



SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Baseline Snapshot

Niger

May 2026

Context

Reporting period covered: May 2025 – May 2026

On 26 July 2023, Niger experienced its fifth [military coup](#), just days before commemorating the 63rd anniversary of its independence, obtained on 3 August 1960. This [unconstitutional change](#) of government, carried out by a group of officers who subsequently established the National Council for the Safeguard of the Homeland (CNSP), has resulted in a significant deterioration of the country's political, social, economic and security situation.

Niger's political landscape is characterised by the concentration of decision-making powers in the hands of the defence and security forces (DSF), alongside the near-systematic exclusion of civilian elites and the general population from governance processes.

Under the main legal instruments governing the exercise of State powers during this period, particularly the [Refoundation Charter](#), the President of the CNSP holds both executive (Articles 61 and 62) and legislative powers (Article 61, final paragraph). As reflected by its name, the Consultative Council for Refoundation (CCR), established under Article 68 of the Refoundation Charter, does not exercise any legislative powers, as this prerogative is reserved exclusively to the President of the CNSP, who serves as head of state and is solely empowered to "legislate by ordinance", pursuant to the final paragraph of Article 61 of the Charter. Consequently, although the [CCR includes](#) representatives of civil society among its members, they are appointed by the president rather than elected. The Council's powers are limited to issuing "opinions" and formulating [proposals or recommendations](#).

For an extended period, citizens also appear to have been deprived of the ability to choose their leaders. Following the [National Conference for the Refoundation](#), which some considered to be "[non-inclusive](#)" and [inappropriate](#)", the President of the CNSP was, among other measures, granted the title of "President of the Republic" (Article 61) for "a period of sixty months, which may be adjusted depending on the security situation, the Refoundation terms of reference and the agenda of the Confederation of Sahel States (AES)" (Article 73).

The judiciary is also not immune to this authoritarian grip: on 14 August 2025, the President of the CNSP, Abdourahamane Tiani, issued an [ordinance](#) on the disciplinary regime for magistrates during the Refoundation period, conferring on himself full discretionary powers to "decide on any measures he deems appropriate in the event of serious or gross misconduct or any other behaviour likely to bring the state institutions into disrepute". Furthermore, these exceptional powers to impose disciplinary sanctions, which may be exercised without adequate procedural safeguards against magistrates, may also be applied retrospectively to "previous offences" (Article 1). Pursuant to this provision, and by a decree issued on the same day, the CNSP president [dismissed a judge](#), who was also the secretary-general of the Autonomous Union of Nigerien Magistrates (SAMAN), which had been [dissolved](#) a week earlier. On 15 August 2025, [another judge](#) was struck off the roll for similar reasons: criticism of the [dissolution of five justice-sector unions](#).

To consolidate this process of concentration of state powers in the hands of the President of the CNSP, now President of the Republic, head of state, head of government, and holder of legislative and extensive disciplinary powers over the judiciary, [political parties were also dissolved](#).

In the same vein, an [ordinance](#) on general mobilisation was adopted, requiring all citizens, amongst other things, to "comply with the measures taken by the competent authorities; and to refrain from communicating and exchanging information, especially through modern technologies or any other means that might impede general mobilisation or adversely affect its implementation".

In response to this unconstitutional change of government, the Economic Community of West African States (ECOWAS), with the support of the international community, imposed a [series of stringent sanctions](#), whose legality has been debated and [contested](#) by some actors. The effects of these measures, and many others subsequently adopted by the CNSP itself, including the continued closure of the [border](#) with Benin, continue to have a detrimental impact on the country's economic situation and household living conditions. From a [socio-economic](#) and humanitarian perspective, the combined effects of the measures have resulted in what may be described as "the unintended consequences of good intentions." In [opposition](#) to the sanctions, the CNSP decided, together with the Burkinabè and Malian military transitional authorities, to [withdraw](#) from ECOWAS. They established the Alliance of Sahel States ([AES](#)) in January 2024, which was subsequently transformed into the Confederation of Sahel States in [July 2024](#).

