



Doing Business in NIGER: 2012 Country

Commercial Guide for U.S. Companies

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Chapter 1: Doing Business in NIGER

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Market Overview

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- Democracy and constitutional rule were restored in 2011 and a new national constitution overwhelmingly approved in an October 2010 referendum included provisions for better governance. The World Bank and the Brookings Institute Worldwide Governance Indicators ranked Niger in the median group of countries considered as under the rule of law. The 2011 Mo Ibrahim African Governance Index listed Niger as among countries that have improved in terms of “safety and rule of law,” giving it a score of 50 out of 100.
- Following the April 2011 restoration of democracy, Niger’s elected government announced its commitment to attracting private investors. Under the Investment Code, industrial investors enjoy tax and customs exemptions, and in some cases exemptions from value added tax (VAT). Other tax benefits are possible, but terms must be negotiated with the Ministry of Commerce and Private Sector Promotion on a case-by-case basis.
- The Investment Code contains no provisions for screening, and guarantees equal treatment of investors regardless of nationality. Nigerien authorities have restarted the National Council of Private Investors (CNIP), which 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.
- Bad weather and regional crises slowed growth in 2011, but stronger growth is expected in 2012, driven by mining and oil and mainly thanks to the opening of the Zinder oil refinery at the end of 2011. Government spending on infrastructure and agriculture is also expected to boost this revival.

- Budget policy has been cautiously expansionary, which led to agreement with the IMF (International Monetary Fund) on a new three-year program (2012-14), backed by nearly 121 million US dollars from the Fund's Extended Credit Facility and approved by the IMF board in March 2012.
- The recent crises in Côte d'Ivoire, Nigeria and Libya have meant the return to Niger of some 300, 000 migrants and worsening unemployment among young people. About 40% of job-seekers are still under-qualified for the labor market.
- Niger works for regional integration through the Economic Community of West African States (ECOWAS) at the national and regional levels, but major efforts are still needed if steps taken so far, especially concerning trade, are to become effective. As a member state of the West African Economic and Monetary Union (WAEMU) Niger adopted permanent preferential tariffs for internal trade. As part of WAEMU, Niger shares a common currency, the CFA, which 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 Euro or Dollar. International investors have not reported difficulty with such transfers.
- There have been no expropriations since the 1970's and there is no pattern of discrimination against foreign firms.
- Niger regained its AGOA eligibility in October 2011, extending the law's trade preferences to Niger and immediately benefiting its economic development projects.

Market Challenges

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- 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 includes 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 sector, 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.

- The banking sector in Niger is considered one of the weakest in WAEMU.
- Niger's judicial system suffers from lack of capacity and questionable integrity.
- Niger ranks 186th out of 187 countries on the United Nations Development Program index of human development for 2011.
- The Government has publicly acknowledged that official corruption is a problem but it is making efforts to address it. In August 2011, the GON created the High Authority on 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.

Market Opportunities

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- There are two established uranium companies (COMINAK and SOMAIR, subsidiaries of AREVA) producing about 4,000 metric tons of uranium a year. A third mine has began production (the Chinese mine company in Azelik), and the commissioning of a fourth mine (Imouraren by AREVA) will double the country's current production of 5,000 metric tons by 2016, making Niger the world's second largest producer of uranium. 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. Mining FDI grew from US\$116 million in 2007 to nearly US\$700 million in 2009. Between 2010 and 2013, mining FDI is expected to reach unprecedented levels with the development of the Azelik uranium deposit (about US\$30 million FDI) and the Imouraren uranium mine (about US\$1.7 billion FDI). The two mines are expected to bring about US\$75 million annually in fiscal revenues, and additional revenues from the sales of the Government's share of production (33.35 percent for Imouraren and 25.71 percent for Azelik).
- As for the petroleum sector, 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 US\$1.3 billion for the oil field, US\$350 million for an oil pipeline to Chad, and about US\$1.2 billion for the Zinder refinery. In addition, the Trans-Saharan

Gas Pipeline (TSGP), of which Niger is expected to share 841 km (out of an estimated 4,128 km-long pipeline across Nigeria, Niger and Algeria), will bring additional FDI representing Niger's share of the estimated US\$13 billion for installing the pipeline and associated gathering centers.

- In addition, the country's geologic structure offers a 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 are projected to triple between 2012 and 2016 and to accelerate GDP growth from less than four percent in 2011 to about 14 percent in 2012. 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.
- Meat and butchery value chains: 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. According to 2010 census statistics, Niger had 10.9 million sheep, 13.7 million goats, 9.8 million cattle, 1.7 million dromedaries and camels, 1.6 million donkeys and 242,000 horses. Maradi has 15.4 percent of Niger's total cattle, 16.5 percent of its sheep, and 17.7 percent of its goats. Breeding in Maradi represents 18 percent of the wealth of the local population. Retail prices of fresh meat: \$4.15 / kg for meat from sheep or goat, \$ 5.12/ kg for cattle meat and \$4.27 / kg for offal (lungs, heart, liver, intestine and tripe). The heads and feet are usually sold cooked.
- Export of live cattle and meat represents nearly 12 percent of Niger 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. The total production of meat was about 95,000 tons in 2006.
- There is 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. Butchers are organized into seven associations/*Groupement d'Intérêt Economique* (GIE) in Niamey and Maradi representing both individuals and enterprises and their associations.

Other Business Opportunities

- 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 in 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. The government is exploring alternative energy sources to address the recurring shortage of electricity.

Market Entry Strategy

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- 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: <http://niamey.usembassy.gov/niger/attorney.html>

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Chapter 2: Political and Economic Environment

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

<http://www.state.gov/r/pa/ei/bgn/5474.htm>

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Using an Agent or Distributor

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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

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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 for foreign investors 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 has theoretically reduced the amount of time required for the simple registration of a business to 3 days.

Foreign investors will 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 1 million (approximately \$2,000) and at least one shareholder.
- The minimum capital required to create a public corporation is CFA 10 million (approximately \$20,000) with a minimum of one shareholder.
- Other types of business structures exist and include sole proprietorship, regional office, local agency and distributorship.

Franchising

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

Direct Marketing

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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; mail service to post offices is slow and sometimes 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 very few outlets in Niger that accept credit cards. Niger is almost entirely a cash-based economy.

Joint Ventures/Licensing

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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

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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 and Sales Channels

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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 a lively cross border trade between Niger and Nigeria centered in the Nigerien city of Maradi.

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 the capital Niamey and the city of Maradi.

Selling Factors/Techniques

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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 would be 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.

Electronic Commerce

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The GON recognizes the important role that e-commerce can play in trade development and has made the development of information technology a priority.

Through the Chamber of Commerce an independent e-marketing platform is available in Niger.

Trade Promotion and Advertising

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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 of the media facilitates citizen access to varied and diverse news and views.

Pricing

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The principle of freedom of the selling price of goods and products imported or locally made is applicable in Niger. Nevertheless, the price of certain goods or services may be fixed in an order by the Minister of Commerce. These prices are fixed for all distribution stages, either in terms of absolute value or as a maximum profit margin in the lawful selling price by the seller. The key prices controlled in this way are those for 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 US dollar exchange rate. Other prices are set by the market. The price of water is fixed in an agreement between the Government and the privatized 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

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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 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 equipments, industrial machinery, computer hardware and photocopiers. Product recalls are virtually unknown.

Protecting Your Intellectual Property

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Niger is a member of the West African Intellectual Property Organization (Organisation Africaine de la Propriété Intellectuelle, OAPI), which establishes the legal framework for protecting intellectual property and approves requests for registration. Protection is initially granted for ten years and is renewable for up to an additional ten years.

As a signatory to the 1983 Paris Convention for the Protection of Industrial Property, Niger provides national treatment 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. In practice, however, the government lacks the capacity and resources to enforce copyright violations, and

counterfeit CDs and videocassettes are readily available in most cities. Trade secrets can be adequately protected within individual business agreements in Niger.

Despite limited resources, the Niger Copyright Office and Niger Customs make occasional efforts to enforce copyright laws, and have arrested counterfeiters and seized audio cassettes, CDs, DVDs and a disc burner. Given the profitability of copyright infringement, such episodic enforcement efforts are not a significant deterrent.

Protecting Your Intellectual Property in Niger:

Several general principles are important for effective management of intellectual property (“IP”) rights in Niger. First, it is important to have an overall strategy to protect your IP. Second, IP is protected differently in Niger than in the U.S. Third, rights must be registered and enforced in Niger, under local laws. Your U.S. trademark and patent registrations will not protect you in Niger. There is no such thing as an “international copyright” that will automatically protect an author’s writings throughout the entire world. Protection against unauthorized use in a particular country depends, basically, on the national laws of that country. However, most countries do offer copyright protection to foreign works under certain conditions, and these conditions have been greatly simplified by international copyright treaties and conventions.

Registration of patents and trademarks is on a first-in-time, first-in-right basis, so you should consider applying for trademark and patent protection even before selling your products or services in the Niger market. It is vital that companies understand that intellectual property is primarily a private right and that the US government generally cannot enforce rights for private individuals in Niger. It is the responsibility of the rights' holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in Niger law. The U.S. Commercial Service can provide a list of local lawyers upon request. <http://niamey.usembassy.gov/niger/attorney.html>.

