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Fifth periodic report submitted by Nicaragua under articles 16 and 17 of the Covenant, due in 2013**

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Introduction

1. Pursuant to articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, the Republic of Nicaragua presents its consolidated report covering the period 2008 to 2018.
2. This report reflects the achievements and progress of Nicaragua in compliance with all the rights enshrined in the Covenant. It describes the findings of an evaluation conducted between reporting periods, describing the challenges that were addressed to achieve a higher standard of living for the population.
3. The present report shows the outcome of the implementation of a scheme for restoring the rights of Nicaraguans which characterized these periods, primarily, the restoration of economic, social and cultural rights. Significant steps were taken to improve the living conditions of the overall population, particularly the most vulnerable.
4. The key feature of this scheme for restoration of rights has been the fight against poverty and extreme poverty.

Method of work

5. The report was prepared following an inclusive methodology involving all aspects of the life and dynamics of the nation; the work was coordinated by the Ministry for Foreign Affairs, which led the consultations and set up a team to design the plan of work. From the institutional standpoint and to ensure an optimum level of experience and knowledge, the team included individuals who had previously participated in the preparation of these reports, thus making it possible to identify good practices and lessons learned.
6. The following agencies, among others, participated in preparation of the report: Secretariat of the Presidency, Ministry of Education, Ministry of the Family, Adolescents and Children, Ministry of Development, Industry and Trade, Ministry of Health, Ministry of Labour, Ministry of Finance and Public Credit, Ministry for Women, Nicaraguan Social Security Institute, Institute for Urban and Rural Housing, Nicaraguan Cultural Institute, Nicaraguan Water Supply and Sewerage Institute, Rural Development Institute, Central Bank of Nicaragua, National Institute for Information and Development, Ministry of the Interior, National Police, National Prison System, Office for the Development of the Autonomy of the Atlantic Coast of Nicaragua, Ministry of Household, Community, Cooperative and Associative Economy, Ministry of Agriculture, Nicaraguan Institute of Agricultural Technology, Attorney General's Office, Supreme Court of Justice, Nicaraguan Institute of Fisheries.

Structure of the report

7. The report describes the actions taken to implement articles 1, 2 and 6 to 15 of the International Covenant on Economic, Social and Cultural Rights, based on the guidelines set forth in Articles 16 and 17 of the Covenant and the recommendations made in the Concluding observations on the reports submitted by Nicaragua issued by the Committee on Economic, Social and Cultural Rights on 24 November 2008.

Article 1

The right of peoples to self-determination

8. In compliance with the provisions of the Political Constitution of the Republic of Nicaragua of 1987 and the amendments contained in Act No. 854 of 29 January 2014,¹ the Government of Reconciliation and National Unity strengthened the self-determination of

¹ Published in the *La Gaceta, Diario Oficial* No. 26 of 10 February 2014, available at: <https://www.asamblea.gob.ni/assets/constitucion.pdf>.

peoples through amendments to articles 2, 4, 5, 6, 34, 45, 60, 130 and 180; and the adoption of Act No. 919, on State Sovereignty.²

9. The amendments include:

- Provisions for direct citizen participation, such as participatory budgets, citizens' initiatives, territorial councils, territorial and communal assemblies of indigenous peoples and persons of African descent, sectoral councils and other procedures.
- Acknowledgement of the individual, the family and the community as the source and purpose of the Government's activity.
- Expanded definition of the principles, values and ideals of the Nicaraguan nation.
- Political pluralism to ensure freedom of organization and participation for all political parties in the electoral process.
- Christian values such as reconciliation, respect for diversity and equality of persons with disabilities and the preferential option for the poor.
- Socialist ideals such as the common good and construction of an inclusive, just and equitable society, solidarity, collaboration and peace and reconciliation among all people.
- Expansion of the characteristics of the Nicaraguan State as a democratic State based on the rule of law.
- In the context of individual rights, enhancement of due process and victim protection.
- Strengthening of State organization with regard to the election of authorities.
- Strengthening of the regime of autonomous communities on the Caribbean coast.
- Recognition of the right of Nicaraguans to live in a healthy environment and establishment of the duty of the entire population to conserve and preserve the environment.
- Recognition of the indissoluble link between the earth and humanity and endorsement of the constitutional text and the Universal Declaration on the Common Good of the Earth and Humanity.

10. The State Sovereignty Act focuses on the need to realize that the fight against organized crime and other forms of criminal organization involves a phenomenon with many causes that has a cross-cutting effect on the well-being of individuals and communities, given that it has a negative impact on health and on social coexistence.

11. The Act also seeks to preserve, promote and maintain State sovereignty with the aim of ensuring that the country is united through faith, family and community by means of measures and actions involving workers, entrepreneurs, producers and society as a whole, through policies designed to foster partnerships for the benefit of the country, as well as to define roles, spheres of competence, coordination, structure, aims, principles and coordinating and oversight bodies in the areas of defence and State sovereignty in accordance with constitutional principles and the supreme interests of the nation, against risks, threats or conflicts that might threaten State sovereignty.

² Published in *La Gaceta, Diario Oficial* No. 241 of 18 December 2015. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aeea87dac762406257265005d21f7/?OpenDocument>.

Article 2

General measures for the progressive achievement of rights

A. Principle of non-discrimination

12. To strengthen non-discrimination in the national territory, the State of Nicaragua has amended article 4 to read as follows: “The State recognizes individuals, families and communities as the source and object of its activity, and it is organized to ensure the common good, taking on the task of promoting the human development of each and every Nicaraguan ...”.³

B. Realization of economic, social and cultural rights

13. The State of Nicaragua aims, through its Constitution, to build a new society that will eliminate all kinds of exploitation and achieve economic, political and social equality for Nicaraguans and absolute respect for human rights.

Fighting poverty

14. Over the past ten years, the fight against poverty has been reinforced with the implementation of a model of direct, participatory democracy based on partnership, complementarity and the sharing of responsibility by central and municipal governments, producers and entrepreneurs, with the community playing a key role, thus exercising the citizens’ power in economic and social matters.

15. The Standard of Living Survey 2014 showed that the share of the population living below the overall poverty line stood at 29.6 per cent for that year, indicating a decrease of 12.9 percentage points compared with the levels recorded in 2009 (by 42.5 per cent). Extreme poverty stood at 8.3 per cent, which is 6.3 percentage points lower than in 2009 (14.6 per cent).

16. During the period from 2009 to 2014, the reduction of poverty was mainly attributable to an increase in consumption measured by annual per capita spending, which rose by 33.7 per cent during that period, both in urban areas (34.1 per cent) and in rural areas (29.6 per cent). Meanwhile, total consumption grew by 33.8 per cent, with the use of durable goods showing the strongest growth (84.9 per cent). In addition, household incomes grew by 39.1 per cent nationally (40.8 per cent in urban areas and 31.0 per cent in rural areas).

17. The Standard of Living Survey 2016 showed overall poverty at the national level to be estimated at 24.9 per cent and extreme poverty at 6.9 per cent. As this outcome shows, the share of the population living below the poverty line fell by 4.7 percentage points compared with 2014. The indicator of extreme poverty decreased by 1.4 per cent during the same period.

18. In 2014, the depth and severity of poverty at the national level fell by 6.0 and 3.1 percentage points with respect to 2009. Similarly, the depth and severity of poverty continued to decline in 2016 (by 1.2 per cent and -0.5 per cent respectively), although not as much as in 2014. This means that consumption by the overall poor has increased, trending toward the baseline, and the distribution of consumption throughout the country has improved.

