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NIGER

In recent years, two major events left a strong mark on Niger, and each of them changed the country's democratic course. The first was the protest movement that took place in March and April 2005—only four months after the re-election of President Mamadou Tandja. Civil society organizations led these protests against the setting of a 19-percent value-added tax (VAT) on basic products. Just two months after this enormous social movement, a food disaster ravaged many regions of Niger, and made the headlines of international media. While more than 3 million persons were affected by famine, the president decided to treat this tragedy as if it did not exist.

When confronted with these two major events, the ruling regime disgusted many observers. The events became pretexts for the authorities to harden their attitude towards the media, although the media had merely fulfilled its function of watching over the powers that be and promoting public discussion. During 2006, the government's attitude manifested itself in a series of violations and infringements of freedom of expression and the press. Several journalists were arrested or questioned, in contrast to a number of neighboring countries that have eliminated prison sentences for press-related offenses.

In addition, the number of representatives from professional media organizations within the government's Higher Communication Council was reduced, and the parliament rightly rejected the government's proposed legislation seeking to transform that regulatory body into a repressive body.

Despite the negative inclinations manifested by the authorities of Niger, MSI panelists rated Objective 1, freedom of speech, the strongest among the objectives. Objective 4, business management, proved to be the weakest, scoring a 1.36.

NIGER AT A GLANCE

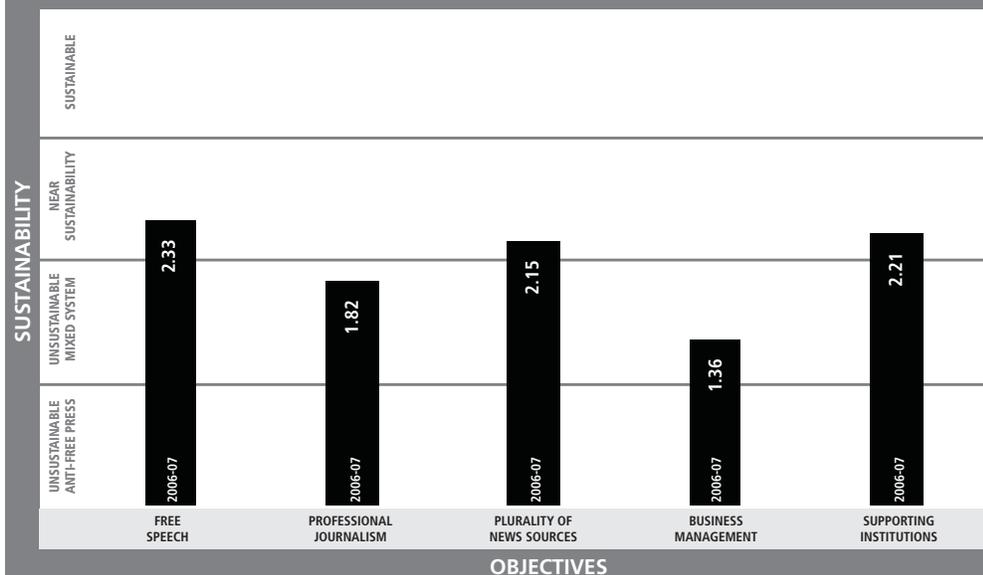
GENERAL

- > **Population:** 12,894,865 (July 2007 est., *CIA World Factbook*)
- > **Capital city:** Niamey
- > **Ethnic groups (% of population):** Haoussa 55.4%, Djerma Sonrai 21%, Touareg 9.3%, Peuhl 8.5%, Kanouri Manga 4.7%, other 1.2% (2001 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 80%, other (includes indigenous beliefs and Christian) 20% (*CIA World Factbook*)
- > **Languages (% of population):** French (official), Hausa, Djerma (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$3.696 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$830 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 28.7% (male 42.9%, female 15.1%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** President Mamadou Tandja (since December 22, 1999)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print : 2 public newspapers and , 28 other publications; Radio: 37 stations (8 public stations and 29 private stations); Television stations: 4 (2 public stations and 2 private stations) (JNHR 2005)
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Niger Press Agency (NPA) (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 40,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NIGER



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Niger Objective Score: 2.33

A few of the indicators in this objective stood out as either raising or bringing down the overall average. On the higher end, panelists rated Indicators 2 and 9, broadcast licensing and restrictions on entering the journalism profession, with a score of 3 or above. On the lower end, Indicators 5 and 7, public media receiving preferential treatment and access to information, scored more than half a point below the overall average.