While the U.S. Government stands ready to assist, there is little the U.S. Government or the U.S. Embassy in Niger can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IP in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to legal doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should U.S. Government advice be seen as a substitute for the obligation of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on potential partners. Negotiate from the position of your partner and give your partner clear incentives to honor the contract. A good partner is an important ally in protecting IP rights. Consider carefully, however, whether to permit your partner to register your IP rights on your behalf. Doing so may create a risk that your partner will list itself as the IP owner and fail to transfer the rights

should the partnership end. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in Niger require constant attention. Work with legal counsel familiar with Nigerien laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IP and stop counterfeiting. There are a number of these organizations, either Nigerien or U.S.-based. These include:

- The U.S. Chamber and local American Chambers of Commerce
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)
- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)

IP Resources

A wealth of information on protecting IP is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the US and other countries -- call the STOP! Hotline: **1-866-999-HALT** or register at www.StopFakes.gov.
- For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the US Patent and Trademark Office (USPTO) at: **1-800-786-9199**.
- For more information about registering for copyright protection in the US, contact the US Copyright Office at: **1-202-707-5959**.
- For US small and medium-size companies, the Department of Commerce offers a "SME IP Advisory Program" available through the American Bar Association that provides one hour of free IP legal advice for companies with concerns in Brazil, China, Egypt, India, Russia, and . For details and to register, visit: http://www.abanet.org/intlaw/intlproj/iprprogram_consultation.html
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: www.StopFakes.gov This site is linked to the USPTO website for registering trademarks and patents (both in the U.S. as well as

in foreign countries), the U.S. Customs & Border Protection website to record registered trademarks and copyrighted works (to assist customs in blocking imports of IP-infringing products) and allows you to register for Webinars on protecting IP.

- The U.S. Commerce Department has positioned IP attachés in key markets around the world: <http://www.uspto.gov/ip/global/attache/index.jsp>
- .

Due Diligence

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Many Nigerien firms do not keep accounting records that would be acceptable under international accounting standards. However, there are some Nigerien accounting firms that can help their Nigerien brethren construct and maintain accounting systems that would allow foreign investors to determine the health of a Nigerien firm. However, adequate due diligence would demand a visit to the Nigerien firms' operations and viewing the deeds of their property, etc.

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, www.export.gov

Local Professional Services

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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 aware 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.

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 available a list of lawyers and notaries. It is advisable that U.S. firms approach firms specializing in financial and tax advisory services.

U.S. firms can find below names and contact information for some local accounting firms:

Cabinet Maina Boukar

B.P.: 11489
Niamey, Niger
Phone: (227) 20 73 42 88
Email: cabmaina@intnet.ne
Contact: Mr. Maina Boukar Moussa

CGIC-Afrique Sarl
B.P.: 13453
Niamey, Niger
Phone: (227) 20 73 50 39
Email: mayaki_o@yahoo.fr
Contact: Oumarou Mayaki

FAC Consulting
B.P.: 04
Niamey, Niger
Phone: (227) 96 98 46 60
Contact: Hamadou Abdoulsalam

Sahel Geotechnique "SSG Sarl"
B.P.: 11230
Niamey, Niger
Phone: (227) 96 98 10 07
Contact Tahirou Assoumi

Audit & Conseil Sidibe & Associés
B.P.: 12914 Niamey, Niger
Phone: (227) 20 73 75 75
Fax: (227) 20 73 81 78
Email: acsa@intnet.ne
Contact: Mr. Lawel Moussa

Cabinet Comptable Abdou Baoua
B.P.: 11803
Niamey, Niger
Phone: (227) 20 75 36 31
Email: cabbaoua@intnet.ne / cabinetbaoua@yahoo.fr
Contact: Mr. Abdou Baoua

Cabinet EFIC
B.P.: 12498
Niamey, Niger
Phone: (227) 20 73 51 13
Contact: Lawali Hamani

Fiduciaire Conseil et Audit (FCA)

B.P.: 07

Niamey, Niger

Phone: (227) 20 73 38 13 or 20 73 80 83

Fax: (227) 20 73 51 95

Email: fca@intnet.ne

Contact: Mr. Nouhou Tari

Cabinet Yéro Garba

B.P.: 11146

Niamey, Niger

Phone: (227) 20 73 30 69 or 20 73 58 10 or 20 73 30 00

Fax: (227) 20 73 80 34

Email: excom@intnet.ne

Contact: Mr. Yéro Garba

While these companies are established in Niamey, you should contact each one to ascertain their specific capabilities. U.S. Embassy Niamey is not recommending these firms by including their contact information in the Country Commercial Guide.

Web Resources

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- <http://www.agoa.gov/>
- <http://www.uemoa.int/index.htm>
- <http://www.ohada.com/>
- <http://niamey.usembassy.gov/niger/attorney.html>

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Chapter 4: Leading Sectors for U.S. Export and Investment

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Agricultural Sectors

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Mining/Uranium

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Unit: USD Million

	2010	2011	2012 (estimated)	2013 (estimated)
Total Market Size				
Total Local Production	4200 tons	4171 tons	4650 tons	4790 tons
Total Exports	\$286 million	\$584 million	\$680 million	\$706 million
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	500 CFA	500 CFA	500 CFA	500 CFA

Data Sources: Ministry of Mining and Industrial Development

Niger is the world's sixth largest producer of uranium and has approximately one-fifth of the world's total deposits. A processing plant at the Arlit uranium mine began production in 1971.

The French nuclear power concern Areva is the majority (60% plus) shareholder in Niger's two national mining companies: the Société des Mines de l'Air (SOMAIR), established in 1968, and the Compagnie Minière d'Akouta (COMINAK), established in 1975. The Government of Niger retains a roughly 30% stake in the concerns, with the remainder in the hands of Spanish (3%) and Japanese (6%) investors. Since acquiring control of both companies from COGEMA in 2000, Areva has merged their management and other shared functions, though it retains the names to distinguish between the subterranean mining concerns of SOMAIR, which take place on the edge of the city of Arlit, and the open-pit surface mining of COMINAK, which takes place a few kilometers away near the village of Akokan. Together, the two companies employ 1,632 persons and

mine about 3,200 tons of uranium each year. The Azelik mine produces 700 tons of uranium each year.

In 2008, the GON granted AREVA a license for Imouraren which is scheduled to be operational by 2013. The mine is expected to produce 5,000 tons of uranium a year and represents an investment of more than 1.5 billion dollars.

On November 2007, the GON granted the *Société des Mines d'Azelik* (SOMINA), a joint venture between the GON, SinoU, ZXJoy Invest and Trend field Holdings Ltd. a mining license for the Azelik uranium deposit.

Early in January 2011, Gazprom won a uranium exploration license in the Agadez region. The Russian conglomerate plans to invest ten million dollars in oil and mineral exploration over the next three years.

Since 2007 hundreds of mineral exploration and development permits were awarded to a variety of foreign companies, including those of US, Canadian, Indian, and Chinese registry. Due to the recent boost in the price of uranium, most of these permits were awarded for uranium exploration and development in northern Niger.

Foreign companies are also involved in extraction of gold deposits. The Société des Mines du Liptako (SML), a holding company majority-owned by the Canadian company Etruscan, Ltd., began gold production at the Samira mine in October 2004. The pre-production mineable reserves from the Samira Hill and Libiri pits are estimated to total 10.08 million tons grading grams of gold per ton. The total proven and probable reserves were estimated at 9.4 million tons at a grade of 1.67 g/t gold. Gold production was 2,229 kg in 2008 and 2,625 kg in 2007. Niger also has large deposits of coal and phosphates.

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Other mineral resources include: cassiterite ore, phosphates, molybdenum, salt, 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.

Opportunities

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

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<http://www.world-nuclear.org/sym/2004/souley.htm>
<http://www.wise-uranium.org/uccog.html>
<http://www.wise-uranium.org/uoaf.html#AKOUTA>
<http://www.wise-uranium.org/uoaf.html#ARLIT>

Telecommunication Equipment

Overview

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Unit: USD Million

	2010	2011	2012 (estimated)	2013 (estimated)
Total Market Size				
Total Local Production	N/A	N/A	N/A	N/A
Total Exports	N/A	N/A	N/A	N/A
Total Imports	N/A	N/A	N/A	N/A
Imports from the U.S.	0.2	0.72	N/A	N/A
Exchange Rate: 1 USD	500 CFA	500 CFA	N/A	N/A

Data Sources: National Institute of Statistics

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

Opportunities

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The original landline monopoly holder and principal infrastructure operator, Sonitel was privatized in 2001, opening up the mobile and broadband markets. Additionally, in 2007, France Telecom was licensed to provide a wide range of ICT services.

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

Afripa 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 Internet services, digital switching technology, satellite services, and cellular phones.

While mobile and broadband penetration has increased from the restricted coverage available prior to market reform and almost half the population was able to access the global system for mobile communication (GSM) by 2008 – mobile, landline and internet tariffs nonetheless remain relatively high. In addition, in 2009, it was estimated that, outside urban areas, only half the country had access to the telecommunications infrastructure.

Facilitating wider access to ICT remains a priority but may require the installation of new telecommunications infrastructure by private operators.

http://www.gsmworld.com/roaming/gsminfo/net_netl.shtml

<http://www.wtng.info/wtng-227-ne.html>

http://www.gsmworld.com/roaming/gsminfo/net_nesa.shtml

<http://www.intnet.ne/>

<http://www.iana.org/root-whois/ne.htm>

Transportation

Overview

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Unit: USD Million

	2010	2011	2012 (estimated)	2013 (estimated)
Total Market Size	N/A	N/A	N/A	N/A
Total Local Production	N/A	N/A	N/A	N/A
Total Exports	N/A	N/A	N/A	N/A
Total Imports	N/A	N/A	N/A	N/A
Imports from the U.S.	14.16	4.77	N/A	N/A
Exchange Rate: 1 USD	500 CFA	500 CFA	N/A	N/A

Data Sources: National Institute of Statistics

Landlocked 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 depends mostly (95 per cent) on the road network. Transportation therefore plays a very important role in the economic and social development of the country.

