

## Niger: Mapping of International Disaster Response Laws, Rules and Principles

The below information seeks to map the International Disaster Response Law Framework (IDRL) in Niger as provided in law, policy and agreements. It is intended to contribute to a regional analysis of strengths and gaps in the institutional architecture for the coordination and facilitation of regional disaster response in Africa.

This document was prepared by Candela Navarro Casquete, under the supervision of Jeanique Serradinho in July 2021. This document is the result of a desktop review of information publicly available.

This document is pending an in-country review and is therefore in draft form. Due to challenges surrounding desktop legal research in the region, errors may remain. This document therefore should not be relied upon as authoritative and IFRC does not assume any responsibility for the contents of this document, including any errors and omissions contained herein, nor for the contents of the sources to which it refers.

### Question 1: Does your country have a clear legal framework for disaster risk management which includes procedures relating to international disaster assistance?

Summary	Source
<p>The main legislative document for disaster risk management in Niger is Law 2017/006, establishing the fundamental principles of the organization of civil protection in the country. This law does not contain explicit provisions on international disaster assistance, but the sections which have been identified as indirectly relevant are set out below.</p> <p>Article 3 of Law 2017/006 provides that civil protection aims to prevent risks of all kinds, to inform and alert populations as well as to protect people, property and the environment against accidents and disasters through preparation and the implementation of appropriate measures and means. This law further stipulates that the organization of disaster relief in each region and in each department is carried out through a Relief Organization Plan (ORSEC plan).<sup>1</sup> These plans organize the mobilization, implementation and coordination of actions of all public or private persons contributing to the general protection of populations and the environment.<sup>2</sup> The ORSEC plans consist of an inventory and analysis of the risks and potential effects of threats of all kinds for the safety of people, property and the environment; an operational mechanism responding to this analysis and which continuously organizes the reaction of the public authorities to the event; and the modalities of preparation and training of all public and private persons for their civil protection roles and responsibilities.<sup>3</sup> The general provisions of the ORSEC operational mechanism at departmental level define, among others, the conditions for the implementation of international agreements on operational cooperation.<sup>4</sup> However, the law does not provide clear procedures for liaison between national coordinating entities and international partners in disaster response.</p> <p>As per article 4 of Law 2017/006, the State ensures civil protection. As such, at the National Level, the State coordinates the means of civil protection and continuously assesses the state of risk preparedness and ensures the implementation of information and alert measures for the populations. Furthermore, each municipality or town establishes a joint or inter-municipal safeguard plan. The municipal or inter-municipal safeguard plan brings together all the documents of municipal competence contributing to preventive information and the protection of the population in terms of article 10.</p> <p>In 2013, the National Strategy for Disaster Risk Reduction (the National Strategy) was developed, in line with the Hyogo Framework for Action (HFA), with the overall objective to contribute to the sustainable protection of the Nigerien populations from disasters. The Strategy highlights that, in Niger, the frequency of disasters triggered by natural hazards, the number of people affected and economic losses have been increasing in recent years. Hydro-meteorological hazards (drought, floods, strong winds), erosions in various forms and bush fires are predominant. It should be noted that during these episodes of droughts, the Government mobilized to provide emergency relief</p>	<p><a href="#">Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection</a></p> <p><a href="#">Decree 2017-876, Conditions of Elaboration of ORSEC plans</a></p> <p><a href="#">National Strategy for Disaster Risk Reduction 2013</a></p>

<sup>1</sup> Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection, article 18.

<sup>2</sup> Decree 2017-876, Conditions of Elaboration of ORSEC Plans, article 2.

<sup>3</sup> Decree 2017-876, Conditions of Elaboration of ORSEC Plans, article 3.

<sup>4</sup> Decree 2017-876, Conditions of Elaboration of ORSEC Plans, article 10.

to the affected populations, supported by aid from multilateral and bilateral development partners and non-governmental organizations, both national and international.<sup>5</sup> However, there are no further provisions on international disaster assistance in the National Strategy.

In 2018, the Ministry of Humanitarian Action and Disaster Management developed a preliminary draft of a National Policy on Humanitarian Action and Disaster Management, in line with international and regional frameworks for disaster management (the Draft Policy). It could not be determined whether this policy has been adopted. The vision of the Draft Policy is part of the 2030 horizon, with a view to responsible governance and effective management of humanitarian action, substantially reducing the impact of crises and catastrophes on the lives of populations and their means of subsistence as well as on the socio-economic infrastructures of the country.<sup>6</sup> Taking this into consideration, the general mission of the Draft Policy is to promote a framework for the prevention and mitigation of the suffering of populations at risk before, during and after the occurrence of an emergency situation and to meet the needs of affected populations.<sup>7</sup> However, it does not contain provisions relating to international disaster assistance.

In addition to these core DRM documents, the National Strategy for Universal Health Coverage 2021-2030 provides the strategic guidelines for the health sector in Niger. Section 3.2.2.2 provides that it aims to improve the supply of healthcare and services is the traditional mission of the Ministry in charge of health and of its national and international partners who contribute each year to the development of major public health programs through the creation of health establishments, the rehabilitation of infrastructure, the development of human resources, the strengthening of equipment and the supply of drugs and medical consumables. Although not directly related to international disaster assistance, strengthening the health care system through international partnerships can contribute to better preparedness when responding to a disaster or public health emergency.

