



NIGER

Women, Business and the Law (WBL), in collaboration with the Global Financing Facility (GFF), has collected data on laws affecting women's and girls' access to sexual and reproductive health (SRH), as well as frameworks supporting their implementation. Data were collected through desk research and a questionnaire administered to country experts. The analysis is organized around five indicators. For each indicator, the legal framework is assessed based on domestic laws and regulations. The supportive framework is assessed based on instruments—such as national policies, strategies, and guidelines—that are currently in effect and support the implementation of these laws.

INDICATOR		WHAT DOES IT MEASURE?	
		<i>Legal Frameworks</i>	<i>Supportive Frameworks</i>
	SRH rights	Right to SRH; guaranteed access to free SRH services without discrimination	Existence and contents of an operational SRH policy or strategy
	Violence against women and girls (VAWG)	Prohibition of female genital mutilations (FGM)	Adoption of measures to eradicate FGM
	Family planning	Absence of legal restrictions on SRH services, such as the need for consent from a husband, male guardian, parent or third party	Family planning guidelines or protocols
	Comprehensive sexuality education (CSE)	Legal mandates for CSE in schools	Guidelines for delivery of CSE in schools
	Right to education	Girls' legal right to attend school during pregnancy and after childbirth	Policies to keep girls in school and allow pregnant and parenting students to attend school

LEGAL AND SUPPORTIVE FRAMEWORKS

Niger has a comprehensive and defined framework for:

SRH RIGHTS

The legal right to SRH is guaranteed under *Loi sur la Santé de la Reproduction au Niger*, which also guarantees access to SRH services. Additionally, the law prohibits discrimination in access to SRH services based on sex, gender, age or marital status.

The *Plan d'Action National Budgétisé de Planification Familiale 2021-2025 du Niger* supports the implementation of the law and improves access to SRH services and family planning.

The *Plan de Développement Sanitaire et Social* aims to expand access to family planning services and raise awareness of reproductive health and informed reproductive choices.

VIOLENCE AGAINST WOMEN AND GIRLS

FGM is a criminal offense, triggering monetary penalties and up to three years of imprisonment. The individual performing the FGM procedure is criminally responsible.

The *Ministry for the Advancement of Women and Child Protection*, in collaboration with the *National Committee on Harmful Traditional Practices* in Niger, is responsible for the coordination of work to end FGM.

FAMILY PLANNING

No legal provisions require spousal, parental, guardian, or other third-party consent to access SRH services.

The *Module de Formation Genre et Santé de la Reproduction* addresses gender barriers in reproductive health and family planning, while the *Normes et Procédures Santé de la Femme* and the *Formation des Prestataires de soins sur l'offre de services intégrés de planification familiale du post-partum, de soins maternels, néonataux, infantiles et de nutrition* provide guidance on family planning counseling, contraceptive methods, postpartum family planning, birth spacing, and the integration of family planning into maternal and child health services.

COMPREHENSIVE SEXUALITY EDUCATION

The *Module de Formation des Enseignants du Secondaire sur l'Éducation à la Santé de la Reproduction des Adolescents et Jeunes (ESRAJ)* provides guidance to secondary school teachers on delivering sexual and reproductive health education to adolescents and young people.

RIGHT TO EDUCATION

Girls have the legal right to attend school during pregnancy and after childbirth. The *Programme Sectoriel de l'Éducation et de la Formation 2014-2024* also outlines measures to keep girls in school.

POLICY OPPORTUNITIES

The data reveal gaps in Niger's legal and supportive frameworks across the five indicators assessed. Strengthening these frameworks can help accelerate the country's progress toward gender equality and to improve health outcomes for women, children, and adolescents. Niger may wish to consider translating the following gaps into policy opportunities:

SRH RIGHTS

Despite the prohibition of marital-status discrimination, the law limits birth spacing and reproductive decision-making to married couples.

VIOLENCE AGAINST WOMEN AND GIRLS

While FGM is a criminal offense, the law does not address cross-border FGM. Parents or legal guardians cannot be held criminally responsible for such acts.

FAMILY PLANNING

The law does not guarantee access to SRH services in case practitioners raise conscientious objections.

COMPREHENSIVE SEXUALITY EDUCATION

The law does not mandate the provision of CSE in schools.

RIGHT TO EDUCATION

There are no policies to allow pregnant students to attend school, or to allow parenting students to attend school.

