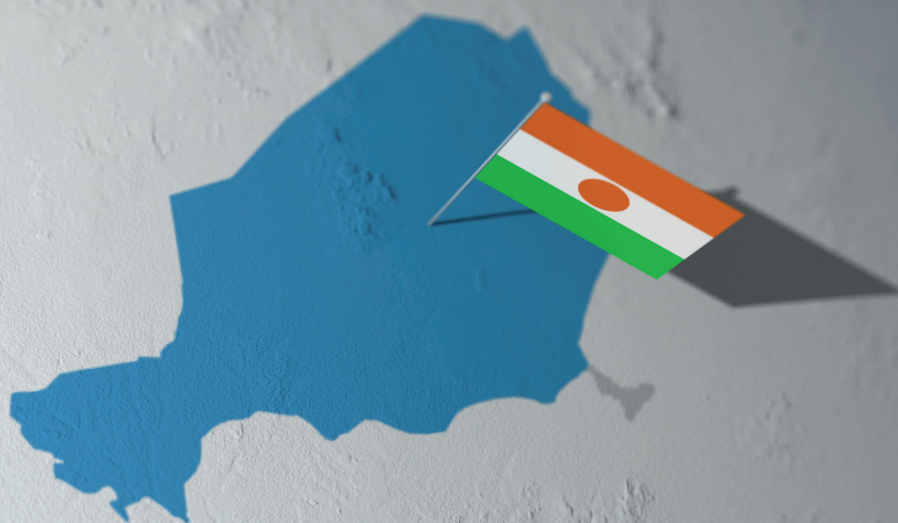




**Government Defence
Integrity Index**



2020



Country Brief:

NIGER



NIGER

One of the poorest countries in the world,¹ Niger is struggling to grapple with mounting jihadist violence on multiple fronts, as French counter-terrorism efforts in Mali push fighters across the border in the east, whilst in the south, Boko Haram's campaign in the Lake Chad region continues unabated.² Development efforts have been severely impeded, and defence and security forces have been unable to provide protection to affected populations, as extremists groups have leveraged Niger's vast landscape and weak state presence to become entrenched.³

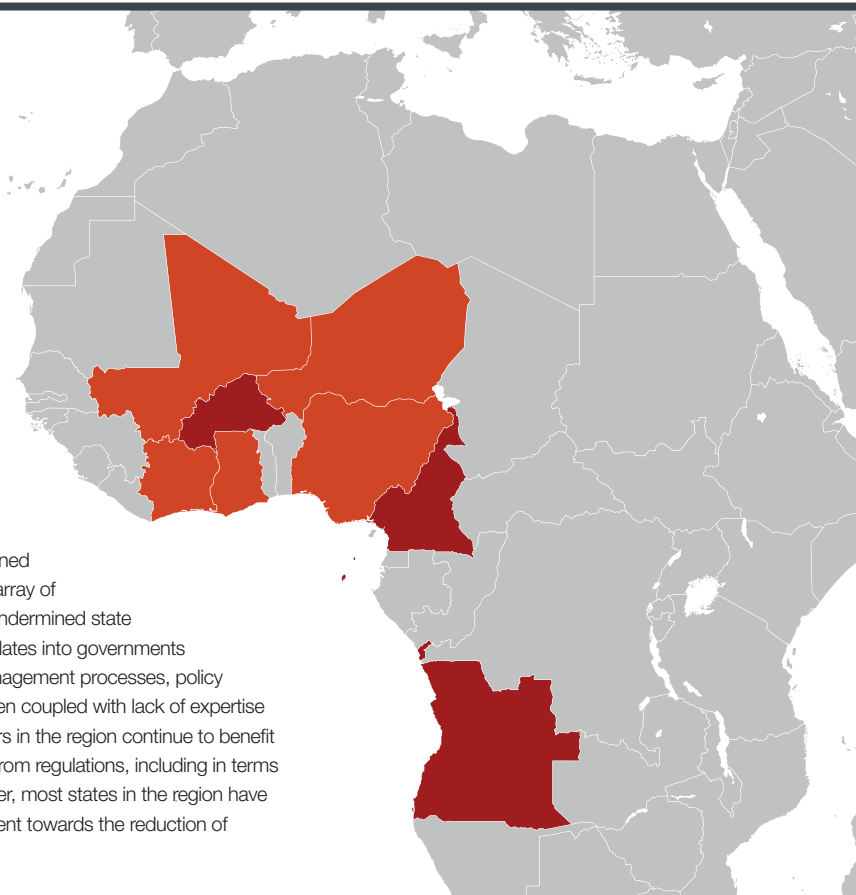
Member of Open Government Partnership	No
UN Convention Against Corruption	Ratified in 2008.
Arms Trade Treaty	Ratified in 2015.