In addition, Niger is a member State of the Economic Community of West African States (ECOWAS). The ECOWAS Policy for Disaster Risk Reduction 2006 (the ECOWAS Policy), which aims to reduce vulnerability and build resilience of communities, provides in section 1.3, that one of its objectives is to provide an inter-governmental framework for collaboration and partnership for ECOWAS Member States in Disaster Risk Management. The Policy also calls to attention the need for sub-regional information sharing on disasters. Furthermore, section 2.2.5 highlights the major challenge of enhancing the capacity for sub-regional emergency response and contingency planning. Under section 4.5 (Principles of the Policy), the importance of awareness of the need to utilize existing disaster management capabilities, including ECOWAS supporting international capacities and efforts in disaster risk reduction and management and the promotion of partnerships between ECOWAS and the international community, are recognized. Lastly, the ECOWAS Policy comprises five areas of focus and associated strategies and priority actions. Of relevance to international assistance is that Strategy 2.3 states that the Policy will facilitate balanced and coordinated development of the food security, major international drought and warning systems in operation in the sub-region; and Strategy 5.2 urges international assistance in the management of comprehensive recovery programmes which involve rehabilitation and reconstruction.

[National Policy on Humanitarian Action and Disaster Management 2018 \(preliminary draft\)](#)

[National Strategy for Universal Health Coverage 2021-2030](#)

[ECOWAS Policy for Disaster Risk Reduction 2006](#)

**Question 2: Do your country's laws and regulations clearly set out a focal point for coordinating international disaster assistance?**

Summary

Source

<sup>5</sup> National Strategy for Disaster Risk Reduction 2013, section 1.

<sup>6</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 30.

<sup>7</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 30.

*A review of the DRM framework in Niger does not reveal a clear focal point for international disaster assistance. Rather, a number of bodies appear to play a role in coordination.*

*Firstly, under the authority of the Minister in charge of Civil Protection (the Minister of Interior, Public Security, Decentralization and Customary and Religious Affairs), the General Directorate of Civil Protection (GDPC) directs, organizes, coordinates, and controls all civil protection services as well as their activities throughout the national territory. It is responsible for developing synergies with all national, international, governmental, and non-governmental actors in the prevention and management of disasters. It participates in the development of national policies and strategies for disaster risk reduction and post-disaster recovery. The Director General of Civil Protection is responsible for, among others, organizing and coordinating the operational management of emergency or disaster situations throughout the national territory; participating in international humanitarian assistance on instructions from the state authority; and developing technical cooperation with partner countries.<sup>8</sup>*

*The GDPC was originally established by Decree 84-134 as the Directorate of Civil Protection. It was then established as the GDPC under the terms of Decree 2001 251/PRN and has undergone successive transformations to respond to current challenges. Its modernization is enshrined in Decree 2016-344/PRN, organizing the Ministry of the Interior, Public Security, and the Decentralization of Customary and Religious Affairs. The current organization of the GDPC is set by Order 2016-0699/MI/SP/D/ACR, on the organization of the central administration services of the Ministry of the Interior, Public Security, of the Decentralization of Customary and Religious Affairs.<sup>9</sup>*

*In addition, in terms of article 17 of Law 2017/006, in the event of an accident, disaster or national disaster, the Ministry of Interior, Public Security, Decentralization and Customary and Religious Affairs, which is the ministry in charge of civil protection in Niger, coordinates the implementation of the resources of the State, local authorities and public establishments. It mobilizes the private resources necessary for relief and allocates them to the authority responsible for directing relief operations. It has an Operational Center for Alert and Crisis Management (COVACC) which has the role of supervising the permanent monitoring and surveillance of the emergency structures in Niger to anticipate the commitment of resources and help in decision-making during crisis situations.<sup>10</sup>*

*However, in terms of planning, it is the responsibility of the Ministry of Humanitarian Action and Disaster Management to, among others:*

- develop humanitarian and disaster management policy;*
- develop an action plan for the implementation of humanitarian policy and disaster management;*
- coordinate responses at the national level in relation to the Ministries and structures concerned by developing contingency plans and subsequent action plans;*
- ensure intersectoral coordination with national institutions (Ministries, regions and sub-regions) and structures concerned by humanitarian action and disaster management;*
- maintain relations with international institutions, multilateral and bilateral cooperation, non-governmental organizations active in preliminary responses; and*
- mobilize partners (advocacy) and the necessary resources to deal with disasters.<sup>11</sup>*

[Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection](#)

[National Policy on Humanitarian Action and Disaster Management 2018 \(preliminary draft\)](#)

### Question 3: Do your country's laws and regulations outline the roles and responsibilities of different institutions relating to international disaster assistance?

Summary

Source

<sup>8</sup> Ministry of Interior and Decentralization, General Directorate of Civil Protection, [online] Available in: [http://www.protectioncivile.ne/?page\\_id=665](http://www.protectioncivile.ne/?page_id=665)

<sup>9</sup> Ministry of Interior and Decentralization, General Directorate of Civil Protection, [online] Available in: [http://www.protectioncivile.ne/?page\\_id=665](http://www.protectioncivile.ne/?page_id=665)

<sup>10</sup> Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection, article 17.

<sup>11</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 19-20.

*From the resources available for review, the law does not appear to outline the roles and responsibilities of different institutions relating to international disaster assistance in detail. The roles and responsibilities relating to the coordination of international disaster assistance have been described above.*

*In terms of institutional arrangements more generally, the Draft Policy defines the institutional framework for DRM in Niger, providing that a number of structures play a role in disaster management, namely:*

- *the State, through the Ministry of Humanitarian Action and Disaster Management;*
- *the National Food Crisis Prevention and Management System (DNP-GCA);*
- *the Early Warning System Coordination Unit (CC / SAP);*
- *the Food Crisis Unit (CCA);*
- *the Social Safety Net Unit (CFS);*
- *the system at regional, departmental and municipal level;*
- *the GDCP;*
- *technical and financial partners;*
- *national and international NGOs;*
- *local authorities;*
- *civil society organizations;*
- *the private sector.*<sup>12</sup>

