

UN CRC	Ratification Date	Care-Related Concluding Observations
	30 Sep 1990	<p>CRC/C/NER/CO/3-5</p> <p>11 October 2018</p> <p>https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fNER%2fCO%2f3-5&Lang=en</p> <p>III. Main areas of concern and recommendations</p> <p>C. General principles (arts. 2, 3, 6 and 12)</p> <p>Non-discrimination</p> <p>15. While noting that the 2010 Constitution contains non-discrimination provisions, the Committee recalls its recommendation from the previous concluding observations (CRC/C/NER/CO/2, para 28) that the State party make greater efforts to ensure that all children within its jurisdiction enjoy, without discrimination, all the rights set out in the Convention, including through public education programmes and the eradication of social misconceptions. In this regard, the Committee urges the State party to prioritize and target social services for children in the most marginalized and disadvantaged situations, in particular girls, children in slavery, including talibé children and Wahaya girls (fifth wife), children in street situations, migrant, refugee and asylum seeking children, children in forced labour, orphan children, children of unmarried parents, HIV infected and affected children, children separated from their families or unaccompanied children. It also urges the State party to withdraw its reservations to the Convention on the Elimination of All Forms of Discrimination against Women and ensure that the rights of girls are fully integrated in all of its policies and programmes.</p> <p>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</p>

		<p>Corporal punishment</p> <p>22. With reference to its general comment No. 8 (2006) on corporal punishment, the Committee recalls its previous recommendation (CRC/C/NER/CO/2, para 38) and urges the State party to:</p> <ul style="list-style-type: none">(a) Explicitly prohibit corporal punishment by law in all settings including in the home and in Koranic schools, and ensure that those laws are effectively implemented and that legal proceedings are systematically initiated against those responsible for mistreating children;(b) Conduct a comprehensive study to assess the causes, nature and extent of corporal punishment;(c) Introduce public education, awareness-raising and social mobilization campaigns on the harmful effects of corporal punishment with a view to changing the general attitude towards this practice, and promote positive, nonviolent, participatory forms of child-rearing and education;(d) Ensure that an educational programme be undertaken against corporal punishment, insisting both on child rights and the psychological aspects;(e) Ensure recovery and social reintegration of victims of corporal punishment;(f) Take appropriate measures to address ill-treatment of children in Koranic schools and prosecute perpetrators in accordance with the criminal law. <p>F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))</p> <p>Family environment</p> <p>26. The Committee recalls its previous recommendations (CRC/C/NER/CO/2, paras 42 and 44) and urges the State party to take all necessary measures to:</p> <ul style="list-style-type: none">(a) Ensure the allocation of appropriate financial and other resources to programmes that support parents in the exercise of their responsibilities;(b) Provide effective support programmes for children in vulnerable families;(c) Ensure that mothers and fathers equally share the legal responsibility for their children in accordance with article 18 (1) of the Convention;
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		<p>(d) Eliminate discrimination against women such as polygamy and repudiation, which negatively impact their children.</p> <p>Children deprived of a family environment</p> <p>27. Drawing the State party’s attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex), the Committee urges the State party to:</p> <ul style="list-style-type: none">(a) Implement its 2016 National Programme for Children and Social Service Reform and facilitate family-based care for children wherever possible;(b) Formalize the alternative care system by establishing a system of foster care for children who cannot stay with their families and ensure periodic review of the placement of children in foster care and monitor the quality of care therein;(c) Reduce the practice of “confiage” and carry out a regular monitoring of the situation of children who live under such arrangement;(d) Increase the number of social workers and provide them with adequate training, in particular training on children’s rights, and the necessary technical and financial resources;(e) Regulate and monitor the practices of entrusting children to Marabouts in Koranic schools in order to avoid abuses of children’s rights; and(f) Provide accessible channels for reporting, monitoring and remedying maltreatment of children deprived of a family environment. <p>Adoption</p> <p>28. The Committee is concerned that the State party, although admitting the existence of informal adoptions and of the practice of intermediaries’ involvement in adoption cases, does not have information on the scope of the practice. The Committee is particularly concerned that the State party does not regulate and monitor informal adoptions, including “confiage”, whereby parents entrust their children to their relatives and friends as noted by the State party (para 117).</p> <p>29. The Committee recommends that all appropriate legal and administrative measures be taken to ensure that all persons involved in the adoption of a child act in conformity with applicable international legal</p>
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		<p>instruments, and their obligation to ensure that any adoption is in the best interests of the child. In particular, the Committee urges the State party to:</p> <ul style="list-style-type: none">(a) Develop and implement strict criteria for the adoption of children and ensure that exhaustion of all means to prevent termination of parental responsibility and/or separation of the child is set as a clear criterion in all cases involving adoption, including “confiage”;(b) Take all measures necessary to ensure that there is no remuneration or any other consideration received in relation to adoption;(c) Investigate all cases of irregular adoption, sale or trafficking of children and improper inducement of consent of parents to give up their parental responsibilities in respect of their child for the purpose of his or her future adoption, and carry out awareness-raising programmes at the community level. <p>I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</p> <p>Asylum-seeking, refugee and migrant children</p> <p>40. While noting that the State party remains a source and transit country for migrants and refugees and with reference to joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families / No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international immigration, the Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Ensure that the best interests of the child are a primary consideration in all decisions and agreements in relation to the transfer of any asylum-seeking, refugee or migrant children;(b) Invest in a national information management system for the protection of children;(c) Extend the basic services to areas from which large number of migrants originate such as Kantche department in Zinder region;(d) Process cases involving unaccompanied asylum-seeking, refugee and migrant children in a positive, humane and expeditious manner as a means of identifying durable solutions;(e) Facilitate access to the asylum system for children in need of international protection, in line with articles 6, 22 and 37 of the Convention and general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin;
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		<p>(f) Operationalize the 1997 law on refugees by adopting the pending Presidential decree.</p> <p>Children in armed conflicts</p> <p>41. The Committee notes that the State party signed a protocol with the United Nations to consider children associated with armed forces or groups as victims, but it is concerned that a number of children who lack birth certificates have been prosecuted as terrorists and remain in prisons. The Committee is also concerned that a large number of children who were arrested in a military operation in Lake Chad Basin remain in detention facilities, some together with adults. It is also concerned that children held in the Goudoumaria center following a demobilization campaign have no legal status and continue to await support.</p> <p>42. The Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Improve its age determination methods, in particular for persons suspected of being involved in armed conflict;(b) Treat children suspected of association with armed groups as children in need of protection.(c) Release and reintegrate children held in the Goudoumaria centre into society and provide them with all the necessary support. <p>Children in street situations</p> <p>45. In view of the reports of large numbers of children in street situations and with reference to its general comment No. 21 (2017) on children in street situations, the Committee recalls its previous recommendation (CRC/C/NER/CO/2, para 73) that the State party:</p> <ul style="list-style-type: none">(a) Undertake a systematic assessment of the situation of children in street situations in order to obtain an accurate picture of its root causes and magnitude;(b) Develop and implement, with the active involvement of the children in street situations themselves, a comprehensive policy which should address the root causes, as well as define preventive and protective measures which establish annual targets to reduce the number of children in street situations, allocate the necessary resources and develop appropriate guidelines for the implementation of such strategy by public services and NGOs;(c) Support family reunification programmes and other alternative care, provided that they are in the best interests of the child;
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		<p>(d) Ensure that children in street situations attend and stay in school, and provide adequate health care services, shelter and food, bearing in mind the different needs of boys and girls; (e) Develop sensitization programmes in collaboration with traditional and religious leaders and parents to eliminate the practice of Marabouts sending children to beg in the street.</p>
		Country Report
		<p>CRC/C/NER/3-5</p> <p>8 November 2017</p> <p>https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fNER%2f3-5&Lang=en</p>
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	26 Oct 2004	<p>CRC/C/OPSC/NER/CO/1</p> <p>11 October 2018</p> <p>https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPSC%2fNER%2fCO%2f1&Lang=en</p> <p>V. Prevention of the sale of children, child prostitution and child pornography ((art. 9 (1) and (2))</p> <p>Measures adopted to prevent offences prohibited under the Protocol</p>