According to the panelists, Niger is one of the countries in western Africa where the exercise of freedom of expression is legally and socially guaranteed. Freedom of expression is established by article 23 of the Constitution, passed on August 9, 1999. It is reinforced by article 1 of Order No. 99-67, given on December 20, 1999, which stipulates: "The written and audio-visual press as well as their distribution and printing are free. The right to information is an inalienable human right." This order also specifies that "any newspaper or written text of general interest may be published without prior authorization."

Based on these conventions, Ali Ousseini, former general director of, and trainer with, the Information and Communication Techniques Training Institute (ICTTI), asserted that "in Niger, freedom of the press is real" and that this is shown in the boom of public and private newspapers, radio, and television stations. He added that Niger is one of the few countries in which the constitution establishes the regulatory agency overseeing the media. Access to the profession is free of any government-imposed restriction; however, Abdourahamane Ousmane with the Journalist Network for Human Rights (JNHR) said that one must meet requirements in order to obtain a press card.

According to Boubacar Daouda, teacher-researcher at the University of Niamey, freedom of expression is an important value in Niger; quite a few local proverbs value freedom of speech and stigmatize any attempt to obstruct it.

Despite the legal and social guarantees of freedom of expression, JNHR documented in the year 2006 alone "four cases of imprisonment, one case of physical aggression, [and] numerous cases of questioning, some of them followed by police custody, threats of all kinds, disciplinary and administrative sanctions, and expulsions."

In Niger, press offenses fall within the jurisdiction of the criminal code and may send journalists to prison, sometimes even before a court conviction. The chairperson of JNHR indicated that "the practice of putting journalists on

remand restricts the journalists' capabilities to bring proof in support of their productions," especially since the law only allows them 15 days to disprove the veracity of the alleged defamatory acts.

Addressing the issue of the attacks against journalists and the media, Keita Souleymane, marketer for the private Radio Shukurah, reported that "two journalists were persecuted [attacked]—one of them in the courtyard of the Sultan of Zinder."

Comparing the situation of the past year to that of the previous years, Gazéré Sophie Ledru, sales manager with the National Editing and Publishing Office, was glad to see that "lately, more journalists [have] won in court against plaintiffs."

Unlike Ousseini, who said that he believes that the process of granting radio and television licenses "goes unhindered," Nouhou Soumana, secretary-general of the Community Radio Association, regretted the absence of an appeal possibility in the case of a refusal to grant a license. This was confirmed by Souleymane, who mentioned that he was forced to abandon his project to create a branch of Radio Shukurah in Matameye.

Regarding taxation, most of the private media in Niger are subject to a flat license regime (CFAF 200,000 for radio stations and CFAF 160,000 for newspapers), whereas the public media are subject to taxes based on their actual sales. Many media companies have tax arrears, including the public Niger Radiobroadcasting and Television Office (NRTO), whose general director has been frequently summoned to the

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

If the public and private media seem to enjoy equal treatment regarding taxation, this is not the case with access to public information, according to Nadia Karimou, editor in chief of the private television station Ténéré. In this regard, the public media is heavily privileged for the simple reason that state employees feel more comfortable providing them with information.

police and *gendarmerie* headquarters, according to Fadimou Moumouni of NRTO.

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Panelists said that they consider the lack of legislation regarding access to information a problem. Further, editorial independence was questioned by panelists such as Fatchima Karimou, journalist with the NRTO regional station in Maradi, who denounced the practice of censorship and self-censorship within the public media.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Niger Objective Score: 1.82

Only a few indicators scored within a half-point of the overall average. Panelists rated the first three indicators between 1 and 1.5, and Indicator 5, covering pay levels for journalists, more than a full point lower than the overall average. However, panelists rated both Indicators 4 and 8 (journalists covering key events and niche reporting) relatively well, at just over 2.5.

All the panelists admitted that lack of professionalism is the primary weakness of Nigerien journalism. Standards of basic journalism and ethics are consistently not met. Ledru stated that “journalists lack professional qualities” and Daouda added that “our press is crammed with people exercising this profession without having any appropriate qualification.”

Panelists felt that private media make serious efforts to cover events, while the public media are considered more nervous and too focused on institutional news. This criticism was shared by Moumouni, secretary-general of the NRTO, who admitted that “the private press talks about everything, which is not at all the case in the public press.”