*In addition, there is a National Platform for Disaster Risk Prevention and Reduction in Niger, which is placed under the supervision of the Office of the Prime Minister and is defined as a mechanism for coordination, analysis and advice on disaster risk reduction. Its mission is to coordinate disaster risk reduction and prevention activities at the national level.<sup>13</sup> It is highlighted in the Draft Policy that, considering that the Minister of Humanitarian Action and Disaster Management is responsible for the design, development, implementation, monitoring and evaluation of national policies for humanitarian action and disaster management, in accordance with the guidelines defined by the government, there is a duplication between the powers conferred to this ministry, and the national platform for DRR.<sup>14</sup> Relevant ministries that are part of the national platform for disaster management include the Ministry of Health, the Ministry of Agriculture and Livestock, the Ministry of Environment and Sustainable Development, the Ministry of Domains and Housing, and the Ministry of Transport.<sup>15</sup>*

*Law 2017/006 provides in article 10, that civil protection missions are carried out by the firefighters, the soldiers of the units which are permanently invested with them as well as the personnel of the State services. The soldiers of the armies, the National Gendarmerie and the National Guard of Niger, as well as the officials of the National Police, Water and Forests, Customs, and the agents of the State, local authorities and public or private establishments and bodies called upon to exercise missions relating to the protection of populations, and members of associations working in the field of civil protection.<sup>16</sup>*

*Order 00607 establishes the missions, organization and functioning of COVACC. As stated above, COVACC operates under the authority of the ministry in charge of civil protection and has the role of supervising the permanent monitoring and surveillance of the emergency structures to anticipate the commitment of resources and help in decision-making during crisis situations.<sup>17</sup> More specifically, COVACC is responsible for ensuring the ongoing analysis of the major risks identified on national territory,*

[National Policy on Humanitarian Action and Disaster Management 2018 \(preliminary draft\)](#)

[Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection](#)

<sup>12</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 15-16.

<sup>13</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 18.

<sup>14</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 19.

<sup>15</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 20-22.

<sup>16</sup> Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection, article 10.

<sup>17</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 2.

whether they are intentional or accidental; continuously informing the Minister of the Interior as well as the other ministries concerned; anticipating, reacting and following the evolution of events likely to have a lasting effect and, if necessary, initiating or anticipating the sending of significant reinforcements to an affected region.<sup>18</sup> To accomplish its mission, COVACC may rely on the network of operational centers such as that of the General Directorate of National Police, the National Guard of Niger, the National Gendarmerie and the General Staff of Armies.<sup>19</sup> Furthermore, COVACC also collaborates with the governmental network of information systems, of the Ministries in charge of Agriculture and Livestock, Transport, Posts and Telecommunications, Humanitarian Action, Domains and Housing, Equipment, Hydraulics, Territorial Planning, Communication, Petroleum, Mines, Industry and Energy, Health, Population and Business Foreign and Cooperation.<sup>20</sup> In terms of regional and international cooperation, COVACC cooperates with the operational centers of the general directorates and national civil protection agencies of West African countries. It also has an internet connection with the International Center for Coordination and Watch (CICV) of the International Civil Protection Organization (OIPC) based in Geneva.<sup>21</sup> COVACC may also resort to any external national or foreign competence and expertise.<sup>22</sup>

[Order 00607, Establishing the Missions, Organization and Functioning of COVACC](#)

Provision is also made for the establishment of Regional and Departmental Operations Coordination Centers. The Regional Operations Coordination Centers (CCOs) are decentralized operational centers, responsible for regional coordination of the operational management of emergency and disaster situations and the systematic reporting of information to the COVACC and local authorities.<sup>23</sup> The CCOs coordinate the Departmental Operational Centers (CODs) which are responsible for conducting crisis operations at the departmental level. The CODs also manage the Departmental Disaster Assessment Units (CDECs).<sup>24</sup>

The Director General of Civil Protection relies on the COVACC. The General Director responds at any time to requests for expertise or support formulated in particular by regional, departmental and municipal authorities and implements national assistance and relief measures for populations, for the benefit of regions affected by natural or man-made and / or intentional disasters. In the event of an event affecting a risk basin covering neighboring countries, the General Director will coordinate assistance and relief operations with other countries in the sub-region.<sup>25</sup>

It is clear from the above that a significant number of institutions play a role in DRM in Niger, and the roles and responsibilities of these actors with respect to international disaster assistance are not clearly outlined. This is highlighted in the Draft Policy which provides that, despite the unifying role of coordinating all state and non-state stakeholders attributed to the Ministry in charge of humanitarian action and disaster management, there are misunderstandings or even overlaps in responsibilities affecting the effectiveness of interventions in the event of disasters.<sup>26</sup>

**Question 4: Do your country's laws and regulations outline a process for requesting/welcoming offers of international disaster assistance, and for terminating international assistance?**

Summary

Source

<sup>18</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 2.  
<sup>19</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 15.  
<sup>20</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 16.  
<sup>21</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 18.  
<sup>22</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 19.  
<sup>23</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 3.  
<sup>24</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 4.  
<sup>25</sup> Order 00607, Establishing the Missions, Organization and Functioning of COVACC, article 25.