Meanwhile, the macroeconomic situation is beginning to stabilise: Niger's economic growth increased from [2.4](#) per cent in 2023 to [10.3](#) per cent, or [8.3](#) per cent of GDP, in 2024, mainly due to the rebound in crude oil exports. It declined to 7.4 per cent of GDP in 2025 and [6.7](#) per cent in 2026. However, this growth does not seem to translate into an improvement in household living standards. According to the Human Development Index, Niger is ranked 188th out of 193 countries in 2025, with a [score](#) of 0.419.

The security situation continues to "[deteriorate](#)", thereby increasing the need for [humanitarian](#) aid: 3 million people in need in 2026, with a projected budget of \$96 million (about 83 million euros).

The rule of law, and fundamental freedoms in particular, are the first [casualties](#) of this [complex interplay](#) of crises unfolding in the Sahel.

1. Respect and protection of fundamental freedoms

Niger's legal framework contains ambivalent, ambiguous and conflicting provisions, notably regarding the protection of fundamental freedoms. This ambiguity is evident in the coexistence of two contradictory legal frameworks or normative trends. One is particularly broad, comprehensive and providing stronger safeguards for fundamental freedoms, while the other is clearly unfavourable, hostile, to the protection of these freedoms.

The first category comprises the main international and regional legal instruments for the protection of civil and political rights applicable in [Niger](#), such as the Universal Declaration of Human Rights (UDHR), international and regional conventions relating to the status of refugees, the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), the Convention

on the Rights of Persons with Disabilities (CRPD), the African Charter on Human and Peoples' Rights (ACHPR), among others.

Until 28 July 2023, most of these international instruments to which the State of Niger is a party, whether through ratification or membership, enjoyed constitutional status because they were explicitly referred to in the preamble to the Constitution of 25 November 2010, which formed an [integral](#) part of that Constitution. Through an ordinance dated 28 July 2023, the CNSP [suspended](#) this Constitution and provisionally replaced it with [another](#), before presenting the Refoundation [Charter](#) to the people of Niger. The fourth chapter of this Charter, devoted to “fundamental freedoms, rights and duties”, sets out the fundamental civic freedoms guaranteed at international level, such as freedom of thought, opinion, expression, conscience, religion and worship (Article 34), freedom of association, right of peaceful assembly and demonstration (Article 36), freedom to be informed and to access information held by public authorities (Article 35), freedom of association for trade unions (Article 38), non-discrimination (Article 13), the inviolability of the human being (Article 14), the prohibition of torture (Article 17), the non-retroactivity of unfavourable laws (Article 22), the secrecy of correspondence (Article 33), inter alia. Under Article 78, the Refoundation Charter has constitutional status.

However, [as has always been the case](#), the most significant constraints on fundamental freedoms emerge through sub-constitutional legal instruments and their [practical](#) application. These restrictive legal frameworks have the potential to undermine the very essence of the fundamental freedoms enshrined in international conventions and the Constitution. Since 23 July 2023, this unfortunate trend towards the [erosion](#) of fundamental freedoms has significantly [worsened](#), following the adoption of new restrictive legislation by the CNSP.

These successive repressive measures imposed by the CNSP, notably in [July](#) 2023, [June](#) and [August](#) 2024, [January](#) and [October](#) 2025, and [January](#) and [March](#) 2026, have further restricted or even shut down civic space, rendering the work of civil society in Niger both difficult and highly risky. Pursuant to [Ordinance No. 2024-43](#) of 27 August 2024 establishing a register of individuals allegedly involved in acts of terrorism, President Tiani [stripped](#) around twenty online activists of their Nigerien nationality.

The [Ordinance](#) establishes a register of persons, groups of persons or entities “involved in acts of terrorist or in any other offences that undermine the strategic and fundamental interests of the Nation or are likely to seriously disturb public order and security, and sets out the procedures for inclusion and removal from the register, as well as the related implications”. Article 3 of [Ordinance No. 2024-43](#) lists twenty grounds for inclusion in this registry and for the deprivation of nationality. These range from “committing, planning, supporting or facilitating acts of terrorism” to “threatening the stability of the nation”, including undertaking “activities likely to disrupt public peace and security”, “undermining state security”, among others.