19. In general, poverty indicators, measured in terms of the share of the population whose consumption falls below the minimum established to meet basic needs, has shown a downward trend since 2009. There is also evidence of the impact of social programmes aimed at reducing poverty indicators during this period. Thus, in the period 2009-2014, transfers made to households nationally represented the component of income with the highest relative increase, as reflected in donations (541 per cent), food received at school

³ See note 1, para. 8.

(129.7 per cent), pensions (104 per cent), other income (48 per cent) and remittances (37.7 per cent).

20. By macroregions, the fight against overall poverty led to significant reductions in the Pacific region, the Caribbean coast and Managua. These regions accounted for the greatest reduction in overall poverty nationwide.

21. Nicaragua was one of the first Latin American countries to meet the Millennium Development Goal of halving poverty and hunger between 1990 and 2015, an achievement that was recognized by the Food and Agriculture Organization of the United Nations (FAO) and the World Food Programme (WFP).

Protection of children

22. Nicaragua met Millennium Development Goal 4 of reducing by two thirds the under-five mortality rate per 1,000 live births by 2015.

23. In the area of employment, where the aim is to guarantee child and adolescent workers the enjoyment of their rights, the Ministry of Labour removed from the labour force 326 children who were under 14 years old. Protection was given to 10,844 adolescent workers, ensuring that they could carry out their activities in safe environments in accordance with the list of hazardous work.

Protection of women

24. From the beginning of its mandate, the Government established as a fundamental priority the gradual creation of legal, social and material conditions to ensure the restoration, promotion and enjoyment of their human rights by all citizens. Accordingly, the Nicaraguan Institute for Women was promoted to ministerial rank in 2013.

25. The State of Nicaragua reaffirms to the international community its commitment to the different international human rights treaties. On 2 May 2019, the Government submitted its seventh, eighth, ninth and tenth combined reports to the United Nations Committee on the Elimination of Discrimination against Women.

26. Nicaragua is the only Central American country to have closed the gender gap by more than 80 per cent, having ranked sixth in the World Economic Forum Global Gender Gap Report 2017, fifth in participation of women in Parliament by the Inter-Parliamentary Union (2017) and first in terms of the highest number of women in ministerial positions according to the United Nations (2016).

27. The United Nations awarded the Premio América 2011 to Nicaragua in recognition of the country's efforts to improve maternal health, especially through the Casas Maternas (maternity homes) programme. In 2007, there were 57 maternity homes; this number increased to 178 in 2018, making it possible to provide care for 399,000 pregnant women during the period covered by this report.

28. In 2018, the State of Nicaragua joined the Regional Action Group of the Americas for the Prevention of Sexual Exploitation of Children in Travel and Tourism.

29. Nicaragua is the only country that has reduced inequality between women and men by over 80.9 per cent. According to projections by the World Economic Forum, Nicaragua will completely close the gender gap in 2034, en route to achieving Sustainable Development Goal 5 (Gender equality).

30. With regard to the participation of women in public office, during the period from 2005 to 2013, between 9.8 per cent and 50 per cent of mayors and between 14.4 per cent and 50 per cent of deputy mayors were women.

31. Pursuant to the Municipalities Act,⁴ as amended, and Act No. 790, amending Act No. 331, the Elections Act,⁵ the principles of parity and equity in popularly elected

⁴ Act No. 261, on Municipalities, and amendments thereto, published in *La Gaceta, Diario Oficial* No. 109 of 12 June 2012. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aaca87dac762406257265005d21f7/c47cb5909fbd1c2506257a2a00757707?OpenDocument>.

positions were elevated to constitutional rank. During the period between 2016 and 2020, 43 per cent of mayors, 57 per cent of deputy mayors and 51 per cent of councillors in 153 municipalities, were women.

32. Between 2014 and 2018, the share of women in Government positions was as follows: in the judiciary, 59.7 per cent; in positions of ministerial rank in the executive branch: 56.25 per cent, and in the legislature, 45.7 per cent.

33. Through the Ministry of Women, the State is implementing strategies to enhance the visibility, leadership, empowerment and participation of women in the political, economic and social spheres, as 140,661 women (2007–2018) were community leaders, councillors, mayors, deputy mayors and entrepreneurs. Sensitivity and other training was provided to 13,962 male and female civil servants in connection with the development, implementation and monitoring of policies, strategies, educational curricula and institutional tools for addressing gender issues.

34. The National Human Development Programme 2018–2021⁶ includes programmes and policies that are designed to contribute to the social welfare of Nicaraguan families in terms of equity and complementarity, especially gender policy.

35. In 2007, the Government of Reconciliation and National Unity carried out the following gender-related programmes: policy on women's development; policy on combating violence against women, children and adolescents; policy on strengthening Nicaraguan families and preventing violence; National Policy on Early Childhood – Love; policy on humanized and culturally appropriate childbirth; strategy of peacefulness and safety for families and communities; campaign to develop national partnerships for families to enjoy a mutually respectful, harmonious, dignified and safe coexistence.

36. Since 2007, the State has been promoting sectoral and global strategies that give women access to production resources, loans, goods and services, including the following: programme on capacity-building for gender-based analysis of the region's economies and conditions for positioning the women's agenda in the new phase of economic openness; joint programme on gender; European Union/United Nations/Association for Gender Equality joint programme on Increasing Accountability for Gender Equality (F4GE); Mujeres Emprendedoras (Women Entrepreneurs) programme on increasing economic opportunities for rural women entrepreneurs in Latin America (Nicaragua); national gender equity training programme; mainstreaming gender practices; promotion of the rights and role of women; food production programme;⁷ Bono de Patio (yard voucher) and Patio Saludable (healthy yard) programmes;⁸ Cristiano, Socialista y Solidario (Christian Socialist Solidarity) special scheme for the production of staple grains;⁹ Christian, Socialist Solidarity coffee programme;¹⁰ Usura Cero (Zero Usury) programme;¹¹ finance, training and promotion for micro, small and medium-sized enterprises.¹²

⁵ Act No. 790, amending the Electoral Act, published in *La Gaceta* No. 95. of 23 May 2012. Available at: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/b92a87dac762406257265005d21f7/3a4008061c4902f706257a100074cc9f?OpenDocument>.

⁶ Available: <https://www.el19digital.com/app/webroot/tinymce/source/2018/00-Enero/Del22al28Enero/Viernes26Enero/EJES%20DEL%20PROGRAMA%20NACIONAL%20DE%20DESARROLLO%20HUMANO.pdf>.

⁷ The goal of reducing poverty and hunger in rural households through capitalization with production assets, the main tool being the food production vouchers to be used for sows, poultry and concentrates, building materials and technical training. Vouchers that were given to and administered by women between 2012 and 2016 provided capital for 113,850 families nationwide, thus concluding the first phase of the programme.

⁸ The Healthy Yard Solidarity Programme began in 2012 with the aim of strengthening the capacity of urban and peri-urban households to produce healthy food in their backyards as a way of contributing to food security.

⁹ Creating conditions to enable them to have access to credit, technology (mainly quality seeds) and working capital for their own consumption and to sell locally.

¹⁰ Creating conditions for the segment of producers who grow up to three manzanas of coffee and up to 20 manzanas of land to have access to financing and technical assistance for the basic activities in the process of coffee production.

37. On the legislative front, Act No. 952, amending the Criminal Code and Code of Criminal Procedure¹³ in the area of violence against women and strengthening the investigation and punishment of the crime of femicide, was adopted in 2017.

