unions unequivocally praised VOA, BBC, Deutsche Welle for their daily broadcasts in Hausa, which is spoken by more than 50 percent of the population and understood by an even larger percentage. These broadcasts reach a large portion of the Nigerien population, which was described by many observers in Niger as being more closely tuned to international media than to state media. Opposition parties and the trade union movement say they frequently have used this channel as a means to outline policy and strengthen support.

E. Women's Empowerment

The team was especially disappointed to note that the *Rassemblement Démocratique des Femmes Nigériennes* (RDFN), which had previously been actively engaged in democracy and governance programs, has lost credibility due to the defection of much of its leadership to the Baré camp. Indeed, the current RDFN secretary-general expressed strong reservations at the work that she had previously done within the trade union movement to promote democracy, because she believed that Niger's past democratic system had failed to curb sufficiently lawlessness and general anarchy. She also criticized NDI for the role it had played in promoting democracy in Niger. The *Association des Femmes Juristes du Niger* (AFJN), like the RDFN, continues to conduct programming to educate women. However, the AFJN's immediate past president recently became a justice in Niger's Supreme Court, whose independence from the government is at best questionable. The departure of the organization's president has led many observers in Niger to conclude that the AFJN, like many other Nigerien NGOs, no longer possesses nonpartisan credentials.

Given women's traditional position in Nigerien society, their lack of representation in political and civic institutions and the repressive political environment, the few women's groups active in democracy and governance issues are unlikely to bring about a swift return to democratic civilian government. At the same time, women continue to be active within political parties and trade unions. While the true decision making power of women within these organizations remains questionable, parties and unions have, in the past, successfully mobilized women and continue to appear to do so. The team concluded that any assistance specifically aimed at enhancing women's involvement in the political process should be within the framework of long-term programming with political parties and trade unions.

F. Trade Unions

The composition of the Nigerien labor movement is as follows: the *Union des Syndicats des Travailleurs du Niger* (USTN), a federation of 38 unions affiliated to the ICFTU; the *Confédération Nigérienne du Travail* (CNT), a federation of four unions established in December 1996; and four other unaffiliated autonomous unions. The unionized force is 48,000 out of 75,000 potential workers, representing mostly the public sector. Claimed membership: USTN: 40,000; CNT: 7,000; Independent unions: 1,000.

1. USTN

In the early 1990's, USTN's prestige soared as a result of the leading role it played at the National Conference that laid the groundwork for Niger's democratic transition. During the 1992-93 transition, USTN demonstrated civic responsibility in curbing its discontent, despite economic austerity measures passed by the government of transition. However, unions protested the military's violent suppression of Niger's Tuareg minority community, as well as the transition government's failure to pay the salaries of public sector employees for months at a time.

A difficult relation was established between USTN and the government after the 1993 elections, with economic issues remaining a source of tension between the labor movement and the Nigerien government. Sporadic relief awarded by the government to public sector employees helped attenuate tensions between the unions and government. Initial support within the trade union movement for the January 1996 coup d'état was deeply eroded by the failure of the Baré regime to organize genuine elections and to redress the country's economic situation.

The delegation believes that the Baré' regime now views the USTN as a real threat due to the prominent role it played in the democratization process and its capacity to mobilize public opinion and rally the population in mass protests. In a ploy to minimize USTN's influence and undercut its popularity, the Baré regime has consistently used a divide-and-conquer strategy against the national center and its leadership. For example, in December 1996, the regime encouraged a dissenting faction made up of four unions to split from the federation and form a new national center, CNT. As part of the same strategy, the regime provided financial support for the rival federation, rewarding it with positions previously held by USTN members (such as the administration of the Workers' Welfare Fund); amended the strike law to prevent certain categories of workers from engaging in strike actions; promoted trade union leaders or their relatives, thus leading union leaders to retire or resign from the union; and reneged on agreements made during negotiations with USTN-affiliated unions. The new Minister of Labor is a former official of the Teachers Union, and a friend of the current Secretary General of USTN. Many within the labor movement consider his nomination to a government position as a defection from the union ranks.

The establishment of viable political parties that channel the public's political interests, coupled with changes in the political environment and the regime's divide and conquer strategy, have considerably reduced the USTN's political influence. At its last congress, while some delegates recommended a return to USTN's traditional role, others vowed that USTN must continue to actively support democratization. It should be noted that the majority of trade unionists are also card-carrying party members and reflect the wide political spectrum present in Niger, from regime supporters to Baré bashers. As a microcosm of Nigerien society, USTN has the potential for strengthening its role as a civil society actor by serving the needs of its members while advocating for increased political space. While the diversity of its membership is a strength, the wide range of opinions and political alignments within USTN should not be discounted.