*From the resources available for review, the law does not appear to provide clear processes for requesting or welcoming offers of international disaster assistance, or for terminating international assistance.*

**Question 5: Do your country's laws and regulations provide for necessary legal facilities to be provided to international assisting actors?**

**Summary**

**Source**

*Legal facilities under international law*

*Niger subscribes to the monist approach to international law, according to which international agreements automatically become part of domestic law as soon as they are ratified and published in the official national gazette.<sup>27</sup>*

[Constitution of Niger of 2010 with Amendments through 2017](#)

*There are several international agreements of relevance to international disaster assistance. Most relevant to this study are those instruments that expedite and facilitate the provision of international humanitarian assistance. The Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations (Tampere Convention) provides legal facilities for the importation of telecommunications equipment and resources during emergencies, specifically requiring state parties to reduce or remove regulatory barriers to the use of telecommunication resources for disaster relief.<sup>28</sup> With regards to transport, of most relevance is Annexe 9 of the Chicago Convention on Civil Aviation (Chicago Convention) which provides procedural guidance for customs, immigration, agriculture, and public health clearance of aircrafts containing humanitarian assistance in response to disasters, including passengers, goods, and mail. Further, the Convention on the Facilitation of International Maritime Traffic mandates parties to facilitate the entry and exit of vessels engaged in natural disaster relief work and facilitate the entry of persons and cargo related to natural disaster relief work.<sup>29</sup>*

*In terms of customs, the International Convention on the Simplification and Harmonisation of Customs Procedures (Kyoto Convention),<sup>30</sup> which was adopted in 1973 and revised in 1999, and the Convention on Temporary Admission (Istanbul Convention),<sup>31</sup> simplify and harmonise customs clearance procedures for the importation of goods. Specifically, Annexe B3 of the Kyoto Convention recommends as practice that states exempt goods, including "foodstuffs, medicaments, clothing and blankets sent as gifts to an approved charitable or philanthropic organisation for distribution free of charge to needy persons by the organisation or under its control".<sup>32</sup> Annexe J5 provides guidelines to expedite the clearance of relief consignments intended to assist those affected by disasters. Annexe B2 to the Istanbul Convention regulates the importation of professional and communication equipment for practitioners of various disciplines in support to relief efforts. The measures and exemptions for temporary admission of goods for humanitarian purposes in response to natural disasters and other catastrophes are stipulated in Annexe B9. In addition, Annexe C of the Istanbul Convention allows for the temporary admission of means of transport used by a foreign entity and Annexe D allows for temporary admission of animals, including those involved in rescue operations.*

*It is also relevant to note treaties related to privileges and immunities law. The doctrine of privileges and immunities is not directly linked to disasters.<sup>33</sup> However, it is essential for those entities involved in disaster response to which it applies, as it addresses many of the access and operations related issues identified as problematic in field operations, as it typically allows the holder of privileges and immunities to easily enter, exit and operate in a foreign country with minimum interference from domestic*

<sup>27</sup> See the Constitution of Niger, article 171.

<sup>28</sup> See article 9 of the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, June 18, 1998, UN depositary notification C.N.608.1998.TREATIES-8 of Dec. 4 1998 (entered into force Jan. 8, 2005) (Tampere Convention).

<sup>29</sup> See article 5.11 and 5.12 of Annexe 1 of the Convention on the Facilitation of International Maritime Traffic, 9 April 1965, 591 U.N.T.S. 265.

<sup>30</sup> Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures of 18 May 1973, 26 June 1999.

<sup>31</sup> Convention on Temporary Admission, 26 June 1990.

<sup>32</sup> Annexe B.3 to the Kyoto Convention, recommendation 7.

<sup>33</sup> 2007 IDRL Study, page 39.

authorities.<sup>34</sup> Much of the customary law in the area of privileges and immunities has been codified in the Vienna Convention on Diplomatic Relations<sup>35</sup> and the Vienna Convention on Consular Relations.<sup>36</sup> However, personal diplomatic and consular privileges and immunities generally do not extend outside the scope of mission staff and their families, and therefore civil protection, military and other disaster responders generally do not benefit from them.<sup>37</sup> Intergovernmental organisations have also traditionally been granted privileges and immunities to enable them to carry out their functions without undue interference, but in general NGOs do not benefit from privileges and immunities under international law.<sup>38</sup> It was not possible to determine which organizations have been granted privileges and immunities in Niger.

In addition, the Framework Convention on Civil Defence Assistance provides a legal framework to reduce obstacles for effective international cooperation between states in disaster settings. It is also worth mentioning the Convention on the Safety of UN and Associated Personnel (UN Safety Convention) and the Optional Protocol thereto, which imposes an obligation on a state hosting a UN operation to protect UN personnel and property to prevent or reduce any impunity for those who attack UN or associated personnel or property.<sup>39</sup>

In terms of human rights treaties, the Convention on the Rights of Persons with Disabilities references disaster assistance the most directly. State parties are required to take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including humanitarian emergencies and natural disasters.<sup>40</sup> In addition, there are several global human rights treaties, such as the International Covenant on Civil and Political Rights<sup>41</sup> and the International Covenant on Economic, Social and Cultural Rights<sup>42</sup> that set out rights closely linked to disaster relief and recovery assistance. These include the rights to life, food and water, housing, clothing, health, livelihood, and freedom from discrimination.<sup>43</sup>

There are also instruments which regulate the management of specific types of disasters or emergencies. For example, the International Health Regulations (the IHR)<sup>44</sup> regulate health emergencies with potential transboundary effects, defining the rights and responsibilities for state parties in handling outbreaks and providing public health measures for international traffic and travel. Another example is the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which sets out rules for the initiation, coordination, and operation of international assistance operations in case of nuclear or radiological events as well as for legal facilities to be granted for the effective administration of assistance.<sup>45</sup> A third example is the International Convention on Oil Pollution Preparedness, Response and Cooperation<sup>46</sup> and its Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances<sup>47</sup> which require state parties to cooperate and provide advisory services, technical support, and equipment when necessary and within their capabilities and resources, to respond to an oil pollution incident, as well as to take the legal or administrative measures necessary to facilitate the arrival and utilisation of vessels and the expeditious movement of personnel, cargoes, materials and equipment.<sup>48</sup>

<sup>34</sup> 2007 IDRL Study, page 39.

<sup>35</sup> Vienna Convention on Diplomatic Relations, April 18, 1961, 500 U.N.T.S. 95.

<sup>36</sup> Vienna Convention on Consular Relations, April 24, 1963, 596 U.N.T.S. 261.

<sup>37</sup> 2007 IDRL Study, page 40.