38. A protocol for criminal prosecution with a gender perspective¹⁴ was adopted in 2016.

39. A special chamber was created in the Court of Appeals, with 22 local courts, thus guaranteeing the availability of public oral proceedings. Between 2014 and the first half of 2018, 69,605 criminal cases were processed, and 43,287, or 62 per cent, were resolved.

40. Act No. 779, the Comprehensive Act to Combat Violence against Women and amending Act No. 641, Criminal Code, was adopted in 2012.¹⁵

41. In order to expand access to justice and judicial protection, with special emphasis on prevention, 61 women's and children's police stations were set up throughout the country between 2014 and 2018.

42. Act No. 718, the Special Act on Protection of Families with Multiple Pregnancies and Births, was adopted in May 2010.¹⁶

43. The preceding paragraphs show how the system of care and protection for women is coordinated so as to facilitate access to justice for victims and avoid secondary victimization. Speed and immediacy are promoted, building on the specialization of the agencies and staff of the judiciary, the Public Prosecutor's Office and the National Police, working through the Special Police Unit for Women to improve the quality of care.

44. In addition, during the reporting period, Nicaragua enacted other legislation that not only provides protection for women but also elevates their dignity and quality of life, in particular:

- Act No. 717, on Creation of a Fund for the Purchase of Land with Gender Equity for Rural Women, 5 May 2010.¹⁷
- Act No. 897, declaring Blanca Arauz Pineda a National Heroine, 6 March 2015.¹⁸
- Act No. 648, Equal Rights and Opportunities Act, 14 February 2008.¹⁹

¹¹ Capitalizing women actors organized in solidarity groups throughout the country, through the granting of loans at fair interest rates and delivery of goods and production inputs to strengthen their economic undertakings and production capacities.

¹² Promotes the organization of micro, small and medium-sized enterprises in unions and trade organizations to facilitate the development and implementation of programmes to expand access to financing, technical assistance and training in order to improve productivity, product quality and job creation and incomes.

¹³ Act No. 641, Act amending Act No. 641, Criminal Code of the Republic of Nicaragua, Act No. 779, Comprehensive Act against Violence towards Women and amendment to Act No. 641, Criminal Code and Act No. 406, Code of Criminal Procedure of the Republic of Nicaragua, published in *La Gaceta, Diario Oficial* No. 126 of 5 July 2017. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aeea87dac762406257265005d21f7/7373673fc384ad42062581520061e484?OpenDocument>.

¹⁴ Decision No. 235 dated 7 January 2016.

¹⁵ Act No. 779, Comprehensive Act to Combat Violence against Women and amendment of Act No 641, the Criminal Code, published in *La Gaceta, Diario Oficial* No. 19 of 30 January 2014. Available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&cad=rja&uact=8&ved=2ahUKEwj-17OC-IDiAhWNmuAKHYQ8DyYQFjAFegQIBxAC&url=https%3A%2F%2Fwww.mific.gob.ni%2FLinkClick.aspx%3Ffileticket%3DOQZrPMcAnLw%253D%26tabid%3D1011%26language%3Des-NI&usg=AOvVaw2-UesfTvebxyCUB-9jTw_f.

¹⁶ Published in *La Gaceta, Diario Oficial* No. 111 of 14 June 2010. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aeea87dac762406257265005d21f7/5276363c69366c1f0625775e0055c978?OpenDocument>.

¹⁷ Published in *La Gaceta* No. 111 of 14 June 2010. Available: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(%24All\)/A9C40A0691973788062577580056B04E?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/(%24All)/A9C40A0691973788062577580056B04E?OpenDocument).

¹⁸ Published in *La Gaceta, Diario Oficial* No. 48, of 11 March 2015. Available at: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/3DB776D7E2E843F506257E05007F1500?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/3DB776D7E2E843F506257E05007F1500?OpenDocument).

- Regulations to Act No. 648, Equal Rights and Opportunities Act, 16 June 2010.²⁰
- Act No. 677, Special Act on Promotion of Housing Construction and Access to Social Housing, adopted on 6 July 2009.²¹

45. The National Police encourages the participation of men and active women who are committed to doctrinal principles and values, recognizing the ability of women to participate in the police force with the same rights and opportunities. Every effort is made to improve the organizational culture, with special emphasis on increasing the intake of women in training courses, closing the gender gap, improving access to positions and ranks through equitable selection, so as to allow for increased participation of women in training courses within the country and abroad.

46. These rules have led to significant improvements in the participation of women, as well as of indigenous persons and persons of African descent at all levels. Indigenous persons are participating in the structures of regional and local government, as well as at the national level, especially in the electoral branch, the judiciary, the legislative branch and in the executive branch at the level of ministers in the Government Cabinet.

Labour protection

47. On the basis of the Constitution, the Labour Code in force and the amendments thereto, legislation has been developed to consolidate labour protection in its different aspects, in particular through the Equal Rights and Opportunities Act;²² Act No. 618, the General Act on Occupational Health and Safety;²³ Act No. 763, on the Rights of Persons with Disabilities²⁴ and amendments to the Labour Code,²⁵ title VIII, chapter I, articles 145 and 152, on restoration of the rights of domestic workers.

Social protection

48. The State of Nicaragua provides social protection to everyone within its territory on the basis of the principles, values and commitments set forth in the Constitution, the laws and international agreements, and it guarantees and promotes the rights that are inherent to all human beings.

49. Since 2008, progress has been made in the development of a comprehensive regime of protection, in particular through legislation such as the following:

- Act No. 718, Special Act on the Protection of Families with Multiple Pregnancies and Births,²⁶ which provides special protection for low-income single-parent or two-parent families with multiple pregnancies and births, when a medical professional has determined the likelihood of a multiple birth, this being understood as the birth of more than one infant.

¹⁹ Published in *La Gaceta, Diario Oficial* No. 51 of 12 March 2008. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/DFACDD675534DACE0625744B0077C73F?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/DFACDD675534DACE0625744B0077C73F?OpenDocument).

²⁰ Published in *La Gaceta, Diario Oficial* No. 121 of 28 June 2010. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aaea87dac762406257265005d21f7/350902feb3c96af062577a7005dbc13?OpenDocument>.

²¹ Published in *La Gaceta, Diario Oficial* Nos. 140 and 141, of 28 and 29 July 2009. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/141957E76D6550C706257657005FA5CD?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/141957E76D6550C706257657005FA5CD?OpenDocument).

²² See footnote 19, para. 39.

²³ Published in *La Gaceta, Diario Oficial* No. 133 of 13 June 2007. Available at: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/16624DBD812ACC1B06257347006A6C8COpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/16624DBD812ACC1B06257347006A6C8COpenDocument).

²⁴ Published in *La Gaceta, Diario Oficial* No. 142 and 143 of 1 and 2 August 2011 Available at: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/b92aaea87dac762406257265005d21f7/c9379d54ccde27400625791200572c84?OpenDocument>.

²⁵ Published in *La Gaceta, Diario Oficial* No. 205 of 30 October 1996. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/10AB265C445A7D0C062570A10057CFDC?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/10AB265C445A7D0C062570A10057CFDC?OpenDocument).

²⁶ See footnote 16, para. 42.

- Act No. 761, the General Migration and Aliens Act,²⁷ which refers inter alia to protection of migrants in the national territory and the design of a migration policy governing migration flows that are conducive to the social, political, economic and demographic development of Nicaragua, while ensuring public safety and respect for human rights.
- Act No. 815, the Code of Labour and Social Security Procedure of Nicaragua,²⁸ is especially important in the context of labour law and social security, as it embodies guiding principles such as speed and immediacy.
- Act No. 830, Special Act on Assistance for Ex-combatants for Peace, Unity and National Reconciliation,²⁹ which seeks to address the basic requirements for socio-productive reintegration of male and female ex-combatants.