With the highest fertility rate in the world and an under-developed economy that is unable to absorb an increasingly young population, Niger's security and development challenges are intricately intertwined.⁴ Amidst these challenges, the February 2021 Presidential elections marked the first peaceful passage of power for 60 years, although there were allegations of fraud by the opposition.⁵ One of President Mohamed Bazoum's key priorities is the defence and security sector where, despite recent legislative advances,⁶ corruption and weak governance have continued to hamper security efforts. A considerable implementation gap remains with reforms generally failing to reduce corruption risks in the defence sector. Oversight is severely hindered by weak information flows between the government, audit bodies and parliament, with defence exceptionalism exacerbating these limitations. The exclusion of defence goods and equipment from standard procurement regulations significantly increases corruption risk, as does the opacity surrounding financial management and budgeting practices. A lack of emphasis on corruption also risks undermining military operations and any attempts to build integrity and ethical practices within the armed forces.

West Africa

In recent years, corruption and weak governance have fuelled popular grievances and diminished the legitimacy of national institutions across West Africa. For some states, including Mali, Niger, Burkina Faso and Nigeria, corruption has underpinned armed conflict and the proliferation of violent extremist groups that have gained a foothold in the region.

These groups are now beginning to threaten West Africa's coastal states, who themselves are confronted with rising piracy in the Gulf of Guinea. In turn, these conflicts are fuelling a rise in intercommunal violence and exacerbating tensions linked to climate change and resource scarcity. Meanwhile, trafficking and smuggling in small arms, drugs, natural resources, and human beings continue to pose a significant threats to regional stability. Poorly governed national defence forces have struggled to contend with this array of security challenges and their vulnerability to corruption has undermined state responses to insecurity. Extremely limited transparency translates into governments releasing incomplete information on budgets, personnel management processes, policy planning, and acquisitions of military assets. This, in turn, often coupled with lack of expertise and resources, undermines civilian oversight. Defence sectors in the region continue to benefit from a defence exceptionalism in which they are exempted from regulations, including in terms of procurement or freedom of information legislation. However, most states in the region have signed and/or ratified the UNCAC, showing some commitment towards the reduction of corruption risk within their borders.



¹ UNDP, 'Human Development Index', 2020, p. 345.

² Deutsche Welle, 'Pourquoi les Attaques Djihadistes se Multiplient au Niger?', 2 August 2021.

³ International Crisis Group, 'Sidelining the Islamic State in Niger's Tillabery', Report 289, 3 June 2020.

⁴ Le Monde, 'Sur le Départ, le Président du Niger Appelle à ne pas "Tripoter" les Constitutions', 7 January 2021.

⁵ BBC News, 'Niger Election : Mohamed Bazoum Wins Landmark Vote Amid Protests', 23 February 2021.

⁶ See for instance, the Presidential Renaissance Programme (2016-2021); The Anti-Corruption Bill (2016); and the National Strategy to Fight Corruption (2018).