However, even though they appreciate the coverage efforts of the private press, the panelists were not satisfied with the way in which events are treated. They were unanimous on this point: the way in which journalists process news is far from being equitable, objective, and well documented. According to Daouda, journalists more often than not settle for hooking their readers with “pompous and misleading titles” that have nothing to do with the contents of the articles to which they refer. According to him, this kind of scam explains the poor sales and the loss of interest in newspapers.

On the same point, Manzo Diallo, manager of the newspaper *Aïr*, regretted that “the newspapers that turn to scandal are the best-selling ones,” which proves, in his opinion, that “people want the sensational stuff” and journalists are not the only ones to blame. The panelists believed that there is a connection between the living conditions of the journalists and the drifts noticed in their news reporting. “Journalists may lapse into professional indelicacies because of the precarious working conditions,” Diallo said.

During discussions, panelists pointed out that journalists in Niger, particularly those working in the private sector, operate in deeply unstable conditions. Salaries are particularly ridiculous, from between CFAF 25,000 and CFAF 80,000 (\$50 to \$160) per month. In the absence of a collective bargaining agreement in this sector, very few journalists can benefit from

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

any social protection or benefits. "The insignificant salaries, or even the total lack of income of journalists in the private media, is a serious problem," Ousseini said, adding that it lowers them to an inescapable situation of servility.

According to most panelists, corruption is widespread in Niger's private media. "The marketers and media directors fill their pockets, while reducing their employees to a state of dire poverty," Diallo said. Ledru added, "If journalists are corruptible, it is because their trifling salaries and meager benefits cannot sustain them financially." According to Ousseini, the logical consequence of this situation is that "journalists in the private sector do not abide by the rules of ethics and journalism, even though there are exceptions."

The situation is radically different in the public media, according to Ousseini. "Journalists in the public sector work in dignified conditions, even though there are black sheep, too," he said. Salaries in the public sector are considered decent enough, but some panelists, such as Ousmane, said that they felt that the status of journalists in the public media is a problem. These journalists are civil servants, and therefore subject to hierarchical and administrative subordination, he explained.

Despite precarious conditions, journalists in Niger do a remarkable job with keeping the public informed. Panelists believed that there are excellent shows and articles both in the public and private press. Audio-visual media outlets own the appropriate equipment and installations to collect, produce, and broadcast news. However, the panelists admitted that access to some modern tools such as the Internet is still very limited. Most newspapers do not even have headquarters, much less the necessary computer equipment to process news.

OBJECTIVE 3: PLURALITY OF NEWS

Niger Objective Score: 2.15

A few of the Objective 3 indicators had scores close to the average, but the panelists rated four indicators significantly differently. They rated Indicators 2 and 5, restrictions on access to news and private broadcasters producing in-house news, well above the average, with both nearly at 3. However, coming in roughly a full point below the average were Indicators 3 and 4, public media reflecting the views of the political spectrum and independent news agencies.

Profiting from the liberalization of the media sector in Niger, a number of print and audio-visual press organizations were created between 1991 and 2006. Today Niger has about 30 commercial private radio stations, 100 non-profit and

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community radio stations, three private television stations, and 40 press titles throughout the country. This boom of private media, while counterbalancing the public media hegemony, considerably facilitates urban and rural citizens' access to news.

However, some panelists pointed out that coverage by print and audio-visual private media is not widespread. According to Fadimou, "it is limited to the capital, its outskirts, and the regional county towns." Diallo illustrated the point with the following example: "Newspapers don't get very far inland, even though for some time now they have been transported there, thanks to an agreement between the press companies and the bus companies."

Soumana stated that in some places, "people can't even get the national radio and television stations. Community radio stations that could be used as alternatives are not allowed to broadcast news. A total of 100 community radio stations are muzzled; they cannot have newscasts." This is an unjust situation, he said, adding, "There is no law forbidding us

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Regarding media content, Soumana singled out the case “of the television channels airing Brazilian and other Western soap operas, undermining moral standards and with harmful consequences for child education.” He said that the programs aired by some commercial private radio stations do not allow the population to take part in debates.

to produce news. On the contrary—the law says that every citizen has the right to be informed.”

The interdiction against newscasts on community radio is a result of Decree No. 1 given by the Higher Communication Council. The decree’s compliance with the Nigerien constitution and other legal conventions is strongly disputed.