<sup>38</sup> 2007 IDRL Study, page 40.

<sup>39</sup> UN Safety Convention, articles 7 and 11.

<sup>40</sup> See article 11 of the Convention on the Rights of Persons with Disabilities.

<sup>41</sup> International Covenant on Civil and Political Rights, 16 December 1966, 999 U.N.T.S. 171.

<sup>42</sup> International Covenant on Economic Social and Cultural Rights, 16 December 1966, 999 U.N.T.S. 3.

<sup>43</sup> 2007 IDRL Study, page 34.

<sup>44</sup> World Health Assembly, Revision of the International Health Regulations, Doc. No. WHA58.3 (23 May 2005).

<sup>45</sup> Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency Sept. 26, 1986, 1439 U.N.T.S. 275, articles 1, 2, 3, 4, 7, 8, 9, 10, and 11.

<sup>46</sup> International Convention on Oil Pollution Preparedness, Response and Cooperation, 30 November 1990, 30 I.L.M. 733 (1990).

<sup>47</sup> Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 15 March 2000.

<sup>48</sup> See article 7 on the Convention on Oil Pollution Preparedness, Response and Cooperation and article 5 of the Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances.

In terms of regional instruments, article 23 of the African Charter on the Rights and Welfare of the Child<sup>49</sup> (ACRWC) provides that states shall take all appropriate measures to ensure that refugee children as well as children who have been internally displaced, including by disasters, receive appropriate humanitarian assistance. In addition, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), provides in article 5(7) that state parties are obligated to facilitate the coordination of international relief and allow rapid and unimpeded passage of humanitarian relief to internally displaced persons. Further, states shall enable and facilitate the role of local and international organisations and humanitarian agencies, as well as other relevant actors, to provide protection and assistance to IDPs.

The tables below examine which of the above-mentioned agreements Niger is a state party to:

<b><i>Convention</i></b>	<b><i>State party</i></b>
<b><i>Tampere Convention</i></b> <sup>50</sup>	Signed, but not ratified.
<b><i>Chicago Convention</i></b> <sup>51</sup>	Yes
<b><i>Convention on the Facilitation of International Maritime Traffic</i></b> <sup>52</sup>	No
<b><i>Annexe B.3 to the Kyoto Convention</i></b> <sup>53</sup>	Yes
<b><i>Annexe J-5 to the Kyoto Convention</i></b> <sup>54</sup>	Yes
<b><i>Annexe B2 to the Istanbul Convention</i></b> <sup>55</sup>	No
<b><i>Annexe B9 to the Istanbul Convention</i></b> <sup>56</sup>	No
<b><i>Annexe C to the Istanbul Convention</i></b> <sup>57</sup>	No
<b><i>Annexe D to the Istanbul Convention</i></b> <sup>58</sup>	No
<b><i>Vienna Convention on Diplomatic Relations</i></b> <sup>59</sup>	Yes
<b><i>Vienna Convention on Consular Relations</i></b> <sup>60</sup>	Yes
<b><i>Framework Convention on Civil Defence Assistance</i></b> <sup>61</sup>	No
<b><i>UN Safety Convention and Optional Protocol</i></b> <sup>62</sup>	No
<b><i>Convention on the Rights of Persons with Disabilities</i></b> <sup>63</sup>	Yes

<sup>49</sup> African Charter on the Rights and Welfare of the Child, 11 July 1990, OAU Doc. CAB/LEG/24.9/49 (1990).

<sup>50</sup> Information obtained from the UN Treaty Collection (UNTC) available at [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=XXV-4&chapter=25](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XXV-4&chapter=25).

<sup>51</sup> Information obtained from ICAO available at <https://www.icao.int/publications/Pages/doc7300.aspx>.

<sup>52</sup> Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280129d04>.

<sup>53</sup> Information obtained from the World Customs Organization (WCO) available at [http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf\\_revised\\_kyoto\\_conv/Instruments](http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf_revised_kyoto_conv/Instruments).

<sup>54</sup> Information obtained from the WCO available at [http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf\\_revised\\_kyoto\\_conv/Instruments](http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf_revised_kyoto_conv/Instruments).

<sup>55</sup> Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

<sup>56</sup> Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

<sup>57</sup> Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

<sup>58</sup> Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

<sup>59</sup> Information obtained from [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=III-3&chapter=3&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=III-3&chapter=3&clang=en).

<sup>60</sup> Information obtained from the UNTC [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=III-6&chapter=3](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=III-6&chapter=3).

<sup>61</sup> Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280086ecb&clang=en>.

<sup>62</sup> Information obtained from the UNTC available at [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=XVIII-8&chapter=18](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XVIII-8&chapter=18) and [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=XVIII-8-a&chapter=18&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XVIII-8-a&chapter=18&clang=en).

<sup>63</sup> Information obtained from the UNTC available at [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtmsg\\_no=IV-15&chapter=4](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtmsg_no=IV-15&chapter=4).



<i>IHR</i> <sup>64</sup>	Yes
<i>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency</i> <sup>65</sup>	Yes
<i>International Convention on Oil Pollution Preparedness, Response and Cooperation</i> <sup>66</sup>	No
<i>ACRWC</i> <sup>67</sup>	Yes
<i>International Covenant on Civil and Political Rights</i> <sup>68</sup>	Yes
<i>International Covenant on Economic, Social and Cultural Rights</i> <sup>69</sup>	Yes
<i>Kampala Convention</i> <sup>70</sup>	Yes

The sections below examine whether there are any legal facilities provided for international assisting actors in terms of the regional and domestic laws in Niger.