Under Article 8, the mere inclusion of a person's name in this register automatically entails serious consequences: (1) a freeze on financial assets through a ban on access to their bank accounts, investments or any other financial resources (2) a ban on movement within the country unless authorised (3) a ban on travel abroad and (4) restrictions on commercial transactions, requiring companies and individuals to report any involvement with these persons, groups of persons or entities to the national committee. Inclusion in this register “may” also result in the “temporary deprivation of Nigerien nationality”. Moreover, where legal proceedings based on the same grounds result in the person concerned being sentenced to a term of imprisonment “of five years or more”, this prison sentence will have the additional

effect of converting the “temporary deprivation of nationality” into “permanent deprivation of nationality” (Article 9). This ordinance makes no distinction whether the individual concerned holds another nationality, creating a risk of statelessness.

This erosion of sub-constitutional legal safeguards is compounded by the weakening of institutional mechanisms for the protection of fundamental freedoms, following the complete [abolition](#) of the Constitutional Court, which acts as the guardian of fundamental rights, as well as the [Ombudsman](#) of the Republic. The National Observatory for Human Rights and Fundamental Freedoms (ONDHLF), provided for in Article 71 of the Refoundation Charter, has not yet been established. Meanwhile, the ordinance on the disciplinary regime for magistrates during the Refoundation period is likely to further discourage ordinary judges from providing effective judicial protection for fundamental freedoms.

Furthermore, decisions by international courts or quasi-judicial bodies are not being enforced, as evidenced by the CNSP’s prolonged refusal to implement the [ruling](#) of the ECOWAS Court of Justice and the [opinion](#) of the United Nations Working Group on Arbitrary Detention (WGAD) ordering the release of former President Bazoum Mohamed and his wife, Hadiza.

Similarly, the WGAD’s [opinion](#) ordering the release of Moussa Tchagari has not yet been implemented. According to this opinion, Moussa Tchagari’s deprivation of liberty is arbitrary and contravenes many articles of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Consequently, the WGAD has urged the Niger government to “take the necessary measures [...] to release Moussa Tchagari and grant him the right to seek redress, including compensation, in accordance with international law”.

Meanwhile, [Act No. 2022-27](#) on the rights and duties of human rights defenders formally provides important legal safeguards for human rights defenders, by guaranteeing them the freedom to carry out their activities across the entire national territory (Article 4), enshrines the inviolability of a defender’s home or headquarters (Article 7), prohibits the arrest and detention of a human rights defenders without the express authorisation of the public prosecutor (Article 6), and provides for the protection of human rights defenders and their family members when they face a situation of risk or danger arising from the exercise of their activities (Article 18), among other provisions.

These legal safeguards are not always respected. The case of Moussa [Tchangari](#) is a striking example of this, since none of these legal safeguards were [observed](#).

While human rights defenders, [trade unions](#) and the [press](#) are formally entitled to robust legal protection, these safeguards [are not](#) always [upheld](#). According to Reporters Without Borders’ World Press Freedom Index, Niger has [fallen 37 places](#) in the 2026 edition of the index, ranking 120th out of 180 countries, which represents the sharpest decline globally. On 8 May 2026, Niger’s National Communications Observatory (ONC) [suspended](#) nine French-language media outlets across all their platforms, claiming that these outlets were producing content that “seriously undermines public order, national unity, social cohesion and the stability of the Republic’s institutions”. However, no concrete evidence was provided to support these allegations. This suspension is part of a broader crackdown on the [media](#) that began after the 2023 coup d’état.

[The 2004 law](#) governing public protests imposes a form of criminal liability on activists for the offences committed by others (Article 10). This provision has been used in the [past](#) to arrest and imprison several members of Nigerien civil society and opposition figures. Today, the fear

of repression has become so widespread that CSOs avoid organising protests on public roads. Only supporters and other staunch advocates of the CNSP exercise this public freedom, which has effectively become a privilege.

Furthermore, on 16 February 2026, the CNSP also adopted an ordinance establishing a new criminal code which expressly [criminalises homosexuality](#) in Articles 390, 391, 392, 393 and 394. The applicable penalties range from five to twenty years' imprisonment and fines ranging from 10 million to five hundred million CFA francs, approximately 762,000 euros.