NIGER

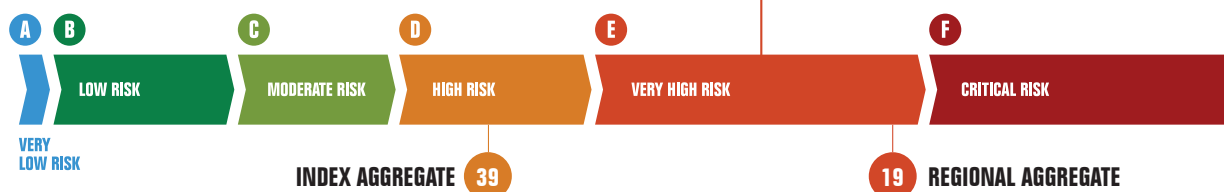
Overall scores

The size of the colour band corresponds to number of countries that fall into that category.

NIGER SCORE
VERY HIGH RISK

E

22



A > 83-100 VERY LOW

B > 67-82 LOW

C > 50-66 MODERATE

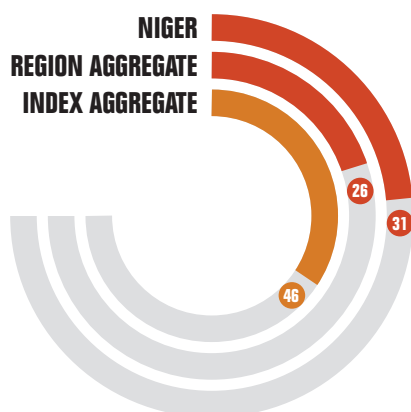
D > 33-49 HIGH

E > 17-32 VERY HIGH

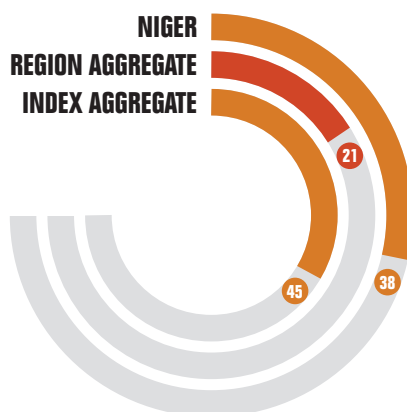
F > 0-16 CRITICAL

Risk Comparison

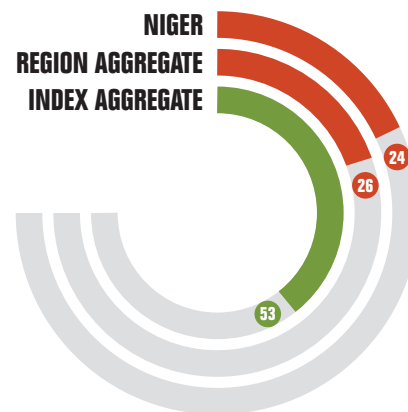
POLITICAL



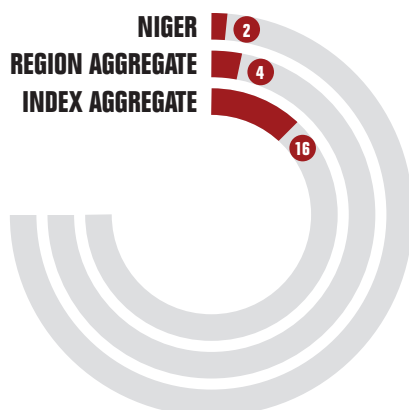
FINANCIAL



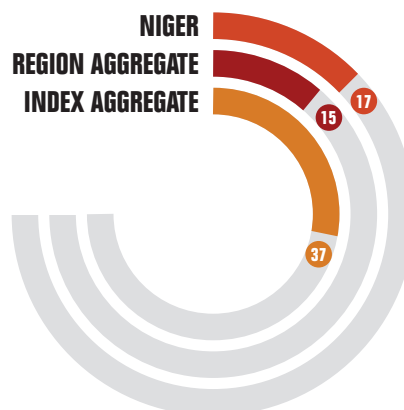
PERSONNEL



OPERATIONAL



PROCUREMENT





NIGER

Parliamentary Oversight

Legislative oversight of budget (Open Budget Survey, 2019)	43/100
Military expenditure as a share of government spending (SIPRI, 2020)	7.4%
Committee members with defence expertise (%)	Data is not publicly available.
# of meetings/year	Data is not publicly available.
Last review of defence policy/strategy	2011