The transport subsector has been particularly affected by the various revisions 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 18,443 km in 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. Total imports by land transport from Côte d'Ivoire, Togo, Ghana, Benin, Nigeria, Burkina Faso and Mali grew steadily between 2003 and 2010 from 1,061,677 tons in 2003 to 1,345,897 tons in 2005, reaching 1,752,700 tons in 2010

Sub-Sector Best Prospects

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There is no railway in Niger: Niger and Benin jointly operate the Cotonou to Parakou railway line in Benin under the auspices of OCBN (Organization Commune Benin Niger), but, while there has been private interest in extending the line into Niger to serve the capital Niamey, the proposal has remained at the discussion stage.

Niger's air transport sector has recovered from the decline experienced at the beginning of the century, boosted by market liberalization. Niger has six main 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 needed.

Opportunities

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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.

Implementation of Cotonou – Niamey – Ouagadougou – Abidjan rail link, improvement of the supply chain, supply of spare parts for transportation companies, vehicle purchase, earth moving equipment and trucks, and Housing.

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http://www.wto.org/english/tratop_e/tpr_e/tp323_e.htm

Petroleum and gas products

Overview

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Unit: USD thousands

	2010	2011	2012 (estimated)	2013 (estimated)
Total Market Size	N/A	N/A	N/A	N/A
Total Local Production	N/A		N/A	N/A
Total Exports	N/A	N/A	N/A	N/A
Total Imports	248,392	284,172	N/A	N/A
Imports from the U.S.	N/A	N/A	N/A	N/A
Exchange Rate: 1 USD	500 CFA	500 CFA	N/A	N/A

Data Sources: National Institute of Statistics

Currently all oil production equipment and services are imported.

Sub-Sector Best Prospects

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Two blocks are currently under exploration licence: Bilma held by CNPCIT with a 100% holding and Kafra, held by the Algerian State Oil company, SONATRACH.

By 2011, 105 wells had been drilled, including 76 exploration wells, 17 evaluation wells and 12 development wells. However, a significant number of the exploratory wells were started in the 1970's before reliable seismic data was available.

The China National Petroleum Corp International LTD (CNPCIT) has also been active in the southern half of the Agadem block – the country's most productive field to date – signing a US\$5bn integrated upstream and downstream agreement with the Niger Government in 2008. The contract encompasses oilfield exploration and development, construction of a 462.5 km pipeline, and a joint venture refinery at Soraz in the Zinder Region. Oil reserves from Agadem were initially estimated at approximately 300 million barrels but, following further tests in 2011, the GON announced a new estimate of 650 million barrels. In August 2012, the President announced new oil discovery in eastern Agadem oil fields.

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

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<http://www.cnpc.com.cn/english/inter/Exploration.htm>

http://www.petronas.com.my/internet/corp/centralrep2.nsf/frameset_home?OpenFramest

<http://www.exxonmobil.com/corporate/>

Agricultural Sectors

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Niger is a land-locked nation with a particularly harsh climate and inhospitable geographical features: only 11.43 percent of the land is arable. Nevertheless, agriculture contributes approximately 40 percent to gross domestic product (GDP) and nearly 90 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.

Niger's economy is dominated by rain-fed agriculture, with livestock production representing the main component in the agriculture sector accounting for 16.5% of export in 2010. 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;
- Expediting hydro-agricultural projects, such as depressions and water-points to bring more irrigable land under cultivation;
- Improving soils by the introduction of phosphates, nitrogen-based fertilizers and manure; and
- Replacing traditional farming techniques with more modern methods.

The following means are being employed to achieve these aims:

1. Rural productivity projects to farm rain-fed crops on dune lands. These projects aim to increase the production of cereals (millet, sorghum), as well as cash crops such as peanuts and cotton, through a better use of regional potential. Each department has a different crop productivity focus:
 - Niamey -- cereals, onion, rice;
 - Zinder – peanuts and millet;
 - Dosso -- cereals, onions, black-eyed beans, peanuts, and cotton;
 - Agadez – onions and garlic; and
 - Maradi – cereals, onions, and peanuts.
2. Hydro-agricultural projects in the Niger River valley, depressions, basins, etc.
3. Agricultural extension services and use of fertilizers.
4. Training and deploying an adequate number of competent agricultural technicians.

The main food crops are: millet, sorghum, peanuts, black-eyed beans, rice, maize, potatoes, sugar cane, onions and manioc.

Nigeria is Niger's most important trading partner: In 2010, 75.8 percent of millet and sorghum imports and 25 percent of maize imports came from Nigeria. Other West African countries also have substantial trade with Niger. Benin accounted for 20 percent of maize imports, Burkina Faso for 15 percent of millet and sorghum and 60 percent of maize, and Mali accounted for 10 percent of millet and sorghum. In recent years, Burkina Faso and Mali have grown in importance as trade partners.

Production

Livestock production is the main component of the agricultural sector in Niger.

Species of Livestock	Number of Head (000's)		
	2010	2011	2012
Goats	13,673	13,231	N/A
Sheep	10,917	10,019	N/A
Cattle	9,817	9,552	N/A
Horses and Donkeys	1,872	1,867	N/A
Camels	1,670	1,655	N/A
Total	37,949	36,324	N/A

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

Millet, cowpea, and sorghum are the three main cereals produced in Niger. Production of millet, the staple food of most of the people, depends heavily on rainfall; there was a drought in 2011. As millet grows well on poorly fertilized and dry soils and thus fits a climate with short rainfall periods, Nigerien farmers concentrate their effort on its production.

Niger is one of the 10 biggest producers of sorghum in Africa. Despite the effect of severe drought on agricultural production, farmers appreciated the hybrid NAD1 for its earliness and high yield potential.

Agricultural Products	Production (000 Metric Tons)			
	2010	2011	2012	2013
Millet	3,837	2,926	N/A	N/A
Cowpea	1,773	1,517	N/A	N/A
Sorghum	1,302	807	N/A	N/A
Onions				
Maize	9	7	N/A	N/A
Rice	30	13	N/A	N/A
Total	6,951	5,270	N/A	N/A

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

Trade

Nigeria is Niger's most important trading partner after France. In terms of value, live cattle are the largest export after uranium, mainly to Nigeria. The quantity of livestock exported to Nigeria (mostly cattle) increased from 37,030 tons in 2007 to 59,240 in 2008, and 62,802 tons in 2009.

Species of Livestock	Quantity of Livestock Exported to Nigeria (Metric Tons)		
	2010	2011	2012
Cattle	32,842	10,357	N/A
Goats	9,023	2,589	N/A
Sheep	10,396	3,636	N/A
Horses and Donkeys	2,390	1592	N/A
Camels	6,065	1,411	N/A
Total	60,716	19,585	N/A

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

For agricultural products, Niger exports to Nigeria mainly cowpea (12,837 tons in 2008 to 3,447 tons in 2009) and onions (905 tons in 2008 to 725 tons in 2009). Agricultural products represent 20 percent of all export products to Nigeria.

In 2009, live animals represented 46 percent of the global agricultural export products followed by onion (34 percent), sweet pea (known as *souchet* in Niger) (4 percent) and cowpea (3 percent). Niger's other export crops include sesame, vegetables and groundnut. With an estimated annual output of 600,000 tons in 2011, Niger's onion industry's strength lies in the high volume of its production and the monopoly enjoyed by its *Violet de Galmi* variety.

Product	Niger Top Export Products (Metric Tons)		
	2010	2011	2012
Live animals	102,084	50,820	N/A
Onions	400,000	600,000	N/A
Sweet pea	6,888	6,264	N/A
Cowpea	9,343	32,102	N/A
Total	166,474	132,483	N/A

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

In 2009, rice represented the second most valuable imported product to Niger after petroleum products. 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.

Product	Niger Top Import Products (Metric Tons)		
	2010	2011	2012
Rice	144,206	150,735	N/A
Sugar	46,276	40,229	N/A
Palm oil	29,814	32,522	N/A
Wheat	38,836	22,137	N/A
Dairy products	8,638	9,437	N/A
Total	267,770	255,060	N/A

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

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<http://www.ins.ne>

<http://www.odci.gov/cia/publications/factbook/geos/ng.html#Econ>

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Chapter 5: Trade Regulations, Customs and Standards

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Import Tariffs

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

There are five (5) Categories of Customs duties, namely:

- Category 0 (0%): Necessities such as most educational materials, etc.
- Category 1 (5%): for Primary raw materials.
- Category 2 (10%): Intermediate products, e.g. CKD (fully disassembled item to facilitate shipment) refrigerators, CKD television,
- Category 3 (20%): Finished goods that are not produced locally, and which require no trade protection, e.g. television, refrigerators, generators, etc.
- Category 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.

Trade Barriers

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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.

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. Customs port procedures and inland transportation take on average three times longer in Niger than in OECD countries.

Import Requirements and Documentation

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The Chambre de Commerce, d'Agriculture, d'Industrie et d'Artisanat- CCAIA (Chamber of Commerce, Agriculture, Industry and Crafts) in Niamey and in the seven other regional capitals is responsible for the Guichet Unique de Formalités du Commerce Extérieur – GUFCE (Single Window for Foreign Trade Formalities, whose major tasks are ensuring compliance with the general import-export regulations and collecting information on trade based 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).

Import procedures include the following:

1. Importers must deposit a Preliminary Import Declaration seven days before shipping imported goods having a value equal to or greater than CFA one million (about \$2,000).
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 (about \$2,000) 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 \$4,000) must be inspected by Cotecna in the supplier's country before shipping. 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.

