

# U.S. Country Commercial Guides



## Niger

## 2017

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# Doing Business in Niger

## Market Overview

Presidential and legislative elections were held in February 2016, with a presidential run-off held in March 2016. President Issoufou Mahamadou was re-elected to a second five-year term with a resounding 92.5 percent of the vote in the run-off. Economic policy in 2017 will hinge on efforts to combat regional insecurity and pursue critical infrastructure projects. The new government is firmly committed to improving the business climate, which is the key to development of the private sector and attracting foreign investment.

The 2016 World Bank Doing Business report ranked Niger overall at 160 out of 189 economies surveyed. However, the same report rated Niger considerably higher in the ease of starting a business/business registration category, ranking the country at sixth within the West African Economic and Monetary Union (WAEMU) and 134th overall. This reflects a jump of 43 places compared to the previous edition.

The 2015 Mo Ibrahim African Governance Index listed Niger as among countries that have improved in terms of “Participation and Human Rights,” giving it a score of 48.4 out of 100.

In April 2014, Niger instituted a new Investment Code. Under this code, industrial investors enjoy tax and customs exemptions, and in some cases, exemptions from value added tax (VAT). Niger has continued to streamline its business processes since then to facilitate investment.

The Investment Code contains no provisions for screening, and guarantees equal treatment of investors regardless of nationality. The National Council of Private Investors (CNIP) is charged with reviewing Niger’s investment climate and performance and proposing specific actions to address national investment priorities.

The government wants to speed up its investment in growth and development, and actively seeks foreign private investment, including from the United States, and considers investment key to restoring economic growth and development.

Continued low oil and commodity prices, as well as regional crises slowed growth in 2015, but stronger growth occurred in 2016, due to an expected expansion of agriculture and increases in public and private investments. Government spending on infrastructure and agriculture is also expected to boost this revival.

The oil and mining sector will remain a key component of GDP, although uranium production will fall gradually as Areva’s Cominak and Somair uranium mines approach the end of their mining lives. In February 2016, the

GON awarded a production license to a Canadian mining firm, GoviEx, for the Madaouela project in the north-east of the country. The budget policy since 2016 reflects the GON intent to reduce the fiscal deficit.

Government spending will continue to rise, owing to increased outlays on defense, as the conflict with the neighboring Nigerian-based Boko Haram continues and continued demand for social spending in a country with the highest population growth in the world. Inflation remains below one percent, according to the IMF. The budget policy for 2017 reflects the GON intent to reduce the fiscal deficit while safeguarding expenditures on priority sectors.

The GON's Economic and Social Development Program (PDES 2016 – 2020) is designed to improve the standard of living and is built around eight platforms: cultural development, institutional consolidation, security, infrastructure development, education, health, access to clean water, and job creation.

In Niger 67% of the population is below 25 years of age. Youth unemployment and underemployment is a major problem.

Niger works for regional integration through the Economic Community of West African States (ECOWAS), but major efforts are still needed if steps taken so far, especially concerning trade, are to become effective. As a member state of the WAEMU, Niger adopted permanent preferential tariffs for internal trade. Niger shares a common currency, the CFA, with other WAEMU members; the CFA is pegged to the Euro. Niger is also a member of the Organization for the Harmonization of Business Law in Africa (OHADA) and, as such, has a well-established legal and regulatory framework.

The CFA is freely convertible to euros or dollars. International investors have not reported difficulty with such transfers. The CFA is pegged at CFA 655.96 to the euro and fluctuates against the dollar in line with the euro-dollar exchange rates.

There have been no expropriations since the 1970s and there is no pattern of discrimination against foreign firms.

Niger is a member state of the AGOA trade compact with the United States, having regained its eligibility in October 2011.

### **Market Challenges**

Niger is a vast landlocked country and has historically relied on the Port of Cotonou (Benin) and to a lesser degree Lomé (Togo), Tema (Ghana) and Port Harcourt (Nigeria), for overseas trade.

Niger's investment climate is affected by the small size of Niger's market, an unskilled and uneducated workforce, a poor transportation system, periodic shortages of water and electricity, and low per capita income. Apart from the

mining and oil sectors, the economy mainly consists of subsistence agriculture, livestock and informal market activity.

Security remains an issue. Al-Qaida in the Lands of the Islamic Maghreb (AQIM), a terrorist group, continues its attempts to kidnap Westerners, including U.S. citizens, in Niger, and has been successful in kidnapping Europeans in the region. A U.S. citizen was kidnapped in 2016. Since February 2015, Boko Haram has carried out frequent and recurring attacks in the country's northeastern region of Diffa. The Islamic State in West Africa (ISIS-WA), a splinter group from Boko Haram, is also active along the Niger-Nigeria border, and various jihadist organizations, including AQIM, operate in Mali, regularly making incursions into Niger.

The banking sector in Niger is considered one of the weakest in the WAEMU. Less than one percent of the population has a bank account.

Niger's judicial system lacks independence and capacity to deal with the volume of cases. The judiciary's independence is not respected by the executive, and rulings by the Constitutional Court and Supreme Court are often ignored. High-ranking politicians frequently act with impunity and are rarely subject to judicial action.

Niger ranks 187 out of 188 countries on the 2016 United Nations Human Development Index.

The government has publicly acknowledged that official corruption is a problem and is making efforts to address it. In August 2011, the GON created the High Authority to Combat Corruption and Related Crimes (*Haute Autorité de Lutte contre la Corruption et les Infractions Assimilées*, HALCIA). The Ministry of Justice has also set up an anti-corruption hotline. In April 2016, the GON jailed eight senior civil servants on allegations of corruption and fraud concerning the recruitment of 1,831 government workers in the health sector.

### **Market Opportunities**

There are currently two uranium companies (COMINAK and SOMAIR all subsidiaries of AREVA), which produced about 3,200 metric tons of uranium in 2015. The commissioning of a third mine (Imouraren) has been postponed until 2017 or beyond, due to low uranium prices. The current directory of exploration permits includes 121 targets for uranium, 14 for base metals, three for titanium/vanadium, and two for coal. Estimates of the untapped mineral potential include important resources of gold (about 65 metric tons), phosphate (over 1.2 billion metric tons), iron ore (about 1.2 billion metric tons), copper (875,000 metric tons), as well as nickel, molybdenum, salt, and vanadium.

The mining sector has been the biggest source of FDI in the country, and accounts for about 5.8 percent of the country's GDP. However FDI in the

mining sector was expected to slow in 2016 due to the postponement of Areva's Imouraren mining project.

Niger officially became an oil producer in November 2011 with the coming on stream of three oil deposits in the Agadem basin and the commissioning of the 20,000 barrels per day (bpd) refinery at Zinder. The estimated FDI inflows associated with the development of the Agadem oil bloc were \$1.3 billion for the oil field, \$350 million for an oil pipeline to Chad, and about \$1.2 billion for the Zinder refinery. In addition, the Trans-Saharan Gas Pipeline (TSGP) will expect to attract an estimated \$13 billion for Niger's share of the cost for installing the pipeline and associated gathering centers. In addition, the country's geologic structure offers potential for new discoveries of gold and base metals in the Precambrian formations and of uranium and oil in the sedimentary basins. As a result of the FDI in the above projects, oil and mining exports recorded an FDI inflow of \$769 million in 2014 and contributed to GDP growth of 11.2 percent in 2012 and 6.9 percent in 2014. Significant potential for private sector development and spin-off growth exists through local content development and direct procurement of goods and services from local suppliers.

Livestock is one of the main foundations of Niger's economy, accounting for 15 percent of Niger's GDP. Animal husbandry is practiced by over 87 percent of the workforce.

Export of live cattle and meat represents nearly 12 percent of Niger's total exports (90 percent of which goes to Nigeria and the remaining to Cote d'Ivoire and Gabon). Besides the export of live animals mostly to Nigeria, meat production is also growing in Niger.

There is significant potential to formalize the butchery industry and for the development of a formal private sector in meat production given the large number of small and informal butchers and the abundant availability of livestock. Butchers are organized into seven associations/*Groupement d'Intérêt Economique (GIE)* in Niamey and Maradi representing both individuals and enterprises and their associations.

Companies involved in mining equipment manufacturing, finance and investment, geophysical mapping, consulting, and wastewater treatment facility construction are best placed to benefit from the revitalization of Niger's mining industry.

There are also opportunities in the agribusiness sector for providing inputs such as fertilizers, hybrid seeds, and equipment. Food drying or other food processing is a mostly untapped market, particularly for onions, tomatoes, peppers and fruits, as well as processing of peanuts and sesame for oil.

There is also a small market for imported processed foods and household products.

Export opportunities may exist for pharmaceuticals (herbal and generic drugs), heavy construction and earth-moving equipment, food processing, and coal-fired electrical generating equipment.

Although not currently viable, considerable phosphate deposits could eventually be exploited as regional demand for fertilizer increases.

There are opportunities for providing consulting and engineering services to development projects supported by the World Bank and African Development Bank, other multilateral banks, and bilateral donors.

Another sector with potential is renewable energy, particularly wind and solar. The government is exploring alternative energy sources to address the recurring shortage of electricity.

Niger is currently experiencing growth in the telecommunications and banking industries. There is a growing interest from investors, exemplified by the recent entry to the market of a large Moroccan bank, Attijariwafa, as well as insurance company Colina.

Despite the fact that Nigeriens are relatively price-sensitive, there are opportunities in the retail sector for supermarkets and the construction of shopping malls.

Niger's air transport sector remains relatively underdeveloped, and funding to upgrade facilities remains an issue.

Energy production must be increased substantially, as the current electricity demand is insufficient to meet the country's needs, and the GON has drawn up a new development program, which includes the construction of new facilities and civil engineering projects. The GON needs to reduce its present dependency on imported electricity, 70 percent of its electricity supply comes from neighboring Nigeria. There are many opportunities to invest in the energy sector. The National Assembly adopted a new electricity code in May 2016 to allow for private participation in energy generation and the creation of an independent sector regulator.

Niger is in need of strong foreign investment to modernize, upgrade, renew and expand the existing roads. The present road system will need upgrading and expanding to cater for increased traffic from the mining and agriculture sectors.

### **Market Entry Strategy**

Nigerien culture is largely traditional, and most potential business partners are practicing Muslims. Getting to know individuals is very important and taking time for visits and meals together is recommended. Rushing matters is unseemly and may only serve to destroy confidence in a foreigner's good

intentions. Nigerien business people also like to be able to see and feel merchandise before entering into any agreements, no matter how basic the product.

The legal system inherited from France is sufficiently different from the U.S. system that retaining a local attorney is advisable. Niger is a member of OHADA, which provides a common body of business law used throughout the WAEMU zone. A list of attorneys is available on the [Embassy's Consular Section webpage](#).

# **Political and Economic Environment**

## **Political Environment**

### **U.S.-Niger Relations**

The United States established diplomatic relations with Niger in 1960, following its independence from France. U.S. relations with Niger since its independence have generally been close and friendly. In 2010, a military junta took power after overthrowing the former president, who had tried to extend his rule unconstitutionally. A new president was inaugurated in 2011, returning Niger to constitutional, civilian rule. The President was re-elected in 2016. Violence in Libya and the security threats from al-Qaeda in the Islamic Maghreb in the region and the Nigeria-based group Boko Haram have complicated the government's efforts to improve Niger's economy, strengthen governance, and address human rights. The United States has commended Niger for its actions to consolidate and advance democratic institutions in its own country and to promote stability in the region, including its support for refugees who have fled instability in neighboring Mali and Nigeria. The U.S. and Niger work closely on regional peace and security issues. Niger has worked closely with Chad, Cameroon, and Nigeria to counter the violent extremist threat posed by Boko Haram in the Lake Chad Basin region.

### **U.S. Assistance to Niger**

U.S. foreign assistance to Niger plays a critical role in preserving stability in a country vulnerable to political volatility, food insecurity, and regional instability. U.S. assistance seeks to continue to improve food security, strengthen reproductive health and maternal and child health services, support productive agricultural enterprises, promote democracy and good governance, support prison and judicial reform, and strengthen military education and training. Niger is one of six countries participating in the Security Governance Initiative (SGI).

### **Bilateral Economic Relations**

Niger is one of the poorest countries in the world. Its largely agrarian and subsistence-based economy is frequently disrupted by extended droughts common to the Sahel region of Africa. U.S. exports to Niger include rice, vehicles, food-preparation goods, machinery, and fats and oils. Primary imports from Niger to the United States include uranium. Niger is eligible for preferential trade benefits under the African Growth and Opportunity Act. The United States has a trade and investment framework agreement with the West African Economic and Monetary Union, of which Niger is a member. Niger has signed a bilateral investment agreement with the United States.

### **Niger's Membership in International Organizations**

Niger and the United States belong to a number of the same international organizations, including the United Nations, International Monetary Fund, World Bank, and World Trade Organization.

**Bilateral Representation**

The U.S. Ambassador to Niger is [Eunice Reddick](#); other principal embassy officials are listed in the Department's [Key Officers List](#).

