Ethical violations by some journalists, a particularly widespread phenomenon in the print media, give rise to the fear that legal gains may be compromised.
After a brief transition period that began with the military coup of February 2010, Niger returned to a
democratic system in 2011 with general elections held at the presidential, legislative, and local levels. The
country also adopted a new constitution by popular referendum on November 25, 2010, which restored the
semi-presidential system and presidential term limits, the elimination of which in 2009 by then-President
Mamadou Tandja had kicked off the crisis.

Like its predecessor, the new Nigerien constitution recognizes and guarantees all civil and political rights,
including most economic, social, and cultural rights, and individual and collective freedoms. Its provisions
are in accordance with the Universal Declaration of Human Rights, the International Covenant on Civil
and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. The new
constitution also, for the first time in the history of the country, sanctifies the right to food and drinking
water. This is a significant step in a country plagued by increasingly frequent food crises.

In terms of the quality of laws adopted during the transition period, it is no exaggeration to say that the
2010 coup opened up some interesting prospects in terms of freedom of the press in Niger. These arise in
particular from provisions of the new constitution and of the new law on press freedom, which establishes
the “decriminalization” of offenses committed in the press. In addition, the new president, Issoufou
Mahamadou, signed the Declaration of Table Mountain, which commits the head of state to abolish all
criminal laws governing defamation or insult.

In the world press-freedom rankings by Reporters Without Borders, Niger saw a huge step forward in
2011, rising from 104th to 29th of 179 countries in the rankings. The quantum leap in terms of respect
for freedom of the press must not, however, obscure the still low level of professionalism of Nigerien
journalists. Respect for the rules of ethics and professional conduct even took significant steps backward,
despite the efforts of the National Communications Observatory (ONC) and the Nigerien Observatory of the
Media for Ethics and Professional Conduct (ONIMED). Ethical violations by some journalists, a particularly
widespread phenomenon in the print media, give rise to the fear that legal gains may be compromised.

The panel discussion emphasized that professionalism remains a critical issue for the Nigerien media,
especially given that the sad state of the media’s economic environment leaves little hope that stronger
ethics will take hold. Objective 4 on business management was the lowest rated by the panelists, which
implies the link between low professionalism and the media’s financial problems. One important conclusion
to be made is that the decent scores received for Objectives 1, 2, and 3—on freedom of expression,
diversity of sources, and supporting institutions—do not yet seem to be contributing to the emergence of
a top-quality media in Niger.
**NIGER AT A GLANCE**

**GENERAL**

- **Population:** 16,344,687 (July 2012 est., CIA World Factbook)
- **Capital city:** Niamey
- **Ethnic groups (% of population):** Haoussa 55.4%, Djerma Sonrai 21%, Tuareg 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:** French (official), Hausa, Djerma (CIA World Factbook)
- **GNI (2010-Atlas):** $5.689 billion (World Bank Development Indicators, 2011)
- **GNI per capita (2010-PPP):** $700 (World Bank Development Indicators, 2011)
- **Literacy rate:** 28.7% (male 42.9%, female 15.1%) (2005 est., CIA World Factbook)
- **President or top authority:** President Issoufou Mahamadou (since April 7, 2011)

**MEDIA-SPECIFIC**

- **Number of active print outlets, radio stations, television stations:** Print: 2 public newspapers and 65 other publications; Radio Stations: 8 public and 29 private; Television Stations: 2 public and 5 private channels (RJDH, 2007 report)
- **Newspaper circulation statistics:** N/A
- **Broadcast ratings:** N/A
- **News agencies:** Niger Press Agency (state-owned)
- **Annual advertising revenue in media sector:** N/A
- **Internet usage:** (115,900 2009 est., CIA World Factbook)
With the enactment of the new constitution, the legal framework for freedom of the press has significantly improved in Niger. Article 30 of the new constitution states, “Everyone has the right to the freedom of thought, opinion, expression, conscience, religion, and worship,” while article 31 provides, “Everyone has the right to be informed and have access to information held by the public services under conditions determined by law.” Article 158 states that, “radio, television, written and electronic communications, as well as printing and broadcasting/distribution are not restricted, subject to respect for public order, freedom, and the dignity of the citizens.”

Furthermore, the new constitution has clearly defined the status and mission of the public media. Article 158 states, “The state media are a public service, access to which is guaranteed, in a fair and effective manner, to all, under the conditions defined by law.” This article also states that the public media “have an obligation to promote democratic debate; fundamental human rights; national/cultural languages and sporting endeavors; national unity; tolerance, solidarity, peace, and security between the different communities as well as the fight against all forms of discrimination.”