Protection of persons with disabilities

50. Act No. 763, on the Rights of Persons with Disabilities,³⁰ was adopted to facilitate the adoption of programmes to expand the guarantees, rights and quality of life of persons with disabilities.

51. Nicaragua submitted its first, second and third reports on the Convention on the Rights of Persons with Disabilities on 3 May 2019.

Protection of indigenous peoples and persons of African descent

52. During the period covered by this report, Nicaragua, as a multi-ethnic country, has guaranteed the effective enjoyment of human rights to the indigenous and Afrodescendent communities by enforcing legislation and implementing measures of affirmative action in the area of economic, social and cultural rights.

53. In 2010 and 2014, the Constitution was amended to enshrine, in articles 8 and 89, the multi-ethnic nature of the country and the fact that the communities of the Caribbean coast are an inseparable part of the Nicaraguan State. These precepts guarantee equality and non-discrimination in the enjoyment of the rights and fundamental freedoms set forth in the Constitution, in particular for the development of their languages, art and cultural identity, which enrich the culture and national unity, in accordance with articles 90 and 180 of the Constitution.

54. Under the laws of Nicaragua, the communities of the Caribbean coast have the right to develop their own forms of social and political-administrative organization, as well as to manage their local affairs in accordance with their own customs and traditions. Thus, the autonomous regions elect their own governments, the autonomous regional councils, by universal direct, free and secret suffrage, for five-year terms; they administer their territories and resources, appoint delegates to State institutions and guarantee the participation of the population through consultations on free, prior and informed consent and negotiations with leaders and ethnic communities. This has been done in connection with the health systems, education, concessions and contracts for the rational exploitation of natural resources and titling of territories, establishing the administrative system and the process of peaceful coexistence and development of human, political, economic and social relations among the communities.

55. The autonomous regions are included in the national human development plans and programmes. They have adopted the Development Strategy of the Caribbean Coast for the

²⁷ Published in *La Gaceta, Diario Oficial* Nos. 125 and 126 of 6 and 7 July 2011. Available at: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/fb812bd5a06244ba062568a30051ce81/5c50ce4ad5bcb20406257905006c3242?OpenDocument>.

²⁸ Published in *La Gaceta, Diario Oficial* No. 229 of 29 November 2012. Available at: <https://www.lagaceta.gob.ni/2012/11/229/>.

²⁹ Published in *La Gaceta, Diario Oficial* No. 28 of 13 February 2013. Available at: <https://ejercito.mil.ni/contenido/ejercito/funciones/docs/Ley%20No.%20830.pdf>.

³⁰ See footnote 24, para. 41.

period 2008 to 2012 and are drawing up the medium-term plans and budget (2016–2019), including national programmes tailored to their needs, which are updated from time to time.

Protection of persons deprived of their liberty

56. Through the Ministry of the Interior and the National Prison System, the State fulfils the duty to provide effective oversight and security of prisons and to ensure the rights and guarantees set forth in international instruments for persons deprived of their liberty.

57. During the period 2008 to 2018, to create and improve conditions in the National Prison System, the State invested 1.5 million córdobas in infrastructure, equipment and improvements to the water supply and sanitation systems. Overcrowding was reduced, construction works were carried out in correctional facilities, maternity facilities were set up in the comprehensive women's prison system, the water supply and sanitation and electrical systems were rehabilitated, security systems were expanded, and a centre for drug addicts was built.

58. The installed capacity in seven of the nine prisons was expanded, and 28 blocks were built, each with capacity for 234 persons deprived of liberty and including basic services and catering; this has reduced overcrowding.

59. Based on the Constitution, the following legislation on prisons was passed: Act No. 735, amending and supplementing Act No. 735, on Prevention, Investigation and Prosecution of Organized Crime and on Administration of Seized, Confiscated and Abandoned Assets;³¹ Act No. 959; Act No. 745, on Enforcement, Benefits and Jurisdictional Oversight of Criminal Penalties;³² Act No. 779, Comprehensive Act to combat Violence against Women and amending Act No. 641, Criminal Code of Nicaragua.³³

60. To this end, in the context of international standards, Nicaragua is in compliance with the Standard Minimum Rules for the Treatment of Prisoners, the Universal Declaration of Human Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Inter-American Convention to Prevent and Punish Torture and the Inter-American Convention on Serving Criminal Sentences Abroad.

61. The State has adopted a number of policies and programmes, including a programme to reduce overcrowding in prisons throughout the country which involved granting legal benefits to 7,505 prisoners.

62. In keeping with the constitutional principle of rehabilitation and social reintegration of persons deprived of their liberty, the authorities promoted family unity, health and productive employment. During the period covered by this report, inmates received 2,747,027 visits of different types (special, ordinary and conjugal). Similarly, 45,085 prisoners received schooling and skills training.

63. A total of 76,115 cultural and sporting activities were carried out; 33,915 prisoners held jobs in general services, on kitchen duty, operating industrial machines, construction, making cigar cases, clinical services, teaching, handicrafts, agricultural activities, metallurgy and others. Also, in coordination with local governments and community-based social programmes, 600 prisoners participated in different social development and community activities.

64. Under the progressive system, in cumulative terms over the 10-year period studied, 39,677 persons deprived of their liberty benefited from the system, including 22,098 in the work programme, 11,612 in the semi-open regime and 5,967 in the open regime.

65. General medical consultations were provided to 1,281,107 inmates in the country's prisons; 80 health fairs were carried out in coordination with the Ministry of Health,

³¹ Published in *La Gaceta, Diario Oficial* Nos. 199 and 200, of 19 and 20 October 2010. Available at: <https://www.poderjudicial.gob.ni/pjupload/comjib/Ley735.pdf>.

³² Published in *La Gaceta* No. 745 of 26 January 2011. Available at: https://www.poderjudicial.gob.ni/pjupload/comjib/Ley_745.pdf.

³³ See footnote 15, para. 33.

covering different medical specialities and including laboratory tests; 17,114 specialist consultations were provided by the Institute of Forensic Medicine, and 1,968 vector-control activities were carried out, and 2,869 health educational lectures were given (on TB, HIV-AIDS, STIs and others).

66. Work is under way, in conjunction with the Ministry of the Interior, on a project for the creation and rehabilitation of medical clinics; 25,100,000 córdobas have been allocated for the purchase of medicines and periodic restocking of supplies.

67. Prison force: 1,318 new prison officer posts were created to strengthen security, treatment, control and care for inmates who need the institution's services; this represents 102 per cent growth. In addition, with a view to improving the system of care and treatment for the prison population, 4,445 persons received training on respect for human rights; 505 courses were offered for newly hired personnel.

68. The average prisoner population held per year in detention cells of the National Police and their legal status is distributed as follows:

Legal status	Annual average		
	Total	Male	Female
Pretrial detention	12 579	12 025	554
Under investigation	9 468	8 842	627
Convicted	2 204	1 974	230

Source: National Police Report.

69. Detainees are segregated and placed in different cells according to their legal status and their sex. No children are held in police cells.³⁴

Protection of refugees

70. The system for protecting the human rights of refugees was upgraded through Act No. 761, the General Act on Migration and the Status of Aliens³⁵ and the regulations thereto.³⁶

71. The National Commission for Refugees³⁷ is comprised of several agencies that determine refugee status upon request. The Commission coordinates the creation of programmes for refugees, informs applicants for refugee status of their rights and the procedure for seeking asylum and works to protect their human rights.