Niger maintains an embassy in the United States at 2204 R Street, NW, Washington, DC 20008; phone: 202-483-4224

**Additional Information on Niger**

[Department of State Niger Page](#)

[Department of State Key Officers List](#)

[CIA World Factbook Niger Page](#)

[History of U.S. Relations with Niger](#)

[Human Rights Reports](#)

[International Religious Freedom Reports](#)

[Trafficking in Persons Reports](#)

[Narcotics Control Reports](#)

[Investment Climate Statements](#)

[Office of the U.S. Trade Representative Countries Page](#)

[U.S. Census Bureau Foreign Trade Statistics](#)

[Millennium Challenge Corporation](#)

[Library of Congress Country Studies](#)

[Travel and Business Information](#)

[U.S. Embassy: Niger](#)

[USAID Niger Page](#)

## **Selling U.S. Products & Services**

### **Using an Agent to Sell U.S. Products and Services**

Using a local agent is recommended, given language and cultural barriers. The specific type of representation that a U.S. firm establishes in Niger must be tailored to fit the individual requirements of the product and its potential market. U.S. firms may employ the services of an agent, appoint a distributor or dealer, and/or establish a direct sales branch or subsidiary. Preferably, the agent or the distributor should be a local business/firm, fluent in French and knowledgeable of Niger's business practices. If the product requires some servicing, the U.S. exporter should make available a reasonable inventory of spare parts to his agent or distributor. U.S. companies also should provide brochures and marketing literature in French.

### **Establishing an Office**

There are no restrictions on foreign companies opening a local office in Niger, though they must obtain a business certificate from the Ministry of Commerce. The “Guichet Unique,” or one-stop-shop, at the local Chamber of Commerce is the first step towards establishing a business in Niger and qualifying for investment incentives. Committed to simplifying the registration process and to establishing an investor-friendly image for Niger, this one-stop-shop aims to reduce the amount of time required for the simple registration of a business to three days. Foreign investors need a notary to register and incorporate companies under the newly created OHADA, a regional initiative to harmonize commercial codes in Francophone Africa. The most common legal forms of incorporation are as the branch of a foreign company (“succursale”), the limited liability company (“Société à Responsabilité Limitée – SARL”) and the public corporation (“Société anonyme – SA”). Once registered, a branch is regarded as a Nigerien judicial entity. Note: In French practice, the notaire or notary has completely different functions from a U.S. notary. The notaire is a specialist in contracts and legal documents.

All limited liability corporations (SARLs) must have a minimum capitalization of CFA 100,000 (approximately \$170) and at least one shareholder.

The minimum capital required to create a public corporation is CFA 1 million (approximately \$1,700) with a minimum of one shareholder.

Other types of business structures exist and include sole proprietorship, regional office, local agency and distributorship.

## **Franchising**

The GON is open to all types of business and industrial investment. No American franchise companies currently operate in Niger.

### **Direct Marketing**

There are no prohibitions on direct marketing. Direct mail is unlikely to be an effective strategy in Niger as home mail delivery does not exist, and mail service to post offices is slow and unreliable. Telemarketing would be an expensive and somewhat frustrating strategy to use in Niger as fixed line phone service is limited. Fixed line service that does exist is expensive by world standards and is often unreliable and plagued by line noise. E-mail marketing is limited because home Internet access is nascent. Internet cafés are expanding throughout the country but these businesses face a limited choice of internet service providers (ISPs) with high rates and mediocre service. Digital cable is not presently a marketing option in Niger. Marketing via cell phones is a possibility. Cell phones are more common and more reliable in Niger than fixed lines. Direct response marketing, such as infomercials with solicitations for credit card purchases of products, would be unlikely to work in Niger as few Nigeriens have credit cards. There are relatively few outlets in Niger that accept credit cards. Niger is almost entirely a cash-based economy.

## **Joint Ventures/Licensing**

The Nigerien Investment Code provides incentives for joint ventures. Joint venture partnerships should specify the responsibility of each party since many local entrepreneurs expect that the foreign investor will cover all costs. Although increasingly interested in joint venture activities, Nigerien entrepreneurs typically have little equity to offer.

Nigerien law does not contain any specific provision for licensing. The primary consideration is the formalization of a remittance procedure for any fees and royalties to the licensor, in compliance with local tax laws. In Niger, licensing agreements are most common in the tobacco, food and soft drink industries.

## **Selling to the Government**

Many governments finance public works projects through borrowing from multilateral development banks. Please refer to “*Project Financing*” Section in “*Trade and Project Financing*” for more information.

The government occasionally solicits international tenders of modest size for goods such as generic drugs, school supplies, and four-wheel drive vehicles. The bidding and bid award procedures are open, but some bidders have raised questions about the fairness of the process. As foreign economic assistance to Niger increases, procurement opportunities for U.S. businesses

might increase, including development projects requiring engineering consulting services, technical assistance, agricultural planning, and specialized equipment. The World Bank and the IMF have revised government procurement practices as a condition for further economic assistance and debt relief. Transparency and accountability in government procurement have greatly improved.

### **Distribution & Sales Channels**

The modern distribution sector is dominated by a few medium-sized privately owned import-export firms that cover all aspects of trade from importing to retailing, but their number is decreasing. Existing alongside these companies are extremely competitive small-scale traders specializing in the wholesale and retail distribution of various consumer goods.

A very dynamic traditional or informal sector engages roughly 80 percent of the workforce. Informal traders in street markets carry out a sizable portion of domestic trade. Street vendors make up a dynamic, if somewhat marginalized, sub-component of the informal sector. In recent years, there has been a substantial build-up of more formal merchandising space.

Most products enter Niger overland by truck. These trucks load their products in the West African ports of Cotonou, Lomé and Sekondi-Takoradi. Cote d'Ivoire ports have ceased to be popular for products destined for the Nigerien market. Nigeria is not generally used as a port of call for products destined to be shipped via truck from port to the Nigerien market. Most products shipped into Niger by truck arrive from Burkina Faso or Benin after being unloaded at one of the aforementioned West African ports.

There is substantial cross border trade between Niger and Nigeria centered in the Nigerien city of Maradi. However, such trade in other areas along the Niger/Nigeria border – particularly in Diffa – has been severely curtailed due to attacks by the terrorist group Boko Haram.

Air freight is used for imports. Air France, DHL, Royal Air Maroc, as well as some regional African carriers serve Niger's capital, Niamey.

The major distribution and selling points in Niger include Niamey and the cities of Zinder and Maradi.

### **Express Delivery**

Express delivery is available in Niger on a limited basis, though is technically difficult due to the unreliability of local post offices, and the difficulties in

reaching private residences and businesses. Time between major U.S. cities and Niamey is dependent on flight schedules and in-country distribution. However, one should anticipate waiting at least one month for mail and/or package deliveries. Package deliveries are subject to customs' inspection upon arrival in the country.

### **Selling Factors & Techniques**

Most local distributors of imported products expect their suppliers to provide advertising and promotional support, especially when introducing a new product or brand name. All sales promotion material and technical documentation should be in French but advertisements in the local languages, such as Hausa, Djarma, and Fulani, are also advisable. In Niamey, small companies exist who hire youth to distribute samples of consumer goods, particularly at sporting or musical events.

In addition, *griots* (a sort of a town crier) can be hired to spread publicity in open-air markets and other places where people gather. Small kiosks, vending carts and traffic-light vendors are sales strategies that some companies use. Western style retail spaces, as well as open-air markets exist throughout Niger. Some open air markets in rural areas operate only on certain days, as vendors will tour a region to sell their wares.

### **eCommerce**

The GON recognizes the important role that e-commerce can play in trade development and has made the development of information technology a priority. Over the past four years, an increasing amount of business has been conducted via the e-commerce medium. However, due to the limitations on broadband within the country, the proportion of business conducted via e-commerce is still relatively small compared to traditional brick-and-mortar retail.

An independent e-marketing platform is available in Niger through the Chamber of Commerce. Inquiries regarding the use of e-commerce should be directed toward the Chamber of Commerce.

#### **Trade Promotion & Advertising**

There are multiple news sources in Niger. The national press includes over 60 private newspapers, two public newspapers, 47 private radio stations, nine private and two public television channels and more than 100 community radio stations. The flourishing media give citizens access to varied and diverse news and views.

#### **Major news outlets**

[Air Info Journal](#)

[L'Enqueteur](#)  
[La Liberation](#)  
[Le Republicain Niger](#)  
[Le Sahel](#)

## **Pricing**

While basic freedoms concerning the pricing of both domestic and imported goods are for the most part applicable in Niger, prices of certain goods or services may be fixed by orders of the Minister of Commerce. Price controls are applicable to hydrocarbons (together with the margins for importers and distributors), medical services, and pharmaceuticals supplied by the State. Petroleum product prices are set by the Ministry of Commerce but largely reflect world market prices and the CFA/dollar exchange rate. Almost all other prices are set by the market. The price of water is fixed in an agreement between the government and the privatized water company. The price of electricity is fixed by decree, pursuant to Article 10 of the Energy Code.

U.S. exporters should price their products on a CIF (cost, insurance and freight) basis and request an irrevocable confirmed letter of credit.

## **Sales Service/Customer Support**

Organizations such as the Network of Association for the Defense of Consumer Rights, (Rasconi Tsada Rayuwa (*Réseau des Associations de Défense des Droits des Consommateurs*), S.O.S.-Kandadji, ADDC Wadata, and the Collective for the Defense of Energy Rights CODDAE (*Collectif pour la Défense du Droit à l'énergie*), provide limited support for consumers. Consumers in Niger are generally not accustomed to U.S.-style guarantees. Many of their buying habits are based on a relationship of trust and experience with a particular vendor.

After-sales support and service are critical for sophisticated and heavy industrial equipment such as telecommunications equipment, industrial machinery, computer hardware and photocopiers. Product recalls are virtually unknown.

## **Protecting Intellectual Property**

In any foreign market companies should consider several general principles for effective management of their intellectual property. For background on these principles please link to our article on [Protecting Intellectual Property](#) and also [Corruption](#).

For additional information about treaty obligations and points of contact at local IP offices, please see [WIPO's country profiles webpage](#).

## **IP Attaché Contact**

Vacant

## **Due Diligence**

Many Nigerien firms do not keep accounting records that would be acceptable under international accounting standards. However, there is some Nigerien accounting firms that can assist foreign investors in determining the health of a Nigerien firm. Prospective investors should contact the Chamber of Commerce to assist in this regard.

To help American exporters formulate sound credit policies applicable to local markets, credit information on individual Nigerien firms can be obtained by requesting an International Company Profile (ICP) [through the U.S. Foreign Commercial Service's website](#).

### **Local Professional Services**

The specific type of representation that a U.S. firm establishes in Niger must be tailored to fit the individual requirements of the product and its potential market. U.S. firms may employ the services of an agent, appoint a distributor or dealer, and/or establish a direct sales branch or subsidiary. Preferably, the agent or the distributor should be a local business/firm, fluent in French and knowledgeable about Niger's business practices. If the product requires some servicing, the U.S. exporter should make available a reasonable inventory of spare parts to his agent or distributor. U.S. companies also should provide brochures and marketing literature in French.

Once the decision to open a business in Niger is made, the U.S. businessperson will require legal counsel and a “notaire” or notary for all the legal formalities associated with the incorporation of a company. The Embassy has a list of lawyers and notaries. U.S. firms are advised to approach firms specializing in financial and tax advisory services.

### **Principle Business Associations**

Business Associations in Niger include the Chamber of Commerce and an assortment of trade associations. Together, these organizations play a key role in building inclusive entrepreneurship and bolster the ability of firms to grow and create jobs. Freedom of association and the right to collective bargaining are respected.

### **Limitations on Selling U.S. Products and Services**

As per Articles 9 and 10 of the Investment Code, there are no manufacturing sectors or services from which non-citizens are legally excluded.

## **Web Resources**

[African Growth and Opportunity Act](#)

[Organization for the Harmonization of Business Law in Africa](#)

[U.S. Embassy Niamey - List of Attorneys](#)

[West African Economic and Monetary Union](#)

## Leading Sectors for U.S. Exports & Investments

### Mining: Uranium

#### Overview

Table 1 – Niger Uranium Mining Production (USD Million)

Year	2014	2015	2016 (est.)	2017 (proj.)
Total Market Size				
Total Production	419	N/A	N/A	N/A
Total Exports	413	411	458	476
Total Imports	N/A	N/A	N/A	N/A
Imports from the U.S.	N/A	N/A	N/A	N/A
Exchange Rate: 1 USD	585 CFA	585 CFA	585 CFA	585 CFA

Data Source: National Institute of Statistics; estimates based on IMF projections

Niger is the fourth largest uranium producer in the world. Since 1968, French mining firm AREVA has been mining uranium deposits in the northwestern city of Arlit, via its subsidiaries Société des Mines de l’Air (SOMAIR) and Société des Mines de l’Air (COMINAK). Relations between Areva and the GON are tenuous, and negotiations between the two regarding profit-sharing and taxation have been fraught with accusations of dishonesty and greed in reporting profits. Due in part to the drop in uranium prices, a May 2014 agreement between Areva and the GON eliminated a 5.5 percent flat tax, and instead created a structured royalty regime by which the company would pay 5.5, 9 or 12 percent of its profits to the GON based on the ratio of income to mining product. The agreement also postponed the completion of a third mine, Imouraren, due to low uranium prices.

