

United States Senate

WASHINGTON, DC 20510

September 18, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20520

Dear Secretary Pompeo,

Following a bipartisan congressional delegation to Niger in 2018, a number of Senators wrote to urge the State Department to take action in support of civil society leaders jailed for leading a peaceful demonstration. We deeply value the security partnership with the Government of Niger and the Nigerien people. We are therefore concerned by the government's renewed actions to repress members of civil society for exercising rights protected by the Nigerien constitution.

In particular, the Nigerien government has detained three civil society leaders for over 150 days following their arrests in connection with a public protest against corruption in the Nigerien defense establishment. Security forces arrested six civil society activists between 15 and 17 March: Moussa Tchangari, Secretary-General of the NGO Alternative Citizens' Space (FAC), Maïkoul Zodi, National Coordinator of *Tourons La Page* (Let's Turn the Page / TLP) and member of *Publiez ce que Vous Payez* (Publish What You Pay / PCQVP), Halidou Mounkaila of the Teachers' Union (SYNACEB) and member of PCQVP, Habibou Soumaala, TLP's Regional Communications and Information Secretary, Sani Chekaraou, trade unionist, and Moudi Moussa, member of TLP and PCQVP. On 30 April, authorities released activists Moussa Tchangari, Sani Chekaraou and Habibou Soumaala on bail awaiting trial. Maïkoul Zodi, Halidou Mounkaila and Moudi Moussa remain in prison. The government denied their application for bail on May 4, 2020, and they have appealed this decision.

The current arrests come in reaction to civil society efforts to spotlight a corruption scandal implicating the Ministry of Defense and leading suppliers in the alleged overbilling and embezzlement of EUR 111 million intended for military procurement. Since these allegations were first revealed in a leaked audit report, activists have called in public demonstrations and on social media for a full and open investigation. As a result, several face charges for "defamation" or other alleged offenses under a 2019 Cybercriminality Law.

Effective security and counterterrorism cooperation serve vital interests of both the United States and Niger, as well as neighboring countries in the region and the international community. A government crackdown on civil society activists shining a light on corruption in the military is therefore especially troubling. More broadly, these civil society leaders are front-line partners in the fight against corruption and the defense of human rights, which are essential for stable and inclusive governments.

The long pretrial detentions also repeat a pattern of disturbing behavior in Niger. The State Department noted in its 2019 Human Rights Report on Niger that civil society activists are “especially subject to irregular implementation of their due process rights, including prolonging of pretrial detention.” The COVID-19 pandemic has heightened threats to activists’ health and wellbeing in prison, but the Nigerien government has declined to grant them humanitarian release. The climate of repression against civil society is also particularly worrying as Niger heads to presidential elections in December 2020.

We note that the United States Embassy, Niamey and the United States ambassador have long been important and visible supporters of independent voices for accountability and good governance in Niger. We also appreciate U.S. diplomats’ efforts to highlight the importance of upholding freedom of expression and assembly in order for Niger to retain its eligibility for Millennium Challenge Corporation assistance, which is promoting vital food security initiatives. We urge you to continue to call on the Government of Niger to reaffirm its commitment to human rights by releasing the detained activists and cease prosecution of citizens for pursuing transparency and exercising their inalienable and fundamental rights.

Sincerely,



Cory A. Booker
United States Senator



Christopher A. Coons
United States Senator



Benjamin L. Cardin
United States Senator

/s/ **Tim Kaine**

Tim Kaine
United States Senator