As a matter of fact, lengthy discussions and political debate are part of the Nigerien culture, as demonstrated by an articulate and often bold independent media and many of the people we had an opportunity to interview as part of the assessment mission. USTN's leaders and members revel in the tradition. In 1992, USTN's Congress was extended from three to ten days to exhaustively explore all items on the agenda to everyone's satisfaction. It is important to note that debate, sharing opinions and arguing cases are healthy signs of democratic internal proceedings in an otherwise restrictive political environment. The challenge in the months ahead will be for USTN to channel that energy and use it effectively and constructively to define new objectives and operating strategies to convince the government to engage in a frank dialogue and honest negotiations with the labor movement.

USTN is a well structured organization, with representation in all *préfectures*. Though national unions are represented only in the areas where they have members, the federation's regional structures are well established and the local officials are respected leaders. Despite material constraints, USTN maintains regular communications with its regional structures and with individuals located outside Niamey through the resourceful use of members of the Transport Workers Union. Maintaining regular communications and a more homogeneous political stand in the regions than in Niamey, explain the membership's high mobilization capacity.

Although USTN has a women's department, it is not functioning as expected. Its inability to perform effectively is due to a low level of participation from members at the decision-making level. While the maximum female membership is between 15 and 18 percent, only five women officers of a total of 33 were elected at the last Congress. Four of them have been assigned to administering the Women's Department, effectively denying them positions where they could have impacted overall national center policy. Even though the president of the women's department is a very articulate teacher, her pro-regime political leaning has decreased her credibility among USTN members. The president of USTN's Control Board (*Commission Administrative et Financière*) is also a woman, who is responsible for verifying all accounting matters and procedures, but not empowered to impact financial policy.

Though most women in the population engage in income-generating activities they primarily work in the informal sector or engage in agricultural activities, two sectors that have been traditionally difficult to organize. Cultural and traditional considerations are also obstacles to organizing women. Rank-and-file female members are committed to and supportive of the union, but the overarching conservative environment of Niger prevents them from fully participating in trade union affairs. Though living in a suppressive and traditional environment, Nigerien women are politically sensitized. In time of crisis, they do not hesitate to rise and play their part. As a matter of fact, when they realized that no women were delegates to the National Conference, which was going to pave the way to the democratization process, they spontaneously gathered together by the thousands and marched to the Conference location to demand full participation in shaping the new society. This march, known locally as "*La marche du siècle*", shed a new light on women's positions and role in society. Realizing that they needed to band together to be heard, the women began to establish local organizations as vehicles to fulfill their political and economic aspirations, including the RDFN (*See above*).

2. CNT

CNT is a very young federation established in December 1996 when four unions split from USTN. Even though it claims 7,000 members, USTN does not recognize it as a legitimate federation, as its affiliates have not formalized disaffiliation procedures from USTN (*i.e.* they are still affiliates of USTN). CNT indicated that member unions were conducting their congresses, thus proceeding with disaffiliation procedures from USTN.

Its main affiliate is in the banking sector. Another important union to join the new federation was the Co-op Union. The regime abolished the agency overseeing co-ops in December 1997 and workers of that sector have consequently joined the ranks of the unemployed. This makes it almost impossible for the members to pay union dues. While all unions have established a dues-paying structure, the high rate of unemployment and the non-payment of salaries prevent trade unionists from having the cash flow necessary to be in good standing with their unions. This economic crisis has a direct and negative affect on the unions.

CNT is in the process of establishing its regional structures, and trying to open chapters in the *préfectures*. It is doubtful that CNT will be able to muster the financial resources and necessary membership to achieve this goal. With its main affiliate representing bank workers, all of whom are employed by banks in the capital, and its second largest affiliate, representing unemployed cooperative workers, CNT has limited viability. Any strategy to increase membership will require substantial financial and human resources.

The Secretary General of CNT indicated that there was no fundamental difference between USTN and CNT, and that CNT generally supports USTN action, but it does not seem to support USTN's strike actions. Because of its ties to the Baré regime, the manner by which it came into existence and its difficulty to prove or increase its representativeness, CNT is not considered a very credible organization. The Solidarity Center has no plans to support programs with CNT.

3. Independent unions

There are four independent unions, representing physicians and pharmacists, the School of Administration (ENA), the judiciary, and higher education. The four unions' membership totals less than 1,000 members. The team met with SAMAN, which represents workers in the judiciary.