Niger has a long history of military involvement in politics, and the military's influence largely side-lined the National Assembly,⁷ regardless of its constitutional mandate. Despite the military's currently waning influence, the National Assembly's historic and structural limitations related to the defence sector remain. Whilst it has been involved in some aspects of defence policy, including approving states of emergency in conflict-affected regions,⁸ its impact on the policy formulation and oversight process is heavily restricted. This is partly due to the presidential party's tight grip on the National Assembly, controlling 64% of seats in the 2016-2021 cycle,⁹ giving the executive a strong platform to push through defence legislation with little debate. Further undermining independent and effective legislative oversight is the poor capacity and expertise of the parliamentary Security and Defence Committee. Only a handful of the 23 committee members including its chair, have any relevant expertise of the sector,¹⁰ a knowledge deficit that is compounded by the absence of staffers and external advisers to offer technical support to parliamentarians, negatively affecting the committee's effectiveness as a control body. In the past three years, the committee has not issued a single budget amendment and has not provided any significant recommendations to be incorporated by the executive. It has also conducted no long-term investigations despite having the power to do so. The weakness and inefficiencies in auditing practices of the sector are a further obstacle to oversight. The Inspector General of the Armed Forces,¹¹ is responsible for internal auditing, with the National Audit Office and State Inspector General charged with external audits. However, the Inspector General of the Armed Forces does not share its confidential reports with other oversight bodies, significantly restricting the information available for them to carry out their duties. For their part, neither the National Audit Office nor the State Inspector General regularly audit defence expenditure or activities, due to lack of resources and access to defence information, meaning there is very little available publicly available information on the sector's financial management, which could help inform parliament's oversight work.

Financial Transparency

Defence-related access to information response rates	(1) % granted full or partial access: Data is not publicly available. (2) # subject to backlog: Data is not publicly available.
Defence-related complaints to ombudsman/commissioner #	Data is not publicly available.
Does the commissioner have authority over the MoD?	Yes
Audit reports on defence (2015-2020) #*	0
Open Budget Index (IBP, 2019)	17/100
World Press Freedom Index (RSF, 2021)	59th out of 180

**this assesses only publicly available audits released by the NAO or SIG. The 2020 leaked IGA audit is therefore, not included.*

As underlined by the Open Budget Index, Niger has one of the lowest rates of budget transparency in West Africa.¹² Although it has shown improvement in recent years, its defence budget remains only partly transparent, with information highly aggregated and a lack of justifications and explanations hindering its legibility.¹³ The legislature is also not presented with a fully detailed budget proposal and the Defence Committee is given only partial information related to spending on secret items, and no information on asset disposals whatsoever, significantly limiting its ability to contribute to both budget elaboration and oversight. Instead, budget elaboration is done entirely by the executive. Furthermore, mechanisms to access information from the sector are highly dysfunctional. Niger has no legislation in place to regulate it and does not guarantee the right to access information in law. Instead, the only regulation comes from a 2011 Executive Order which splits information into two distinct categories: "publishable" and "non-publishable".¹⁴ Nevertheless, the guidelines determining criteria for information to be deemed "non-publishable" are broad and allow significant leeway for officials to deny requests on questionable and arbitrary grounds.¹⁵ Capacity constraints also mean that delays in information being released are common. Financial transparency is also undermined by the fact that Niger does not publish sources of defence income other than from central government allocation. Niger receives substantial security assistance from international partners such as the United States, France and Germany,¹⁶ but full details on cooperation are not systematically accessible, nor are they subjected to scrutiny. However, Niger's constitution does prohibit off-budget military spending and underlines the need for all spending to be funded via the budget, although it was not possible to assess whether this provision is complied with in practice.

⁷ Mahaman Tidjani Alou, 'Les Militaires Politiciens', in Kimda Idrissa (ed.), L'armée et politique au Niger, Dakar, CODESRIA, 2008.

⁸ See for instance, 'Communiqué of the Council of Ministers', 3 March 2017.

⁹ Mathieu Olivier, 'Niger: les Résultats des Elections Législatives, Région par Région', *Jeune Afrique*, 18 March 2016.