Beyond the three Areva mines, several other uranium deposits are currently under exploration. In February 2016, the GON issued a mining permit to Canadian firm Goviex to begin operations at the Madouela I deposit in the Arlit region of the Air Massif. Production is expected to begin in 2017 or 2018, and is expected to yield 975 metric tons of uranium per year over a period of 18 years. A second Canadian firm, Global Atomics Fuel, is reported to be developing four separate uranium deposits, the largest of which is at Dasa, located halfway between Arlit and Agadez and about 30 kilometers southeast of Imouraren. The company expects to apply for a mining license in 2018.

#### Leading Sub-Sectors

Other mineral resources include: iron ore, phosphates, gold, copper, and coal. Foreign firms are involved in explorations for gold along the Burkina Faso border, and coal mining has also seen an increase in foreign investment recently. By law, any company to which the GON grants a mining permit must give the GON a 10 percent share of the company. This law applies to both foreign and domestic operations. The GON also reserves the right to require companies developing mineral resources to give the GON up to a 33 percent stake in their Nigerien operations.

### **Opportunities**

Investment opportunities exist in the supply of drilling equipment, transportation, and other services.

*Web Resources*

[AKOUTA](#)

[ARLIT](#)

[ARVEVA](#)

[World Nuclear – Uranium in Niger](#)

Mining: Gold

### **Overview**

*Table 2 – Niger Gold Mining Production (USD Million)*

Year	2014	2015	2016 (est.)	2017 (est.)
Total Market Size				
Total Production	23,337	N/A	N/A	N/A
Total Exports	23,337	411	458	476
Total Imports	N/A	N/A	N/A	N/A
Imports from the U.S.	N/A	N/A	N/A	N/A
Exchange Rate: 1 USD	585 CFA	585 CFA	585 CFA	585 CFA

Data Sources: National Institute of Statistics; estimates based on IMF projections

Niger’s gold mining industry is expected to undergo a period of significant growth as a host of international companies (mostly from Canada, Australia and South Africa) have expanded their exploration and development projects in-country. Current prospectors include AMI Resources Inc. of Canada, Western Australia-based Taruga Gold, and Trendfield Gold Mining Ltd, subsidiary of Hong Kong-based Trendfield Holding Inc. The Samira Hill deposit is believed to be one of a number of significant gold deposits within what is now recognized as an emerging gold belt known as the Samira Horizon. As a result the entire Liptako region is being explored for gold. Approximately 20,000 artisanal workers are active in the area, producing an estimated 1000kg/year.

The discovery of gold on the Djado plateau in April 2014 has created a gold rush in northeastern Niger. Artisanal gold mines deep in the Sahara have drawn an estimated 10,000 prospectors from Niger and beyond. Other potential gold deposits include also the Koma Bangou deposit.

### Telecommunications Equipment

#### **Overview**

U.S. equipment is likely to be competitive as the telecommunications system is restructured, modernized and extended.

*Table 3 – Niger Telecommunications Equipment Production (USD Million)*

Year	2014	2015	2016 (est.)	2017 (est.)
Total Market Size				
Total Production	N/A	N/A	N/A	N/A
Total Exports	N/A	N/A	N/A	N/A
Total Imports	30.7	N/A	N/A	N/A
Imports from the U.S.	0.2	0.72	N/A	N/A
Exchange Rate: 1 USD	585 CFA	585 CFA	585 CFA	585 CFA

Data Sources: National Institute of Statistics; estimates Based on IMF projections

#### **Opportunities**

A combination of high demand for IT services and low penetration rates throughout Niger highlight the potential for strong growth in the telecommunications market. Likewise, prospects for US-based companies that wish to operate in the country are favorable. Growth in broadband services has been marked by GON investments in fiber-optic construction projects and the GON's plans to link Niger to undersea cables off the coast of West Africa. Likewise, wireless penetration rates will continue to grow due to user demand and healthy competition among existing wireless companies for subscribers. However, growth in fixed line user rates will most likely remain slow due to a lack of innovation by Sonitel, the predominant provider, as well as current trends favoring wireless communications.

As of June 2015, total wireless subscribers within Niger numbered 6,735,000 while the wireless penetration rate reached 38.8 percent. This is in contrast to that of June 2014, which saw the total number of subscribers at 5,942,000, with wireless penetration rate at 35.3 percent. Likewise, broadband subscribership has nearly doubled in the same period, from 5,700 in June 2014 to 10,750 in June 2015, though the broadband subscriber rate continues to remain extremely low, reaching no more than 0.5 percent of the

population. The total number of fixed lines grew from 147,651 to 155,840 in the course of 12 months to the end of 2014, while the penetration rate, at 7 percent, remained basically flat.

Several major ISPs now operate in Niger, including Sonitel, Airtel-Niger, Moov Niger, Orange Niger, SahelCom, Afripa Telecom, Xcom and Liptinfor. They are fairly independent and are not required to use the state-owned infrastructure.

Africa Telecom was granted a wi-fi license to provide satellite Internet services via a technology known as Very Small Aperture Terminal (VSAT). Future growth areas may include broadband Internet services, digital switching technology, satellite services, and cellular phones. Facilitating wider access to ICT remains a priority but may require the installation of new telecommunications infrastructure by private operators.

#### **Web Resources**

[GSM](#)

[Niger Telephone Numbering Information](#)

[TeleGeography](#)

[Niger Internet Domain Name System Information](#)

#### **Transportation**

##### **Overview**

*Table 4: Niger Transportation Production (USD Million)*

Year	2014	2015	2016 (est.)	2017 (est.)
Total Market Size	N/A	N/A	N/A	N/A
Total Production	N/A	N/A	N/A	N/A
Total Exports	N/A	N/A	N/A	N/A
Total Imports	332.8	N/A	N/A	N/A
Imports from the U.S.	14.16	4.77	N/A	N/A
Exchange Rate: 1 USD	585 CFA	585 CFA	585 CFA	585 CFA

Data Sources: National Institute of Statistics; estimates Based on IMF projections

Niger is a long way from maritime ports, and the combination of the absence of railways, the poor navigability of the Niger River and the inadequate airport subsector means that internal and external transportation mostly (95 percent) depends on the road and river network. Transportation therefore plays a very important role in the economic and social development of the country.

The transport subsector has benefited from the 2014 revision of the Investment Code aimed at increasing its attractiveness, including an exemption from tax on industrial and commercial profits (BIC). The road network covers over 20,083 kilometers of primary and secondary roads. All imports transshipped through coastal ports are transported by truck to their final destination in Niger. The volume of imports carried by truck has increased rapidly, underpinned by strong demand for basic foodstuffs.

### **Leading Sub-Sectors**

There is no fully operational railway in Niger: the country jointly operates the Benin-based Cotonou to Niamey railway line with Benin under the auspices of OCBN (Organization Commune Benin Niger), but progress in connecting the two cities has been slow. Although President Issoufou inaugurated the railroad in January 2016 with a ceremonial voyage between Dosso and Niamey, the segment is still under construction.

Niger’s air transport sector has recovered from the decline experienced at the beginning of the century, boosted by market liberalization. Niger has six major airports including three international air terminals – Niamey, Agadez and Zinder and a number of smaller airstrips. Nevertheless, the market remains relatively underdeveloped, and funding to upgrade facilities remains a problem.

### **Opportunities**

The African Development Bank (AfDB) is committed to the promotion of the country’s road infrastructure in order to open up transportation links, and development bank funding is in place to fund a number of road schemes. In addition, the World Bank is supporting the transport sector by improving access of rural populations to markets and services on selected unpaved sections of the national road network, and by strengthening the institutional framework, management and implementation of road maintenance.

### **Web Resources**

[World Trade Organization – Niger Trade Policy Review](#)

### Petroleum and Gas Products

#### **Overview**

*Table 5: Niger Petroleum and Gas Production (USD Thousands); (b/d = barrels per day)*

Year	2014	2015	2016 (est.)	2017 (est.)
Total Market Size	N/A	N/A	N/A	N/A
Total Production	17,000 b/d	14,000 b/d	16,000 b/d	20,000 b/d
Total Exports	244,786	203,589	209,230	423,760

Total Imports	74,188	52,649	23,760	24,102
Imports from the U.S.	N/A	N/A	N/A	N/A
Exchange Rate: 1 USD	585 CFA	585 CFA	585 CFA	585 CFA

Data Sources: [IMF Country Report No. 15/342](#)

### **Leading Sub-Sectors**

Four blocks are currently under license: KAFRA, BILMA, TENERE and AGADEM. The Agadem block has been in production since 2011.

Construction of a new refinery and pipeline in Zinder was completed at the end of 2011. The Zinder refinery has a capacity of 20,000 barrels per day and produces gasoline, gas oil and liquefied petroleum gas (LPG).

In 2014, Niger awarded a production-sharing contract to a UK-based firm called Savannah Petroleum as it seeks to attract a broader range of investors into its nascent oil industry.

The country is expected to export around 80,000 barrels per day via a pipeline through neighboring Chad and Cameroon in the near future.

### **Opportunities**

Now that oil has been found in Niger, there may be increased demand for oil field equipment of all kinds. Interest in exploration by Chinese, Algerian, and UK-based companies appears to be intensifying.

### **Web Resources**

[CNPC in Niger](#)

[IMF Country Report No. 15/342](#)

### **Agricultural Sector**

#### **Overview**

Niger is a land-locked nation with a particularly harsh climate and inhospitable geographical features - 11.43 percent of the land is arable. Nevertheless, agriculture contributes approximately 40 percent to gross domestic product (GDP) and 87 percent of the labor force is employed in this sector. Based principally on subsistence farming and livestock breeding, the country's economy is still largely at the mercy of the vagaries of the climate. Increased rainfall variability due to climate change complicates the picture, and harvests vary widely from year to year.

Niger's economy is dominated by rain-fed agriculture, while livestock production accounts for about a third of the value added in the agriculture sector. The main purpose of agriculture policy in Niger is to achieve food self-sufficiency in spite of climatic hazards, and through the following efforts:

Encouraging dry-cropping in rural areas

Expediting hydro-agricultural projects to bring more irrigable land under cultivation

Improving soils by the introduction of phosphates, nitrogen-based fertilizers and manure

Replacing traditional farming techniques with more modern methods

The following means are being employed to achieve these aims:

Rural productivity projects to farm rain-fed crops on marginal lands. These projects aim to increase the production of cereals (millet, sorghum), as well as cash crops such as black-eyed peas, peanuts and cotton, through use of improved farming techniques on a regional basis. Each department has a different crop productivity focus:

- Niamey -- cereals, onion, rice
- Zinder – peanuts and millet
- Dosso -- cereals, onions, black-eyed peas, peanuts, and cotton
- Agadez – onions and garlic
- Maradi – cereals, onions, and peanuts
- Hydro-agricultural projects in the Niger River valley, depressions, basins, etc.
- Agricultural extension services and use of fertilizers.
- Training and deploying agricultural technicians.

The main food crops are: millet, sorghum, peanuts, black-eyed peas, rice, maize, potatoes, sugar cane, onions and manioc. Millet and sorghum are by far the most consumed staples.

The agriculture sector is in urgent need of external funding. The majority of crops are rain dependent, and the recent droughts have severely tested the country, making it a net importer of food on a large scale and very dependent on foreign aid. The government welcomes funding for agribusiness generally and for the development of its agricultural markets in order to achieve growth. The private sector network for improved seeds, fertilizers, and pesticides is poorly developed. Public extension services are weak and poorly funded, and extension services are provided in many regions by internationally funded NGOs.

Export of live cattle and meat represents nearly 12 percent of total exports (90 percent of which goes to Nigeria and the remaining to Cote d'Ivoire and other coastal countries). Many live animals are exported to Burkina Faso before continuing on to Cote d'Ivoire or other coastal countries, and are marketed as Burkinabe after that, although Niger's reputation for quality meat is well-known throughout the Sahel.

There is a significant potential in the formalization of the butchery industry and for the development of a formal private sector in meat production given the large number of small and informal butchers and the abundant availability of livestock. According to 2013 census statistics, Niger had 10.7 million cattle, 10.7 million sheep, 14.3 million goats, 1.7 million camels, 241,000 horses and 1.7 million donkeys. There is only one modern abattoir in Niger, and it is in Niamey. Consumption of meat in rural areas is very low, as livestock are repeatedly bought and sold, but rarely eaten. Consumption of chicken and meat is higher in urban areas, primarily in Niamey, and a growing middle class will typically consume more meat.

The Government of Niger, along with numerous NGOs, is installing a veterinary health system. The zoonotic diseases of ovine rinderpest, avian flu, and Newcastle have negative effects on livestock and poultry productivity. Vaccines are available, but distribution is difficult.

The Violet de Galmi onion is highly rated and in demand in the sub-region, but suffers losses of more than 30% due to insufficient storage and transport. It is estimated that there are more than 300,000 hectares on which gum Arabic could be potentially be exploited. S.H. Biaugeaud, a subsidiary of Nestle Corporation, is building a plant in Tahoua, which will export onion powder as well as a smaller quantity of whole onions.