WBL SRH LEGAL FRAMEWORKS DATA

	QUESTION	ANSWER	LEGAL BASIS
SRH Rights	1.1 Does the law provide for the right to sexual and reproductive health?	Yes	Loi sur la Santé de la Reproduction au Niger, Art. 2
	1.2 Does the law guarantee access to sexual and reproductive health services?	Yes	Loi sur la Santé de la Reproduction au Niger, Art. 6
	1.2.1 If the answer to question 1.2 is Yes, does the law guarantee access to sexual and reproductive health services free of cost?	Yes	Arrêté N° 65/MSP/LCE/DGSP/SPHL/MT du 7 avril 2006 instituant la gratuité des contraceptifs et préservatifs dans les établissements publics de santé
	1.3 Does the law prohibit discrimination in access to sexual and reproductive health services based on sex/gender?	Yes	Loi sur la Santé de la Reproduction au Niger, Art. 2
	1.4 Does the law prohibit discrimination in access to sexual and reproductive health services based on age?	Yes	Loi sur la Santé de la Reproduction au Niger, Art. 2
	1.5 Does the law prohibit discrimination in access to sexual and reproductive health services based on marital status?	Yes	Loi sur la Santé de la Reproduction au Niger, Art. 2
VAWG	2.1 Does the law criminalize FGM?	Yes	Code Pénal, Arts. 232.1-232.3
	2.1.1 If the answer to question 2.1 is Yes, is the individual performing the FGM procedure criminally responsible?	Yes	Code Pénal, Art. 232.2
	2.1.2 Is a parent or legal guardian criminally responsible for allowing FGM to be performed on a minor under their legal custody?	No	No applicable provisions could be located
	2.2 Does the law criminalize cross-border FGM?	No	No applicable provisions could be located
Family Planning	3.1 Is the law free of provisions requiring a husband or male guardian to consent for a woman to access sexual and reproductive health services?	Yes	No applicable provisions could be located
	3.2. Is the law free of provisions requiring parental or a legal guardian's consent for an adolescent to access sexual and reproductive health services?	Yes	No applicable provisions could be located
	3.3 Is the law free of provisions requiring any other form of third-party consent to access sexual and reproductive health services?	Yes	No applicable provisions could be located
	3.4 Does the law guarantee sexual and reproductive service delivery in case practitioners raise conscientious objections?	No	No applicable provisions could be located
CSE	4.1 Does the law mandate comprehensive sexuality education (CSE) in schools?	No	No applicable provisions could be located
Right to Education	5.1 Does the law provide for the right of pregnant girls to attend school?	Yes	Arrêté conjoint n° 335/MEP/A/PLN/EC/MES/MEP/T du 22 août 2019 modifiant et complétant l'arrêté n° 25 du 4 février 2019, précisant les conditions de protection, de soutien et d'accompagnement de la jeune fille en cours de scolarité, Art. 8
	5.2 Does the law provide for the right of adolescent girls to attend school after childbirth?	Yes	Arrêté conjoint n° 335/MEP/A/PLN/EC/MES/MEP/T du 22 août 2019 modifiant et complétant l'arrêté n° 25 du 4 février 2019, précisant les conditions de protection, de soutien et d'accompagnement de la jeune fille en cours de scolarité, Art. 8

WBL SRH SUPPORTIVE FRAMEWORKS DATA

	QUESTION	ANSWER	SOURCE
SRH Rights	1.1 Has the government adopted a sexual and reproductive health policy or strategy?	Yes	Plan d'Action National Budgétisé de Planification Familiale 2021-2025 du Niger ; Plan de Développement Sanitaire et Social 2022-2026
	1.1.1 If the answer to question 1.1 is Yes, does the policy or strategy include the provision of sexual and reproductive health services among its targets/strategic actions?	Yes	Plan d'Action National Budgétisé de Planification Familiale 2021-2025 du Niger ; Plan de Développement Sanitaire et Social 2022-2026
	1.1.2 If the answer to question 1.1 is Yes, does the policy or strategy include awareness campaigns among its targets/strategic actions?	Yes	Plan d'Action National Budgétisé de Planification Familiale 2021-2025 du Niger ; Plan de Développement Sanitaire et Social 2022-2026
VAWG	2.1 Has the government adopted measures aimed at eradicating FGM?	Yes	Ministère de la Promotion de la Femme et de la Protection de l'Enfant; Comité Nigérien sur les Pratiques Traditionnelles ayant effet sur la Santé des Femmes et des Enfants (CONIPRAT)
Family Planning	3.1. Has the government published guidelines on family planning?	Yes	Module de Formation Genre et Santé de la Reproduction; Normes et Procédures Santé de la Femme ; Formation des Prestataires de soins sur l'offre de services intégrés de planification familiale du post-partum, de soins maternels, néonataux, infantiles et de nutrition: manuel de référence
CSE	4.1 Has the government published guidelines for the delivery of CSE in schools?	Yes	Module de Formation des Enseignants du Secondaire sur l'Éducation à la Santé de la Reproduction des Adolescents et Jeunes (ERSAJ)
Right to Education	5.1 Has the government adopted policies to keep girls in schools?	Yes	Programme Sectoriel de l'Éducation et de la Formation 2014-2024
	5.2 Has the government adopted policies to allow pregnant students to attend school?	No	Insufficient evidence located
	5.3 Has the government adopted policies to allow adolescent parenting students to attend school?	No	Insufficient evidence located