The following goods are exempted from shipment inspection:

- > Imports with a total FOB value below XOF 2'000'000 (4,000 USD)
- > Precious stones and precious metals
- > Objects of art
- > Scrap Metals
- > Explosives and pyrotechnic products
- > Arms and ammunitions
- > Live animals
- > Newspapers and periodicals
- > 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
- > Postal parcels
- > Commercial samples
- > 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 public necessity by the Republic of Niger
- > Donations and supplies to the Diplomatic and Consular Missions, or any affiliated organization of the United Nations, imported for their own needs
- > Perishable food products, transported at room temperature or chilled
- > Cinematographic films for public cinemas (35mm) exposed and processed
- > Freshly cut flowers
- > Petroleum products in liquid or gaseous state 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)
- > Goods imported for mining companies
- > Importations which are not paying import taxes must be declared with an II form.

U.S. Export Controls

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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 (c.i.f) value is CFAF 2 million (about \$4,000) or more require presentation of the Tax Identification

Number (NIF). Companies exporting from the United States do not face any country specific export controls imposed by the U.S government.

Temporary Entry

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

Labeling and Marking Requirements

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The requirements on compulsory marks relate primarily to perishable goods, which must have an informative label 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. Furthermore, compulsory marks 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 and Restricted Imports

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According to WAEMU regulations, a prior authorization from the Minister responsible for finance is required to import gold. Authorization from the Ministry of the Interior is still 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 Minister in charge of mining. The import of cultural goods has required a declaration. The import or transit of industrial or nuclear waste has been banned.

A foreign company may operate in any sector except the following: arms or war ammunition (except collector’s items), run a private security force, operate as an immigration or emigration agent, or organize religious pilgrimages. Prohibited imports also include narcotics, pornographic publications and hallucinogenic drugs, except those authorized by the Ministry of Health.

Customs Regulations and Contact Information

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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.

For questions regarding prospective customs fees, one may contact:

Direction Générale des Impôts
Ministère de l'Economie et des Finances
République du Niger
Phone: (227) 20 72 23 66 / 20 72 47 50
Fax: (227) 20 72 43 81

Standards

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Overview

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Nigerien consumers have become more and more demanding and private companies have perceived a willingness among consumers to pay much higher prices for products that meet high 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 governments, often in line with decisions taken by international organizations, and voluntary standards developed by private importers, which reflect the reality of the market and the possibility of selling for higher prices.

Standards Organizations

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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 should 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.

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL: <http://www.nist.gov/notifyus/>

Conformity Assessment

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The National Directorate for Standardization, Quality and Metrology (DNQM) is the Nigerien body that controls and verifies compliance with product standards for imports and exports. The *Agence Nationale de vérification de conformité aux normes - AVCN* (National Board for Ensuring Conformity with Standards) was created in 2008 in order to "control the quality of Niger's imports and exports so as to protect consumers, ensure that trade practices are fair and promote performance by enterprises." Most imported products can be tested in Niger. Under the PVI (Import Verification Program), it is planned to establish a system to assess the conformity of imported goods with the standards.

Product Certification

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

Accreditation

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

Publication of Technical Regulations

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The GON publishes Technical Regulations and Standards adopted in the Official Journal of the Republic. Interested parties have a period of 60 days to make observations on the Technical Regulations draft. Niger Standards are based on international ones and others that may be applicable to the situation of the Republic of Niger. These standards are not mandatory except those covering technical regulations for health and public security problems.

Labeling and Marking

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The requirements on compulsory marks relate primarily to perishable goods, which must have an informative label 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. Furthermore, compulsory marks 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. The metric system must be used in Niger.

Contacts

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Niger is a member of multilateral, regional and sub regional organizations whose rules, in one way or another, govern its trade. Apart from the WTO, to which Niger belongs, the Economic Community of West African States (ECOWAS) and the West African Economic and Monetary Union (WAEMU) deserve mention. Both organizations seek to

increase cooperation in trade, investment, and financial flows among countries in the region. ECOWAS is working on harmonizing business practices and tariffs among member states. January 1, 2000, marked the beginning of the customs union for members of the WAEMU. No trade barriers will remain among the eight-member states on authorized goods when the integration becomes complete. A common external tariff of maximum 20 percent was 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 benefits from trade-related technical assistance.

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<http://www.cotecna.com/>

<http://www.uemoa.int/>

<http://www.ecowas.int/>

<http://www.wto.org/>

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Chapter 6: Investment Climate

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Openness to Foreign Investment

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2011 ended well for Niger, with restoration of AGOA eligibility in October and the official start of oil production at the Zinder refinery in December. In addition, Niger attracted major investments in 2011, with the launch of *Niamey Nyala*, a multi-faceted program to rehabilitate the capital, the start of construction on a new cement factory in Malbaza and on the Kandadji dam and the US\$26 million agreement with the Egyptian-based Elsewedy Electric to install fiber-optic cables, which will help modernize the country's telecommunications sector. Following the April 2011 restoration of democracy, Niger's elected government announced its commitment to attracting private investors. Under the Investment Code, industrial investments enjoy tax and customs exemptions, and in some cases exemptions from value added tax (VAT). Other tax benefits are possible, but terms must be negotiated with the Ministry of Commerce and Private Sector Promotion on a case-by-case basis. Most investors benefit from special tax treatment and tariff protection for periods that vary with the level and location of investment. The Investment Code contains no provisions for screening, and guarantees equal treatment of investors regardless of nationality. Nigerien authorities have announced that the National Council of Private Investors (CNIP), which is charged with reviewing Niger's investment climate and performance and proposing specific actions to address national investment priorities, will restart activity soon.

The *Guichet Unique*, or one-stop-shop, at the Chamber of Commerce is the first step for foreign investors interested doing business in Niger and qualifying for investment incentives. The *Guichet Unique* welcomes investors and can inform them of laws and regulations that govern investment, and enable them to fulfill the requirements for creating a business as expeditiously as possible. Within the Chamber of Commerce, there is also a division called *Centre de Promotion des Investissements* (CPI, Center for Investment Promotion) that welcomes, directs, advises, and assists national and foreign entrepreneurs/investors with a view to promoting private investment in Niger.

The Investment Code offers advantages to sectors the government of Niger deems key to economic development: energy production, mineral exploration and mining, agriculture, food processing, forestry, fishing, low-cost housing construction, handicrafts, hotels, schools, health centers, and transportation. Total foreign ownership is permitted in most sectors except energy, mineral resources, and sectors restricted for national security purposes. Foreign ownership of land is permitted, but requires authorization from the Ministry of Planning, Land Management, and Community Development.

Disincentives to investment include the limited domestic market, high transportation costs, and a slow and cumbersome government bureaucracy. Niger's low literacy rate and weak education system limit the availability of skilled labor and service providers. English is not widely spoken. Deterrents to investment include limited institutional capacity, inadequate infrastructure, and corruption. Investors will want to exercise careful due-diligence in selecting business partners, and recognize that the sanctity of contracts, specifically with regard to dispute resolution provisions, has not always been observed.

Niger ranks near the bottom of the International Finance Corporation (IFC's) "*Doing Business*" index, and the regulatory environment has been a barrier to private-sector growth. According to 2011 data, starting a business in Niger took 17 days and required nine different procedures. In September 2011, the Nigerien government held a workshop on how to improve the "Starting a Business" indicator and, in December 2011, held a full-day seminar on business financing.

Niger – Economic Indices

Measure	Year	Index/Ranking
TI Corruption Index	2011	134 of 183
Heritage Economic Freedom	2011	126 of 183
World Bank Doing Business	2011	172 of 183
MCC Government Effectiveness	2011	64%
MCC Rule of Law	2011	73%
MCC Control of Corruption	2011	69%
MCC Fiscal Policy	2011	58%
MCC Trade Policy	2011	61%
MCC Regulatory Quality	2011	68%
MCC Business Start-Up	2011	29%

MCC Land Rights Access	2011	30%
MCC Natural Resource Protection	2011	49%

Conversion and Transfer Policies

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As a member of the *Communauté Financière Africaine* (African Financial Community or CFA “franc zone”) and the Economic Community of West African States (ECOWAS), Niger has benefited from a foreign exchange system that is free of restrictions on payments and transfers. Foreign capital and domestic capital are legally equal. Investments are not screened which means they are not vetted for social responsibility and could be accepted from companies with bad environmental records, that use animals in product testing, that have a connection to the nuclear-power industry, etc... and most sectors of the economy are open to foreign investment. Currency conversions above 2 million CFA (about \$4,000) must be approved by the government. The limited access to financing hinders private sector development.

Expropriation and Compensation

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The November 26, 2010 Constitution states in Article 28 that “everyone has the right to own property and that no one shall be deprived of his property except for public purposes subject to prior and just 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 law. The Code requires that the government compensate any expropriated business with just and equitable payment. There were cases in which the former government of Niger reduced terms of telecommunications licenses due to failure to practice agreed level of service.

-- In 2009, the government of Niger unilaterally terminated the operating license of DATAPORT, a consortium of foreign investors from Libya and China that had purchased the national telecommunications provider SONITEL when it was privatized in 2002. Claiming the foreign firms failed to meet the terms of the original agreement regarding investment in new equipment and additional capacity, the government cut the term of the operating license from fifteen years to seven years and two months. The government of Niger regained full control of SONITEL and SahelCom, its cellular subsidiary, on February 20, 2009. The government of Niger’s announcement did not address the problem of compensation for the joint-venture partners.