*Table 6: Niger Agricultural Production*

Agricultural Products	Production (Thousand Metric Tons)		
	2014	2015	2016 (est.)
Millet	3837	2926	N/A
Cowpea	1773	1517	N/A
Sorghum	1,302	807	N/A
Onions	N/A	N/A	N/A
Maize	9	7	N/A
Rice	30	13	N/A
<b>Total</b>	<b>6951</b>	<b>5270</b>	<b>N/A</b>

Source: [Institut National de la Statistique \(INS\)](#)

### **Leading Sub-Sectors**

Further opportunities exist in the agribusiness sector and in the provision of agricultural inputs including fertilizers, hybrids seeds, and equipment.

### **Opportunities**

In 2014, rice represented the principal imported product to Niger at \$133 million. The preference is for 100 percent broken rice originating from Asia, mainly Thailand and India. However, as average income grows, rice imports are gradually moving upscale with more consumers preferring fragrant rice. With a highly competitive domestic rice market, Nigeriens largely have been unwilling to pay the higher price of U.S. medium-quality rice. However, in 2010, U.S. rice exports (Jan–Nov) reached almost \$13 million from \$5.4 million over the same period in 2009, according to U.S. trade data. U.S. exports to Niger have centered on rice, vegetable oil (excluding soy), and pulses.

Because of a production shortage, Nigerien importers and the government of Niger are now turning to imported grain sorghum.

*Table 7: Niger Agricultural Imports*

Product	Niger Top Import Products (Metric Tons)		
	2014	2015	2016 (est.)
Rice	336,810	N/A	N/A
Sugar	61,126	N/A	N/A
Palm oil	50,317	N/A	N/A
Wheat	25,085	N/A	N/A
Dairy products	16,215	N/A	N/A
<b>Total</b>	<b>489,553</b>	<b>N/A</b>	<b>N/A</b>

Source: *Institut National de la Statistique (INS)*, Niger

#### **Web Resources**

[Institut National de la Statistique \(INS\)](#)

## Customs, Regulations & Standards

### Trade Barriers

There are no legal obstacles to U.S. or foreign businesses. A significant informal barrier for U.S. companies is Niger's historical economic ties to France, the former colonial power. Local companies are used to French business law, customs, and practices and tend to favor doing business with their French counterparts.

Niger's formal non-tariff barriers to trade are high, but a wider range of formal and informal non-tariff barriers constrain intra-regional trade, including onerous customs procedures, driver and vehicle related regulations, delays at ports, weighbridges and roadblocks.

### Import Tariffs

The tariff applicable in Niger is in principle the WAEMU's Common External Tariff (CET). Niger also imposes other Community duties and taxes. Value-added tax (VAT) is imposed on both imports and local goods. Some products such as tobacco and tobacco products, alcoholic beverages, and cosmetics are also subject to excise duty.

According to the CET, there are five categories of customs duties:

*Table 8: Niger Customs Duties*

Category	Duty Rate	Goods Included
0	0%	Essential social goods such as educational materials and medicine.
1	5%	Raw materials and primary goods
2	10%	Intermediate products and unfinished goods
3	20%	Finished goods that are not produced locally, and which require no protection
4	35%	Finished goods that are manufactured locally and which therefore require some protection in the interest of promoting local industries

Niger allows duty- and tax-free entry for goods intended for the State (for example imports by diplomatic missions, international or charitable organizations, materials covered by the UNESCO Florence Agreement, and goods imported when changing residence). Exemption from customs duty and suspension of VAT are also given for goods imported in connection with approved investment projects. The government may, on an exceptional basis, selectively suspend customs duty and/or taxes.

## **Import Requirements & Documentation**

The *Chambre de Commerce, d'Agriculture, d'Industrie et d'Artisanat* – CCAIAN (Chamber of Commerce, Agriculture, Industry and Crafts in Niamey), located in the capitals of each of Niger's seven regions, is responsible for the *Guichet Unique de Formalités du Commerce Extérieur* – GUFCE (Single Window for Foreign Trade Formalities, whose three major tasks are ensuring compliance with the general import-export regulations and collecting information on the "statistical registration forms" required for all import, export, re-export and transit operations.

Any natural or legal person engaged in importing and/or exporting must be listed both in the Commercial Register and in the list of business licenses or have paid the business license for the current year, and must pay a subscription to the *Conseil national des utilisateurs de transport* – CNUT (National Transport Users Council). Only pharmacies and persons approved by the Ministry of Health may import pharmaceuticals.

Import procedures include the following:

1. Importers must deposit a Preliminary Import Declaration seven days before shipping imported goods which have a value equal or greater than CFA one million (about \$1,700).
2. Automatic approval of the Preliminary Import Declaration is obtained by submitting three copies of the Pro Forma Bills of Lading with the declaration.
3. A Preliminary Import Declaration is valid for six months and can be extended for three months. Preliminary Import Declarations must be canceled and reissued if there is a change in supplier, an increase in the value of the order of more than ten percent, or a modification in the quantity of the order.
4. Any payment for imported goods greater in value than CFA one million must be made through an approved Nigerien bank or financial institution.
5. Any FOB (Free on Board) import value equal to or greater in value than CFA two million (approximately \$3,400) must be inspected by the testing, inspection and certification company in the supplier's country before shipping (COTECNA). This is to verify the quality, volume, price, and tariff heading, as indicated in the declaration of intent to import.
6. Presentation of a clean report of findings issued by COTECNA is obligatory.
7. The Pre-Shipment Inspection Certificate delivered by COTECNA.

In 2016 Niger increased the time and cost for documentary and border compliance for importing by making a pre-shipment inspection mandatory. The following goods are exempted from shipment inspection:

- Arms and ammunitions

- Cinematographic films for public cinemas (35mm) exposed and processed
- Commercial samples
- Donations and supplies to the Diplomatic and Consular Missions, or any affiliated organization of the United Nations, imported for their own needs
- Donations by foreign governments or international organizations to the State, public schools and libraries, religious missions, charity organizations and philanthropic foundations recognized to be of a public necessity by the Republic of Niger
- Explosives and pyrotechnic products
- Freshly cut flowers
- Goods imported for mining companies
- Imports with a total FOB value below CFA two million
- Live animals
- Newspapers and periodicals
- Objects of art
- Perishable food products, transported at room temperature or chilled
- Personal effects and household items including one used vehicle as a personal belonging on the occasion of a change of domicile, duly confirmed by the authorities on the previous domicile
- Personal gifts
- Petroleum products in liquid or gaseous form with the exception of goods using code: 27.10.19.31.00, 27.10.19.32.00, 27.19.32.00, 27.10.19.33.00, 27.10.19.39.00 (lubricant and oil)
- Postal parcels
- Precious stones and precious metals
- Scrap metals

## **U.S. Export Controls**

The customs procedures for the export or re-export of goods are identical to those applicable to imports, except for the Import Verification Program (PVI) requirement, which does not apply to exports.

All export transactions for commercial purposes whose Cost Insurance Freight (CIF) value is CFA 2 million (approximately \$3,400) or more require presentation of a Tax Identification Number (NIF). Companies exporting from the United States do not face any country specific export controls imposed by the U.S. Government.

For more information, see [Trade.gov's Consolidated Screening List webpage](#).

## **Temporary Entry**

There are no free trade zones in Niger. Therefore, no provision for temporary entry exists.

## **Labeling/Marking Requirements**

Labeling and marking requirements relate primarily to perishable goods, which must include a label, written in French, showing the origin of the product, the sell-by or use-by date, the ingredients, the method of conservation, the name of the manufacturer and instructions for use.

Consumers must be made aware of the price by means of marks, labels or notices. Such requirements apply to some products in order to prevent smuggling or uses other than the declared use. The label "vente au Niger" (for sale in Niger) is compulsory for cigarette packets, boxes of matches and alcoholic beverages.

## **Prohibited & Restricted Imports**

According to WAEMU regulations, a prior authorization from the Ministry of Finance is required to import gold. Authorization from the Ministry of the Interior is required to import (or be in possession of, transport, sell or exchange) arms and ammunition, unless they are intended for the police, the armed forces or the reserve force. The import of explosive substances for use in mines, quarries and for public works, as well as for agricultural use, requires prior authorization from the Ministry of Mines. The import or transport of industrial or nuclear waste is prohibited.

A foreign company may operate in any sector except arms or war ammunition. A foreign company may not run a private security force, operate as an immigration or emigration agent, or organize religious pilgrimages. In addition to arms and ammunition, prohibited imports also include narcotics, pornographic publications and hallucinogenic drugs, except those authorized by the Ministry of Health.

## **Customs Regulations**

In practice, Niger Customs focuses on the mission of collecting duties and taxes. The absence of mechanisms for research, analysis, and dissemination of information, as well as the inadequacy of sanctions in the rare cases where evasion is detected, unquestionably promote fraud in commercial transactions. In addition, given the high customs duties and taxes and complex regulations that are not well understood by customs officers (such as the regulation on WAEMU preferential rules on origin), evasion may be very lucrative for unscrupulous businesses. This situation can be all the more damaging as it leads to unfair competition for law-abiding importers.

Customs duties, where applicable, are determined by the CIF (cost, insurance and freight charges) value for imports and the FOB (free on board) value for exports.

### *Contact Information*

General Directorate of Taxation  
Ministry of Economy and Finance  
Government of Niger

Phone: (+227) 20 72 23 66 | 20 72 48 05

Fax: (227) 20 72 27 30

## **Standards for Trade**

### **Overview**

Nigerien consumers have become increasingly demanding; private companies have likewise become more responsive to consumers' willingness to pay higher prices for products that meet higher standards. Furthermore, in some cases, standards are enforced to protect national products, now that customs duties and subsidies are declining. There are, therefore, official and mandatory standards imposed by the Nigerien government that are often in line with decisions taken by international organizations. Likewise there are voluntary standards developed by private importers, which reflect the reality of the market and the possibility of selling for higher prices.

### **Standards**

Niger does not have an independent institute responsible for defining and enforcing compliance with product standards, but it has several public bodies charged with monitoring quality and compliance with standards. The Ministries of Animal Resources and Rural Development each have services that normally support producers in this regard. The Ministry of Public Health also plays a role both at the borders and within the country. The Ministry of Commerce, Industry, and Private Sector Promotion has a Directorate of Standards, Quality, and Metrology (DNQM), with a restricted

jurisdiction: meat, onions, hides and skins. Unfortunately, all of its services lack resources to perform their missions.

In 2008 an Agency for the Verification of Conformity to Standards was created to improve the situation.

### **Product Certification**

Pursuant to the WAEMU regulatory framework, which established the *Système ouest-africain d'accréditation* (SOAC), an accredited laboratory, a certificate or a mark must attest that an imported product complies with the government's technical regulations.

Product certification does not exist in Niger, but there are plans to set up voluntary certification system for products and services.

U.S. testing laboratories may operate in the market and test U.S. products to comply with domestic regulatory requirements.

### **Publication of technical regulations**

The Government of Niger publishes newly adopted Technical Regulations and Standards in the Official Journal of the Republic. Interested parties have a period of least 60 days to make observations on the Technical Regulations draft. Niger's standards are generally based on international standards. These standards are not mandatory except those covering technical regulations for health and public security problems.

### **Contact Information**

Direction de la Normalisation de la Qualité et de la Métrologie  
Ministère du Commerce, de l'Industrie et de la Promotion du Secteur Privé  
B.P. : 480

Phone : (227) 20 73 69 50

Direction du Développement du Secteur Privé  
Ministère du Commerce, de l'Industrie et de la Promotion du Secteur Privé  
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Phone: (227) 20 73 58 81

Fax: (227) 20 73 21 50

Direction des Etudes et de la Programmation  
Ministère du Commerce, de l'Industrie et de la Promotion du Secteur Privé  
B.P. 480

Phone: (227)20 73 58 86

### **Trade Agreements**

Niger is a member of multilateral, regional, and sub-regional organizations whose rules govern its trade. In addition to the WTO, Niger belongs to the

Economic Community of West African States (ECOWAS), and the West African Economic and Monetary Union (WAEMU). Both organizations seek to increase cooperation in trade, investment, and financial flows among countries in the region. ECOWAS also seeks to harmonize business practices and tariffs among member states. Niger is also part of the WAEMU customs union, which has eliminated trade barriers between all eight member states on authorized goods. A common external tariff of 20 percent maximum has been established on all imported goods from non-member states of the union.

Moreover, Niger receives non-reciprocal preferential treatment from the European Union, the United States, and other WTO Members under their generalized systems of preferences. Niger also benefit from trade-related technical assistance. Niger is a beneficiary country of the African Growth and Opportunity Act (AGOA), and as of 2016 met all requirements for eligibility.

### **Licensing Requirements for Professional Services**

Not all businesses are required to have licenses. Firms that are service-oriented may or may not be subject to regulatory licensing, depending on the nature of their specialization. A residence permit or a valid visa is required for foreigners wishing to establish professional services firms.

### **Web Resources**

[Cotecna - Trade Inspection and Certification](#)

[Economic Community of West African States](#)

[West African Economic and Monetary Union \(WAEMU\)](#)

[World Trade Organization](#)

# **Investment Climate Statement**

## **Executive Summary**

Niger is eager to attract foreign investment and has taken steps to improve its business climate, including making reforms to liberalize the economy, encourage privatization, and increase imports and exports.