		<p>15. The Committee notes the development of the Centres Sociaux de Prévention, Promotion, et Protection, which are in pilot stage as well as the 2010 National Guidelines for the care of children in vulnerable situations. However, the Committee remains concerned that efforts made by the State party are insufficient, in particular in relation to children in slavery, including talibé children and Wahaya girls (fifth wife), children in street situations, migrant, refugee and asylum seeking children, children in forced labour, orphan children, children of unmarried parents, children separated from their families or unaccompanied children. In this regard, the Committee regrets the absence of identification mechanisms and targeted services aimed at preventing children in vulnerable and marginalized situations from becoming victims of offences under the Optional Protocol.</p> <p>16. The Committee urges the State party to establish mechanisms to identify and detect children at risk of falling victim to offences under the Optional Protocol, especially among children in slavery, including Talibe children and Wahaya girls (fifth wife), children in street situations, migrant, refugee and asylum seeking children, children in forced labour, orphan children, children born outside marriage, children separated from their families or unaccompanied children, as well as take targeted measures to prevent such offences. It also recommends that the State party train its law enforcement officials and adopt standard operating procedures to always regard victims or children at risk of becoming victims of offences under the Optional Protocol as victims or potential victims and not as offenders.</p> <p>VI. Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3, 4 (2) and (3) and 5-7)</p> <p>Existing criminal or penal laws and regulations</p> <p>22. The Committee notes that the 2010 ordinance on trafficking in persons and the Criminal Code prohibit sale of children and child prostitution only to a certain extent and there remain significant gaps in the State party's legislation to define and criminalize all offences under articles 2 and 3 of the Optional Protocol. In particular, it is concerned that the engagement of the child in forced labour and the improper inducing of consent for the adoption of the child are not prosecuted as cases of sale of children and that the State</p>
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		<p>party's legislation does not prohibit child pornography and other acts which amount to sale of children and child prostitution.</p> <p>23. The Committee recommends that the State party revise the Criminal Code in order to define and explicitly prohibit and criminalize all offences, in particular all forms of the sale of children and child prostitution and all elements of child pornography in line with articles 2 and 3 of the Optional Protocol.</p>
OPAC to CRC	Accession Date	Care-Related Concluding Observations
	13 Mar 2012	
ICCPR	Accession Date	Care-Related Concluding Observations
	7 Mar 1986	
ICESCR	Accession Date	Care-Related Concluding Observations
	7 Mar 1986	
CEDAW	Accession Date	Care-Related Concluding Observations
	8 Oct 1999	
CRPD	Ratification Date	Care-Related Concluding Observations
	24 June 2008	
UPR	Date of Consideration	Link to Page
	18 Jan 2016	https://www.ohchr.org/EN/HRBodies/UPR/Pages/NEindex.aspx

Hague Intercountry Adoption	Ratification Date	Link to Country Profile
	N/A	https://www.hcch.net/en/states/other-connected-parties/details2/?sid=116

Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review