-- In early 2010, the Minister of Communications stated that the government of Niger would reduce the duration of two mobile phone operators' licenses because of poor service. According to the Minister, the fifteen-year license awarded to Kuwaiti telecommunications firm Zain in 2000 was cut by five years until a return to the agreed

level of service quality. A second mobile telephone company, Moov, operated by Atlantique Telecom and majority-owned by Abu Dhabi-based Etisalat, saw its fifteen-year license held since 2000 cut by three years.

Dispute Settlement

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While Niger's laws protect property and commercial rights, the administration of justice can be slow and uneven. The Investment Code provides for settlement of disputes and indemnification 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 due diligence is extremely important. In 2011, an American contractor was detained by police at the behest of a disgruntled Nigerien subcontractor, in violation of contract provisions. (The contractor was released by mid-day when the complaint was determined to be civil rather than criminal.)

Niger has been a member of OHADA, the Organization for the Harmonization of Business Law in Africa (*Organisation pour l'Harmonisation en Afrique des Droits des Affaires*) since 1995. The OHADA Treaty aims to harmonize business laws in sixteen African countries by adopting common rules adapted to their economies, by setting up appropriate judicial procedures, and by encouraging arbitration for the settlement of contractual disputes. OHADA treaty 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.

In 2009, the government of Niger created the Arbitration Center (*Centre de Médiation et d'Arbitrage*), which is charged with settling routine business disputes, and a Business Center (*Centre de Gestion Agréée*) for helping businesses transition from the informal sector to the formal sector. Neither center has started operations.

Performance Requirements and Incentives

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Performance requirements are not imposed as a condition for establishing, maintaining, or expanding foreign direct investments. Niger does offer incentives that increase as the size of the investment and number of jobs created increase. The Investment Code offers generous, 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. Further advantages accrue to those investing in small-scale enterprise. 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.

Niger has been a member of the WTO since 1996 and as such is committed to trade liberalization and opening its markets to foreign investments. Local products and traditional handicrafts of WAEMU origin enter duty free, together with a limited number of industrial products from producing enterprises approved by the WAEMU Commission. Niger's AGOA eligibility was restored in 2011 after the restoration of democracy. Under the provisions of the African Growth and Opportunity Act (AGOA), most Nigerien non-textile and apparel exports may enter the United States duty free. In December 2003, it was determined that Niger qualified for textile and apparel benefits provided under AGOA. Niger qualified for Category 9 of AGOA in 2006, which mostly allows the entry of hand-woven fabric into the United States duty free.

Right to Private Ownership and Establishment

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Foreign and domestic private entities have the right to establish and own business enterprises. Private entities can freely establish, acquire, and dispose of interests in business enterprises. Legally established private-sector companies have the same access to markets, credit, and other business operations as do public enterprises (parastatals). As noted above, foreign ownership of land is permitted, but requires authorization from the Ministry of Planning, Land Management, and Community Development.

Protection of Property Rights

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Niger is a member of the West African Intellectual Property Organization (*Organisation Africaine de la Propriété Intellectuelle, OAPI*), which sets the legal framework for protecting intellectual property and approves requests for registration. Protection is initially granted for ten years and is renewable for up to an additional ten years.

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

Niger's judiciary system is understaffed and has lacked independence. Despite a legal regime that protects intellectual property rights, the government of Niger lacks the capacity and resources to enforce copyright violations, and counterfeits, such as CDs, videocassettes and pharmaceuticals, are easily available.

Transparency of Regulatory System

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Investment approval should be within thirty days from the date of application but investors should be prepared for delays due to inter-ministerial approvals. While efforts continue to make the tax laws more transparent, investors find it useful to specify

financial obligations, such as tax liability, in individual business agreements. It is important to seek qualified guidance to ensure compliance with tax and labor regulations.

In March 2011, the Extractive Industry Transparency Initiative (EITI) designated Niger as “compliant.” In 2006, the government of Niger revised the Mining Code to offer specific incentives beyond those listed in the Investment Code: a five-year income tax holiday for large mines (two years for small mines) and exemption from customs duties on imported equipment for use in mineral exploration or mining operations. An updated Petroleum Code, based on international standards, was adopted in 2007.

A multi-sectoral regulatory agency (*Agence de Régulation Multisectorielle, ARM*) established in 2004 has oversight over telecommunications, water and electricity pricing.

Efficient Capital Markets and Portfolio Investment

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There are no limits to the free flow of financial resources. Credit is allocated on market terms, and foreigners do not face discrimination, but the Nigerien banking sector is poorly developed, inefficient and expensive. All the local banks are subsidiaries of banks based elsewhere in the region; there are no American or European banks and no stock exchange. Bank credit to the private sector has been less than 10 percent of GDP. The Central Bank of West African States governs Niger’s banking institutions and sets minimum reserve requirements. Credit is generally allocated on market terms, but the cost is high and credit is usually extended only to large businesses. Four major commercial banks control about 90 percent of deposits. The government of Niger holds shares in a number of financial institutions.

Competition from State Owned Enterprises

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There are no laws or rules that offer preferential treatment to Niger’s State Owned Enterprises (SOEs). The Government of Niger, recognizing that its SOE portfolio was a burden on public finances and inhibited the development of the private sector, has passed a privatization law that provides the legal framework for privatization of 12 SOEs, including those in the telecommunication, water and electricity sectors, and the one government-owned hotel. One of the strategic goals of the Poverty Reduction Strategy Paper (PRSP) is accelerating growth through improved competitiveness, economic diversification and promoting exports. Increased competition in the Information, Communication and Technology (ICT) market has contributed to the rapid expansion of mobile services. Other non-privatized SOEs continue to struggle and face operational and financial difficulties.

Corporate Social Responsibility

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Corporate Social Responsibility has taken on new importance. The Issoufou government has focused on ensuring that existing CSR obligations are met, and that communities benefit, and is developing a charter on good corporate governance of oil and mineral resources. The 2011 Extraordinary Session of the National Assembly considered a proposal to modify Article 146 of the Petroleum Code, which would increase the share of oil revenues that flow to local communities when more than one municipality is affected by the project (for example, in the case of petroleum, the wells are near Agadem but the refinery is near Zinder). Recently, the French uranium mining company AREVA created OSRA (*l'Observatoire de la Santé de la Région d'Agadez*) to cover medical care of community members. Telecommunication Company Orange Niger has integrated social, environmental and economic priorities into its operations. New investors should expect CSR to be a factor in developing their investment.

Political Violence

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Niger has suffered a series of coups, but they have not featured political violence, there has never been a civil war, and there has been no damage to investments. Leaders of the most recent coup, in February 2010, restored democratic government in just over a year through a series of elections that ended in March 2011. The new government took office in April 2011 and has been committed to improving governance, implementing reforms, and supporting national reconciliation. President Mahamadou Issoufou, who had been an opposition leader for 20 years and had run for president in three past elections, won with 58% of the vote. He was inaugurated April 7 and named a Tuareg leader, Brigi Rafini, as Prime Minister, signaling a determination to work towards national reconciliation and better relations with the population of northern Niger.

There is a continuing threat of terrorist activity and kidnapping attempts by al-Qaida in the Islamic Maghreb (AQIM), which claimed responsibility for the abduction of two French nationals from a restaurant in Niamey in January, 2011. Both were killed in the rescue attempt. The new government's priorities include a strong commitment to confronting and defeating security threats. There is concern that the violent tactics of Islamic sect Boko Haram (which means "Western education is sinful" in Hausa) may spill over from northern Nigeria, although there have been no attacks in Niger.

Corruption

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Niger dropped to 134th out of 183 countries in Transparency International's Corruption Perception Index for 2011 (measuring events before the elected government took office). The new government is committed to tackling corruption: President Issoufou has named an eight-member High Authority to Combat Corruption that will work closely with Niger's Financial Intelligence Unit (FIU) CENTIF (*Cellule Nationale de Traitement des Informations Financières*) to investigate suspicious financial activities, and the Ministry of Justice has also set up an anti-corruption hotline. On December 27, 2011 the Ministry of Justice asked the National Assembly to lift the parliamentary immunity of eight Assembly deputies under investigation for embezzling public funds, including some in the ruling coalition.

Corruption in the executive and legislative branches is compounded by poorly financed and poorly trained law enforcement and weak administrative controls. Foreigners are advised not to pay bribes to policemen, customs officials, or other government officials. Bureaucratic processes can be slow, but this is often due more to inefficiency and lack of information technology than to corruption.

Corruption, including bribery, raises the costs and risks of doing business. Corruption has a corrosive impact on both market opportunities overseas for U.S. companies and the broader business climate. It also deters international investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

It is important for U.S. companies, regardless of size, to assess the business climate in the relevant market in which they will be operating or investing, and to have an effective compliance program or measures to prevent and detect corruption, including foreign bribery. U.S. individuals and firms operating or investing in foreign markets should take the time to become familiar with the relevant anticorruption laws of both the foreign country and the United States in order to properly comply with them, and where appropriate, they should seek the advice of legal counsel.

The U.S. Government seeks to level the global playing field for U.S. businesses by encouraging other countries to take steps to criminalize their own companies' acts of corruption, including bribery of foreign public officials, by requiring them to uphold their obligations under relevant international conventions. A U. S. firm that believes a competitor is seeking to use bribery of a foreign public official to secure a contract should bring this to the attention of appropriate U.S. agencies, as noted below.