In March 2016, President Issoufou was elected for a second five-year term. During his inauguration speech, he laid out his “Renaissance II” vision for Niger’s development, highlighting plans to further develop the nation’s mining, petroleum, and industrial sectors, while scaling up the country’s transport infrastructure. He further promised a sustained 7 percent annual GDP growth throughout his term in office. Issoufou’s vision incorporates the need for external investment and the Government of Niger (GON) continues to seek foreign investment – American or otherwise. During a visit to New York in September 2016, on the margins of the 71<sup>st</sup> UN General Assembly, President Issoufou met with U. S. investors to convey the message that Niger is open for business and would welcome U.S. investment. The GON’s Chamber of Commerce has a special unit dedicated to assisting both foreign and Nigerien investors, and the GON highlights the benefits of doing business in Niger: political stability, economic freedom, an active Chamber of Commerce, and a waiting time of no more than three days to start a business. GON focus areas for investment include the mining sector, infrastructure and construction, transportation, and agribusiness.

Unfortunately, U.S. investment in the country is very small; many U.S. firms see risk due to the country’s limited transport and energy infrastructure, the perception of political instability and terrorist threats, and a climate that is dry and very hot. Foreign investment dominates key sectors: the mining, transportation and telecommunications sectors are dominated by French firms, while Chinese investment is paramount for the oil and large-scale construction sectors. Much of the country’s retail stores, particularly those

related to food, dry goods and clothing are operated by Lebanese and Moroccan entrepreneurs. There are currently no major U.S. firms operating in Niger.

*Table 9 – Niger Investment Climate*

Measure	Year	Index/Rank
<a href="#"><u>TI Corruption Perceptions Index</u></a>	2016	101 of 176
<a href="#"><u>World Bank’s Doing Business Report “Ease of Doing Business”</u></a>	2017	150 of 190
<a href="#"><u>Global Innovation Index</u></a>	2016	124 of 128
<a href="#"><u>U.S. FDI in partner country (\$M USD, stock positions)</u></a>	2015	0
<a href="#"><u>World Bank GNI per capita</u></a>	2015	390

### **Openness To, and Restrictions Upon, Foreign Investment Policies Toward Foreign Direct Investment**

The GON is very committed to attracting FDI and has repeatedly pledged to take whatever steps necessary to encourage privatization and increase trade. In the past several years, new investor codes have been implemented (the most recent being in 2014), transparency has improved, and customs and taxation procedures have been simplified. While there are no laws that specifically discriminate against foreign and/or U.S. investors, several international business representatives highlighted what they believe are “unrealistic expectations,” and they have complained that the GON seeks to collect unreasonably high taxes in sectors such as telecommunications and mining. Still, the GON has demonstrated a willingness to negotiate with prospective foreign investors on matters of taxation and customs. Under the current Investment Code, industrial investments can enjoy certain tax and customs exemptions, including in some cases exemptions from the value-added tax (VAT). Foreign investment is facilitated by the Chamber of Commerce, which is under the authority of the Ministry of Commerce, and provides assistance and advice to business project promoters, promotion of economic activities through fairs, shows, exhibitions and trade missions and counseling on all legal, fiscal, and economic issues.

## **Limits on Foreign Control and Right to Private Ownership and Establishment**

Foreign and domestic private entities have the right to establish and own business enterprises. Total foreign ownership is permitted in most sectors except energy, mineral resources, and sectors restricted for national security purposes. In the extractive industries, any company to which the GON grants a mining permit must give the GON a 10 percent share of the company. This law applies to both foreign and domestic operations. The GON also reserves the right to require companies exploiting mineral resources to give the GON up to a 33 percent stake in their Nigerien operations. Foreign ownership of land is permitted but requires authorization from the Ministry of Planning. In 2015, under the auspices of the Ministry of Trade, the GON validated a new Competition and Consumer Protection Law, replacing a 1992 law that was never fully operational. Niger also adheres to the Community Competition Law of the West African Economic and Monetary Union (WAEMU).

Article 10 of the country's Investment Code, states that the *Commission des Investissements* (investment commission) has the right to review an investment proposal if a foreign investor requests government approval for such a proposal. The commission can also impose sanctions if the foreign firm failed to abide by the procedures outlined in the Investment Code. The law guarantees equal treatment of investors regardless of nationality.

## **Other Investment Policy Reviews**

In the past three years, the government has not undergone any third-party investment policy reviews through a multi-lateral organization. Neither the United Nations Conference on Trade and Development (UNCTAD) nor the Organization for Economic Cooperation and Development (OECD) has carried out a policy review for Niger.

## **Business Facilitation**

The one-stop shop is operational at [Maison de l'Entreprise's website](#). The Chamber of Commerce is in the process of creating a one-stop shop (*guichet*) designed to enhance business facilitation by mainstreaming and simplifying the procedures required to start a business. Further reforms

have included the creation of an [e-regulations website](#) which allows for a clear and complete registration process. Foreign companies may use this website, although French appears to be the only language used on the website. The website lists government agencies, with which a business must register. Business registration should take no more than three days.

### **Outward Investment**

While the GON does not restrict domestic investors from investing abroad, there is very little FDI extending from businesses within Niger to other nations.

### **Bilateral Investment Agreements and Taxation Treaties**

Niger currently has active Bilateral Investment Treaties (BITs) with Germany and Switzerland. BITs with Algeria, Tunisia and Egypt have been signed but are not in force. Niger is eligible to export virtually all marketable goods duty-free in to the U.S. market via the African Growth and Opportunity Act (AGOA) system of trade preferences.

Niger does not have a bilateral taxation treaty with the United States. However, the United States has a Trade and Investment Framework Agreement (TIFA) with the WAEMU, which includes Niger.

### **Legal Regime**

#### **Transparency of the Regulatory System**

The GON possesses transparent policies and requisite laws to foster competition on a non-discriminatory basis, but does not enforce them equally, in large part due to corruption and weak governmental systems. Legal, regulatory, and accounting systems are generally transparent and consistent with international norms. The Legal Regime – related to the Investment Code, Labor Code and Commercial Acts – applies the provisions of the Organization for the Harmonization of Business Law in Africa (OHADA). It also offers free access to public procurement and transparency in the procedures for awarding contract.

Niger does not have any regulatory processes managed by nongovernmental organization or private sector associations. A company in Niger must be

entered in the Register of Companies, must obtain a Tax Identification Number (TIN), be registered with the National Social Security Fund (CNSS), and with the National Employment Promotion Agency (ANPE).

The Investment Code provides for settlement of disputes by arbitration or by recourse to the World Bank's International Center for Settlement of Disputes on Investment. However, investment dispute mechanisms in contracts are not always respected and exercising due diligence is extremely important. Procedures are in place, but are often not adhered to because of a lack of resources and corruption in the judicial system.

The investment code also offers the possibility for foreign nationals to seek remedy through the International Center for the Settlement of Investment Disputes. The United States has signed a TIFA with the WAEMU. Alternative dispute resolution is not compulsory in Niger but a judge may order mediation or conciliation proceedings. Niger is a party to the New York Convention on the Recognition of Foreign Arbitral Awards.

Niger is attempting to comply with international norms in its legal, regulatory, and accounting systems, but frequently falls short. Clear procedures are frequently not available. Draft bills are not available for public comment, although the Chamber of Commerce or other organizations may be allowed to offer suggestions.

Foreign and national investors can find detailed information on administrative procedures applicable to investment at [Niger's e-regulations website](#). The site includes information on income generating operations including the number of steps, name and contact details of the entities and persons in charge of procedures, required documents and conditions, costs, processing time, and legal bases justifying the procedures.

Niger has in place a mechanism for the management of administrative processes. The initiative has been reinforced by incentives for state employees, unannounced controls in public administrations, and an introduction of the sign-in system and exchange meetings. A General

Inspectorate of Administrative Governance and the Regional Directorates of Archives are in place to oversee administrative processes.

Niger does not have a centralized online location where key regulatory actions are published, but does have a Directorate of National Archives where Key regulatory actions are kept in print. No major regulatory system and/or enforcement reforms were announced in 2016.

In general regulations are developed as a means of solving a clearly identified problem in order to achieve a precisely defined result. Regulations are developed via a system of ministerial work and discussions, consultation with the State Council, selection of the text and passage by the Council of Ministers. This is followed by discussions in Parliament, approval by the Constitutional Council and finally the publication of the regulations.

In Niger, regulatory power belongs to the President of the Republic and the Prime Minister who can issue regulations for the whole of the national territory. Other administrative authorities also have regulatory power, such as ministers, or prefects and mayors, who have the power of enforcement at the local level.

Ministries or regulatory agencies do not conduct an impact assessment of proposed regulations. However, ministries or regulatory agencies solicit comments on proposed regulations from the general public through public meetings and targeted outreach to stakeholders, such as business associations or other groups.

### **International Regulatory Considerations**

Niger is a part of the Economic Community of West African States (ECOWAS), a 15-member West African trade block. National policy generally adheres to ECOWAS guidelines concerning business regulations.

Niger is a member of the U.N. Conference on Trade and Development's international network of transparent investment procedures. Foreign and national investors can find detailed information on administrative procedures applicable to investment and income generating operations, including the number of steps, name and contact details of the entities and

persons in charge of procedures, required documents and conditions, costs, processing time, and legal bases justifying the procedures on [Niger's e-regulations website](#).

Niger is a member of the WTO, but as a lower income member, is exempt from Trade-Related Investment Measures (TRIMs) obligations. The GON does not notify all draft technical regulations to the WTO Committee on Technical Barriers to Trade (TBT).

### **Legal System and Judicial Independence**

Niger's legal system is a legacy of the French colonial system. The legal infrastructure is insufficient, making it difficult to use the courts to enforce ownership of property or contracts. While Niger's laws protect property and commercial rights, the administration of justice can be slow and unequal. Niger does have a written commercial law that is heavily based on the Organization for Harmonization of Business Law in Africa (OHADA). Niger has been a member of OHADA since 1995. OHADA aims to harmonize business laws in 16 African countries by adopting common rules adapted to their economies, setting up appropriate judicial procedures, and encouraging arbitration for the settlement of contractual disputes. OHADA regulations on business and commercial law include definition and classification of legal persons engaged in trade, procedures for credit and recovery of debts, means of enforcement, bankruptcy, receivership, and arbitration.

Article 116 of the constitution clearly states that the judicial system is independent of the executive and legislative branches. The current judicial process is procedurally competent, fair, and reliable.

Regulations or enforcement actions are appealable and adjudicated in the court system. However, it is extremely rare for individuals or corporations to challenge government regulations or enforcement actions in Court. In one recent case, the government ordered that road side bill boards be taken down. Airtel and Orange, two large multi-national corporations who provide cell phone and Internet service in Niger, challenged the government order in court because roadside billboards were their primary form of advertising.

## **Laws and Regulations on Foreign Direct Investment**

Niger offers guarantees to foreign direct investors pertaining to security of capital and investment, compensation for expropriation, and equality of treatment. Foreign investors may be permitted to transfer income derived from invested capital and from liquidated investments, provided the original investment is made in convertible currencies.

Law 2015-08 from 2015 established a specialized commercial court in Niamey. This is a mixed court with professional magistrates, who are lawyers by training, who work in tandem with lay-judges, and who generally come from the commercial and trading sector. The concept was to have commercial disputes resolved by a panel of judges with legal training, combined with judges who have experience in the commercial sector. The Commercial Court has a total of 26 judges, who are spread across 5 chambers. Unlike American trial courts, where cases are handled by a single judge, in Niger, cases are adjudicated by a panel of judges. After passage of the law in 2015, the Commercial Court began operations in 2016.

Niger does not yet have a dedicated one-stop shop website for investment, but the Chamber of Commerce and Industry houses a specialized institution, known as the Investment Promotion Center (CPI) which supports domestic and foreign investors in terms of business creation, extension and rehabilitation.

## **Competition and Anti-Trust Laws**

Under the auspices of the Ministry of Trade, the GON in 2015 validated a new Competition and Consumer Protection Law, replacing a 1992 law that was never fully operational. Niger also adheres to the Community Competition Law of West African Economic and Monetary Union (WAEMU).

## **Expropriation and Compensation**

The Investment Code guarantees that no business will be subject to nationalization or expropriation except when deemed "in the public interest" as prescribed by the law. The code requires that the government compensate any expropriated business with just and equitable payment. There have been a number of expropriations of commercial and personal property, most of

which were not conducted in a manner consistent with Nigerian law requiring “just and prior compensation.” It is in fact rare for property owners to be compensated by the government after expropriations of property. The last instance of expropriation occurred in 2010, at which time the GON unilaterally terminated the operating license of a consortium of foreign investors from Libya and China that had purchased the national telecommunications provider Sonitel upon privatization in 2002. The GON claimed the foreign firms failed to meet the terms of the original agreement regarding investment in new equipment and additional capacity. In cases of expropriation carried out by the GON, claimants and community leaders have alleged a lack of due process. Unfortunately, these complaints are limited to community forums and press coverage where people vent their anger and frustration over property expropriations. Many Nigeriens, especially those from the lower strata of society, lack the knowledge and ability to exercise their rights under the law. High rates of illiteracy, complexity of the legal system, and lack of resources to retain competent legal counsel present insurmountable barriers to legal remedies for people whose property has been expropriated. Even in situations where educated and wealthy business owners have had their property expropriated, legal challenges to expropriation are not lodged.