C. Rights of non-nationals

72. Pursuant to article 27 of the Constitution, the State of Nicaragua respects and guarantees the rights of all persons who are within its territory and are subject to its jurisdiction.

73. The laws on migration cover the requirements for entry, departure and regularization of non-nationals in the territory of Nicaragua. Non-nationals have access to health care, education and other services provided by the State on an equal footing with nationals.

³⁴ Report by the National Police.

³⁵ See footnote 27, para. 44.

³⁶ Published in *La Gaceta, Diario Oficial*, Nos. 184,185 and 186, of 27 and 28 September and 1 October 2012. Available at: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/9e314815a08d4a6206257265005d21f9/43cada2669b3ab6306257ab8006195be?OpenDocument>.

³⁷ Created by article 14 of Act No. 655, on the Protection of Refugees, published in *La Gaceta, Diario Oficial* No. 130 of 9 July 2008. Available at: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/926CAAEB4ED7E15D062574BE007E2ADC?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/926CAAEB4ED7E15D062574BE007E2ADC?OpenDocument).

74. By Act No. 761, the General Act on Migration and the Status of Aliens, the Directorate General for Migration and Alien Affairs³⁸ assigns migrant worker status to those who enter the country for the specific purpose of carrying out economic, social, cultural, academic, scientific and religious activities for a maximum period of one year. Non-nationals who enter with the goal of staying for more than one year may apply for temporary or permanent residence depending on the subcategory that applies.

D. Preventing and combating the crime of trafficking in persons and exploitation, especially women and children

75. Act No. 896, on Combating Trafficking in Persons,³⁹ governs the prevention, investigation, prosecution and punishment of trafficking in persons, as well as care for victims from a human rights and gender perspective. This Act criminalizes behaviours that are aimed at exploitation, beyond the minimum international standards suggested by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

76. A National Strategic Plan for prevention, care, investigation, prosecution and punishment of the crime of trafficking in persons 2018–2022 and a National Strategy for comprehensive care and support for victims of trafficking in persons have been developed. The aim is to implement measures to provide comprehensive care of victims in cooperation with other schemes and national, regional and international organizations concerned with the issue of trafficking in persons, through the National Coalition against Trafficking in Persons.

77. The National and Regional Protocol for the Repatriation of Victims of Trafficking in Persons was adapted to conform with the Nicaraguan legal system. The Protocol is a tool that facilitates the process of returning Nicaraguan victims residing or in transit abroad to Nicaragua and repatriating victims of other nationalities who are in Nicaragua to their country of origin.

78. Regarding the Committee's concluding observations on the report submitted in 2007, the Government of Nicaragua has reinforced measures to combat trafficking in women and children and has established penalties commensurate with the seriousness of the case and the persons being exploited.

79. The National Police are implementing operational plans and measures aimed at the prevention, investigation and prosecution of the crime at border checkpoints, coordinating efforts with other institutions and agencies that have a presence at border posts.

80. In order to continue raising public awareness about the criminal nature of the sexual exploitation of women and children, the National Coalition against Trafficking in Persons has continued to work through 17 departmental boards involved in combating trafficking in persons, conducting national awareness campaigns on prevention and treatment of crime; 1,430 prevention activities were carried out (community assemblies, marches, seminars, forums, fairs, movies, discussions with the community, lectures for students, training programmes for public officials and community members), resulting in the participation of 514,257 persons, including students, teachers, parents, community members and government officials. At the national level, 9,416 outreach activities on prevention of the crime of trafficking in persons were conducted (6 television campaigns, 72 radio campaigns, 9,038 brochures/leaflets, 700 posters, 740 key rings) in municipalities, border posts and highly vulnerable tourist areas, at which care, follow-up and monitoring were provided.

³⁸ See footnote 27, para. 44.

³⁹ Published in *La Gaceta, Diario Oficial* No. 38 of 25 February 2015. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/9e314815a08d4a6206257265005d21f9/7146e46d3847409f06257df8004e9855?OpenDocument>.

81. Competent authorities have received training, including 108 activities focusing on prevention (workshops, training, courses, diploma, postgraduate and master's degree programmes and regional meetings) involving 44,232 participants (21,364 men and 22,868 women).

82. In the area of protection and assistance to victims of sexual exploitation, comprehensive care is provided for victims of trafficking, such as medical and psychological care, food, personal hygiene items and clothing. Cases of human trafficking are treated as forensic medical emergencies according to the comprehensive forensic medical care model, which involves conducting examinations to determine physical condition, the existence of sexual violence, psychological condition and biological age, as well as laboratory tests.

83. Assistance is provided for reception, transport, medical care, shelter, food, counselling, financial assistance and legal advice as necessary to adequately assist victims of trafficking in persons. Through the Ministry of the Family and Children, protection is guaranteed for children and adolescents, both nationals and aliens, who are victims of trafficking. The Ministry of the Family and Children then selects a protection centre that deals with trafficking in persons and sexual violence so that it can provide the assistance needed.

84. Agreements have been signed with the following agencies to strengthen the capacities of the National Coalition against Trafficking in Persons:

(a) International Organization for Migration (IOM): the project to help strengthen the National Coalition against Trafficking in Persons in Nicaragua 2017–2018 was completed, and the regional project on strengthening of regional efforts against trafficking in persons and smuggling of migrants in Central America and Mexico 2018–2019, is currently under development;

(b) Christian Children's Fund of Canada: the project on prevention of irregular migration of children and adolescents in Central America and Mexico 2018–2020 is in progress;

(c) Save the Children: the project "Towards a Central American civil society strengthened against violence and organized against trafficking in persons and migrant smuggling" 2018–2019 is under development.

E. Outcomes of the National Human Development Plan 2008–2011 and the Human Development Programme 2018–2021

Outcomes of the National Human Development Plan 2008–2012

85. The outcomes of this Plan are determined by the following instruments:

(a) Priorities of the Government of Reconciliation and National Unity (2008);

(b) National Human Development Plan: "Moving forward despite the international financial crisis" (2009–2011);

(c) National Human Development Plan: "Further transforming Nicaragua" (2012–2016, extended to 2017).

86. Implementation of the above-mentioned instruments, resulted in:

(a) Economic growth and reduction of poverty;

(b) Growth in employment and strengthening of human rights protections;

(c) The legal framework for guaranteeing food security was reinforced with the adoption in 2009 of Act No. 693, on Food and Nutrition Security and Sovereignty;⁴⁰ in

⁴⁰ Published in *La Gaceta, Diario Oficial* No. 133 of 16 July 2009. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/B58490A0C8DAB2AD06257657006A573D?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/B58490A0C8DAB2AD06257657006A573D?OpenDocument).

2010, the Executive Secretariat for Food and Nutrition Security and Sovereignty was set up as the coordinating agency for this national policy;

- (d) In the area of health;
- (e) Maternal mortality was reduced; free education was established as a form of restoration of rights;
- (f) Education for low-income youth and women was restored;
- (g) Sustained growth of tourism;
- (h) Several public management programmes were implemented, including housing; the road network was developed, with construction of new roads and rehabilitation of others;
- (i) The Development Strategy for the Caribbean Coast 2007–2012 was completed;
- (j) The number of persons covered by insurance was increased;
- (k) Funding was provided for social services for children, persons with disabilities and mothers.