Moreover, the panelists believed that citizen access to the media is limited by other factors also, such as the high illiteracy rate and the high cost of national and foreign newspapers. The average price of a local newspaper (CFAF 300) is more than half of the daily income of an ordinary Nigerien. “The average citizen is not able to buy newspapers,” Babacar Ndiaye said. This is exemplified by newspapers’ dramatically low run average: around 500 copies. Only the government-run daily newspaper *Le Sahel* might expect to increase its circulation, according to its sales manager, Ledru.

Apart from their financial constraints, citizens’ access to national or international media is not limited by laws, the panelists said. The international printed press is available to citizens in some kiosks in the capital, just as it is possible for citizens to access international radio and television channels. Access to this media is also possible over the Internet, but very few citizens go online.

Unfortunately, Niger has no independent press agency. The only press agency belongs to the state and most of the private press companies do not use that agency. Private radio stations usually produce their own newscasts, but some re-transmit live or pre-recorded shows from international channels such as BBC, RFI, VOA, or Radio Canada International. The law forces the media to dedicate most of their programming to local content, just as it forces them to favor citizen access to the means of communication.

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consequences for child education.” He said that the programs aired by some commercial private radio stations do not allow the population to take part in debates. The panelists noted that public media news is generally about the official agenda of the political authorities. A diversity of opinion from the political spectrum, including on issues of national interest, is largely absent.

Addressing the issue of transparent ownership of the media, the panelists indicated that often the audience has no information. Nevertheless, one of the panelists said, “Informed readers know who hides behind a signature.” Even if a media outlet is not in the hands of a conglomerate, many users still distrust both its objectivity and its capability of representing the broader social interest.

OBJECTIVE 4: BUSINESS MANAGEMENT

Niger Objective Score: 1.36

In Objective 4, all indicators scored relatively low and near the average, with the exception of Indicator 5, government subsidies for private media, which ranked somewhat higher.

Although panelists were unanimous about the importance of the media in Nigerien public life, they pointed out that the current proliferation of the media does not mean that the press is profitable. The media in Niger go through inextricable difficulties and, as they face them, marketers realize more and more that goodwill is just not enough. Many media members have already given up and left the industry instead of entrusting themselves to luck and their own resourcefulness.

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Commenting on the relevance of this objective, Moumouni said that she does not “consider the Niger independent media as press companies.” This point of view was widely shared by the panelists, who admitted that the economic environment in Niger cannot guarantee the sustainability of the many organizations formed as a result of the liberalization of the media sector.

Out of the 100 press titles created between 1991 and 2006, only a few continue to appear regularly in kiosks. Most have disappeared or have been forced to accept editorial subordination in exchange for some scarce advertisements on their pages. Indeed, some newspapers act as public relations companies for hire.

Having been familiar with the press milieu for years, Daouda summarized the business management situation: “Management is not the strongest asset of the independent media. The economy of the media turns out to be a vacuum. The editorial teams are not stable. At the level of their structure, there is a transparency problem in terms of management and financing sources. The owners answer to no one. They can use the company’s funds as they please.”

Currently, most Nigerien newspapers (with the notable exception of the governmental daily publication) have little access to the advertising market. The market is ruled by state-owned companies whose managers are reluctant to place advertising in newspapers that are considered troublesome. In addition, the private sector in Niger is so weak that these companies presumably do not see the purpose of marketing and show little interest in the printed press.

According to Babacar Ndiaye, manager of a communications and marketing agency, such agencies face serious sustainability issues. “Newspapers accept any price for advertising,” he said. “[Agencies] are at risk of dying out, and the private media will go with them.”

Direct negotiations between advertisers and the media hurt both the advertising market and the agencies without guaranteeing the survival of the media themselves. “Advertising constitutes a very small part of the operational budgets of the private media,” added Fadimou of NRTO. According to her, in this area, “the large fish eat the small fish.”

In the inland territories, the situation is even more difficult for the media, according to two panel participants, both press owners from the provinces. There, advertisers are almost completely missing and the economic environment is even more moribund than in the capital. “It is hard to survive,” Souleymane said.

Ousmane said that, while advertisers do not have control over the public media, they do significantly impact

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the private broadcast media. He said the professional associations are embarrassed by the closeness between the private broadcasters and cellular telephone companies that contribute to the survival of these media by granting advertising contracts. “We are confronted by the tragic choice between the survival of the private media and the protection of the audience’s rights,” Ousmane said.