U.S. Foreign Corrupt Practices Act: In 1977, the United States enacted the Foreign Corrupt Practices Act (FCPA), which makes it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to foreign public officials for the purpose of obtaining or retaining business for or with, or directing business to, any person. The FCPA also applies to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States. For more detailed information on the FCPA, see the FCPA Lay-Person's Guide at:

<http://www.justice.gov/criminal/fraud/>

Other Instruments: It is U.S. Government policy to promote good governance, including host country implementation and enforcement of anti-corruption laws and policies pursuant to their obligations under international agreements. Since enactment of the FCPA, the United States has been instrumental to the expansion of the international framework to fight corruption. Several significant components of this framework are the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Antibribery Convention), the United Nations Convention against Corruption (UN Convention), the Inter-American Convention against Corruption (OAS Convention), the Council of Europe Criminal and Civil Law Conventions, and a growing list of U.S. free trade agreements. Niger is party to the United Nations Convention against Corruption (UN Convention), but generally all countries prohibit the bribery and solicitation of their public officials.

OECD Antibribery Convention: The OECD Antibribery Convention entered into force in February 1999. As of March 2009, there are 38 parties to the Convention including the United States (see <http://www.oecd.org/dataoecd/59/13/40272933.pdf>). Major exporters China, India, and Russia are not parties, although the U.S. Government strongly endorses their eventual accession to the Convention. The Convention obligates the Parties to criminalize bribery of foreign public officials in the conduct of international business. The United States meets its international obligations under the OECD Antibribery Convention through the U.S. FCPA. Niger is not a party to the OECD Convention.

UN Convention: The UN Convention against Corruption entered into force on December 14, 2005, and there were 158 parties to it as of November 2011 (see <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>). The UN Convention is the first global comprehensive international anticorruption agreement. It requires countries to establish criminal and other offences to cover a wide range of acts of corruption. The UN Convention goes beyond previous anticorruption instruments, covering a broad range of issues ranging from basic forms of corruption such as bribery and solicitation, embezzlement, and trading in influence to the concealment and laundering of the proceeds of corruption. The Convention contains transnational business bribery provisions that are functionally similar to those in the OECD Antibribery Convention and contains provisions on private sector auditing and books and records requirements. Other provisions address matters such as prevention, international cooperation, and asset recovery. Niger is a party to the UN Convention and has ratified all UN Conventions on Corruption and Antiterrorism.

OAS Convention: In 1996, the Member States of the Organization of American States (OAS) adopted the first international anticorruption legal instrument, the Inter-American Convention against Corruption (OAS Convention), which entered into force in March 1997. The OAS Convention, among other things, establishes a set of preventive measures against corruption provides for the criminalization of certain acts of corruption, including transnational bribery and illicit enrichment, and contains a series of provisions to strengthen the cooperation between its States Parties in areas such as mutual legal assistance and technical cooperation. As of December 2009, the OAS Convention has 34

parties (see <http://www.oas.org/juridico/english/Sigs/b-58.html>). The United States is a party to the OAS Convention; Niger is not.

Council of Europe Criminal Law and Civil Law Conventions: Many European countries are parties to either the Council of Europe (CoE) Criminal Law Convention on Corruption, the Civil Law Convention, or both. The Criminal Law Convention requires criminalization of a wide range of national and transnational conduct, including bribery, money-laundering, and account offenses. It also incorporates provisions on liability of legal persons and witness protection. The Civil Law Convention includes provisions on compensation for damage relating to corrupt acts, whistleblower protection, and validity of contracts, inter alia. The Group of States against Corruption (GRECO) was established in 1999 by the CoE to monitor compliance with these and related anti-corruption standards. Currently, GRECO comprises 49 member States (48 European countries and the United States). As of December 2011, the Criminal Law Convention has 43 parties and the Civil Law Convention has 34 (see www.coe.int/greco.) Niger is not a party to the Council of Europe Criminal Law Convention or Civil Law Convention.

Free Trade Agreements: While it is U.S. Government policy to include anticorruption provisions in free trade agreements (FTAs) that it negotiates, the anticorruption provisions have evolved over time. The most recent FTAs negotiated now require trading partners to criminalize “active bribery” of public officials (offering bribes to any public official must be made a criminal offense, both domestically and trans-nationally) as well as domestic “passive bribery” (solicitation of a bribe by a domestic official). Domestic means here the country in which the company operates its business. All U.S. FTAs may be found at the U.S. Trade Representative Website: <http://www.ustr.gov/trade-agreements/free-trade-agreements>. Niger has no free trade agreement (FTA) in place with the United States.

Local Laws: U.S. firms should familiarize themselves with local anticorruption laws, and, where appropriate, seek legal counsel. While the U.S. Department of Commerce cannot provide legal advice on local laws, its U.S. and Foreign Commercial Service can provide assistance with navigating the host country’s legal system and obtaining a list of local legal counsel.

Assistance for U.S. Businesses: The U.S. Department of Commerce offers several services to aid U.S. businesses seeking to address business-related corruption issues. For example, the U.S. and Foreign Commercial Service can provide services that may assist U.S. companies in conducting their due diligence as part of the company’s overarching compliance program when choosing business partners or agents overseas. The U.S. Foreign and Commercial Service can be reached directly through its offices in every major U.S. and foreign city, or through its Website at www.trade.gov/cs.

The Departments of Commerce and State provide worldwide support for qualified U.S. companies bidding on foreign government contracts through the Commerce Department’s Advocacy Center and the State Department’s Office of Commercial and Business Affairs. Problems, including alleged corruption by foreign governments or

competitors encountered by U.S. companies in seeking foreign business opportunities, can be brought to the attention of appropriate U.S. government officials, including local embassy personnel, and through the Department of Commerce Trade Compliance Center “Report A Trade Barrier” Website at tcc.export.gov/Report_a_Barrier/index.asp.

Guidance on the U.S. FCPA: The Department of Justice (DOJ)’s FCPA Opinion Procedure enables U.S. firms and individuals to request a statement of the Justice Department’s present enforcement intentions under the anti-bribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure are available on DOJ’s Fraud Section Website at www.justice.gov/criminal/fraud/fcpa. Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information, see the Office of the Chief Counsel for International Commerce, U.S. Department of Commerce, Website, at http://www.ogc.doc.gov/trans_anti_bribery.html. More general information on the FCPA is available at the Websites listed below.

Exporters and investors should be aware that generally all countries prohibit the bribery of their public officials, and prohibit their officials from soliciting bribes under domestic laws. Most countries are required to criminalize such bribery and other acts of corruption by virtue of being parties to various international conventions discussed above.

Anti-Corruption Resources

Some useful resources for individuals and companies regarding combating corruption in global markets include the following:

- Information about the U.S. Foreign Corrupt Practices Act (FCPA), including a “Lay-Person’s Guide to the FCPA” is available at the U.S. Department of Justice’s Website at: <http://www.justice.gov/criminal/fraud/fcpa>.
- Information about the OECD Antibribery Convention including links to national implementing legislation and country monitoring reports is available at: http://www.oecd.org/department/0,3355,en_2649_34859_1_1_1_1_1,00.html. See also new Antibribery Recommendation and Good Practice Guidance Annex for companies: <http://www.oecd.org/dataoecd/11/40/44176910.pdf>.
- General information about anticorruption initiatives, such as the OECD Convention and the FCPA, including translations of the statute into several languages, is available at the Department of Commerce Office of the Chief Counsel for International Commerce Website: http://www.ogc.doc.gov/trans_anti_bribery.html.
- Transparency International (TI) publishes an annual Corruption Perceptions Index (CPI). The CPI measures the perceived level of public-sector corruption in some 180 countries and territories around the world. The CPI is available at:

http://www.transparency.org/policy_research/surveys_indices/cpi/2009. TI also publishes an annual *Global Corruption Report* which provides a systematic evaluation of the state of corruption around the world. It includes an in-depth analysis of a focal theme, a series of country reports that document major corruption related events and developments from all continents and an overview of the latest research findings on anti-corruption diagnostics and tools. See <http://www.transparency.org/publications/gcr>

- The World Bank Institute publishes Worldwide Governance Indicators (WGI). These indicators assess six dimensions of governance in 213 countries, including Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law, and Control of Corruption. See <http://info.worldbank.org/governance/wgi/index.asp>. The World Bank Business Environment and Enterprise Performance Surveys may also be of interest and are available at: <http://data.worldbank.org/data-catalog/BEEPS>.
- The World Economic Forum publishes the *Global Enabling Trade Report*, which presents the rankings of the Enabling Trade Index, and includes an assessment of the transparency of border administration (focused on bribe payments and corruption) and a separate segment on corruption and the regulatory environment. See <http://www.weforum.org/s?s=global+enabling+trade+report>.
- Additional country information related to corruption can be found in the U.S. State Department's annual *Human Rights Report* available at <http://www.state.gov/g/drl/rls/hrrpt/>.
- Global Integrity, a nonprofit organization, publishes its annual *Global Integrity Report*, which provides indicators for 106 countries with respect to governance and anti-corruption. The report highlights the strengths and weaknesses of national level anti-corruption systems. The report is available at: <http://report.globalintegrity.org/>.

Bilateral Investment Agreements

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Niger signed a bilateral investment agreement with the United States in September 1962. Foreign investment in Niger has been predominantly French, but recently Chinese and other investors, including Indian, have shown interest.

OPIC and Other Investment Insurance Programs

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Niger is eligible for OPIC coverage but OPIC has not been involved in any Niger investments to date. The Export-Import Bank (Ex-Im) has a number of programs geared towards helping sub-Saharan manufacturers expand their business by financing U.S. exports of manufacturing equipment and services. Niger is not a member of the

Multilateral Investment Guarantee Agency (MIGA) but is a member of the *Bourse Régionale des Valeurs Mobilières* (BRVM), a regional stock market located in Abidjan, Cote d'Ivoire.

Labor

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The supply of skilled workers, technicians, and professionals is limited. There are 85,000 salaried formal sector workers (2009 data), just under half of whom are employed in the public sector. More than 90 percent of workers are in the informal sector and earn far below the legal minimum wage.