### **Dispute Settlement**

#### *ICSID Convention and New York Convention*

Niger is a contracting state of both the ICSID Convention and the New York Convention of 1958. There is no domestic legislation providing for enforcement of awards under the 1958 New York Convention and/or under the ICSID Convention.

#### *Investor-State Dispute Settlement*

The Investment Code also offers the possibility for foreign nationals to seek remedy through the International Center for the Settlement of Investment Disputes. Niger does not have a BIT or FTA with the United States. Over the past 10 years, there were no investment disputes that involved a U.S. person.

Local courts are generally reluctant to recognize foreign arbitral awards issued against the GON. Niger does not have a record of extrajudicial actions against foreign investors.

#### *International Commercial Arbitration and Foreign Courts*

Niger has an operational center for mediation and arbitration of business disputes. The center's aim is to maintain investor confidence by eliminating long and expensive procedures traditionally involved in the resolution of business disputes.

The investment code provides for settlement of disputes by arbitration or by recourse to the World Bank's International Center for Settlement of Disputes on Investment. However, investment dispute mechanisms in contracts are not always respected and exercising due diligence is extremely important. Procedures are in place but are often not adhered to because of a lack of resources and corruption in the judicial system. The Investment Code offers the possibility for foreign nationals to seek remedy through the International Center for the Settlement of Investment Disputes.

#### **Bankruptcy Regulations**

Niger has laws related to insolvency and/or bankruptcy. Creditors have the right to object to decisions accepting or rejecting a creditor's claims, and may vote on debtors' bankruptcy reorganization plans. However, the creditors' rights are limited: creditors do not have the right to receive from a reorganized firm as much as they may have received from one that had been liquidated. Likewise, the law does not require that creditors be consulted on matters pertaining to an insolvency framework following the declaration of bankruptcy. Bankruptcy is not criminalized.

According to data collected by the World Bank's Doing Business survey, resolving insolvency takes five years on average and costs 18 percent of the debtor's total assets. Globally, Niger stands at 105 in the 2017 ranking of 190 economies on the ease of resolving insolvency.

## **Industrial Policies**

### **Investment Incentives**

Niger offers incentives that are dependent on the size of the investment and number of jobs that will be created. The Investment Code offers VAT-inclusive tax exemptions depending on the size of the business. Potential tax exemptions include start-up costs, property, industrial and commercial profits, services and materials required for production, and energy use. Exemption periods range from ten to fifteen years and include waivers of duties and license fees. There are no restrictions on foreign companies opening a local office in Niger, though they must obtain a business certificate from the Ministry of Trade.

The Investment Code has established three different tiers of incentives for investors, based on minimum investment amounts, listed below:

- Tier 1: Promotional tier, for investments of 25 million CFA francs (about \$40,000) or above.
- Tier 2: Priority tier, for investments of 50 million CFA francs (about \$81,000) or above.
- Tier 3: Conventional tier, for large businesses with investments of at least 2 billion CFA (about \$3.25 million)

During the investment phase, the approved investments are exempt from import duties and taxes on material and equipment needed for the project that are not available locally. The advantages provided during the operational phase include exemption from profit tax (35 per cent). Apart from these regimes, two additional incentive schemes are part of the investment code. These apply to companies operating in remote regions, energy, agro-industry, and low-cost housing sectors.

### **Foreign Trade Zones/Free Ports/Trade Facilitation**

In 2016, the GON approved a new Customs Code to replace the current one which had been in place for 55 years. The new code is supposed to reflect the aspirations of actors within the international supply chain and is in conformity with the requirements of Community Customs Codes of the West

African Economic and Monetary Union (WAEMU) and the Economic Community of West African States (ECOWAS).

In 2016, the GON modernized the customs procedures with the migration to SYDONIAWORLD system, designed to make such procedures more efficient.

In 2015, Niger was the first Least Developed Country (LDC) to ratify the World Trade Organization's Trade Facilitation Agreement (TFA). The country seeks to implement the trade policy of the West African Economic and Monetary Union (WAEMU) and has joined the Generalized System of Preferences (GSP) of the European Union.

Niger is landlocked, has no free trade zones, and relies on the ports of Cotonou in Benin and Lomé in Togo as its primary seaports. Importers also use the ports of Tema, Ghana and sometimes Lagos, Nigeria. Delivery can take months due to delays at borders and internal control points along the route. The relatively low number of commercial flights to Niger means that transport costs are high. The country's main trade partners are Nigeria, the European Union, the United States, China, Cote d'Ivoire, and Algeria.

### **Performance and Data Localization Requirements**

Performance requirements are not imposed as a condition for establishing, maintaining, or expanding foreign direct investments. While Niger does require that companies attempt to hire a Nigerien before applying for a work visa for a foreign national, in practice the rule is not enforced. To create a suitable environment for promoting private investment and job creation, labor and employment legislation has been reformed to allow flexibility in employment and to adapt vocational training to the requirements of the job market. In addition, it allows for a company to appeal to the Ministry of Labor, if a foreigner is refused a work visa. There are no "forced localization" policies requiring investors to use domestic goods in content. Niger has no regulations regarding data storage. Niger does not require foreign IT providers to turn over source code and/or provide access to surveillance. Niger has one of the lowest internet penetration rates in the world. Technology in-country lags far behind the developed world.

## **Protection of Property Rights**

### **Real Property**

Interests in property are enforced when the land holder is known, but property disputes are common, particularly involving community-owned land or land in rural areas where customary land titles are still common. There is no data available regarding the percentage of land that is untitled. Mortgages are relatively new instruments; Bank Atlantique introduced the first mortgages in 2014. The bank retains the title to the property until the loan is repaid. Traditional use rights are at the core of land disputes between Nigerien farmers and traditional nomadic herders. According to data collected by The World Bank's 2017 Doing Business survey, registering property in Niger requires four procedures, takes 35 days and costs 9 percent of the property value. Globally, Niger stands at 125 in the ranking of 190 economies on the ease of registering property. In 2014, Niger made transferring property easier by reducing registration fees. Foreign ownership of land is permitted but requires authorization from the Ministry of Planning.

### **Intellectual Property Rights**

As a signatory to the 1983 Paris Convention for the Protection of Industrial Property, Niger provides national protection under Nigerien patent and trademark laws to foreign businesses. Niger is also a member of the World Intellectual Property Organization (WIPO) and a signatory to the Universal Copyright Convention.

No new IP laws or regulations have been enacted in the past year. Niger does not regularly track and report on seizures of counterfeit goods. There is no specific information about working conditions in the production or sale of counterfeit goods. While there have been some cases of seizure, government statistics are not available. Niger is not listed in the USTR's Special 301 Report or the Notorious Markets report.

For additional information about national laws and points of contact at local IP offices, please see [WIPO's country profiles webpage](#).

## **Financial Sector**

### **Capital Markets and Portfolio Investment**

There are no limits on the free flow of financial resources. Niger's capital markets are extremely underdeveloped and there is no stock market. Although an effective regulatory system exists, and policies in fact encourage portfolio investment, there is little market liquidity and hence little opportunity for such investment. The government otherwise works closely with the IMF to ensure that payments and transfers overseas occur without undue restrictions. Credit is allocated on market terms and foreigners do not face discrimination. Credit to the private sector is dominated by large corporations, while agriculture, livestock, forestry, and fisheries sectors (which account for more than 40 percent of GDP) receive less than one percent of total bank credit.

### **Money and Banking System**

Although the banking sector in Niger is generally healthy and well capitalized, less than 3 percent of the people of Niger have a bank account. Foreign banks control about 80 percent of the sector's assets, with SONIBANK, BIA Niger, Ecobank and Bank of Africa (BOA) being the largest banks operating within the country, with estimated combined assets at \$1.34 billion. There are no restrictions on a foreigner's ability to establish a bank account, and foreign banks and their subsidiaries operate within the economy without undue restrictions. The Central Bank of West African States governs Niger's banking institutions and sets minimum reserve requirements. Niger is a part of the West African Economic and Monetary Union (WAEMU) which utilizes the franc CFA, pegged to the Euro at 655.61 CFA per euro.

### **Foreign Exchange and Remittances**

#### *Foreign Exchange*

There are no restrictions or limitations placed on foreign investors in converting, transferring, or repatriating funds associated with an investment, including remittances. Funds are freely convertible into any world currency. However, currency conversions above 2 million CFA

(approximately \$3,413) must be approved by the government. The exchange rate is determined via the euro's fluctuations on the international currency market. The CFA is otherwise fixed to the euro.

#### *Remittance Policies*

Niger's Investment Code offers the possibility to transfer income of any kind, including capital investment and the proceeds of investment liquidation, regardless of the destination. There are no limitations or waiting periods on remittances, though currency conversions above 2 million CFA (approximately \$3,250) must be approved by the Ministry of Finance.

#### **Sovereign Wealth Funds**

Niger does not maintain a Sovereign Wealth Fund (SWF), and does not subscribe to the Santiago Principles. The government has ambitious plans for a build-up of reserves at the Central Bank of West African States (BCEAO) using oil revenues.

#### **State-Owned Enterprises**

State-Owned Enterprises (SOEs) in Niger are defined as companies in which the Government of Niger is the majority stakeholder. They play a major role in Niger's economy and dominate or heavily influence a number of key sectors, including energy (NIGELEC), telecommunications (Niger Telecom), and water resources (SEEN and SPEN). According to the 2016 Public Expenditures and Financial Accountability (PEFA) draft document, there are 8 wholly-owned SOEs, and 6 SOEs majority-owned by the state. State-Owned enterprises are answerable to their supervisory ministry and send certified accounting records to the supervisory ministries and to the Public Enterprises and State Portfolio Directorate (DEP/ PE). SOE record-keeping is expected to comply with SYSCOHADA accounting system standards.

There are no laws or rules that offer preferential treatment to SOEs. They are subject to the same tax rules and burdens as the private sector, and are subject to budget constraints. Niger is not a member of the OECD and does not adhere to its guidelines.

## **Privatization Program**

Most sectors of the economy, with the exception of SOEs, have been privatized. The state-owned oil-distribution company (SONIDEP) no longer has a monopoly over oil exportation; exportation authority is now equally shared between SONIDEP and the Chinese National Petroleum Company (CNPC). Likewise, although the national electrical company NIGELEC continues to hold a virtual monopoly on electricity distribution, steps have been taken in the course of 2016 to allow third party access to the country's electricity grid. This should pave the way for future privatization.

Competition in the mobile telecommunication sector forced the GON to combine state-owned fixed line telecommunications provider SONITEL with the state-owned mobile provider Sahelcom to form a new parastatal, known as Niger Telecom. Although the state continues to hold a monopoly on fixed-line telephony, mobile communications is open to competition.

Foreign investors are welcome to participate in the country's privatization program. Privatization operations are conducted under the technical direction of the ministry that currently controls the company. After a detailed analysis of business operations conducted by an internationally known independent audit firm, the government issues a call for bids.

## **Responsible Business Conduct**

The concept of responsible business conduct (RBC) has been gradually incorporated into the core of Nigerien business operations to increase share value for businesses and society, and is included in the country's mining codes. There is a general awareness of expectations regarding RBC, as well as business' obligations to proactively conduct due diligence and do no harm.

In the extractive industries sector, the GON has focused on ensuring existing obligations are met and that communities benefit. Nigerien law states that 15 percent of revenues derived from extractive industries must be returned to the municipality affected by the project. However, such payments are difficult to track and the GON is not active or engaged in follow-up.

There have been no high-profile instances of private sector impact on human rights in the recent past. The GON attempts to enforce domestic laws related to human rights, labor rights, consumer protection, and environmental protections. However, a lack of resources makes such enforcement difficult and only somewhat effective.

In 2017 the GON strengthened minority investor protection by introducing a provision whereby a winning party's legal expenses are reimbursed by the losing party, thus making it less financially daunting for minority shareholders to challenge large corporations in a court of law. Likewise, shareholders representing 10 percent of a company's market capitalization may call for an extraordinary meeting of shareholders. RBC is promoted by most workers' unions and is regularly monitored by civil society and NGO's. These organizations are able to do their work freely.

Niger is not a member of the OECD and does not adhere to OECD guidelines, including those related to supply chains of minerals from conflict-affected and high-risk areas. There are no Nigerien-owned companies that deal exclusively with minerals, including those that may originate from conflict-affected areas.

The GON has participated in the Extractive Industry Transparency Initiative (EITI) since 2005, and was declared compliant by the EITI for 2015. The constitution mandates full disclosure of all payments from foreign government stemming from mining operations, as well as publication of all new exploration and exploitation contracts in the mining sector. However, in practice, payments from foreign countries to GON officials have at times been controversial due to non-reporting of such payments.

### **Corruption**

Niger is ranked 101 out of 176 in Transparency International's 2016 Corruption Perceptions Index. This demonstrates a remarkable improvement since 2011, when the country was ranked at 134.