The new constitution provides, “The status of the state media is established by a law which guarantees objectivity, impartiality, and diversity of opinion in the treatment and dissemination of information.” It also specifies that “the private media also function in the public interest and are therefore subject to the same obligations as the state media.” Article 157 confers on the Higher Communications Council, an independent administrative authority, the task of “ensuring and guaranteeing the freedom and independence of the means of radio and television communications and of the print and electronic media.” This institution is responsible for overseeing not only the public-service mission of the state media, but also the effective and equal access of citizens, associations, and political parties to public means of communications.

The new constitution has also strengthened the independence of the Higher Communications Council, which had been greatly reduced after the constitutional changes made in August 2009 by then-President Tandja. The composition of the regulatory body increased from seven members, all appointed by the heads of state institutions, to 15 members, of which only three are appointed by political leaders, including the president, the president of the National Assembly, and the prime minister. The new constitution calls for members to choose from among themselves a chairperson, a vice president, and two reporters. By contrast, the 2009 constitution called for the president of the council to be appointed by decree of the president alone, granting that position extensive power to police the media sector.

During the panel discussion, the participants welcomed the adoption of a decree issued on June 4, 2010, which decriminalized press offenses like libel, defamation, and other media offenses. Even more welcome, the panelists agreed, was that the decree ended the practice of preventive detention in accusations of press offenses. The participants also noted the enactment of an August 2011 decree creating a charter on access to public information and administrative documents. The charter requires public administrators to respond within three days to any request for information from journalists, researchers, or citizens. It also creates legal
avenues in case officials refuse to provide information to those seeking it.

Some panelists noted, however, that the access to public information charter remains little known to either civil servants or citizens. The government has not adequately publicized it or issued an implementing decree, and officials continue to withhold requested documents. Ibrahim Soumana Gaoh, president of the Nigerien Association of Independent Press Publishers (ANePI), described the environment: “The difficulties are such that journalists are forced to go through roundabout and oblique channels to get information.”

During 2011, journalists were not particularly worried about practicing their profession, but panel participants reported a few cases of abuse and obstacles to press freedom. Among the most blatant cases was the imprisonment of Oumarou Aliou Modibo, director of publication of the Canard Décachné newspaper, by order of the national public prosecutor. Modibo was jailed on July 21, 2011, and released the next day. In another incident, Ibrahim Manzo Diallo, director of the newspaper Air Info, reported that the governor of the Agadez region had summoned him to his office so he would destroy the photographs Diallo had taken of a convoy bringing Muammar Qadhafi’s son Saadi to Niamey. In the same vein, Albert Chaibou, editor-in-chief of the newspaper Alternative, reported that security forces had tried unsuccessfully to prevent the filming of a targeted free distribution of food in the Tillabéry region that might have been considered politically sensitive.

Addressing the difficult question of the independence of the public media, the panelists agreed that their journalists are not independent, but rather have the status of state functionaries. According to magistrate Abdoulaye Dan Rani, journalists in the public sector, who are appointed and promoted with political considerations in mind, cannot have differing opinions from the authorities. One participant maintained that public media’s lack of independence is rooted in their journals’ own disinclination to push for more freedom of information, as they would rather seek rewards in the form of appointments or bribes. Private-media journalists are also plagued with a lack of sound news judgment, which leads to an unbalanced treatment of information.

Despite these problems, overall the panelists were in agreement that the essential legal conditions and norms are present to permit freedom of expression. Journalists have sufficient protection, and civil society in Niger appreciates their role in consolidating democracy. The panel members said they were pleased to observe that, since the realignment after the elections, the publication of newspaper articles implicating political figures in abuses has not been followed by open retaliation. However, some panelists expressed concern that the decriminalization statute will open the door to crude vigilantism, rather than comparatively banal legal troubles for reporters.

**OBJECTIVE 2: PROFESSIONAL JOURNALISM**

**Niger Objective Score: 1.84**

Panel participants expressed their belief that journalists in Niger do not meet professional quality standards. Incidents in 2011 suggest that the low professionalism and their failure to observe the rules of ethics and professional conduct may eventually ruin the credibility of the media. Due to the decriminalization statute, ethical violations have become a real concern for citizens as much as for industry professionals. The disincentives to publishing irresponsible and fabricated allegations have been removed, and many journalists have responded to this change by exploiting their newfound protections.