Main outcomes of the implementation of the National Human Development Programme 2018–2021

87. The National Human Development Programme 2018–2021 is currently in progress. In 2018, despite the effects of the failed coup attempt, the following results were achieved:

- (a) In the area of food security, comprehensive care, support and assistance were provided.
- (b) Progress was made on construction and improvement of housing.
- (c) New roads were built, and others were rehabilitated.
- (d) Tourism was revitalized through marketing campaigns and development of a variety of projects.
- (e) Labour rights were protected through minimum wage regulations and collective agreements.
- (f) New trade unions were registered.
- (g) Major challenges to public safety were dealt with to restore security and tranquillity for families and tourists.
- (h) Efforts to restore rights to education on the Caribbean coast were continued.
- (i) Important improvements were achieved in providing support for social security, as well as in the areas of child safety, maternity and persons with disabilities.
- (j) Continuity was ensured for educational programmes of all types and for food security.
- (k) It should be noted that in 2017, Nicaragua was ranked sixth for gender equity in Latin America.

Adequate incorporation of the Covenant in the National Human Development Plan 2018–2021

88. The following table shows how the articles of the Covenant have been adequately incorporated into the National Human Development Plan.

<i>National Human Development Plan 2018–2021</i>	<i>Articles of the Covenant</i>
I. Social development	9, 10, 11, 12, 13, 14 and 15
II. Technical education, technologies and knowledge	13 and 14

<i>National Human Development Plan 2018–2021</i>	<i>Articles of the Covenant</i>
III. Gender equity	2
IV. Young people and adolescents	1, 2 and 10
V. Indigenous and Afrodescendent communities	1, 9, 10, 12, 13, 14 and 15
VI. Work and prosperity	6, 7 and 8
VII. Socioproductive development	11
VIII. Monetary and financial policy	11
IX. Tax and customs policies	11
X. Policies on the environment and protection of natural resources	1 and 11
XI. Infrastructure	11, 12, 13 and 14
XII. Family dwellings	10, 11, 12, 13 and 14
XIII. Promotion and facilitation of investment	9, 10, 11, 12, 13, 14 and 15
XIV. Local development	1, 9, 10, 12, 13 and 14
XV. Urban development	1, 9, 10, 12, 13 and 14
XVI. Disaster risk management	10
XVII. State sovereignty	1, 10 and 11
XVIII. Climate change	1, 10 and 11
XIX. Financing	9, 10, 11, 12, 13, 14 and 15

Information on the adoption of indicators and targets

89. The State has achieved a high level of coordination among different public policy instruments: the National Human Development Plan, the Financial and Economic Programme, the Medium-Term Budget Framework, the General Budget of the Republic, the Good Governance Plans and Commitments to Good Governance, and the Public Investment Programme.

90. In this context, the Articulated Budget Plan Matrix was drawn up to reflect the key indicators of public management which make it possible to assess the progressive realization of the rights recognized in the Covenant. The matrix is updated every year over a five-year time period.

91. Similarly, in 2009, the Government of Nicaragua developed the information system of the Government of Reconciliation and National Unity as a technological tool (Web App) for formulating the Good Governance Plan and the Commitments to Good Governance in all Government agencies and for monitoring indicators and targets at monthly intervals. This means that Nicaragua is able to progressively assess observance of the rights enshrined in the Covenant on a monthly and an annual basis. Also, in the information system of the Government of Reconciliation and National Unity, the programming of goals is distributed by territory.

Articles 6 and 7

Right to work and to just and favourable conditions of work

92. During the reporting period, Nicaragua established a number of important labour regulations.

93. The National Assembly adopted Act No. 815, Code of Labour and Social Security Procedure,⁴¹ which allows for enforcement of the Labour Code, establishing the principle of orality in proceedings and providing for speedy and prompt administration of justice. Previously, oral administrative procedures in labour matters had been created through Ministerial Decision No. JCHG-019-12-08.⁴²

94. The National Assembly also adopted the General Act on Labour Inspection,⁴³ which is applied nationwide and provides the basis for inspection plans and programmes to provide support and protection for workers' rights with the same opportunities for men and women throughout the process, in strict compliance with Nicaraguan labour legislation. The Act also provides for oversight and protection to ensure safe working conditions in accordance with Act No. 618, General Act on Occupational Health and Safety.⁴⁴

95. The Ministry of Labour conducted 116,256 workplace inspections, protecting the labour rights of 327,622 workers, on average, per year. The labour authorities made 36,079 health and safety inspections to monitor working conditions for an average of 285,421 workers per year.

96. In the area of labour, the Act on the Rights of Persons with Disabilities⁴⁵ establishes the legal framework and provides safeguards to promote, protect and ensure the full enjoyment, on an equal footing with others, of the human rights of persons with different capacities. The Office on Equality and Non-discrimination in Employment of the Ministry of Labour keeps a record of all persons with disabilities who wish to work and their job skills, so as to make them available to businesses that can hire them, as established in the law.

97. During the period between 2014 and 2018, 47,328 persons (26,639 men and 20,689 women) registered with the public employment service of the Ministry of Labour, and 43,225 names (27,281 men and 15,394 women) were referred to businesses. A total of 23,672 persons were placed in jobs.

98. To enforce these laws, officials from the Department of Labour Inspection visited 42,693 companies between September 2014 and September 2018, thus providing protection to 1,459,096 workers. To further protect against discrimination, planned visits were made to workplaces to guarantee the gender-related rights of workers and enforce the policy of equality and non-discrimination. Inspection reports were drawn up to verify that employers were complying with non-discrimination regulations in regard to sexual orientation, physical appearance, economic status or HIV/AIDS, that they were treating workers with due consideration and respect, refraining from ill treatment through speech, actions or omission, and from any action that might affect the dignity and privacy of women and men alike, as they are entitled to be free from workplace violence, whether verbal, physical or psychological.

99. The Ministry of Labour conducted 116,256 inspections, ensuring equity in job performance and respect for the rights of 3,603,840 workers. These actions led to wage increases for 94,348 women who had been earning less than the legal minimum wage.

100. Act No. 666, amending and supplementing title VIII, chapter I of the Labour Code,⁴⁶ restored the labour rights of a vulnerable sector of the population. This Act amends articles

⁴¹ See footnote 28, para. 49.

⁴² Ministerial Decision No. JCHG-019-12-08, on oral administrative procedures in labour matters. Published in *La Gaceta, Diario Oficial* No. 237 of 12 December 2008. Available: https://www.cosep.org.ni/rokdownloads/main/seccion_laboral/acc_minis_dec/acjchg_019-12-08_proc_admin_lab_oral.pdf.

⁴³ Published in *La Gaceta* No. 180 of 19 September 2008. Available at: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/58F5F2ED6CAB86C6062574FF0054B96E?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/58F5F2ED6CAB86C6062574FF0054B96E?OpenDocument).

⁴⁴ Published in *La Gaceta, Diario Oficial* No. 133 of 13 June 2007. Available at: <http://www.ilo.org/dyn/travail/docs/2219/OSH%20LAW.pdf>.

⁴⁵ See footnote 24, para. 47.

⁴⁶ Published in *La Gaceta, Diario Oficial* No. 181 of 22 September 2008. Available at: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/63B09D7CE7D0CD23062574FF0060F5D5?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/63B09D7CE7D0CD23062574FF0060F5D5?OpenDocument).

145 to 152 of the Labour Code, referring to domestic workers and ratifies ILO Convention No. 189, which was ratified on 26 April 2013.

101. The National Institute of Technology provides training tailored to the socioeconomic needs of the country. The Institute provides comprehensive education to develop skills, attitudes and aptitudes, focusing on learning how to learn, learning how to live peacefully with others and learning how to unlearn. The curriculum is modular in structure, thus enabling students to acquire skills immediately so they can enter the job market and continue their training.

102. In addition to the training centres of the National Institute of Technology, 315 private centres accredited by the National Institute of Technology also offer technical training courses.⁴⁷ The private institutions serve 12,066 students pursuing technical careers and 47,752 students enrolled in training courses.