**i. Landing rights**

As mentioned above, terms of international law, Niger is a State party to the Chicago Convention, which includes, in Annex 9, provisions and recommended practices for the facilitation of international emergency assistance (relief flights and relief personnel), and the implementation of public health and quarantine measures at international airports.<sup>71</sup>

**ii. Customs arrangements for specialized goods and equipment**

Law 2020-067 establishes the Finances Law for 2021 in Niger, providing new additions and amendments to the General Tax Code. Article 23 provides that non-governmental organizations (NGOs) and Development Associations are exempted from all taxes and indirect taxes within the framework of actions directly contributing to the realization of their projects, including a VAT exemption on services.<sup>72</sup>

Decree 92-292 provides in article 14 that in this area, the Nigerien government is committed to:

- exempting NGOs (national and international) of all customs duties, all taxes and indirect taxes, including VAT, on supplies, equipment, material and donations in kind imported into Niger within the framework of the execution of projects or assistance programs in which it participates;

[Chicago Convention 1944 \(Annex 9\)](#)

[Civil Aviation Code of Niger](#)

[Finances Law 2021](#)

[Decree 92-292, Statutes of Non-Governmental Organizations](#)

<sup>64</sup> Information obtained from World Health Organisation available at [https://www.who.int/ihr/legal\\_issues/states\\_parties/en/](https://www.who.int/ihr/legal_issues/states_parties/en/).

<sup>65</sup> Information obtained from the International Atomic Energy Agency available at <https://www.iaea.org/topics/nuclear-safety-conventions/convention-assistance-case-nuclear-accident-or-radiological-emergency#:~:text=The%20Convention%20on%20Assistance%20in,in%20the%20event%20of%20nuclear.>

<sup>66</sup> Information obtained from the UNCTC <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800aada6>.

<sup>67</sup> Information obtained from the AU available at <https://au.int/en/treaties/african-charter-rights-and-welfare-child>.

<sup>68</sup> Information obtained from the UNCTC available at [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=en).

<sup>69</sup> Information obtained from the UNCTC available at [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-3&chapter=4](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4).

<sup>70</sup> Information obtained from the AU available at <https://au.int/sites/default/files/treaties/36846-sl-AFRICAN%20UNION%20CONVENTION%20FOR%20THE%20PROTECTION%20AND%20ASSISTANCE%20OF%20INTERNALLY%20DISPLACED%20PERSONS%20IN%20AFRICA%20%2028KAMPALA%20CONVENTION%29.pdf>.

<sup>71</sup> Chicago Convention on International Civil Aviation 1944, Annex 9.

<sup>72</sup> Law 2020-067, Finances Law 2021, article 23.

- *applying NGOs temporary importation regime to service vehicles without any obligation on the part of the NGO to pay a deposit to the customs service following their purchase;*
- *exempting NGOs from all customs duties, all taxes and direct taxes, including VAT, on all equipment and products acquired by the NGO in the course of its activities;*
- *exempting any contract, market or act of any kind signed for the execution of projects, payment of stamp registration fees, turnover tax and VAT.<sup>73</sup>*

*In terms of sub-regional agreements, Chapter 3 of the ECOWAS Customs Code contains provisions related to relief consignments, providing that clearance of relief consignments for export, transit, temporary admission and import shall be carried out as a matter of priority. Furthermore, in the case of relief consignments, customs shall provide for: a) lodging of a simplified goods declaration or of a provisional or incomplete goods declaration subject to completion of the declaration within a specified period; b) lodging and registering or checking of the goods declaration and supporting documents prior to the arrival of the goods, and their release upon arrival; c) clearance outside the designated hours of business or away from customs offices and the waiver of any charges in this respect; and d) examination and/or sampling of goods only in exceptional circumstances. "Relief consignments" are defined as: goods, including vehicles and other means of transport, foodstuffs, medications, clothing, blankets, tents, prefabricated houses, water purifying and water storage items, or other goods of prime necessity, forwarded as aid to those affected by disasters; and all equipment, vehicles and other means of transport, specially trained animals, provisions, supplies, personal effects and other goods for disaster relief personnel in order to perform their duties and to support them in living and working in the territory of the disaster throughout the duration of their mission."*

*Lastly, the chapter provides that clearance of relief consignments should be granted without regard to the country of origin, the country from which the goods arrived, or country of destination. In the case of relief consignments, any economic export prohibitions or restrictions and any export duties or taxes otherwise payable should be waived. Relief consignments received as gifts by approved organizations for use by or under the control of such organizations, or for distribution free of charge by them or under their control, should be admitted free of import duties and taxes and free of economic import prohibitions or restrictions.*

*Regulation 09/2008/CN/UEMOA establishes simplified procedures for customs clearance. Article 2 states that Member States may grant simplified customs procedures relating to certain goods for reasons related to urgency or any other duly justified reason.<sup>74</sup> Although this regulation does not specify which goods or equipment could be subject to these provisions, it could potentially include international relief goods and equipment of urgent nature. Article 3 provides the requirements for simplified customs procedures, stating that the simplified declaration does not include all the information required by the regulations in force; however, it must contain, where applicable, the following information:*

- *name or company name of the importer;*
- *full address of the importer;*
- *number of the fiscal identifier;*
- *total number in figures and letters of the articles covered by the declaration;*
- *total number of packages in a shipment;*
- *description of Goods;*
- *name and Code of Country of Origin;*
- *name and code of country of origin;*
- *identification of the means of transport;*
- *mentions of the attached documents;*
- *gross and net weight of the goods;*

[ECOWAS Customs Code](#)

[Regulation 09/2008/CN/UEMOA, Simplified procedures for customs clearance](#)

<sup>73</sup> Decree 92-292, Statutes of Non-Governmental Organizations, article 14.

<sup>74</sup> Regulation 09/2008/CN/UEMOA, Simplified procedures for customs clearance, article 2.