**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).
The MSI panel agreed with the findings of the 2011 Reporters Without Borders report, which found an increase in smear and defamatory articles since the statute of June 4, 2010. This is despite numerous calls to order and sanctions from the Press Council, the ONC, and ONI-MED, a self-regulatory body established in 2011 by the professional organizations of the sector. Cases were brought to the attention of the ONC several times during the year by citizens alleging that they were victims of blackmail and attempted scams by journalists. Speaking on this subject, ONI-MED’s president, Ousseini Issa Djibo, lamented that journalism has become a window of opportunity for self-enrichment.

Sociopolitical analyst Souley Adji pointed to the lack of qualification of journalists, the development of pay-for-play journalism, and the amateurishness that has characterized the Nigerien press in recent years. “Editorials, commentaries, and articles are insipid and unreliable, because the information is rarely verified and the sensational gets the better of the factual,” Adji said. “Journalists give themselves over to the highest bidder and can write the opposite of what they maintained the day before with neither justification nor scruple.” Most panelists shared Adji’s views and believe that these shortcomings are linked to several factors: the lack of training and specialization, subjectivity in the treatment of information and news, the predominance of partisanship, and, of course, economic insecurity.

Some panelists noted that the professional quality of the private media has declined significantly, which results from the poor quality of basic training and a massive influx into the profession of people without academic credentials. ONI-MED’s Djibo believes that this jump backward is not unrelated to the mercenary conception that some journalists have of the profession. Hassane Boukar, director of Alternative Radio in Niamey, believes that the worst part of it is not the ignorance of ethical and professional standards itself, but rather the complacency with which those trends are viewed. ANEP’s Gaoh argued that the problem of quality content does not just affect the print media; he maintained that production quality in local radio stations is even more mediocre.

The panelists cited a direct link between the low level of professionalism of journalists and the precarious business conditions in which they work. They emphasized that most media companies do not pay salaries or social security contributions for their employees, who are therefore sometimes forced to make their own way on the job, scrounging for tips from interviewees or demonstration organizers. This opens the way for corruption, which is a boon for some politicians who exploit it to manipulate members of the media. Lamine Souleymane, the head of an online outlet, asserted that political connections and business relationships allow some bigwigs to insinuate themselves into the work of editorial boards.

No case of censorship was reported in the course of the discussions, but it is obvious that self-censorship continues to prevail among journalists in the public sector. While most panelists emphasized more the responsibility of journalists in the industry’s decline, Souleymane Maazou, director of the Alternative de Zinder radio station, pointed the finger at the complacency and passivity of media consumers. The purchase of certain newspapers is, he said, an encouragement to those outlets to continue with unethical practices. And public disaffection, already perceptible in declining newspaper sales, is not enough to change the situation. The panel participants agreed that the desired change can come only from improvements in pay and benefits for journalists. In addition, production of quality content requires significant technical and financial resources that many media outlets do not have, an assessment widely shared by the panelists, who likewise were united in a pessimistic view of the future in this regard.

The main conclusion was that even strong legislative reforms are not sufficient to encourage professional journalism. The panelists made the bitter observation that the establishment of better protection of the freedom of the press and of the public’s right to information was not accompanied by an improvement in the quality of content in either public or private media.

**OBJECTIVE 3: PLURALITY OF NEWS**

**Niger Objective Score: 2.14**

Between 1991 and 2011, Niger lived under the sway of five different constitutions, each following an episode of interruption of the democratic process—but none of these constitutions challenged the media pluralism to which the citizens of Niger are particularly attached. The multiplicity of news sources is today an undeniable reality. The country at the present time has a large number of newspapers and public and private radio and television stations, and citizens have free access to all major international media outlets (RFI, BBC, VOA, CNN, Al-Jazeera, France 24, etc.).

While access to the Internet remains generally weak throughout the country, including in Niamey, it is clear that urban youth are more and more active in social networks. The number of Nigeriens registered on social networks is nearing 10,000, according to some sources, which is not negligible in the context of a country where the total number of Internet
users remains low and connection costs are still very high. The rapid adoption of mobile telephones, which are available even in the remotest corners of the country, offers new opportunities for access to information, but users of mobile phones do not yet have the ability to take full advantage of this communication tool’s potential.

