

Call for the protection of human rights defenders who are seeking greater transparency & fairness in dealings between the Niger government & extractive industries

8 August 2014 – On the day of French President François Hollande’s visit to Niger on 18 July 2014, several members of Niger’s civil society were arrested in Niamey after having urged greater transparency and fairness in dealings between the government and extractive industries. We are deeply concerned that the arrests of these human rights defenders appear to have been directed at stifling or silencing their advocacy in relation to business and human rights, particularly the conduct of French and other transnational corporations.

Among the activists who were arrested was Mr. **Ali Idrissa**, the national coordinator of the Network of Civil Society Organizations for Transparency in Extractive Industries and Budgetary Analysis (known as ROTAB for its French acronym) and of Publish What You Pay-Niger, as well as a member of the board for Niger’s Extractive Industries Transparency Initiative (EITI Niger). Ms. **Solli Ramatou**, national coordinator of the Group for Reflection and Action on Extractive Industries in Niger (known as GREN for its French acronym) was also among those arrested, as well as Ms. **Naomi Stansley**, Mr. **Maikoul Zodi**, Mr. **Halidou Mounkaila**, Mr. **Boubacar Illiassou** (members of ROTAB) and Mr. **Bozari Boubacar** (a member of GREN). These advocates were released later the same day.

ROTAB and GREN have worked for years for greater transparency in the opaque extractive sector in Niger. The “Save Niger” civil society coalition (“Sauvons le Niger”), which both organizations belong to, had published a statement the day before President Hollande’s arrival calling for greater transparency and fairness in uranium mining contracts between Niger’s government and Areva, the French nuclear firm. The coalition had also called for the residents of Niamey to welcome President Hollande with a yellow scarf to symbolise their rejection of the pillage of the country’s natural resources by foreign companies.

This strongly stated position by the coalition, and its use of the occasion of President Hollande’s visit to criticise the political and economic relations between France and Niger as well as the manner in which Areva exploits uranium in Niger, seem to have been the root causes of the arrest of these members of civil society, who still do not know if formal charges will be filed against them.

We, the undersigned organizations, consider that members of civil society, particularly local NGOs, play a fundamental role in the defense of human rights that are impacted by companies. We strongly condemn the arrest of the civil society representatives mentioned above. Their arrest strikes us as a violation of their rights of freedom of expression, association and assembly.

Concerned by the actions of the authorities in Niger and seeking to ensure respect for human rights defenders, we call on the Government of Niger to take all necessary steps to:

- Protect in all circumstances the physical security and psychological integrity of the human rights defenders mentioned above, and of all human rights defenders in Niger;
- End all forms of harassment – including judicial harassment – against them and all human rights defenders in Niger;

- Respect the freedoms of expression, association and assembly of civil society in Niger working for greater transparency in natural resource management;
- Comply with the provisions of the Declaration on Human Rights Defenders, adopted by the United Nations General Assembly on 9 December 1988, particularly:
 - Article 1, which states, “Everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”; and
 - Article 12.2, which states, “The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- Guarantee, as an EITI-compliant country, complete transparency in extractive industry revenue management, and a truly open debate with civil society on natural resources and the allocation of revenues that they generate;
- Ensure that revenues from natural resources benefit all segments of society in Niger;
- Comply with the State duty to protect from human rights abuses including by companies under the United Nations Guiding Principles on Business and Human Rights, including by ensuring effective remedies for victims of abuses involving companies, and ensuring “that the legitimate and peaceful activities of human rights defenders are not obstructed”;
- More generally, comply with the provisions of the Universal Declaration of Human Rights, as well as regional and international human rights instruments ratified by Niger.