Niger's labor code is ranked among the most rigid in the world according to the Heritage Foundation. The Code was revised in 1996 and remains largely based on French legislation. It mandates a large number of public holidays and days of paid leave, and includes restrictions on use of overtime and layoffs.

Labor-management relations are generally good. The National Federation of Labor Unions (USTN, *Union Syndicale des Travailleurs du Niger*) is well organized and occasionally presses its demands (mostly for civil servants and parastatal workers) with limited strikes, but they tend to be short and peaceful. However, the high rate of unemployment and the threadbare state of public finances limit USTN's leverage. Labor law and practice in the formal sector conform to ILO principles.

Foreign-Trade Zones/Free Ports

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Niger is landlocked, has no free trade zones and relies on the Port of Cotonou as a primary seaport. Importers also use the ports of Lomé and Tema. Delivery can take months due to delays at borders and internal control points along the route. More shipping activity has recently shifted to the Lomé port due to concerns about overcrowding and poor management of the Cotonou port.

Foreign Direct Investment Statistics

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The government of Niger considers foreign investment key to restoring economic growth and development. Official statistics show Niger's second largest trading partner, after France, to be Nigeria. Nigeria, however, is Niger's largest trading partner when informal trade is included. South and East Asian countries also provide food (rice from Thailand) and inexpensive manufactured goods (from China, India). Niger also has trade relations with Japan, Germany, Saudi Arabia, the Gulf States, the Netherlands, the United Kingdom, Ivory Coast, Ghana, and Benin.

More than 120 mineral exploration and development permits to companies from twelve countries were awarded in 2007. The pace of new permits slowed in 2008, but the earlier permits are under active development. Interest in mineral and petroleum exploration has increased since inauguration of the new government.

Foreign Investments:

Name	Product	Millions US\$	Year	Country
UNILEVER	Soap	0.4	1967	Cote d'Ivoire, England
Somair	Uranium	6.9	1968	France (AREVA)
Sonichar	Coal	11.0	1975	France
Cominak	Uranium		1978	France (AREVA), Japan, Spain
Braniger	Brewing	3.1		France
SEEN	Water	2.2	2001	France
Telecom	Telecom	68.4		France
SOMINA	Uranium	334.7	2008	China
Imouraren	Uranium	1,500.0	2008	France (AREVA)
Refinery	Oil	980.0	2008	China
Kandadji Dam	Electricity & Irrigation	257.0	2011	World Bank, BAD, OPEC, AFD
Malbaza Factory	Cement	78.0	2011	Niger, India, Norway

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<http://www.wise-uranium.org/uo afr.html#AKOUTA>

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Chapter 7: Trade and Project Financing

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How Do I Get Paid (Methods of Payment)

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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.

How Does the Banking System Operate

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The Central Bank of West African States (BCEAO), a central bank common to the eight members of the West African Economic and Monetary Union (WAEMU or UEMOA), 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 1 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.

Ten commercial banks operate in Niger. The system is characterized by the over-liquidity of banks and their hesitancy to make medium and 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. There are several small commercial banks: BCN (*Banque Commerciale du Niger*, a Libyan-Nigerien joint venture); BINCI (*Banque Islamique du Niger pour le Commerce et l'Investissement*) with Saudi and Islamic Development Bank ownership; BSIC (Bank of the 23 CEN-SAD member countries), BRS (*Banque Régionale de Solidarité*), a development bank in which all WAEMU member countries are shareholders; the Banque Atlantique, SAHFI and BAGRI, the newly agricultural bank launched February 18, 2011.

Other financial institutions, such as insurance companies and leasing companies, are also present in Niamey.

Foreign-Exchange Controls

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Niger has not yet lifted all restrictions related to foreign exchange controls. 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. On the other hand, in order to exchange more than CFA 800,000 (\$1,600) to dollars or euros an authorization for foreign exchange is required from the Ministry of Finance (although travelers converting currency need only show their plane ticket and passport).

U.S. Banks and Local Correspondent Banks

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There are no U.S. banks operating in Niger.

BIA (*Banque Internationale pour l'Afrique*) has a large international network in Africa and Europe (Brussels, Paris, and London) with a share 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 local powerhouse 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.

SONIBANK (*Société Nigérienne de Banque*) has a large international network (Natix Bank Paris, BNP, Credit Lyonnais, Credit Suisse, NWB London, DG Bank Frankfurt, Bank of Montreal, Brussels Bank, Union Tunisienne de Banque) with a share capital of 2 billion CFA (about US\$4 million). It has offices throughout Niger with a very broad clientele in all sectors. Its main customers are 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 of cash availability focuses on its network of smaller clients. By creating a loan guarantee development program for micro enterprises, Sonibank has discovered a lucrative position within the banking sector.

Ecobank bases its marketing strategy on a Citibank model, so its business management style and attitude toward computer technology reflect American rather than French norms. Ecobank has an impressive network spread throughout West and part of Central Africa. Its main customers include business people, NGOs, international organizations,

development projects, some local companies, and households. It attempts to attract regional traders who benefit from electronic money transfers as opposed to more risky cross-border courier services. Ecobank has had considerable expansion over the past years. Ecobank Niger's highly developed technology and communication system 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 provide customers with increased security and flexibility) and the Ecobank regional card.

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.

BINCI (*Banque Islamique du Niger pour le Commerce et l'Investissement*), established in Niger in 1997, is a member of Daral Maal Islammi (DMI) Group. The bank's share capital is 1.8 billion CFA (approximately \$2.6 million). The shareholders are DMI with 33.15%, Islamic Development Bank with 33.15% and OSEM Niger with 34.70%. The bank's major correspondents 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.

Banque Atlantique Niger, established in June 2006, is a member of the Atlantique Banque Group based in Côte d'Ivoire, a network of Banks, financial institutions and services. The bank capital share is 1.5 billion CFA (approximately \$3 million). Its 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 commercial businesses, NGOs, industries, and private individuals. 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.

Project Financing

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The World Bank finances public projects dealing with infrastructure. The United Nations Development Program (UNDP) is currently putting a great emphasis on private sector financing.

The International Development Agency (IDA) offers funds for feasibility studies, and financed several studies in recent years regarding water issues and in the agriculture sector.

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Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule:
http://www.exim.gov/tools/country/country_limits.html

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation: <http://www.fsa.usda.gov/cc/default.htm>

U.S. Agency for International Development: <http://www.usaid.gov>

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Business Customs

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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

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Insecurity persists in the northern and western areas of Niger, and 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 in the south and east of Niamey, including the cities of Maradi, Zinder and Diffa, requires coordination with the Regional Security Office of the U.S. Embassy in Niamey and final approval by the Ambassador. Recreational travel to tourist locales in the immediate vicinity of Niamey is restricted to daylight hours. Although the Government of Niger has lifted travel restrictions on northern Niger, restrictions on official U.S. Government travel to all areas north, including Tillabery, Tahoua, Agadez and Arlit, remain in-place due to security conditions.

As noted in the [Department of State's Worldwide Caution](#), dated July 18, 2012 the Islamist extremist group Al-Qaida in the Lands of the Islamic Maghreb (AQIM) has been designated as a terrorist organization by both the United States and the European Union. AQIM has declared its intention to attack Western targets throughout the Sahel (including Mali, Mauritania, and Niger), and has claimed responsibility for recent kidnappings/ attempted kidnappings and other violent events.

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. During previous student demonstrations, NGO and diplomatic vehicles bearing "IT" or "CD" plates have been targeted by rock-throwing demonstrators. 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 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. Thefts 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. In 2007, two U.S. citizens were raped and two others attacked with a machete. In 2008, a World Bank employee was mugged while walking in downtown Niamey on a weekend morning; local bystanders did not intervene. 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 in Niamey.

For further information please visit the State Department's Consular Information Sheet for Niger at: http://www.travel.state.gov/travel/cis_pa_tw/cis/cis_986.html .

Visa Requirements

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Niger visas may be obtained from the Embassy of the Republic of Niger in Washington, D.C. or in any other country where Niger has diplomatic/consular representation. The cost of the Niger visa is approximately \$100. A residence permit valid for up to one year and renewable for a further period of up to one year can be obtained after 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: 20,000 FCFA (approx. \$40) for 1 month validity, 50,000 FCFA (approx. \$100) for 2 to 6 months validity and 90,000 FCFA (approx. \$180) for 7 months to 1 year validity. All visitors must also have proof of yellow fever vaccination. Information on visas to Niger may be found at the following link:

Embassy of the Republic of Niger in Washington, DC:

<http://www.embassyofniger.org/>

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 at the following Web links.

State Department Visa Website: <http://travel.state.gov/visa/index.html>

United States Visa: <http://www.unitedstatesvisas.gov/>

Embassy of the United States Niamey, Niger: <http://niamey.usembassy.gov/>

U.S. companies that require travel of foreign businesspersons to the United States should be advised that security evaluations are handled via an interagency process. Visa applicants should go to the following links:

State Department Visa Website: <http://travel.state.gov/visa/>

Embassy of the United States Niamey, Niger: <http://niamey.usembassy.gov/visas.html>

Telecommunications

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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. Niger is on Greenwich Mean Time plus one.

Transportation

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Niamey has a small, modern airport. Air Burkina has three weekly flights, Air Algerie has two weekly flights and Air France, Royal Air Maroc and Senegal Airlines have flights four times a week. Most sizable towns within Niger have small airports, but domestic service is limited. Niger is served by a network of paved roadways stretching across the populated southern region from Burkina Faso to Chad, and north to the Malian border. Branch highways extend north to Tahoua, Agadez, and Arlit. Other good roads connect with Nigeria, Burkina Faso, and Benin.