¹⁰ National Assembly, 'Composition of the Defence and Security Commission'.

¹¹ Ministry of Defence, 'Main Departments'.

¹² International Budget Partnership, 'Niger', p. 4.

¹³ Ministry of Finance, 'Budget Proposal 2021', 17 September 2020.

¹⁴ Republic of Niger, 'Order No. 2011-22 of 23 February 2011, Setting out the Charter of Access to Public Information and Administrative Documents', 23 February 2011.

¹⁵ Republic of Niger, 'Order No. 2011-22', Articles 12 & 14.

¹⁶ Emily Cole & Allison Grossman, 'In Niger, Foreign Security Interests Undermine Stability – What Can be Done?', *USIP*, 4 November 2020.



NIGER

Personnel Ethics Framework

Whistleblowing legislation	None.
# defence-sector whistleblower cases	Data is not publicly available.
# Code of conduct violations	Military: Data is not publicly available.
	Civilian: Data is not publicly available.
Financial disclosure system	# submitted: Data is not publicly available.
	# of violations: Data is not publicly available.

The discovery of the bodies of 71 civilians in Tillabéri in April 2020, allegedly murdered by Nigerien troops according to a report by the Human Rights Commission (CNDH) but contested by the government,¹⁷ is one example of many such similar incidents that point to a critical human rights situation in the Sahel, and the increasing incidents of abuses by government troops.¹⁸ Whilst multiple factors have contributed to this, these abuses are facilitated in part by the lack of a strong ethics framework for military personnel. For instance, Niger's armed forces are not bound by a code of conduct. Aside from an instruction manual on International Humanitarian Law (IHL) that makes no reference to corruption,¹⁹ there is no overarching framework document regulating conduct. The Military Code provides some loose guidance, but it is not a code of conduct per se and again makes little reference to corruption.²⁰ Awareness of this code and education around it are also significantly lacking, while breaches of the Military Code are only occasionally investigated, and prosecutions for cases involving corruption are almost unheard of. The reporting of abuses is undermined by the lack of a legal framework around whistleblowing. Loose and partial protections are granted by some laws, however it is unclear how effective they would be in relation to defence. The lack of protections and absence of trainings and awareness raising around the concept of whistleblowing means that few personnel are likely to come forward and report wrongdoing. Aside from this, Niger performs better than its neighbours when it comes to recruitment and promotions. Formal and established procedures are relatively strong, with the publication of formal criteria and existence of committees inputting into the selection process and advising the President. Nevertheless, personal connections continue to play an outsized role in these processes, and kinship and ethnic considerations remain powerful.

Operations

Total armed forces personnel (World Bank, 2018)	10,300
Troops deployed on operations #	862 in Mali (MINUSMA), Unknown number deployed in Niger.

Given the intensification of military operations to counter the threat from jihadist groups and the increasing deployment of troops in Western Tillabéri and South-Eastern Diffa,²¹ Niger's high vulnerability to corruption risk on operations is a cause for concern. There is no military doctrine identifying corruption as a strategic issue for operations nor are there any corresponding strategies to mitigate its effects. Consequently, there is also no evidence that corruption is included in the forward planning for operations. The absence of a strategic framework to counter corruption during deployments trickles down to training, monitoring and planning functions. There is no specific corruption risk training for commanders ahead of deployments. While personnel receive a wide variety of training programmes from international partners, there is no evidence that any of these programmes focus on corruption issues during deployments. Instead, it appears that the only anti-corruption training personnel receive is standard ethics programmes in relation to the Military Code. Moreover, Niger has no guidelines on addressing corruption risks in sensitive areas, such as contracting for operations, meaning that staff in such areas are not properly equipped to identify and mitigate corruption risk when they arise. Though there is some monitoring of corruption risk, conducted by GIZ²² and General Inspection of Security Services (IGSS), these missions occur only rarely, and there is no evidence that the armed forces are taking steps to institutionalise this practice within their own structures.

¹⁷ Deutsche Welle, 'Niger: Fear of Terror – and the Military', *DW*, 16 September 2020.

