

Petition

“Peace in the Republic of Niger”

History

Since its independence, the state of Niger has been in latent conflict with the Tuareg population living on the Nigerien territory. This situation escalated in 1990 with a massacre of this population group in Tchín-Tabaraden and resulted in an armed conflict. After the conclusion of a treaty of peace, which was intended to make allowances for certain claims brought forward by the Tuareg organizations in 1995, this conflict calmed down. Today, it seems that the implementation of the treaty has failed. This caused new dissatisfaction among the population in the north of Niger. A new Tuareg movement “Mouvement des Nigériens pour la Justice” (MNJ, Movement of Nigeriens for Justice) has formed whose central claim is that the peace accords signed in 1995 be met.

Another issue is that the exploitation of the uranium deposits in the regions inhabited by the Tuareg remains an unsolved problem. The local population has practically no benefit from the proceeds gained out of these mineral resources, while the ecological consequences of the uranium production seriously endanger the population and their environment.

We observe that the current crisis is seriously threatening the democratic process in Niger, in particular as the government seems to fall back on out-dated, dictatorial methods in order to gag the press and to impede the freedom of expression of the citizens.

Confronted with this situation and the risks involved for the population in the north of Niger, we make the following observations:

(1) Violations of human rights

(a) Homicides in June 2007

On June 10, 2007, three Tuareg men, very advanced in years, named Sidi Mohamed Imolan – called Kalakoua - Abtchaw Kounfi and Aoussouk Kounfi, two of whom were visually handicapped and one one-legged, were arrested by the Nigerien army near the Tezirzayt well . These three old men were killed during imprisonment. The corpses were left behind near the Tezirzayt well, one of the corpses being dismembered.

On June 17, 2007 the Nigerien head of state, the interior minister and the commandant of the military section Agadez, one after the other, confirmed the death of the three men.

The nomad population of the Tezirzayt valley, including the pupils and the teacher of the local school, were expelled from there by the military.

(b) Homicides in August 2007

On August 26, a patrol of the Nigerien army (FAN) indiscriminately shot an aged man and his little caravan of 11 camels and 4 donkeys on their way from Arlit. This happened 1km and 200m from the national road Gougaram –Iférouane.

(c) Arrests

At the end of August, the president of the Republic Niger, Mamadou Tandja, declared a three-month state of emergency for the department Agadez. Since the time the emergency act has been applied, more than 100 civilians have been temporarily arrested. At least 10 out of these people are still waiting for the accusal and are detained under inhuman conditions.

The taking under arrest and the detention by the army or the police of civilians who are not involved in the armed conflict, and who have not committed any offence to the law, constitutes an act of “arbitrary detention” and therefore a violation of Article 9 of the Universal Declaration of Human Rights.

(d) Land mines

According to the inhabitants of the region, the Nigerien army laid landmines around Inferouane. As a direct consequence thereof, the free moving space for the population and their herds is considerably reduced. This means a real threat to the existence of these people. The supply of food has become almost impossible and the little quantities of products available in the market place are offered at unaffordable prices. This situation forces many families to leave the northern region towards the south.

Should the state turn out to be responsible for the laying of mines, the Nigerien government would be guilty of having broken the Ottawa Convention. This Convention prohibits the use, stockpiling and transfer of anti-personal mines in the form of a treaty under international law. Niger ratified the Ottawa Convention as early as 1997; two years later, the Ottawa Convention came into force for all signatory states.

(e) Homicides in September 2007

On September 26, 2007, a patrol of the Nigerien army (FAN, Forces Armées du Niger) stopped several motor vehicles, which were going in a northward direction, near Innazawa and Tadara. The army forced the passengers out and separated the dark-skinned from the light-skinned, who were probably taken for Tuareg. The 12 light-skinned people were then executed by the Nigerien army.

On September 27, 2007, further southwards, near the road between Assamakka and Arlit, the same soldiers captured 22 Tuaregs – men, women and children – in their tents and causelessly shot them to death.

None of the dead persons was involved in the hostilities. There is no accusal against them. They were executed beyond any legal procedure, a fact that constitutes a severe violation of human rights.

The methods applied by the FAN and by the Nigerien government strongly conflict with the Universal Declaration of Human Rights and the Geneva Convention, and can not be accepted.