Under this law, same-sex relationships are punishable by a prison sentence of between five and ten years and a fine of between 10 and 100 million CFA francs. It provides for the same penalty for anyone who commits or attempts to commit "an indecent or unnatural act, or lesbian, gay, bisexual, transgender, queer, intersex or asexual (LGBTQIA+) practices", or for anyone who "artificially alters or attempts to alter their sex assigned at birth".

In addition to a prison sentence of between 10 and 20 years, any individual who "manages, directs, runs, finances or participates in clubs, societies, organisations or associations established for homosexuals or LGBTQIA+ people" is also liable to heavy fines ranging from 50 to 500 million CFA francs; while legal entities, for the same reasons, face the same financial penalties as well as "additional sanctions".

The [summary](#) of stakeholders' submissions compiled by the Office of the United Nations High Commissioner for Human Rights, on the occasion of Niger's participation in the fourth cycle of the Universal Periodic Review (UPR) in April 2026 describes civic space in Niger as "repressed" and subject to "severe civic space restrictions" (paragraph 31), noting that "those who expressed views critical of the government were victims of harassment, intimidation and arbitrary arrests" (paragraph 30).

2. Supportive legal and regulatory framework

The national legal framework governing the activities of civil society in Niger is primarily established by: (i) [Ordinance No. 84-06 of 1 March 1984](#) governing associations, as amended by Ordinance No. 84-50 of 5 December 1984 and Act No. 91-006 of 20 May 1991; (ii) [Decree No. 84-49/PCMS/MI of 1 March 1984](#), establishing the implementing provisions of the ordinance on associations; (iii) the [Order](#) of 26 November 2019 establishing procedures for monitoring the sources of funding of NGOs and civil society organisations; and (iv) [Decree No. 2022-182/PRN/MAT/DC of 24 February 2022](#) establishing the implementing provisions of Article 20.1 of Act No. 91-006 of 20 May 1991, which amended and supplemented Ordinance No. 84-06 of 1 March 1984 governing associations.

These instruments form a highly restrictive legal framework that is not conducive to civil society work, in that they establish a system of prior authorisation for the creation of a civil society organisation (CSO) (Article 23). However, no timeframe is set for obtaining this authorisation, and in the event of a refusal, the Ministry of Internal Affairs is under no obligation to give reasons for its decision (Article 4). The conditions for dissolving a CSO are also overly permissive. The legislation provides, for instance, that any association that fails to comply with the provisions of the 1984 Ordinance may be dissolved by order of the Minister after being formally notified to regularise its situation within a specified period. The same applies to any association that engages in activities not provided for in its articles of association or whose activities are deemed contrary to public order (Article 26). On the basis of this provision, Internal Affairs Minister Mohamed Toumba [dissolved](#) the Network of Journalists for Water and

Sanitation ([REJEA](#)) in March 2026, in accordance with the 24 March 2026 decree. However, the order in question provides no [factual](#) grounds for this dissolution. Available information indicates that on the eve of the dissolution, REJEA President Ousmane Danbadji appeared as a guest on the national television news programme to mark World Water Day. On that occasion, he drew the Government's attention to the significant challenges in accessing drinking water in Niger, particularly in rural areas. President Danbadji attributed these challenges, among other factors, to poor governance in the sector.

Several hundred CSOs were also [dissolved](#) in January 2026 pursuant to Article 26, read in conjunction with Article 11 of the 1984 Ordinance, for failing to publish their 2024 annual financial statements, certified by an accredited national or international audit firm, in the Official Gazette of the Republic of Niger.

3. Accessible and sustainable resources

Except for [trade unions](#), and to a certain extent, [media outlets](#), CSOs do not receive direct public funding from the State under the 1984 Ordinance and its implementing provisions.

The 2022 [decree](#) implementing Article 20 of the Ordinance governing associations provides, under Articles 26 onwards, certain safeguards and benefits exclusively to development NGOs that have signed the standard [memorandum of understanding](#) (MOU). These benefits may take various forms, including the provision of national volunteers (Article 32 of the MOU) and land required for the implementation of a project (Article 41), the granting of tax and customs exemptions (Article 33 of the MOU), and support for NGOs' efforts to mobilise financial resources (Article 43 of the MOU).