- *customs value of the goods in figures and letters;*
- *rate and amount to be collected for import duties;*
- *rate and amount to be collected for import duties; and*
- *name, address, company name, approval number of declarants, date and signature.*<sup>75</sup>

*It is not clear whether such simplified procedures have been developed in Niger with respect to international disaster assistance.*

#### Communications equipment

*The law does not appear to contain detailed provisions on the importation and use of communications equipment used in international disaster assistance operations. However, it is worth noting that Law 2017/006 provides in article 7 that the technical standards making it possible to ensure the interoperability of radio communications networks and information systems of public services which contribute to civil protection missions are set by decree taken by the Council of Ministers.<sup>76</sup> Furthermore, the Telecommunications Law of Niger establishes in article 32 that the Regulatory Authority determines the conditions of use of the frequencies it assigns and, in particular, the conditions in terms of essential requirements, lifesaving, and public safety.<sup>77</sup>*

#### Food, medication and quarantine

*From the sources available for review, the law does not appear to provide clear simplified customs procedures for the import of food, medical equipment, vehicles or rescue dogs as international assistance, although they could arguably enjoy the exemptions and simplified procedures described above, should such procedures be developed.*

#### **iii. Immigration**

*The law does not appear to contain provisions relating to the expedited entry of international assistance personnel in Niger.*

*Decree 87-076 defines the entry and stay requirements for foreigners in Niger. It establishes in article 2 that all foreigners must, in order to enter Niger, carry a national passport, or travel document in lieu of and have a Nigerien visa. He must also carry an international vaccination certificate. A joint order of the ministers responsible for the interior and for public health will determine the conditions for issuing this certificate.<sup>78</sup> As per article 13, a foreigner who comes to Niger to exercise a regulated professional activity is also required to prove that he has either a work contract approved by the competent services of the Ministry in charge of Labour or an authorization from the said services if he wishes to work as a salaried worker, or with an authorization issued by the competent ministry, if he intends to exercise another non-salaried professional activity.<sup>79</sup> This law does not include provisions that define the different types of entry/stay visa that foreign citizens would need to enter Niger depending on their purpose.*

*The Labour Code of Niger states in article 48 that the employment contracts of foreign workers are, in all cases, recorded in writing and subject to the visa of the public service, after prior agreement from the minister in charge of labour.<sup>80</sup>*

[Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection](#)

[Law 2018-45, Telecommunications Law](#)

[Decree 87/076, Entry and Stay Requirements for Foreigners in Niger](#)

[Labour Code of Niger 2012](#)

<sup>75</sup> Regulation 09/2008/CN/UEMOA, Simplified procedures for customs clearance, article 3.

<sup>76</sup> Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection, article 7.

<sup>77</sup> Law 2018-45, Telecommunications Law, article 32.

<sup>78</sup> Decree 87/076, Entry and Stay Requirements for Foreigners in Niger, article 2.

<sup>79</sup> Decree 87/076, Entry and Stay Requirements for Foreigners in Niger, article 13.

<sup>80</sup> Labour Code of Niger 2012, article 48.

**iv. Registration of international assisting actors**

Decree 92-292 provides the Statutes of Non-Governmental Organizations in Niger. Article 2 states that foreign NGOs are required to seek and obtain approval from the Nigerien government before starting to operate.<sup>81</sup> As per article 7, the request for approval from a foreign NGO is made to the Nigerien diplomatic representations, which issue a receipt. It must indicate the name and purpose of the NGO, the location of its head office abroad, the place where its main establishment and any annexes will be located in Niger, and all identifying information of the person who will be responsible for the NGO's activities in Niger. This request must be accompanied by the statutes of the NGO, a document establishing that it has legal personality and a power of attorney attesting that the official mentioned in the previous paragraph will have the power to represent it legally in Niger.<sup>82</sup>

**v. Recognition of professional qualification of foreign personnel**

Directive 06/CM/UEMOA seeks to facilitate free movement as well as the establishment for the exercise of the profession of doctors in the Member States by a doctor who is a national of the West African Economic and Monetary Union (the Union) already registered with the National Order of Doctors of one of the Member States.<sup>83</sup> Although no direct mention of international relief personnel is made, article 5 provides that any doctor who is a national of the Union regularly registered with the National Order of Doctors of a member country of UEMOA may freely exercise his profession, as a self-employed or salaried person, in any other member country of the Union, under the following conditions:

- they hold a doctorate degree in medicine and in addition, for the specialist, one or more diplomas or certificates of specialties recognized by the African and Malagasy Council for Higher Education (CAMES);
- they are in possession of a letter of introduction from the President of the National Council of the Order of Physicians of the country of origin or provenance;
- they are registered with the National Council of the Order of Physicians of the host country.<sup>84</sup>

However, there do not appear to be any procedures to simplify the recognition of doctors from non-Union member states, nor for any other foreign professional qualifications, such as those of nurses, engineers, or architects in the domestic laws of Niger.

**vi. Tax and currency exchange for disaster relief activities**

The law does not provide explicit tax facilities for international disaster assistance actors. However, a number of provisions were identified as indirectly relevant and are set out below.

As stated above, article 23 of the Finance Law provides that NGOs and Development Associations are exempted from all taxes and indirect taxes within the framework of actions directly contributing to the realization of their projects, excluding them of VAT on services,<sup>85</sup> and Decree 92-292 provides in article 14 that in this area, the Nigerien government is committed to:

- exempt NGOs (national and international) of all customs duties, all taxes and indirect taxes, including VAT, on supplies, equipment, material and donations in kind imported into Niger within the framework of the execution of projects or assistance programs in which it participates;

[Directive 06/CM/UEMOA](#)

<sup>81</sup> Decree 92-292, Statutes of Non-Governmental Organizations, article 2.

<sup>82</sup> Decree 92-292, Statutes of Non-Governmental Organizations, article 7.

<sup>83</sup> Directive 06/CM/UEMOA, article 2.

<sup>84</sup> Directive 06/CM/UEMOA, article 5.