¹⁸ Amnesty International, 'They Executed Some and Brought the Rest With them': *Human Rights Violations by Security Forces in the Sahel*, London, Amnesty International, 2020.

¹⁹ ICRC, 'Niger: Humanitarian Law Manual for Armed Forces', 25 March 2015.

²⁰ Republic of Niger, 'Act No. 2003-10 of 11 March 2003 setting out the Military Code of Justice', *Official Gazette*, No. 6, 5 May 2003.

²¹ France 24, 'Joint French-Nigerien Military Operation Kills More Than 100 Jihadists in Niger', 22 February 2020.

²² Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH (German Corporation for International Development)



NIGER

Defence Procurement

Military expenditure (US\$ mil) (SIPRI, 2020)	225
Open competition in defence procurement (%)	Data is not publicly available.
Main defence exports – to (SIPRI, 2016-20)	N/A
Main defence imports - from (SIPRI, 2016-20)	United States, France, China

After a decade of growth in military expenditure, Niger's defence spending declined by 9% in 2020.²³ Despite this, it still represents roughly 19% of the national budget, a significant amount for a country with pressing development challenges.²⁴ However, endemic corruption threatens to waste significant amounts of these resources. In 2020, a confidential internal audit report was leaked and revealed that almost a third of military spending had been siphoned off between 2014 and 2019 in grossly inflated military equipment contracts.²⁵ The deals, structured to allow corrupt officials and middlemen to extract public funds, were facilitated by the opacity of Niger's defence procurement systems. The military's acquisition plan is highly classified and inaccessible to oversight institutions, including certain members of the defence committee, restricting their ability to assess individual purchases against an overall plan. Additionally, Niger's 2016 Public Procurement Code excludes all goods related to the military from

public procurement regulations,²⁶ with these acquisitions instead regulated by a 2013 Ministerial Decree.²⁷ This blanket exemption ensures that all defence acquisitions are highly secretive, even those presenting no tangible threat to national security, making external scrutiny extremely difficult. As a result, defence procurement is overwhelmingly conducted through single-sourcing with no evidence of the existence of oversight mechanisms for this procedure, undermining procurement transparency, cost-efficiency and exposing Niger to serious corruption challenges. Furthermore, regulatory and oversight agencies, like the State Inspector General and Regulatory Agency on Public Procurement, have little access to defence information and do not assess these acquisitions in their reports. The Inspector General of the Armed Forces does audit defence procurement, however its reports are classified and only shared with the President and Prime Minister. It should though, be noted that the National Assembly is currently attempting to redefine the notion of "defence secrecy".

²³ Nan Tian, Alexandra Kuimova, Diego Lopes da Silva, Pieter D. Wezeman and Siemon T. Wezeman, 'Trends in World Military Expenditure, 2020, SIPRI Fact Sheet, April 2021, p. 6.

²⁴ Pierre Desorgues, 'Niger: L'Armée Doit se Battre Contre les Djihadistes et la Corruption', *TV5 Monde*, 11 December 2020.

²⁵ Mark Anderson, Khadija Sharife and Nathalie Prevost, 'How a Notorious Arms Dealer Hijacked Niger's Budget and Bought Weapons from Russia', *OCCRP*, 6 August 2020.

²⁶ République du Niger, *Décret No. 2016-641 Portant Code des Marches Publics et des Délégations de Service Public*, 1 December 2016.

²⁷ République du Niger - Cabinet du Premier Ministre, *Décret No. 2013-570 Portant Modalités Particulières de Passation des Marchés de Travaux, d'Équipements, de Fournitures et de Services Concernant les Besoins de Défense et de Sécurité Nationales*, 20 December 2013.

Version 1.0, October 2021

GDI data collection for **Niger** was conducted February 2018 to March 2019. The narrative discussion in this GDI brief was produced at a later time with the most recent information available for the country, which may not be reflected in the GDI country assessments or scores.