SAMAN is a young, proactive union supportive of USTN and its actions. It does not wish to affiliate to USTN because the members it represents (workers of the judiciary, including judges, prosecutors, court clerks) do not have the same status as other civil servants. SAMAN has a keen sense of its obligations in fostering the democratization process in Niger, and of the conditions that constitute the basis for a lasting democracy (independent judiciary, freedom of speech, institution building, etc.). Recognizing the serious shortcomings of the Nigerien prison system and the dire need for training prison personnel in carrying-out their duties while respecting prisoners' rights, SAMAN sought financial assistance from various sources (USAID, Canada, Danida), produced training manuals for prison guards and the judicial police and conducted several training seminars. As a member of the democratic front established by USTN in May 1997, and a member of the international federation of the judiciary based in Rome, SAMAN will be a key ally to USTN and other Nigerien organizations in a democratic reform effort.

IV. RECOMMENDATIONS

A. *Solidarity Center*

The Solidarity Center believes that the political space available in Niger, though limited, is sufficient to conduct a targeted and focused program with USTN and some independent unions, which would help restore democracy in the short to mid-term. The Solidarity Center firmly believes that one of the greatest weaknesses of the Nigerien political system is the deep fragmentation of civil society. The inability to join forces prevents the citizenry from establishing a dialogue and pressuring the government, its agencies or institutions to respect the citizenry through adherence to the rule of law and adherence to the basic principles of democracy.

Nigeriens have demonstrated that, in times of deep crisis, they can overcome such obstacles, regroup and work collectively towards the common good, putting into practice the time-tested tenet of democracy: government of the people, by the people, for the people. To help nurture a democratic culture and have it take hold in Niger, the Solidarity Center believes that the Nigerien civil society must be strengthened so it can play the participatory role that will challenge the government into changing its authoritarian operating mode into a consultative one. Key to the success of this project is the Solidarity Center's ability to reach the largest possible group of civil society actors. As the trade union movement cuts across gender, ethnic, geographic, sectoral and political lines, the Solidarity Center believes that it is the best vehicle to carry out the program and achieve this goal.

Though specific elements and budgetary estimates will be defined in a proposal to be submitted shortly to USAID for consideration, the Solidarity Center envisions implementing the following strategy with the free and independent unions to achieve the objectives defined by the assessment mission:

- **Institution building:** USTN must recover the unity which made it strong in the early 1990's. A unified USTN will set priorities and strategies for a stronger advocacy role.

Through this component, USTN will re-establish its predominance in civil society and will use its renewed influence to re-energize the Democratic Front, and to engage the government in negotiations relative to workers concerns in a free and democratic society.

Possible activities include:

- * Leadership training workshops for USTN leadership with emphasis on conflict resolution, and effective communication;
- * Strategic planning sessions for USTN leadership and Regional Executives, to define the federation's objectives and strategies, including timeline and benchmarks, relative to social and economic issues (structural adjustment, privatization and collective bargaining); and

- * Democracy & Governance sessions for USTN leadership, with emphasis on active engagement and participation in democracy and coalition building as a means to achieve this goal.
- **Communications:** The Solidarity Center proposes to assist USTN in improving its external and internal communication systems. USTN presently has publications production capability through its Press and Information Department. A regular 4-page publication distributed in Niamey and in the regions would help the flow of information between the regions and Niamey. It would also help USTN link up with the general public, thus enlarging its audience and broadening its outreach.

Through this component, internal and external communications will be improved. USTN membership will be better informed and the federation will be better equipped to get its message out. USTN will be able to reach a wider audience through its newsletter and radio broadcasts.

Possible activities include:

- * Providing refresher courses for regional Press and Information officers of the USTN;
 - * Furnishing computer software for lay-outs and training on software;
 - * Providing internet hook-up and training of Press and Information officers in basic research;
 - * Writing, editing, printing and distribution of 4-page monthly newsletter; and
 - * Writing, editing, recording and transmission of a periodic radio program, preferably in local language.
- **D&G program:** USTN is well placed to structure and carry-out a civic education program. The Solidarity Center's support of USTN's D&G programs in 1996 and 1997 laid the foundation for future programs in this area. The unions have an impressive and reliable network of educators, mostly teachers, already in place which could be used to reach the grassroots. This is potentially an area for complementary activities with NDI as trade union members are generally card-carrying party members.

Rank-and-file trade union members and elements of civil society at large will have a greater understanding of the role of institutions and the citizen in a democracy. Participants will debate national and local issues openly and will strategize to reach objectives.