Road safety throughout Niger is a concern, and visitors are strongly urged to avoid driving at night outside of major cities. The public transportation system, urban and rural road conditions, and the availability of roadside assistance are all poor. Travelers should exercise caution on Niger's roads, as traffic accidents are frequent. The main causes of accidents are driver carelessness, excessive speed, poorly maintained vehicles, and poor to non-existent road surfaces. Other factors include the hazardous mix of bicycles, mopeds, unwary pedestrians, donkey carts, animals (cattle, goats, camels), and buses on roads that are generally unpaved and poorly lighted. Overloaded tractor-trailers, "bush taxis," and disabled vehicles are additional dangers on rural roads, where speeds are generally higher. Travel outside Niamey and other cities often requires four-wheel-drive vehicles, which creates an additional security risk since these vehicles -- especially Toyota Land Cruisers -- are high-theft items. Driving at night is always hazardous and should be avoided. Banditry is a continuing problem in northern and eastern Niger. There have been occasional carjacking and highway robberies throughout the country.

While taxis are available at a fixed fare in Niamey, most are in poor condition and do not meet basic U.S. road safety standards. Inter-city "bush-taxis" are available at negotiable fares, but these vehicles (minibuses, station wagons, and sedans) are generally older, unsafe models that are overloaded, poorly maintained, and driven by reckless operators seeking to save time and money.

A national bus company (SNTV) operates coaches on inter-city routes and, since being reorganized in 2001, has provided reliable service and experienced no major accidents. Air Transport, Rimbo, Sonef, Azawak Transport and Garba Maissadjé are private bus companies operating in Niger. There is some concern regarding the youthfulness of drivers and the speed with which the private bus companies travel the Nigerien roads. U.S. Embassy Niamey strongly recommends against traveling outside Niamey at night as most roads and vehicles do not meet U.S. safety standards and unlit vehicles, livestock and pedestrians are common on roads.

Language

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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.

A few Nigerien business people can conduct basic business in English but most are not comfortable with extended or technical conversations.

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

Health

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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. Travelers must carry their own properly labeled supply of prescription drugs and preventative medicines.

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 Center 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, 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 web site at <http://www.cdc.gov/malaria/>.

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 CDC's Internet site at <http://www.cdc.gov/travel>. In general, hepatitis A and rabies vaccinations are strongly advised. Travelers should also make sure they have had a tetanus vaccination within the last ten years. For information about outbreaks of

infectious diseases abroad, consult the World Health Organization's website at <http://www.who.int/en>. Further health information for travelers is available at <http://www.who.int/ith>.

MEDICAL INSURANCE: The Department of State strongly urges Americans to consult with their medical insurance company prior to traveling abroad to confirm whether their policy applies overseas and whether it will cover emergency expenses such as a medical evacuation. Please see our information on [medical insurance overseas](#) .

Local Time, Business Hours, and Holidays

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National holidays (including Muslim holidays with variable dates dependent on the lunar calendar) include: January 1 (New Year), Tabaski (Sacrifice offering by Muslim), Muharam (Muslim New Year), Mouloud (Mohammed's birthday), Easter Monday, April 24 (Concord Day), May 1 (Labor Day), August 3 (Independence Day), Ramadan Eid (Muslim holiday), December 18 (Republic Day), and December 25 (Christmas).

Temporary Entry of Materials and Personal Belongings

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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.

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.

Web Resources

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Useful information on medical emergencies abroad, including overseas insurance programs, is provided in the Department of State's Bureau of Consular Affairs brochure, *Medical Information for Americans Traveling Abroad*, available via the Bureau of Consular Affairs home page.

[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 (CDC's) hotline for international travelers at 1-877-FYI-TRIP

(1-877-394-8747), fax 1-888-CDC-FAXX (1-888-232-3299), or Internet site at <http://www.cdc.gov/travel>. For [information about outbreaks of infectious diseases abroad](#)

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Chapter 9: Contacts, Market Research and Trade Events

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Contacts

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U.S. Embassy Niamey

Raphaël Sambou, Economic/Commercial/Consular Officer (departs November 2012)

Address: U.S. Embassy Niamey, BP 11201 Rue des Ambassades, Niamey, Niger

Phone: (227) 20 72-26-61/62/63/64

Fax: (227) 20 73-31-67

E-mail: Niamey-UsEmbassy@state.gov

Web page: <http://usembassy.state.gov/niamey>

Brian Hall, Economic/Commercial/Consular Officer (ETA November 2012)

Address: U.S. Embassy Niamey, BP 11201 Rue des Ambassades, Niamey, Niger

Phone: (227) 20 72-26-61/62/63/64

Fax: (227) 20 73-31-67

E-mail: Niamey-UsEmbassy@state.gov

Web page: <http://usembassy.state.gov/niamey>

Samaila Salifou, Economic/Commercial Assistant

Address: U.S. Embassy Niamey, BP 11201 Rue des ambassades, Niamey, Niger

Phone: (227) 20 72-26-61/62/63/64

Fax: (227) 20 73-31-67

E-mail: SalifouS@state.gov

Web page: <http://usembassy.state.gov/niamey>

Chambre de Commerce, d'Agriculture, d'Industrie et d'Artisanat de la République du Niger

Address: BP 209, Niamey, Niger

Phone: (227) 20 73-22-88

Fax: (227) 20 73-46-68

Secretary General

Address: Place de la Concertation

P.O. Box: 209, Niamey

Phone: (227) 20 73-22-10 / 20 73-35-63 / 20 73-51-55

Fax: (227) 20 73-46-68

E-mail: cham209n@intnet.ne or ccaian@intnet.ne
Site Web: www.ccaian.org

African Growth and Opportunity Act (AGOA) Resource Center

Coordinator
Place de la Concertation
P.O. Box : 209 Niamey
Phone: (227) 20 73 44 77

Ministry of Commerce

Director of Foreign Trade
Address: B.P. 480 Niamey, Niger
Phone: (227) 20 73-58-67
Fax: (227) 20 73-22-50

Secretary General
Address: B.P. 480
Niamey, Niger
Phone: (227) 20 73-29-74
Fax: (227) 20 73-21-50

Ministry of Finance and Economic Reform

Secretary General
Address: B.P. 862
Niamey, Niger
Phone: (227) 20 72-20-37
Fax: (227) 20 72-33-71

Director of Public Debt
Address: B. P. 233,
Niamey, Niger
Phone: (227) 20 72-26-36

Director of Investments and Funding of the Debt
Address: B.P. 862
Niamey, Niger
Phone: (227) 20 72-32-49

Director of Customs
B.P. 244
Niamey, Niger
Phone: (227) 20 72-32-80

Ministry of Mines

Secretary General

Address: B.P. 117

Niamey, Niger

Phone: (227) 20 72-38-51 / 20 73-45-82

Fax: (227) 20 73-27-59

Director of Mines

Address: B.P. 117

Niamey, Niger

Phone: (227) 20 75-38-47

Director of Geology and Mining Research

Phone: (227) 20 73 65 27

Fax: (227) 20 73 27 59

Niamey, Niger

BIA Bank

Deputy Director General

Address: B.P. 10350,

Niamey, Niger

Phone: (227) 20 73-31-01

Fax: (227) 20 73-35-95

Sonibank

Director General

Address: B.P. 891,

Niamey, Niger

Phone: (227) 20 73-46-43/47-40

Fax: (227) 20 73-46-93

Ecobank

Address: B.P. 13804,

Niamey, Niger

Phone: (227) 20 73-71-81

Fax: (227) 20 73-72-03

U.S. Department of State

Office of Business Affairs

Phone: (202) 746-1625

Fax: (202) 647-3953

U.S. Department of Commerce

Multilateral Development Bank Office
14th and Constitution, NW
Washington, DC 20007
Phone: (202) 482-3399
Fax: (202) 482-5179

TPCC Trade Information Center in Washington

Phone: 1-800-USA-TRADE

U.S. Department Of Agriculture

Foreign Agricultural Service
Trade Assistance and Promotion Office
Washington, DC
Phone: (202) 720-7420

Overseas Private Investment Corporation

Information Officer
1100 New York Avenue, N.W.
Washington, D.C. 20527

Export-Import Bank of the United States

Business Development
Africa Group – 7th Floor
811 Vermont Avenue, NW
Washington, D.C. 20571

Market Research

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To view market research reports produced by the U.S. Commercial Service please go to the following website: <http://www.export.gov/mrktresearch/index.asp> and click on Country and Industry Market Reports.

Please note that these reports are only available to U.S. citizens and U.S. companies. Registration to the site is required, and is free.

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Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents/index.asp>

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Chapter 10: Guide to Our Services

The President's National Export Initiative aims to double exports over five years by marshaling Federal agencies to **prepare U.S. companies to export successfully, connect them with trade opportunities and support them once they do have exporting opportunities.**

The U.S. Commercial Service offers customized solutions to help U.S. exporters, particularly small and medium sized businesses, successfully expand exports to new markets. Our global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers
- Gain access to the full range of U.S. government trade promotion agencies and their services, including export training and potential trade financing sources.

To learn more about the Federal Government's trade promotion resources for new and experienced exporters, please click on the following link: www.export.gov .

For more information on the services the U.S. Commercial Service offers to U.S. exporters, please click on the following link: (Insert link to Products and Services section of local buyusa.gov website here.)

U.S. exporters seeking general export information/assistance or country-specific commercial information can also contact the **U.S. Department of Commerce's Trade Information Center** at **(800) USA-TRAD(E)**.

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.

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