The constitution, adopted in 2010, contains provisions for greater transparency in government reporting of revenues from the extractive

industries, as well as the declaration of personal assets by government officials, including the President. Since his re-election in February 2016, President Issoufou has made combatting corruption within the GON one of the focus points of his presidency. Laws related to anti-corruption measures are in place and apply to government officials, their family members, and all political parties. Likewise, Niger has laws in place designed to counter conflict of interest in awarding contracts and/or government procurements. Bribery of public officials by private companies is officially illegal, but is known to occur regularly despite GON denunciations of such conduct. Bribery of public officials occurs on a regular basis. Though most companies officially discourage such behavior, internal controls are rare except among the largest (mostly foreign) enterprises. Niger is party to the UN Anti-corruption Convention. Niger is not party to the OECD Convention on Combatting Bribery. Niger provides protections to NGOs that are involved in investigating corruption.

As of April 2017, there are no U.S. firms invested in Niger, for reasons which include – but are not limited to – the perception of corruption. Cases of suspected corruption occasionally surface in media reports concerning GON procurement, the award of licenses and concessions and customs.

*Resources to Report Corruption*

Contact at government agency or agencies are responsible for combating corruption

Issoufou Boureima

President

High Authority to Combat Corruption and Related Infractions (HALCIA)

BP 550 Niamey - Niger

(227) 20 35 20 96

Email: [issoufbour@gmail.com](mailto:issoufbour@gmail.com)

Contact at "watchdog" organization

Mme Bagna Aissata Fall

President

Nigerien Association against Corruption (ANLC), Chapter of Transparency International

BP 10423, Niamey - Niger

(227) 20 74 10 90

Email: [anlcti@yahoo.fr](mailto:anlcti@yahoo.fr)

### **Political and Security Environment**

Niger, for the most part, has been politically stable and tranquil for most of the past 10 years. The risk of protests stemming from popular anger over high poverty and Unemployment rates, weak security conditions and corruption will remain high. Civil Society activists and the opposition organized anti-government march in Niamey in March. Nigeriens are not prone to rioting or violent demonstrations and such behavior is quite rare. Although some U.S. investors may fear the impact of political instability on business and investment, such fears are generally unfounded as foreign investment is welcomed by all elements of society.

In January 2015 Niger experienced an unprecedented wave of attacks on churches, bars, and ruling-party buildings sparked by outrage at President Issoufou's remarks during a trip to Paris to participate in a unity march in the wake of attacks on the Charlie Hebdo office. The targets included 45 churches, 36 drink vendors, two individual homes, a Christian school, several buildings used by the ruling party, and many French-owned businesses. General elections were held in Niger in February 2016, with a presidential run-off held in March 2016. President Mahamadou Issoufou was re-elected for a second mandate. Tensions over the preparation of the elections widened divisions between opposition activists and supporters of the incumbent president and his ruling Nigerien Party for Democracy and Socialism (PNDS). However, the second-round election proceeded without major incident. Although Niger's politics are often contentious and antagonistic, political violence is rare. Most parties agree that national security and peaceful cohabitation among Niger's ethnicities are the government's principal priority. However, protests and strikes about non-payment of salaries for

public employees, lack of funding for education, and general dissatisfaction with social conditions remain a serious concern.

### **Labor Policies and Practices**

Niger has an abundance of available labor, both skilled and unskilled. One of the most pressing concerns within the Ministry of Labor is the lack of jobs available to recent high school and university graduates, who often face long spells of unemployment or underemployment. There is very high unemployment among young workers, many of whom are uneducated and illiterate. Migration from the rural areas to the cities is a problem, as the majority of recently-arrived workers are unskilled. Such workers most often turn up in the informal economy. While informal activities are generally not reported, Ministry of Finance estimates from 2012 stated that between 80 and 90 percent of the non-agricultural workforce is in the informal economy. Niger, as part of the Economic Community of West African States (ECOWAS) must accept laborers from neighboring ECOWAS states. While such laborers do exist within the Nigerien economy, this phenomenon is not common enough to cause friction and/or widespread resentment among local laborers.

Article 9 of Niger's 2010 Labor Code mandates that firms hire Nigerien nationals via direct recruitment or through public or private hiring agencies. There are no restrictions on employers regarding hiring or laying off employees to respond to fluctuating market conditions. However, before making the decision, the employer must consult with the Inspector of Labor. An employee laid off for economic reasons receives, in addition to severance pay, a non-taxable allowance paid by the employer equal to one month's gross salary.

Given both the need for foreign direct investment and the abundance of available labor within the country, labor laws are mostly modified, rather than waived to accommodate foreign firms. Many large foreign firms, including Areva, Orange and CNPC, are allowed to bring workers into the country provided that Nigerien laborers make up a substantial percentage of

the overall workforce. As a member of ECOWAS, Niger routinely accepts labor from other member states, as obligated.

Freedom of association and the right to collective bargaining are generally respected and workers routinely exercise them. Unions have exercised the right to bargain collectively for wages above the legal minimum in the formal sectors and for more favorable working conditions.

Niger's labor code, adopted in September 2012, regulates employment, vocational training, remuneration, collective bargaining, labor representation, and labor disputes. The code also establishes the Consultative Commission for Labor and Employment, the Labor Court and regulates the Technical Consultative Committee for Occupational Safety and Health. The labor code lays out clear procedures for dispute resolution mechanisms in its title VII on labor disputes. Labor hearings are public except at the reconciliation stage.

Although strikes are routine and common, most stem from non-payment of salaries and unsatisfactory working conditions existing within the public sector. Such strikes do not pose an investment risk.

Although Niger has ratified the International Labor Organization (ILO) Convention 182 on the Worst Forms of Child Labor and the ILO Convention 138 on the minimum age for employment, traditional caste-based servitude is still practiced in some parts of the country. In addition, child labor remains a problem particularly in the agricultural sector and the commercial and artisanal mining sectors. Gender discrimination is quite common within all workplaces.

There were no labor related laws or regulation enacted during the last year. The labor code adopted in September 2012 remains the most recent legislation related to labor.

### **OPIC and Other Investment Insurance Programs**

Niger is eligible for OPIC coverage, but to date, OPIC has not been involved in any bilateral investments in Niger.

## Foreign Direct Investment and Foreign Portfolio Investment Statistics

Table 10: Key Macroeconomic Data, U.S. FDI in Host Country/Economy

	Host Country Statistical Source		USG or International Statistical Source		USG or International Source of Data: BEA; IMF; Eurostat; UNCTAD, Other
Economic Data	Year	Amount	Year	Amount	
Host Country Gross Domestic Product (GDP) (\$M USD)	2015	\$7,143	2015	\$7,143	<a href="#">World Bank</a>
Foreign Direct Investment	Host Country Statistical source		USG or International Statistical Source		USG or International Source of Data: BEA; IMF; Eurostat; UNCTAD, Other
U.S. FDI in partner country (\$M USD, stock positions)	2015	N/A	2015	N/A	<a href="#">BEA</a>
Host country's FDI in the United States (\$M USD, stock positions)	2015	N/A	2015	N/A	<a href="#">BEA</a>
Total inbound stock of FDI as % host GDP	2015	N/A	2015	N/A	N/A

Table 11: Sources and Destination of FDI

Direct Investment from/in Counterpart Economy Data					
From Top Five Sources/To Top Five Destinations (US Dollars, Millions)					
Inward Direct Investment			Outward Direct Investment		
Total Inward	4329	100%	Total Outward	N/A	100%
France	1920	44	N/A	N/A	N/A
China	1738	40	N/A	N/A	N/A
Côte d'Ivoire	100	2	N/A	N/A	N/A
Togo	76	2	N/A	N/A	N/A

Libya	66	1	N/A	N/A	N/A
"0" reflects amounts rounded to +/- USD 500,000.					

*Table 12: Sources of Portfolio Investment*

Data not available.

**Contact for More Information on the investment climate statement**

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# Trade & Project Financing

## Methods of Payment

New to the market, U.S. exporters should request an irrevocable confirmed letter of credit drawn on one of the major banks. Large Nigerien importers often have sources of foreign exchange outside Niger; consequently, they can often offer credit documents issued by non-Nigerien banks.

## Banking Systems

The Central Bank of West African States (BCEAO), a central bank common to the eight members of WAEMU, governs Niger's banking system. Along with BCEAO, the *Commission Bancaire* is a supranational supervisory entity created in April 1990 to control financial institutions. The eight member countries use the CFA franc issued by the BCEAO and pegged to the euro at a rate of one euro to 656 CFA francs. The French Treasury guarantees parity and fixed convertibility. BCEAO has an operating account at the French Treasury where it is required to hold at least 65 percent of its foreign exchange reserves.

Eleven commercial banks and one financial institution operate in Niger. The system is characterized by over-liquidity of banks and their hesitancy to make medium or long-term loans.

The banking system is served by four medium-sized local banks: BIA Niger (Banque Internationale pour l'Afrique), Ecobank, Bank of Africa and SONIBANK (Société Nigerienne de Banque) that share 80% of the market:

- BIA (*Banque Internationale pour l'Afrique*) has a large international network in Africa and Europe (Brussels, Paris, and London) with capital of 7 billion CFA (approximately \$14 million). Its customers range from big industries, commercial and agricultural companies to small- and medium-sized companies and it has offices throughout the country. BIA's market strategy is focused on its larger clients. BIA is the largest local bank with 45% of the banking market and a large, stable clientele. With its long experience, the bank tends to tailor its services to the needs and constraints of its customers.
- BOA (Bank of Africa) has a large international network in Africa and Europe. Its initial market strategy attempted to gain the trust of large organizations and enterprises. This plan failed, because Niamey had too small of a client base to support another bank. Therefore, it broadened its strategy to include small- and medium-sized companies, projects, NGOs, international organizations, businesses, and private individuals.

- ECOBANK bases its marketing strategy on Citibank's model, and its business management style reflects U.S. rather than French norms. Ecobank has an impressive network spread throughout West and parts of Central Africa. Its main customers include business people, NGOs, international organizations, development projects, some local companies, and households. It attempts to attract regional tradesmen who benefit from electronic money transfers as opposed to more risky cross-border courier services. Ecobank has expanded considerably over the past several years, while its growth is reflected by the numerous offices and branches established since its opening. Ecobank Niger offers highly developed technology and a communication system that contribute to its expansion. Apart from traditional services and products, the bank also offers services like telephone banking, Internet banking, zap banking (mobile banking service that provides customers with increased security and flexibility) and the Ecobank regional card.
- SONIBANK (*Société Nigérienne de Banque*) has a large international partnership network (Natix Bank Paris, BNP, Credit Lyonnais, Credit Suisse, NWB London, DG Bank Frankfurt, Bank of Montreal, Brussels Bank, Union Tunisienne de Banque) with capital of 12 billion CFA (\$20.5 million). It has offices throughout Niger and a broad clientele in all sectors. Its client base includes small enterprises, distributors, insurance companies, manufacturing and mining industries, water, electricity and petroleum companies, transportation companies, all construction and agriculture companies, NGOs, and donor-funded development projects. Sonibank's market strategy focuses on its network of smaller clients.

There are several smaller commercial banks operating in the country, including the following:

- BINCI (*Banque Islamique du Niger pour le Commerce et l'Investissement*), established in 1997, is a member of Daral Maal Islammi (DMI) Group. The bank's capital is 14 billion CFA (approximately \$24.1 million). The bank's major partners are Trust Bank, Citibank, ABN AMRO and UBAF. Its main customers include industries and commercial businesses, but it does not have a clearly defined marketing strategy.
- *Orabank* – formerly known as BRS Niger – is a universal bank, serving both private investors and businesses. Its network includes three branches in Niamey and four others in Agadez, Maradi, Tillabéry and Zinder. Orabank is a pan-African bank with branches in Benin,

Burkina-Faso, Côte d'Ivoire, Gabon, Guinea, Guinea Bissau, Mauritania, Mali, Niger, Senegal, Chad and Togo.

- *CBAO-Niger* (Compagnie Bancaire de l'Afrique de l'Ouest) is a subsidiary of Group Attijariwafa Bank with a network of 3,050 branches throughout the African continent. CBAO opened a branch in Niger in October 2013.
- *Banque Atlantique Niger*, established in June 2006, is a member of the Atlantique Banque Group based in Côte d'Ivoire. The bank has a capital share of 7.5 billion CFA (approximately \$12.9 million). Their main correspondents are UBAF (*Union des Banques Arabes et Françaises*) BNP France, Fortis Bank, BOAD and London Charter Bank. The *Group Banque Atlantique* has a representation office in Paris (*Banque Atlantique*), a company of management and financial intermediation (*Atlantique Finances*), and a company of services and IT engineering (*Atlantique Limited Company Technologies*). *Banque Atlantique Niger's* main customers are businesses, NGOs, industries, and large private companies. *Banque Atlantique Niger* has been involved in the main economic sectors of activities, working one on one with various companies and projects in the framework of their development.