Panel participants noted that while no law limits citizens’ access to the media, it does not mean there are no other obstacles to access. The discussion touched on obstacles such as affordability, the high rate of illiteracy with respect to the Internet and the print media, and language barriers with respect to the mass media, including television stations, which make very little use of minority languages. The panelists did not lose sight of the fact that the problem of a lack of public use of the media goes beyond simple access, but rather extends to the issue of whether citizens and organizations are welcome to contribute to the public debate, without fear of legal or social consequences.

On the legal level, the discussion noted that the public media are not yet making a significant effort to respect the principle of diversity of opinion proclaimed by the new constitution. According to most of the panelists, the state media do not reflect this diversity in the country, but rather serve as a pro-government organ. Their journalists refuse, often zealously, to give time to voices disagreeing with the regime, and self-censorship is often practiced. “The public media are, in fact, in the exclusive service of the current regime,” said Kio Koudizé, of the Nigerien Press Agency (ANP), which is the country’s only news agency.

The ANP is in dire need of operating resources, and its reporting is largely limited to official government activities. This forces Nigeriens to rely on international agencies even for domestic news.

Beyond the public media, the panelists were of the opinion that media users have a wide range of choice of information sources. Unlike in some countries, the media are not concentrated in the hands of a few conglomerates, although the panelists lamented the lack of mechanisms to inform users about media ownership.

In the opinion of most participants, the existence of a multitude of newspapers and radio and television stations compensates, to some extent, for the glaring inadequacies of the public media, but the private media still fail to meet the requirements of quality, objectivity, impartiality, and balance. The panelists, moreover, noted that the content is not sufficiently rich or varied and that to compensate for these weaknesses, some broadcast media rerun programs from foreign stations.

### Objective 4: Business Management

**Niger Objective Score: 1.49**

With few exceptions, Nigerien media outlets, the private media in particular, are very poorly managed. Owners do not have the managerial capacity to make modern businesses out of their organizations. Most newspapers have neither headquarters nor permanent staff, and very often the owner assumes every conceivable role. According to panelist Mounkaila Aichatou Seyni, “The media’s mode of operation does not take into account the principles of corporate governance, such as having a business plan and revenue, expenditure, and investment planning.” Magistrate Rani speaks, in this vein, of “household-style management.”

Financially, most Nigerien media live a precarious existence, operating on a day-to-day basis. The advertising market is very limited and suffers from a lack of regulation. The draft
A bill on advertising has not yet been adopted, but it is unlikely that its adoption will solve the problem of the financing of the private press. The lack of regulation in the advertising industry means that “neither the formats nor the rates have been approved,” said the ANP’s Koudizé. “Advertising agencies are not viable in Niger, and their services are not much appreciated by their customers,” Maazou, the radio station director, added.

In terms of management, the situation of the public media seems far better than that of the private media. The public media are managed by government-appointed officials who are relatively competent. The state media capture much of the advertising “manna” offered by public companies, which are the largest advertisers in the country after mobile telephone companies. Public corporations’ advertising spending is unbalanced, because these companies typically gravitate toward pro-government outlets. According to Sophie Gaëzéré Ledru, former commercial director of the National Office of Publishing and the Media, “Some distrustful advertisers are reluctant to go to certain organs, especially of the written press.” The private media seem doomed to struggle along with a few small contracts with mobile telephone operators, while the community media lack either state subsidy or advertising.

Currently, there are 80 publications in the country, including 75 in Niamey alone. Newspapers range from eight to 12 pages and are sold at a single standard price of XAF 300 ($.60). Press runs are small, from 500 to 2,000 copies. According to Alternative editor Chaibou, organizations fudge the exact numbers in print runs to make the size of a newspaper’s readership appear greater to advertisers. Newspapers suffer sales slumps linked to public disaffection and print runs coinciding with those of competitors. Print media distribution is controlled by street vendors, who have become as important as some press barons.

Overall, private media owners’ distinctive trait is the lack of the entrepreneurial spirit needed to make their outlets profitable. Sociologist Adji said the private media are overwhelmingly lacking a long-term strategic vision needed to get out of the economic doldrums. Their economic viability is a real cause for concern. The media’s funding sources are limited and preclude profitability.

The public media enjoy an annual subsidy from the state, while the private commercial sector benefits from an aid fund for the press. The state subsidy does not compromise private outlets’ independence, which is evident in their continued criticism of the government. But state support is not sufficient to make the private media viable.

With respect to the sluggishness of the economic environment, most panelists believe that the doors are wide open to corruption. Nearly all newspapers take money in exchange for influence over their editorial views. In 2011, certain sources indicated that the Presidency of the Republic and the Ministry of Finance have themselves benefited from this situation through partnership contracts with a few newspapers. The goal would appear to be to get these papers to refrain from criticism of the regime, but instead they appear to continue to take potshots at the government after receiving the funds.