Following the example of many nations in West Africa, Niger includes in its budget every year a symbolic amount stipulated by law to support the media. To date, these funds have never been made available. Only the public media receive subsidies. Panelists said that they believe that this situation indicates the public authorities’ lack of interest in the sustainability of independent media.

No public or private organization is involved in measuring audience ratings. “We only possess elements allowing us to measure external advertising,” Ndiaye said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Niger Objective Score: 2.21

Indicators in this objective were all relatively close to the final average. The leader was Indicator 5, short-term training, while the laggard was Indicator 1, trade associations.

Professional and trade associations exist, but the lack of coordination and unity among them has historically hindered their effectiveness. According to Diallo, the associations are not much help. This point of view was shared by Keita, who asserted that associations are just empty structures. “The provincial media have never been included in an activity developed by these associations. That’s why we thought about creating a parallel, more dynamic structure,” he said.

One positive exception is the Community Radio Association (CRA), according to Soumana, its chairperson. CRA has developed an ambitious program consisting of setting

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up and overhauling media outlets at the regional and national levels, restoring technical equipment, improving the capabilities of program hosts and station managers, and mobilizing resources. According to Soumana, this plan of action, expected to be completed in 2009, has already started by restoring the technical facilities of the community radio station in Agadez.

Panelists were hopeful that in the near future, government support funds will be released as promised, and that this infusion of money will help increase the activity of professional and trade associations.

As an NGO fighting for the protection of the journalists' rights, JNHR specializes in monitoring violations of freedom of speech, and publishes an annual report on freedom of expression and the press in Niger. This association also publishes a periodical bulletin, *Alerte*, that sends warnings to domestic and international parties. JNHR also reinforces journalists' rights through training sessions and scholarships.

Many other NGOs and associations contribute indirectly to the reinforcement of journalists' capabilities. These organizations offer trainings in various fields, such as budget control, human rights, HIV/AIDS prevention, women's rights, and protection of

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

the environment. International organizations offer subsidies and various types of support to the Nigerian media.

Addressing the issue of journalism training, all the participants regretted the absence of training institutions worthy of a journalism title. In Niger, only the ICTTI, a 30-year-old school, offers training in all branches of communication. But according to Ousseini, the former director of this public institution, "ever since it was created, this school [has] refused to update its curriculum to keep up with the current media landscape and technological progress."

However, with the support of the Franco-Nigerien association Contrechamps, the ICTTI has recently initiated a makeover of its training curriculum and has received funds to modernize its technical equipment. "After dark periods of time, the school today is in full development and will move up to the LMD [License-Master-Doctorate] system," Ousseini said enthusiastically.

In addition to the partnership with ICTTI, Contrechamps initiated a series of journalism trainings, focusing on editing techniques, journalistic writing, layout, etc. The association already has under its belt several studies on ratings evaluation, media content, audience perceptions, and the economic sustainability of the media.

In Niger, printed press companies generally do not own their own printing equipment. Aside from the government-run outlets (*Le Sahel* and *Le Sahel Dimanche*), there are only two other exceptions to this rule, *Le Républicain* and *Echos du Sahel*.

The distribution of the printed press is an informal endeavor undertaken by street sellers, as the country has no press distribution agency. Printing houses and newspapers sellers do not take into account their clients' political affiliation when doing business.

List of Panel Participants

Abdourahamane Ousmane, president, Journalist Network for Human Rights, Niamey

Ousseini Ali, former director, Niger Press Agency and the Information and Communication Techniques Training Institute, Niamey

Boubacar Daouda Diallo, teacher, Abdou Moumouni University, Niamey

Diaffra Fadimou Moumouni, secretary-general, Niger Radio Broadcasting and Television Office, Association of Nigerien Communication Professionals, Niamey

Fatchima Karimou, journalist, Niger Radio Broadcasting and Television Office's regional station, Maradi

Gazéré Sophie Ledru, sales manager, National Editing and Publishing Office, Niamey

Keita Souleymane, promoter, Shukurah Radio Station, Zinder

Manzo Diallo Ibrahim, manager, *Air Info* Regional Private Newspaper, Agadez

Nadia Karimou, editor-in-chief, Ténéré TV, Niamey

N'Diaye Babacar Ameth, director, Multicom Sarlu Advertising Agency, Niamey

Nouhou Soumana, promoter, secretary-general, Community Radio Association, Goudel

Moderator

A.T. Moussa Tchangari, director, Alternative Communication Group, Niamey

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