### **Foreign Exchange Controls**

Niger's Investment Code offers the possibility to transfer income of any kind, including capital investment and the proceeds of investment liquidation, regardless of the destination. There are no restrictions or limitations placed on foreign investors in converting, transferring, or repatriating funds associated with an investment, including remittances. Funds are freely convertible into any world currency.

Niger benefits from a foreign exchange system that is free from restrictions on payments and transfers. Foreign exchange payments are still submitted to the Ministry of Finance for authorization, then are submitted and executed by Niger's commercial banks. There is free convertibility of the CFA franc via the banking system for commercial transactions. The rate varies daily according to the Euro-U.S. Dollar rate. CFA franc banknotes are not legal tender outside of the WAEMU. Travelers may exchange foreign currency for CFA francs without limit at commercial banks. However, currency conversions above 2 million CFA (approximately \$3,448) must be approved by the government, usually resulting in delayed capital transfers. Such delays serve to discourage investment from abroad, particularly by the Nigerien diaspora.

## **U.S. Banks & Local Correspondent Banks**

There are no U.S. banks operating in Niger. However, Citibank has commercial arrangements with the following Niger-based banks:

Societe Nigerienne de Banque (SONIBANK)

Ecobank Niger

Bank of Africa Niger (BOA)

Banque Atlantique Niger

## **Project Financing**

### *Power Africa*

Launched in 2013, Power Africa is a market-driven, U.S. Government-led public-private partnership to double access to electricity in sub-Saharan Africa. It also serves as a one-stop shop for private sector entities seeking tools and resources to facilitate doing business in Africa's power sector. In 2016, the Electrify Africa Act unanimously passed both houses of Congress and was signed into law, institutionalizing Power Africa and establishing two goals; to add 20,000 MW of generation capacity and expand electricity access to 50 million people in sub-Saharan Africa by 2020. In bringing together more than 140 of the world's top companies, development institutions, and financial entities, Power Africa employs a transaction-centered approach to directly address key constraints to project development and investment in the power sector. These interventions aim to de-risk investments and accelerate financial close -- from facilitating project bankability with financing and risk mitigation, to providing technical and transaction support, to engaging with host-government counterparts. Learn more about the project at [USAID's Power Africa toolbox webpage](#) or other opportunities offered by the initiative at [USAID's Power Africa's webpage](#).

## **Web Resources**

[Export-Import Bank of the United States](#)

[Export-Import Bank of the United States – Country Limitation Schedule](#)

[OPIC](#)

[SBA's Office of International Trade](#)

[U.S. Agency for International Development](#)

[U.S. Trade and Development Agency](#)

[USDA Commodity Credit Corporation](#)

## **Business Travel**

### **Business Customs**

Nigerien culture is largely traditional, and most potential business partners are practicing Muslims. Getting to know individuals is very important and taking time for visits and meals together is recommended. Rushing matters is unseemly and may only serve to destroy confidence in a foreigner's good intentions. Nigerien business people also like to be able to see and feel merchandise before entering into any agreements, no matter how basic the product.

### **Travel Advisory**

Insecurity persists in the northern, western and southeastern areas of Niger. U.S. citizens are urged to avoid travel along the border between Niger and Mali, as neither government is able to provide security in this area. Travel of U.S. Government employees and official visitors to areas outside of Niamey requires coordination with the Regional Security Office of the U.S. Embassy in Niamey and final approval by the Deputy Chief of Mission. Recreational travel to tourist locales in the immediate vicinity of Niamey is restricted to daylight hours.

As noted in the [U.S. Embassy Niger travel warning](#), dated April 11, 2017, U.S. citizens currently in or travelling to Niger should evaluate their personal security situation. The U.S. Embassy has very limited capability to assist U.S. citizens in remote and rural areas. You should take steps to mitigate the risk of becoming a victim of violent acts, and avoid locations routinely frequented by westerners, such as markets, hotels, restaurants, bars, and places of worship. Violent groups have targeted these kinds of venues in the past and will likely do so again.

For travel in any remote area of the country, the Department of State urges U.S. citizens to use registered guides and to travel with a minimum of two vehicles equipped with global positioning systems (GPS) and satellite phones (if possible). Travelers are advised to avoid restricted military areas and to consult local police authorities regarding their itinerary and security arrangements.

U.S. citizens are also advised to avoid street demonstrations and maintain security awareness at all times. Large and small street demonstrations occur regularly in Niger, often near government buildings, university campuses, or other gathering places such as public parks. Although demonstrations can occur spontaneously, large student demonstrations typically begin in January and February and continue through May. U.S. citizens are urged to be particularly vigilant at these times. Many past demonstrations have involved

rock throwing and tire burning, especially at key intersections in the city of Niamey.

Due to the abrupt nature of street demonstrations, it is not possible for the Embassy to notify U.S. citizens each time a demonstration occurs.

Consequently, U.S. citizens are reminded to maintain security awareness at all times and to avoid large public gatherings and street demonstrations.

U.S. citizens are reminded that even demonstrations intended to be peaceful can turn confrontational without advance warning. While the Embassy will endeavor to inform U.S. citizens of demonstrations through the warden system when possible, local radio and television stations are good sources for information as well.

Crime rates--primarily thefts, robberies, and residential break-ins—are extremely high. Foreigners are vulnerable to bribery attempts and extortion by law enforcement authorities. Theft and petty crimes are common day or night. However, armed attacks are normally committed at night by groups of two to four persons, with one assailant confronting the victim with a weapon while the others provide surveillance or a show of force. Tourists should not walk alone around the Gaweye Hotel, the National Museum, and on or near the Kennedy Bridge at any time, or the Petit Marché after dark. These areas are especially prone to muggings and should be avoided.

Walking at night is not recommended as streetlights are scarce and criminals have the protection of darkness to commit their crimes. Recent criminal incidents in Niger have included carjacking, sexual assaults, home invasions, and muggings. Travelers should keep expensive new electronics out of sight, and always keep their vehicle doors locked and windows rolled up when stopped at stoplights.

Use caution and common sense at all times to avoid thieves and pickpockets. An information sheet on safety and security practices is available from the Consular Section of the U.S. Embassy.

For further information please visit the [State Department's Consular Information Sheet for Niger](#).

### **Visa Requirements**

Niger visas may be obtained from the Embassy of the Republic of Niger in Washington, D.C., or from any other country where Niger has diplomatic/consular representation. The cost of the Niger visa is approximately \$100. A residence visa, valid for up to one year and renewable for another year can be obtained upon arrival in Niger with a regular tourist passport. The application is sent to DST (Direction de la Surveillance du Territoire) with the following scaled fees schedule: 50,000 FCFA (Approx. \$86) for a 1 to six month validity; and 90,000 FCFA (Approx. \$155) for a 7

month to 1 year validity. All visitors must also have proof of yellow fever vaccination. Information on visas to Niger may be found on the [Embassy of the Republic of Niger in Washington, D.C.'s website](#).

U.S. companies that require travel of foreign businesspersons to the United States should advise the business people to inform themselves of U.S. visa procedures. Information can be obtained from both the [State Department's Visa website](#) and the [U.S. Embassy in Niger's webpage](#).

### **Currency**

As part of the WAEMU, Niger shares a common currency, the CFA, which is pegged to the Euro at CFA 655.96 and fluctuates against the dollar in line with the euro-dollar exchange rates. Niger is also a member of the Organization for the Harmonization of Business Law in Africa (OHADA) and, as such, has a well-established legal and regulatory framework.

The CFA is freely convertible to Euro or Dollar. International investors have not reported difficulty with such transfers.

### **Telecommunications/Electric**

In Niger, international calls to most countries can be dialed directly. The country code for Niger is 227. Cable, telex, fax, paging and Internet services are available. A number of cyber cafés are located in Niamey and increasingly in secondary cities. Cellular phones are very popular and they operate on the GSM standard, while phone cards are readily available via street sellers and kiosks. 3G service has seen significant growth within Niamey over the past two to three years, though remains rare outside the capital city.

### **Transportation**

Niger, a landlocked nation, is a long way from maritime ports. Moreover, there is an absence of railways, airports and flight patterns are inadequate and the Niger River is unnavigable. Transport is thus dependent on the country's road infrastructure, which is – for the most part – poorly maintained and mostly unpaved. The GON is planning the construction of a Dosso dry port, though there is no expected date of completion.

### **Language**

The official language of Niger is French, which most potential business partners and government officials speak. The two most important local languages are Hausa and Djarma.

Some Nigerien business people can conduct basic business in English but many are not comfortable with extended or technical conversations.

High-level professional interpretation is available at \$300-400 per day for business meetings.

## **Health**

Health facilities are extremely limited in Niamey and urban centers, and completely inadequate outside the capital. Although physicians are generally well trained, even the best hospitals in Niamey suffer from inadequate facilities, antiquated equipment and shortages of supplies (particularly medicine). Emergency assistance is limited to very basic care and most serious conditions require medical evacuation to Europe or the United States. Travelers must carry their own properly labeled supply of prescription drugs and preventative medicines and should obtain emergency medical evacuation insurance.

Malaria prevails in Niger. *Plasmodium falciparum* malaria, the serious and sometimes fatal strain in Niger, is resistant to the anti-malarial drug chloroquine. Because travelers to Niger are at high risk for contracting malaria, the Centers for Disease Control and Prevention (CDC) advises that travelers should take mefloquine (Lariam), doxycycline, or atovaquone/proguanil (Malarone). The CDC has determined that a traveler who is on an appropriate antimalarial drug has a greatly reduced chance of contracting the disease. Other personal protective measures, such as the use of insect repellents and bed nets, also help to reduce malaria risk. Travelers who become ill with a fever or flu-like illness while traveling in a malaria-risk area and up to one year after returning home should seek prompt medical attention and tell the physician their travel history and what antimalarials they have been taking. For additional information on malaria, protection from insect bites, and antimalarial drugs, please visit the [CDC Travelers' Health website](#).

Tap water is unsafe to drink throughout Niger and should be avoided. Bottled water and beverages are safe, although visitors should be aware that many restaurants and hotels serve tap water. Ice made from tap water is also unsafe to consume.

Information on vaccinations and other health precautions, such as safe food and water precautions and insect-bite protection, may be obtained from the Centers for Disease Control and Prevention's hotline for international travelers at 1-877-FYI-TRIP (877-394-8747); or via the [CDC's Travelers' Health webpage](#). Documentation of yellow fever vaccination is required for entry into Niger. Additionally, typhoid, meningitis, and hepatitis A vaccinations are strongly advised. Those spending extended periods of time in Niger should also consider the rabies pre-exposure vaccine series. Travelers should also make sure their routine immunizations are up to

date. For information about outbreaks of infectious diseases abroad consult the [World Health Organization's website](#). Further health information for travelers is available at the World Health Organization's [International Travel and Health webpage](#).

## Local Time, Business Hours & Holidays

Table 12: Niger 2017 Official Holidays

Date	Holiday
January 1, 2017	New Year's Day
February 23, 2017	33rd National Day
February 28, 2017	Chinese New Year
April 17, 2017	Easter Monday
April 24, 2017*	Concord Day (Niger national holiday); Isra' Mi'raj
May 1, 2017	Labor Day
May 27, 2017*	1st Day of Ramadhan
August 3, 2017	Independence Day
Spetember 22, 2017*	Muharram (Islamic New Year); 1st Day of Hijrah
December 1, 2017*	Mouloud (Prophet Muhammad's Birthday)
December 18, 2017	Republic Day
December 25, 2017	Christmas Day

\*Muslim holidays dependent on lunar calendar

## Temporary Entry of Materials and Personal Belongings

For temporary entry to Niger, the following is required:

- Bill of Lading/ Air Waybill (original)
- Certificate of Change of Residence (from city hall at origin)
- International Health Certificate (indicating yellow fever vaccination)
- Non-Sale Certificate (declaring client will not sell effects while in Niger)
- Packing list
- Passport (copy, must show last entry stamp and biographic pages)
- Power of Attorney (giving authority for Destination Agent to arrange customs clearance)
- Residence visa
- Valued inventory (comprehensive, two copies, in French, dated and signed by owner)
- Work permit or letter from employer showing proof of employment contract

The customs formalities differ depending on your status (diplomat, an international civil servant or private contractual). The diplomats and international civil servants enjoy a special regime allowing for temporary admission.

- All shipments will be inspected
- Foreign diplomats, members of government or international organizations are eligible for duty free entry of personal effects and household goods (documents must arrive to the Destination Agent at least 15 days prior to the arrival and must be approved by the Ministry of Foreign Affairs)
- Goods cannot be sold, lent or disposed of while staying in Niger.
- Goods imported for re-export are subject to a temporary admission system and are not assessed customs duties. This system has been abused in the past, and customs officials may be particularly demanding in enforcing regulations.
- Household goods and personal effects are duty free, as long as the goods have been owned and used for a minimum of six months, and the owner has lived abroad for at least one year
- Several types of items -- including computers and computer parts, video cameras and players, stereo equipment, tape players, auto parts, and various tools and spare parts -- cannot be brought into Niger without clearance by Nigerien customs officials. Airport customs officials may hold such items if brought in as baggage or carry-on luggage.

### **Travel Related Web Resources**

Useful information on medical emergencies abroad, including overseas insurance programs, is provided in the [Department of State's Bureau of Consular Affairs website](#).