<sup>85</sup> Law 2020-067, Finances Law 2021, article 23.

- apply NGOs temporary importation regime to service vehicles without any obligation on the part of the NGO to pay a deposit to the customs service following their purchase;
- exempt NGOs from all customs duties, all taxes and direct taxes, including VAT, on all equipment and products acquired by the NGO in the course of its activities;
- exempt any contract, market or act of any kind signed for the execution of projects, payment of stamp registration fees, turnover tax and VAT.<sup>86</sup>

[Regulation 09/2010/CM/UEMOA](#)

In terms of exchange Niger is a member of UEMOA and subject to the UEMOA exchange control regulations (Regulation 09/2010/CM/UEMOA). However, the Regulations are silent on procedures for currency exchange for international disaster relief activities.

**vii. Freedom of movement of international assisting actors during a disaster response**

There does not appear to be any provisions that facilitate the free movement and access of international assisting actors to disaster-affected populations.

**viii. Safety and security of international assisting actors**

The law does not explicitly provide for the safety and security of international assisting actors.

**Question 6: Do your country's laws and regulations set out quality standards for international assisting actors?**

**Summary**

**Source**

The law does not appear to set out explicit quality standards for international assisting actors.

However, more generally, the National Policy on Humanitarian Action and Disaster Management 2018 is underpinned by the following principles:

- **impartiality:** humanitarian aid must be distributed without ethnic, religious or political distinction;
- **neutrality:** humanitarian agencies must provide aid while ensuring the neutrality and apolitical nature of their action;
- **equity:** the assessment of needs and the targeting of assistance will be based on the actual level of vulnerability of households and individuals, rejecting any discrimination based on ethnic, national, geographic, political or religious affiliation or on age or gender;
- **independence of assistance:** the aid provided will not be influenced by political, economic or military considerations;
- **do no harm:** humanitarian actors from public services, NGOs, civil society and United Nations System agencies involved in the implementation of the response to an emergency will ensure, during the planning, execution and monitoring of their actions to ensure that the latter cannot serve the cause of any socio-political, ethnic or religious group, and that they do not increase the possible risks and threats weighing on the populations benefiting from this assistance; and
- **partnership:** to reunite the three families of the humanitarian community - NGOs, the Red Cross/Crescent Movement, and the United Nations and Associated International Organizations - with the aim of improving the effectiveness of humanitarian action.<sup>87</sup>

[National Policy on Humanitarian Action and Disaster Management 2018 \(preliminary draft\)](#)

**Question 7: Do your country's laws and regulations set out eligibility requirements for international assisting actors to receive legal facilities?**

<sup>86</sup> Decree 92-292, Statutes of Non-Governmental Organizations, article 14.

<sup>87</sup> Draft National Policy on Humanitarian Action and Disaster Management 2018, page 30-31.

Summary	Source
<i>There do not appear to be laws and regulations explicitly setting out eligibility requirements for international assisting actors to receive legal facilities in Niger based on their competence or experience.</i>	
<b>Question 8: Do your country's laws and regulations establish a specialized unit for expediting the entry of international disaster assistance?</b>	
Summary	Source
<i>There do not appear to be provisions that establish a specialized unit for expediting the entry of international disaster assistance, nor does there appear to be a consolidated "One Stop Shop" approach to international disaster assistance in Niger.</i>	
<b>Question 9: Do your country's laws and regulations provide adequate transparency, safeguards and accountability mechanisms governing international disaster relief and initial recovery assistance?</b>	
Summary	Source
<i>Current laws for civil protection in Niger are silent on procedures to guard against the misappropriation of disaster relief funds, and do not contain a specific mechanism to remove eligibility to receive legal facilities from international actors in case of violation of humanitarian quality standards, although the normal criminal laws of Niger, relating to fraud and corruption, would apply in such instances.</i>	<a href="#">Law 2003-025, Criminal Code of Niger</a>
<i>In terms of the funding of civil protection in Niger, civil protection services benefit, at the charge of the national budget, from operating resources, investments, and emergency funds. The operating procedures of this emergency fund are determined by decree issued by the Council of Ministers.<sup>88</sup></i>	
<i>In addition, although not directly related to international disaster assistance, Law 2017/006 establishes in chapter V the provisions relating to evaluation and control. More specifically, article 24 states that without prejudice to the prerogatives of the other inspection and control bodies, the services in charge of the inspection of the security services exercise, at the request of the ministry in charge of civil protection, a mission of evaluation and control of actions relating to the implementation of DRM activities carried out by local authorities, their public establishments, and approved associations. In addition, in terms of article 25, the civil protection services ensure the monitoring, periodic evaluation, and internal technical inspection of its structures.<sup>89</sup></i>	<a href="#">Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection</a>
<b>Question 10: Do your country's laws and regulations outline procedures for international disaster assistance sent from, and transiting through your country?</b>	
Summary	Source
<i>The domestic law does not outline special procedures for international disaster assistance sent from, and transiting through Niger.</i>	<a href="#">Finances Law 2021</a>
<i>However, the ECOWAS Customs Code provides in Article 274 that clearance of relief consignments for export, transit, temporary admission and import shall be carried out as a matter of priority; and that any economic export prohibitions or restrictions and any export duties or taxes otherwise payable should be waived.</i>	<a href="#">ECOWAS Customs Code</a>
<i>Decree 87-076 establishes that foreigners transiting through the territory of Niger by air travel, are exempt from requiring a visa, provided that they do not leave the limits of the airport during stopovers.<sup>90</sup></i>	

<sup>88</sup> Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection, article 16.

<sup>89</sup> Law 2017/006, Determining the Fundamental Principles of the Organization of Civil Protection, article 25.

<sup>90</sup> Decree 87/076, Entry and Stay Requirements for Foreigners in Niger, article 4.