Possible activities include:

- * Training USTN instructors in the use of the civic education manual developed by the Solidarity Center and African trade union instructors, and in the techniques designed to reach adults;

- * Printing civic education manual in French;
 - * Preparing, taping and duplicating cassettes in Hausa; and
 - * Implementing Democracy & Governance workshops in all regions.
- **Democratic Front:** In the long term, USTN is willing to work toward enlarging the coalition for democracy created in May 1997 and comprised of independent unions and other civil society actors.

Through the revitalization and enlargement of the Democratic Front, this multi-organization coalition will take the initiative to engage the government and influence its operating mode to ensure a return to democratic practices.

Possible activities include:

- * Initiating regular contacts, meetings, discussions, debates with non-union organizations to build consensus;
- * Revitalizing of Front established in May 1997 with non-affiliated unions, through discussions and definition of objectives with member organizations; and
- * Convening of a national forum which will be widely representative of the nation's society to devise strategies for the return to democratic practices.

The four elements of the proposed program seek to establish a broad coalition of all democratic forces, representative of civil society. Such a coalition will be able to challenge the government into ruling in a more democratic manner, and ultimately sustain a democratic system. The first three elements of the program seek to strengthen USTN to be a catalyst in forming, with Niger's democratic opposition, a broader coalition of organizations that support a return to democracy.

B. NDI

NDI believes that little space exists in Niger for traditional democracy and governance programming. However, the Institute believes that it can expand upon the small opening that does exist to conduct targeted and robust programming that would support a rapid return to democratic, civilian rule. The Institute believes that the most effective means of supporting such a process is to work with those political parties currently engaged in efforts to establish the legal framework for a genuine return to democratic, civilian rule. Although open to meeting with non-government representatives of the RDP and allied parties to identify moderates within those political formations that support a genuine transition, the Institute believes that the most appropriate avenue for assisting a democratic transition in Niger is through the FRDD, which is widely recognized as being at the forefront of the movement to return democracy to Niger.

NDI's decision to propose support for the FRDD is based on the findings of the assessment team that identified challenges confronting the coalition, as well as detailed requests made directly to the team by the FRDD leadership. NDI is also expecting to receive from the FRDD in the near future additional detailed requests for assistance. Such programming would reassure genuine democrats inside Niger that they have the continuous and highly valuable support of the international community. Technical and material assistance provided by such collaboration would make available to Nigerien democrats skills that could be employed to conduct civic education and raise the political awareness of Nigeriens to assure a rapid return to democratic governance in the country. Such assistance would help political parties more effectively organize, strengthen their membership and support bases and would enhance the prospects that the regime would increase its efforts to engage these parties in genuine dialogue on policy issues. A strengthened opposition would also help ensure that Nigeriens continue to have a viable alternative to the military regime, an alternative committed to pursuing peaceful constitutional reform -- as opposed to violence -- as the best solution to the country's political and economic difficulties.

NDI also believes that, despite regime attempts to limit opposition activities and the travel of opposition leaders, it would be possible to support activities within Niger, as well as to organize programs elsewhere, that could provide essential skills to Nigerien democrats in advocating for a rapid and nonviolent return to democracy. This belief is bolstered by the team's observation that, in all parts of the country visited during the mission, many Nigeriens recognized the role that NDI had previously played in the country and requested that the Institute re-engage to assist a return to democracy. Based on the assessment team's findings, the Institute has formulated the following tentative recommendations for possible program activities. These recommendations will be fully elaborated in a proposal to be submitted to USAID subsequent to this report.

- Organize forums outside of Niger that would provide intensive political organizing training for the top leadership of Niger's democratic opposition;
- Provide targeted technical and material assistance to political leaders and activists inside Niger to assist them in building a firewall against the further undermining of democratic practices in Niger by carrying out civic education programming aimed at their support base and the population as a whole;
- Create avenues that would allow Nigerien political leaders and activists to establish and strengthen professional networks with democrats in other countries in the subregion and elsewhere;
- Work with international and domestic independent media to support programming that helps democratic activists better communicate their message to party members and supporters in and outside of the country; and
- In the latter stages of the program, provide in-country technical assistance through one-on-one evaluative and programmatic consultations with key political leaders and parties.

V. APPENDICES

- A. Schedule of Meetings
- B. Scope of Work
- C. FRDD Letter to Prime Minister concerning electoral preparations
- D. FRDD Founding Statutes
- E. FRDD Communiqué de Presse No. 5
- F. RDP Party Manifesto
- G. *Le Républicain* article about Radio Anfani in Zinder

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