(2) Ecological impact of the uranium mining

For more than 30 years, the company AREVA and its Nigerien subsidiary companies have extracted uranium from mines in the region around Arlit (in northern Niger). Huge quantities of radioactive waste rock are produced, which would have to be deposited sealed off from the environment for thousands of years. In the uranium mining region around Arlit, however, the radioactive waste is deposited open-air and, among other things, is blown over the area by the wind. The radioactive substances leak into the groundwater and get into the food chain, representing a considerable threat for nature, animals and human beings. These facts were confirmed by a study

prepared by CRIIRAD (Commission de Recherche et d'Information Indépendantes sur la Radioactivité) in spring 2007.

In order to dramatically increase (double) the uranium production and exports, the Nigerien government has issued exploration licenses to North-American, Chinese and French companies in the past few months. The consequences for the environment and for the people and animals living in this region (Environmental Impact Studies) have not been studied. Since the beginning of 2007 more than 122 licenses have been issued to foreign companies - in a region which traditionally is characterized by stock-breeding and some agriculture. These agricultural activities constitute the economic basis for the local population. Even more alarming are the circumstances under which these extraction licenses have been granted. The Nigerien press repeatedly broached the issue of the awarding process and talks about a dubious license market.

It is unacceptable that uranium is extracted under conditions undermining the environmental law and that the industrialized countries' energy supply is provided via destruction of the ecologic system of the Nigerien population.

(3) Violations of the freedom of the press and the freedom of opinion

Since the outbreak of the conflicts between MNJ and the Nigerien government, the freedom of the press has substantially been violated in the country:

- The independent local newspaper "Aïr-Info" in Agadez, which had reported on the conflict, was banned from publishing for three months (June – August).
- Three other newspapers from Niamey, that had reported on the disruptions, got a warning;
- The French radio station RFI (Radio France Internationale) was banned from broadcasting for one month (July – August) after having protested against the prohibition of sending reporters to the conflict zone in northern Niger and having reported on the conflict. The RFI reporter and correspondent, Moussa Kaka, was threatened with death by a high Nigerien military.
- On September 20, 2007, Moussa Kaka, correspondent of RFI, was arrested.
- On October 9, 2007, Ibrahim Manzo Diallo, chief editor of the local newspaper "Aïr-Info" was arrested.

Both journalists had repeatedly reported on the conflict and are still under arrest without due process of law. The motives of the imprisonment have internationally been denounced in the meantime (by Reporters Sans Frontières and the international committee for the protection of journalists).

The repeated breach of the freedom of the press and the freedom of opinion is inconsistent with the Universal Declaration of Human Rights and therefore unacceptable!

In the light of these facts, we demand:

- As a matter of principal, a peaceful solution of the conflict through negotiations and the immediate stopping of military actions;
- Clarification of how the homicide of the three old Tuareg men by the FAN on June 10, 2007 near Tezirzayt could happen;
- Clarification of how the homicide of an aged Tuareg and his animals, coming from the market place, who was shot by FAN on August 26, 2007 near Arlit, could happen;
- Investigation of the incidents that occurred on September 26 and 27 in the border area between Iferouane, Gougaram and Assamakka, and which led to the execution of 34 Tuareg civilians by the FAN;
- Surrender of the responsible persons for an independent trial;
- Observance of the Ottawa Convention of 1999;
- Protection of the civilian population and cessation of arbitrary convictions and of extrajudicial arrests and executions according to UN Conventions;
- Observance of the Universal Declaration of Human Rights;
- Observance of the Geneva Convention;
- Independent investigations on the environmental impact of the uranium production (fauna, flora, water, air) on the entire food chain, the people living in this region and on their health;
- Stopping the issue of new exploration licenses without comprehensive and independent studies on the environmental impact, for uranium and any other mineral resources (like e.g. gold, oil etc.);
- Discharge of the journalists arrested and restoration of the freedom of the press.

Sources:

- Reuters press agency: <http://www.reuters.com/>, <http://africa.reuters.com/NE/>
- Agence France Presse: <http://www.afp.com/>
- Website of the MNJ: <http://m-n-j.blogspot.com/>
- Eye witness accounts