“Advertising agencies are not viable in Niger, and their services are not much appreciated by their customers,” Maazou, the radio station director, added.
Donor-funded events are focused on the needs of the donor and the subject matter of the day, such as was the case for a recent European Union-funded training program on reporting on migration. Rarely does this type of training focus on the basic techniques of journalism, such as writing, editing, lines of inquiry, and investigative processes....

ONIMED and Maison de la Presse (Press House), led efforts to decriminalize press offenses.

However, ANEPI’s Gaoh asserted, “After a hard struggle conducted from 2007 to 2010, these associations seem to have stalled in the field of media advocacy.” Gaoh believes, “These associations claim to be rather critical toward the media, whose content quality is not always up to par.” Unlike some panelists, the ANEPI president was of the view that pro-democracy associations are no longer prominent in the defense of the media, though they continue to work with journalists to promote their own activities.

During 2011, some civil society organizations, such as Alternative espaces Citoyens (Citizen Space Alternative), Nigerien Association for Defense of Human Rights, Network of Organizations for Budgetary Transparency and Analysis, and Group for Reflection and Action in Niger’s Extractive Industries have strengthened the skills of journalists through training in their areas of advocacy. Training sessions organized by these associations help compensate, modestly, for the lack of an improvement program for workers in the media generally and in the private media in particular. Professional organizations, especially ONIMED and Maison de la Presse, have also organized training workshops for journalists and media technicians. In partnership with the U.S. Embassy in Niger, Maison de la Presse has provided support in the form of audiovisual and reporting equipment. The panelists praised the efforts of professional organizations while deploring internal divisions that prevent them from joining forces to address the industry’s challenges.

In 2011, internal divisions led to a split in ANEPI, with members leaving to form a rival group. The panelists said they are concerned that such disputes could eventually lead to a questioning of the legitimacy of ONIMED, for it is clear that self-regulation can work only when journalists recognize the moral authority of the body that is charged with it. Koudizé, former president of the ONC, believes that professional organizations are acting more as pressure groups and have managed to delay the adoption of a Collective Press Agreement, which aims to improve the working conditions of journalists, by arguing that the poverty of many press firms suggests that its passage would lead to increased costs and the closure of many media outlets.

In terms of professional training, Koudizé stated, “Niger has a journalism school, well-regarded on the continent, which issues diplomas recognized in the field.” Training provided by the school, he said, allows students to master the tools of the trade needed to practice the profession in an acceptable manner. Very familiar with the sector, Koudizé said he regrets that continuing education and training are at the mercy of event-driven opportunities, such as elections, or the availability of funds from a donor. Donor-funded events are focused on the needs of the donor and the subject matter of the day, such as was the case for a recent European Union-funded training program on reporting on migration. Rarely does this type of training focus on the basic techniques of journalism, such as writing, editing, lines of inquiry, and investigative processes, or how to use technical equipment, improve photojournalism skills, and publish in modern electronic formats.

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.
List of Panel Participants

Souley Adjii, professor, Abdou Moumouni University, Niamey

Mounkaila Aichatou Seyni, researcher, member of the Niger Anti-Corruption Association, Transparency International, Niger Section, Niamey

Sophie Ledru Gazéré, journalist; former director, National Office for Editing and Publishing, Niamey

Souleymane Maazou, journalist and director, Alternative FM, Zinder

Aboubakari Kio Koudizé, journalist; former chairman of the National Media Observatory, Niamey

Ibrahim Manzo Diallo, publisher, Air Info and Le Damagaram, Zinder

Albert Chaibou, editor-in-chief, Alternative; chair, International Francophone Press Union-Niger Section, Niamey

Lamine Souleymane, journalist, site sponsor, www.nigerdepeches.com, Niamey

Ibrahim Soumana Gaoh, journalist; founder and editor, The Witness; president, Nigerian Association of Independent Press Editors, Niamey

Abdoulaye Dan Rani, judge, Court of Appeals of Niamey, Niamey

Hassane Boukar, director, Radio Alternative FM, Niamey

Ousseini Issa Djibo, journalist, acting president, Nigerian Independent Media Center for Ethics and Conduct, Niamey

Moderator and Author

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

Assistant

Hamadou Boulama, journalist, Alternative, Niamey

The panel discussion was convened on August 15, 2012.