103. Since 2014, technical education strategies have been carried out in the field and in vocational schools, trade schools and job-training schools, in coordination with Government agencies in the production sector (the Ministry of Agriculture, the Nicaraguan Institute for Agricultural Technology and the Ministry of Household, Community, Cooperative and Associative Economy), the Nicaraguan Institute for Municipal Development, the municipal governments, the Ministry of Education and political organizations in each territory. This strategy has helped expand coverage to reach producers throughout the country in order to improve food production and strengthen the capacities and skills of the population.

104. In order to combat sexual harassment in all its manifestations, Nicaragua enacted the Comprehensive Act to Combat Violence against Women and amending Act No. 641, the Criminal Code.⁴⁸ This Act defines offences in the public and private spheres that involve violence against women, including violence in the workplace, which is criminalized.

105. In this regard, the State provides protection for working women. Through the Ministry of Labour, progress has been made in the signing of collective agreements that include provisions specifically designed to protect women; these include not only financial benefits or benefits for pregnancy, but also provide for setting up committees to protect women's dignity, made up of members of trade unions and employer organizations, with a view to overcoming discrimination against women, and workplace and sexual harassment. The Ministry of Labour assigns priority to protecting and restoring labour rights and providing free legal assistance in cases where female workers demand reinstatement when they have been laid off without justification or owing to pregnancy. Work has been coordinated with trade union organizations that defend the rights of domestic workers and female sex workers.

106. In the effort to ensure that child workers enjoy their rights, during the period between 2008 and 2018, the Ministry of Labour conducted 13,198 special inspections on child labour, protecting the labour rights of 21,343 juvenile workers and removing 1,726 children from the workplace. A total of 29,624 memorandums of commitment were signed with employers and producers, who undertook to not hire children and to respect the labour rights of adolescent workers.

107. Through the Ministry of Labour, the State guarantees protective measures in labour matters as a human right of rural and urban workers and provides advice on labour issues in face-to-face consultations, by telephone, by email and in writing. It also offers training on labour legislation through territorial labour commissions⁴⁹ set up to empower workers to be proactive in defending their rights; moreover, effective coordination has been consolidated with labour organizations that provide assistance to workers so as to expedite access to

⁴⁷ The National Institute of Technology is the institution of the Government of Reconciliation and National Unity that provides quality technical and technological education and training free of charge for families, communities, institutions and businesses.

⁴⁸ See footnote 13, para. 37.

⁴⁹ The purpose of the territorial labour commissions is to reach consensus on labour issues through citizen participation, in the context of the citizen power model.

administrative labour courts in the geographical area where the employment relationship was established.

108. The Equal Rights and Opportunities Act⁵⁰ was adopted to promote equality and equity in the enjoyment by women and men of human rights, civil, political, economic, social and cultural rights; to lay down broad principles as the basis for public policies to ensure their effective exercise in true equality in the enforcement of existing legislation for women and men; to ensure the full development of women, and to establish basic mechanisms through which all bodies of public administration and other branches of the State, regional and municipal authorities can guarantee effective equality between women and men. The Act focuses on equality, equity, justice, non-discrimination and non-violence, as well as respect for the dignity and the lives of individuals. In particular, articles 19, 20 and 21 refer to employment and training policies to which the principles mentioned in the Act must be applied.

109. The State of Nicaragua has held binational meetings with Costa Rica to set up an operating procedure for coordinating the movement of workers seeking jobs in agriculture and agro-industry. Over 11 agricultural cycles between 2006 and 2017, a cumulative workforce of 28,436 Nicaraguans migrated for seasonal work in the following economic categories: harvesting pineapple, African palm, melons, citrus fruits, sugar cane, coffee and bananas.

110. The Ministry of Labour monitors labour-related aspects of the free-trade regime at the national level and is responsible for promoting and protecting workers' rights and guarantees in this sector of the economy. In this regard, it has promoted the signing of tripartite agreements with the participation of workers, employers and the Government that have helped strengthen the sector and attain stability and competitiveness. Respect for trade union freedoms has been strengthened, and the climate for business, in terms of brands and potential customers, has improved; administrative processes are being developed so that preventive and corrective measures can be taken to strengthen protection of the rights of workers in the free-trade zone regime. During the period mentioned, as part of its inspection activities, the Ministry of Labour conducted 2,145 inspections and re-inspections and 1,096 occupational health and safety inspections.

111. The Ministry of Labour also ensures and protects the right of female workers in the free zones to work on an equal footing with men, ensuring respect for and observance of the laws favouring women workers without discrimination on the basis of sex, religion, political views, race and culture. It has a tool that allows for stable regulation of the minimum wage in the free zones sector for a five-year period and provides for annual wage increases. In the performance of its duties, the Ministry participates and ensures the existence and enforcement of internal regulations for workers in businesses operating under the free-zone regime, with a view to ensuring respect for workers and promote labour productivity in this economic sector.

112. The Ministry of Labour also participates as a member in setting up tripartite commissions to ensure adherence to labour law in conflicts arising from the employment relationship; in the economic sector of free zones, 88 collective agreements have been signed that provide better benefits for workers, improving their wages and their purchasing power. Special benefits for women include pre-and post-natal subsidies, and they are entitled to take time, as prescribed by law, for breastfeeding; there is also a day-care centre for children aged 0 to 10 years, to enable the mothers to be close by and keep the children safe.

113. The minimum wage is set on the basis of Act No. 625, on the Minimum Wage⁵¹ The Act is implemented through the National Minimum Wage Commission with tripartite participation of representatives of workers, employers and the Government. The Commission decides on adjustments to the minimum wage twice a year.

⁵⁰ Published in *La Gaceta, Diario Oficial* No. 51 of 12 March 2008. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/DFACDD675534DACE0625744B0077C73F?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/DFACDD675534DACE0625744B0077C73F?OpenDocument).

⁵¹ Published in *La Gaceta, Diario Oficial* No. 120 of 26 June 2007. Available at: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/D4A4AB6A3935BB7906257331005B6D2C?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/D4A4AB6A3935BB7906257331005B6D2C?OpenDocument).

114. Two hundred forty-one new labour organizations (grass-roots trade unions, federations, confederations and central coordinating committees) have registered, and 4,052 boards of union organizations in different economic sectors have updated their registration. These organizations have participated extensively in the negotiation and adoption of 240 collective agreements in the public and private sectors.⁵²

115. During the period covered by this report, the State, through the Ministry of Labour, guaranteed access for all Nicaraguan citizens to all the services offered by the Public Employment Service, such as registration, job placement, individual and group job counselling, skills development to improve employability.

Article 9

Right to social security

116. There are three social security schemes in Nicaragua, each with a well-defined scope: two special social security schemes and one of a general nature. The general system is for workers who voluntarily decide to sign up for coverage by the general social security scheme, which is organized, implemented and managed by the Nicaraguan Social Security Institute.