Pursuant to Article 32 of the 2022 decree, such support may take four forms: (i) direct funding granted to development NGOs from domestic or external sources through development programmes and projects implemented in Niger with their participation; (ii) issuance of letters or other forms of recommendation in support of fundraising initiatives undertaken by development NGOs outside Niger; (iii) issuance of authorisation to solicit and collect resources in Niger or abroad; and (iv) any other necessary support consistent with the laws and regulations in force.

Furthermore, [Act No. 2022-27](#) establishing the rights and duties of human rights defenders provides that "the State may, within the limits of its resources, contribute to the funding of legally established organisations working to promote and protect human rights and fundamental freedoms" (Article 22).

In recent years, these provisions have not been implemented. Funding for NGOs and associations has almost always come from external sources, as indicated by the 2020 CSO [Financial Viability Index](#) for Niger.

In view of the [Ordinance](#) of 22 October 2025, NGOs are now being used as funding sources to replenish the Solidarity Fund for the Defence of the Homeland. Among other things, they are required to contribute to the war effort with a monthly sum ranging from 10,000 to 20,000 and 100,000 CFA francs (between 15 and 150 euros), whether they are classified as small, medium-sized or large organisations (Article 3.9). Employees are also required to contribute 1 per cent of their net monthly remuneration (Article 3.21). In addition, associations and

development NGOs must pay a further levy equivalent to 3 per cent of the rent paid for their premises (Article 3.22).

Despite the many internal and external challenges linked to the [decline](#) in official development assistance, NGOs have more or less retained a certain capacity to raise some funding. According to the Ministry of Internal Affairs, in 2024, they [raised](#) more than 250 billion CFA francs and created 9,151 permanent jobs and 17,721 temporary jobs. These development organisations also contributed 17 billion CFA francs in tax revenue generated by their activities during the same year.

4. Open and responsive state

The relationship between State institutions and [CSOs](#) is marked by double standards and unequal treatment.

All CSOs considered to be supportive of the CNSP's efforts are [invited](#) to forums for dialogue or [consultation](#) and are granted opportunities, including participation in certain decision-making platforms such as the [National Conference](#), the [CCR](#) and the [Government](#). Their actions and activities boil down to systematic [support](#) for the CNSP and are therefore not subject to any restrictions.

Conversely, the few CSOs that have remained independent and outspoken are exposed to all manner of [repression](#): [harassment](#), [intimidation](#) and [arbitrary arrest](#), [dissolution](#), and even the deprivation of nationality, among others.

Despite the existence of [conventional](#) and [legislative](#) instruments, independent CSOs constantly face significant obstacles in accessing public information and administrative documents.

5. Supportive public culture and public discourse on civil society

Since the unconstitutional [change](#) of government on 26 July 2023, public discourse in Niger has been [dominated](#) by rhetoric hostile to [democracy](#), the [rule of law](#), [human rights](#) and their [defenders](#).

State-controlled media, including radio, [television](#) and online platforms, together with online activists supportive of the CNSP, are the main channels through which these narratives are promoted.

However, the latest findings from the [Afrobarometer](#) survey carried out in 2022 indicates that the majority of Nigeriens (61 to 66 per cent) [“prefer democracy to any other system”](#). Since the CNSP took power, this periodic survey has been suspended in Niger. As a result, there is no quantifiable data available to determine the situation during the 2025-2026 period.

Nevertheless, even though the word “democracy” appears neither in the report of the National Conference nor in the Refoundation Charter, the latter acknowledges that Nigeriens are “eager to create the conditions for the establishment of a genuine rule of law that takes account of

our socio-cultural realities". This shows a certain recognition of the Nigerien people's commitment to democracy, as no democracy can exist without "genuine rule of law".

6. Access to a safe digital environment

An assessment of Nigerien civil society's access to a safe digital environment requires a combined analysis of the legal, institutional and technological factors shaping this space.