NIGER 2020 GDI Scorecard

		Grade	Score
Political Risk		E	31
Q1	Legislative Scrutiny	D	42
Q2	Defence Committee	E	17
Q3	Defence Policy Debate	D	44
Q4	CSO Engagement	E	25
Q5	Conventions: UNCAC / OECD	B	75
Q6	Public Debate	C	50
Q7	Anticorruption Policy	C	63
Q8	Compliance and Ethics Units	D	42
Q9	Public Trust in Institutions	NS	
Q10	Risk Assessments	F	0
Q11	Acquisition Planning	F	8
Q12	Budget Transparency & Detail	C	63
Q13	Budget Scrutiny	E	25
Q14	Budget Availability	D	33
Q15	Defence Income	F	8
Q16	Internal Audit	F	0
Q17	External Audit	E	17
Q18	Natural Resources	C	58
Q19	Organised Crime Links	C	50
Q20	Organised Crime Policing	D	42
Q21	Intelligence Services Oversight	F	0
Q22	Intelligence Services Recruitment	NEI	
Q23	Export Controls (ATT)	NEI	
Q76	Lobbying	F	0
Financial Risk		D	38
Q24	Asset Disposal Controls	F	0
Q25	Asset Disposal Scrutiny	F	0
Q26	Secret Spending	F	0
Q27	Legislative Access to Information	E	25
Q28	Secret Program Auditing	F	0
Q29	Off-budget Spending	NEI	
Q30	Access to Information	C	50
Q31	Beneficial Ownership	A	100
Q32	Military-Owned Business Scrutiny	A	100
Q33	Unauthorised Private Enterprise	A	100
Q77	Defence Spending	F	6
Personnel Risk		E	24
Q34	Public Commitment to Integrity	F	8
Q35	Disciplinary Measures for Personnel	C	50
Q36	Whistleblowing	F	8
Q37	High-risk Positions	F	0
Q38	Numbers of Personnel	D	33
Q39	Pay Rates and Allowances	A	88
Q40	Payment System	C	50
Q41	Objective Appointments	E	25
Q42	Objective Promotions	F	13
Q43	Bribery to Avoid Conscription	F	0
Q44	Bribery for Preferred Postings	B	67
Q45	Chains of Command and Payment	F	0
Q46	Military Code of Conduct	C	50

OVERALL COUNTRY SCORE

VERY HIGH RISK

E
22

RISK GRADE

A • 83-100 VERY LOW
B • 67-82 LOW
C • 50-66 MODERATE
D • 33-49 HIGH
E • 17-32 VERY HIGH
F • 0-16 CRITICAL



		Grade	Score
Personnel Risk		E	24
Q47	Civilian Code of Conduct	F	0
Q48	Anticorruption Training	E	17
Q49	Corruption Prosecutions	F	0
Q50	Facilitation Payments	F	0

		Grade	Score
Operational Risk		F	2
Q51	Military Doctrine	F	0
Q52	Operational Training	F	0
Q53	Forward Planning	F	0
Q54	Corruption Monitoring in Operations	F	8
Q55	Controls in Contracting	F	0
Q56	Private Military Contractors	NS	

		Grade	Score
Procurement Risk		E	17
Q57	Procurement Legislation	B	75
Q58	Procurement Cycle	C	50
Q59	Procurement Oversight Mechanisms	F	8
Q60	Potential Purchases Disclosed	F	0
Q61	Actual Purchases Disclosed	F	0
Q62	Business Compliance Standards	E	25
Q63	Procurement Requirements	E	17
Q64	Competition in Procurement	F	13
Q65	Tender Board Controls	E	31
Q66	Anti-Collusion Controls	E	25
Q67	Contract Award / Delivery	F	13
Q68	Complaint Mechanisms	NEI	
Q69	Supplier Sanctions	D	33
Q70	Offset Contracts	F	0
Q71	Offset Contract Monitoring	F	0
Q72	Offset Competition	F	0
Q73	Agents and Intermediaries	F	0
Q74	Financing Packages	F	0
Q75	Political Pressure in Acquisitions	NS	

KEY

NEI Not enough information to score indicator
NS Indicator is not scored for any country
NA Not applicable



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