Reaffirming the corporate responsibility to respect human rights, we, the undersigned organizations, call on Areva to:

- Respect Nigerian national laws, including the Mining Code;
- In accordance with the UN Guiding Principles on Business and Human Rights, respect all internationally-recognised human rights, undertake due diligence to identify, prevent, mitigate and account for direct and indirect adverse human rights impacts, and cooperate in ensuring access to effective remedy for those affected;
- In accordance with the Guiding Principles, conduct meaningful consultations with affected groups, including with human rights defenders and other civil society actors, to identify the actual or potential adverse human rights impacts with which the company may be directly or indirectly involved, and refrain from any interference with their exercise of the rights to freedom of expression, association, assembly and peaceful protest;
- Ensure the complete implementation of the company’s Values Charter, including “compliance with the principles of Human Rights as defined in the Universal Declaration of Human Rights”;
- Publicly state its opposition to restrictions on the legitimate activities of human rights defenders in Niger, including those who advocate for greater transparency and fairness in relations between the government and the extractive industries.

NB: Business & Human Rights Resource Centre has invited Areva to respond to concerns raised by civil society in Niger on a number of occasions. All of Areva's responses on these issues can be found [on its website](#).

Noting the friendship and cooperation that have existed between Niger and France for decades, we, the undersigned organizations also:

- Encourage both countries to take into greater consideration the concerns of civil society in Niger on issues of transparency and respect for human rights by business;
- Call on both governments to guarantee the rights to freedom of expression and association, as well as to peaceful public assembly and protest;
- Call on both governments to ensure that Niger's natural resources, particularly uranium, drive development and improvements in well-being for all of the people of Niger.

Signed,

International NGOs (based outside Africa)

1. **Business & Human Rights Resource Centre**



2. **Front Line Defenders**



3. **Inclusive Development International**



4. **International Service for Human Rights**



5. **Justiça Global**



6. **Observatory for the Protection of Human Rights Defenders**, a joint programme of **FIDH** (the International Federation for Human Rights) and the **World Organisation Against Torture (OMCT)**



7. **Oxfam America**



African NGOs & institutes

1. **African Law Foundation** (Nigeria)

2. **Association Nigérienne de Défense des Droits de L'Homme** (Niger)



3. **Centre for Applied Legal Studies,
University of the Witwatersrand (So.
Africa)**



4. **Centre du Commerce International pour le Développement (CECIDE) (Guinea)**

5. **Center for Justice and Reconciliation
(Dem. Rep. of Congo)**



6. **Conseil Régional des Organisations Non Gouvernementales de Développement
du Kasai Oriental (CRONGD) (Dem. Rep. of Congo)**

7. **Foundation for Environmental Rights, Advocacy & Development (Nigeria)**

8. **Groupe d'Appui aux Exploitants des Ressources Naturelles (Dem. Rep. of Congo)**

9. **Groupe de Recherche et de Plaidoyer sur les Industries Extractives (GRIPIE)
(Côte d'Ivoire)**

10. **Groupe de Réflexion et d'Action sur les Industries Extractives au Niger (GREN)
(Niger)**

11. **Justicia asbl (Dem. Rep. of Congo)**



JUSTICIA asbl

12. **Ligue Guinéenne des Droits de l'Homme (Guinea)**

13. **Ligue Sénégalaise des Droits Humains
(Senegal)**



14. **Lumière Synergie pour le Développement
(Senegal)**

15. **Peace Point Action (Nigeria)**

16. **Rencontre pour la Paix et les Droits de
l'Homme (Rep. of Congo)**



R.P.D.H.

17. **South African Constitutional Literacy and
Service Initiative**



Constitutional Literacy and Service Initiative

About [Business & Human Rights Resource Centre](#):

Business & Human Rights Resource Centre is a non-profit organization that works with everyone to advance human rights in business. It tracks human rights abuses and advances by companies around the world, and helps the vulnerable eradicate abuse. Its

website is the world's leading information source on business & human rights:
<http://business-humanrights.org>

For more information, see: <http://business-humanrights.org/en/about-us>

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References & resources:

Areva's responses to human rights concerns: click [here](#)

United Nations Guiding Principles on Business and Human Rights: [Full text](#) & see [dedicated portal](#) on Business & Human Rights Resource Centre website