The Cybersecurity Act is the main source of insecurity for CSOs seeking to operate in the digital space. As currently drafted, the June 2024 [Ordinance](#), particularly Articles 29 onwards, creates significant legal barriers to electronic communications. The ordinance imposes severe criminal penalties for "any defamation or insult" and "any dissemination of information likely to disturb public order or undermine human dignity".

For the production or dissemination of information deemed likely to disturb public order, a concept that remains broad and vague, the cumulative penalty ranges from two to five years' imprisonment and a fine of two to five million CFA francs, whereas for defamation or insulting language, the penalty ranges from one to three years' imprisonment and a fine of one to five million CFA francs.

This ordinance stipulates that the judge may not, under any circumstances, apply "provisions relating to mitigating circumstances and suspended sentences". Furthermore, it provides that, in relation to the dissemination of information likely to disturb public order or undermine human dignity, "criminal liability may arise even where the information produced and disseminated is proven to be true" (Article 31). Several [journalists](#) and other [activists](#) were arrested or [convicted](#) on the basis of this provision during the period covered by this overview.

In addition, Niger's digital space is characterised by [high prices](#), [poor quality](#), internet [blackouts](#) ordered by the [Government](#) in 2021, [disinformation](#), [cyberattacks](#), among other challenges.

From a cybersecurity perspective, [Internet Society](#) gave Niger a security preparedness score of 41.86 on the 2024 Global Cybersecurity Index. Its e-government systems preparedness score is 21.16, while its internet resilience score is 27 per cent, which means it has a low capacity to cope with a failure or an unforeseen disruption to operations.

Nigerien civil society's access to a safe digital environment should therefore be understood not only in terms of internet connectivity and technical cybersecurity, but also as a fundamental human rights issue. As long as legislation is used primarily to repress rather than to protect, and as long as CSOs' digital capacities remain limited, this environment will continue to be a major source of vulnerability.

Challenges and Opportunities

Based on the above, it is clear that Nigerien civil society faces a range of significant challenges, including:

- **Suppression of critical voices:** The repressive legal framework comprising decrees relating to cybercrime, general mobilisation and the deprivation of nationality, exposes civic actors to considerable legal uncertainty, and consequently, to strict self-censorship.
- **Deterioration of institutional mechanisms for the protection of human rights:** Conflicting legal frameworks, the abolition of the Constitutional Court and the Office of the Ombudsman, the prolonged delay or outright refusal to establish the ONDHLEF, and the ordinance governing the disciplinary regime for magistrates during this period are likely to deprive CSOs and citizens of any effective domestic remedy.
- **Financial pressure:** The sharp decline in official development assistance, coupled with the introduction of new levies to replenish the Solidarity Fund for the Safeguard of the Homeland (FSSP) and the wave of administrative dissolutions, is posing an existential threat to Nigerien CSOs.

Despite this particularly bleak picture, there are still a few opportunities that could serve as drivers of resilience for civil society:

- **Protective arm of the existing legal framework:** The international human rights instruments applicable in Niger, Chapter IV of the Refoundation Charter and the Law on the Protection of Human Rights Defenders provide a solid legal foundation for CSOs' advocacy and campaigning, including through strategic litigation. CSOs can continue to rely on these legal safeguards to challenge sub-constitutional instruments that are inconsistent with the Charter, which has constitutional status, or with the State's international human rights commitments.
- **Citizens' commitment to democratic values:** The population's deep-seated aspiration for a "genuine rule of law", explicitly mentioned in the Refoundation Charter, and statistical data from Afrobarometer (61 to 66 per cent in favour of democracy) suggest that there are opportunities for renewed civic engagement and for civil society to continue its efforts to promote democracy and defend human rights and the rule of law.
- **Financial mobilisation opportunities:** The decline in official development assistance does not mean its complete disappearance, as evidenced by the approximately 250 billion CFA mobilised by CSOs in 2024. Furthermore, the existence of a domestic legal framework recognising NGOs' right to receive financial support from the State, and the recognition that more than a thousand CSOs are legally entitled to continuing their activities, represent opportunities that civil society can seize to rebuild its resilience.

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