117. In 2008, the legal framework was expanded to enhance security and protection for the rights of Nicaraguan workers. The system includes specific and supplementary legislation providing for criminal penalties, regulations and expanded protection of labour rights for pregnant workers, as well as subsidies, disability benefits and others. The following are included:

(a) Act No. 671, supplementing Volume One, Title VIII of the Labour Code of the Republic of Nicaragua, Act No. 185, Labour Code, published in *La Gaceta, Diario Oficial* No. 215 of 11 November 2008;

(b) Act No. 718, Special Act on Protection of Families with Multiple Pregnancies and Births, published in *La Gaceta, Diario Oficial* No. 111 of 14 June 2010;

(c) Act No. 763, on the Rights of Persons with Disabilities, published in *La Gaceta, Diario Oficial* Nos. 142 and 143 of 1 and 2 August 2011;

(d) Act No. 815, Code of Labour and Social Security Procedure, published in *La Gaceta, Diario Oficial* No. 229 of 29 November 2012;

(e) Act No. 290, on the Organization, Powers and Procedures of the Executive Branch, published in *La Gaceta, Diario Oficial* No. 35 of 22 February 2013;⁵³

(f) Act No. 830, Special Act on Assistance to Ex-combatants for Peace, Unity and National Reconciliation, published in *La Gaceta, Diario Oficial* No. 28 of 13 February 2013;

(g) Act No. 870, the Family Code, published in *La Gaceta, Diario Oficial* No. 190 of 8 October 2014.

Efforts to expand social security coverage for all workers

118. The goal of the Nicaraguan Social Security Institute is to increase coverage for all workers. Protection has been extended gradually and progressively, and coverage for disability, old age, death and occupational risks has been extended to the Caribbean coast under the same conditions as coverage for workers on the Pacific coast and the interior of the country.

⁵² Article 87 of the Constitution of the Republic of Nicaragua: "In Nicaragua there is full freedom of association. Workers may organize voluntarily in unions, which may be established as provided by law. No worker may be required to belong to a particular union or to resign from one to which he/she belongs. Full trade union autonomy and trade union privileges are respected." Specific regulations for trade union associations are spelled out in articles 203 to 236 of the Labour Code.

⁵³ Published in *La Gaceta, Diario Oficial* No. 35 of 22 February 2013. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/EFC75B03B4D5C69206257B320059AC3D?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/EFC75B03B4D5C69206257B320059AC3D?OpenDocument).

119. As of December 2018, 755,874 persons were covered by the Nicaraguan Social Security Institute in the different departmental delegations of the Institute. Coverage has been increased gradually, as the Institute has set up departmental delegations to improve access so that employers will not be hindered by distance in carrying out their obligations.

Insured persons, by sex and by department as of December 2018

Department	Sex		Total
	Male	Female	
Boaco	3 418	3 595	7 013
Carazo	9 790	8 869	18 659
Chinandega	34 280	20 652	54 932
Chontales	9 836	6 699	16 535
Estelí	20 374	19 584	39 958
Granada	10 631	6 989	17 620
Jinotega	8 539	6 814	15 353
León	22 872	21 296	44 168
Madriz	3 375	4 121	7 496
Managua	211 894	159 732	371 626
Masaya	23 747	19 221	42 968
Matagalpa	21 097	17 130	38 227
Nueva Segovia	7 282	6 961	14 243
RACCN	10 259	7 314	17 573
RACCS	13 016	9 421	22 437
Río San Juan	3 951	2 714	6 665
Rivas	11 886	8 515	20 401
Total	426 247	329 627	755 874

Source: Statistical Yearbook 2018.

120. There is no unemployment insurance coverage in Nicaragua. In the informal sector, the Social Security system includes an optional comprehensive scheme that provides health and maternity insurance, disability insurance, old-age insurance and survivors' insurance; an optional scheme is also available for disability, old age and death.

121. In 2018, a monthly average number of 83,039 persons were covered under the optional regime, including 48,587 persons covered by the optional comprehensive regime and 34,452 under the optional disability, old age and death regime.

122. Persons covered by both the optional comprehensive regime and those covered by the disability, old age and death regime have access to retirement benefits, as well as participants in the mandatory regime, the only difference being that persons covered under the disability, old age and death regime are excluded from health and maternity benefits.

Coverage and mechanisms for increasing social security coverage for the urban sector and the rural sector

123. The Nicaraguan Social Security Institute, through the powers vested in its Directing Council and its Executive President, is responsible for setting policies to expand coverage. Social security coverage has increased in recent years.

124. In 2006, an average of 420,326 persons, representing 8 per cent of the national population, and 23.5 per cent of the economically active population were covered. In December 2018, 755,874 persons were covered; according to the database and statistical publications of the Economic Commission for Latin America and the Caribbean, this

represents 11.9 per cent of the national population and 26.06 per cent of the economically active population.

Active insured workers

<i>Year</i>	<i>Total number of insured persons</i>	<i>Growth in the number of persons covered by insurance</i>
2008	495 585	4.09%
2009	516 376	4.2%
2010	547 693	6.1%
2011	596 328	8.9%
2012	643 538	8.0%
2013	687 804	7.0%
2014	725 014	5.4%
2015	810 654	11.8%
2016	878 0919	8.3%
2017	913 797	4.1%
2018	755 874	17.3%

Source: Statistical Yearbooks of the Nicaraguan Social Security Institute (percentages).

Articles 10 and 12

Right to health and right to protection of the family, including mothers and children

125. Within the framework of the national health policy, Nicaragua is implementing the family and community health model and promoting universal health care, which includes universal access to coverage. This has been adapted to the culture and traditions of the Caribbean Coast of Nicaragua, where two intercultural health care models are applied, one for the North Caribbean, comprised mainly of indigenous populations, and the other for the South Caribbean, with a majority population of African descent.

126. Since 2007, the State has been strengthening health promotion and disease prevention while at the same time increasing the capacity of health care and rehabilitation services.

127. The model entails identifying sectors with no more than 3,000 inhabitants in rural areas and 5,000 in urban areas; each sector is assigned a family health team composed of medical and nursing staff to provide comprehensive health care to the population.

128. These sectors are supported by an integrated network of services which includes health units and centres, as well as hospitals of varying complexity. The network has grown by 33 per cent (from 1,139 health units in 2007 to 1,515 in 2018). During this period, 16 new hospitals, 19 new health centres, 277 new health units, 138 maternity homes and 84 homes for persons with special needs have been built and furnished.

129. During the period between 2007 and 2018, 18 new hospitals were built and furnished with high-tech medical equipment and 119 rehabilitation facilities were built; other works included operating theatres and equipment, intensive care units, inpatient hospitals, emergency rooms and outpatient units, radiotherapy bunker, neonatal units, clinical laboratories and others. In addition, the development of referral hospitals has been promoted, so that the country now has the capacity to provide electromyography, CT scans, MRIs, open-heart surgery, kidney transplants, all types of dialysis and surgery, chemotherapy and radiotherapy for cancer patients.

130. Nicaragua provides treatment for cancer patients that includes care, surgery, chemotherapy and radiotherapy, all free of charge. It recently acquired a linear accelerator and a tomography simulator for the Nora Astorga Centre, thus ensuring more accurate

radiotherapy treatment for cancer patients who need it. Nuclear medicine equipment is also available for supplementary testing and diagnosis for cancer patients.

131. At present, the country has a total of 72 general hospitals (national, regional, departmental and primary). Forty-seven per cent of municipalities have hospitals (72 hospitals in 153 municipalities); 60 per cent of municipalities on the Caribbean Coast have hospitals (9 hospitals in 15 municipalities). At the national level, there are on average 1.1 maternity homes per municipality (178 maternity homes in 153 municipalities); on the Caribbean Coast, the average is 1.6 maternity homes per municipality (25 homes in 15 municipalities).

132. With the aim of expanding access to and coverage of health services, 66 mobile clinics have been set up which provide specialized and general medical care, as well as treatment with natural medicine. These clinics provide care for 1,025,410 persons in hard-to-reach areas.

133. To support development of the family and community health model, training is provided to technical and professional staff. Training has been provided to 1,320 health-care aides to carry out actions in the context of this model; between 2007 and 2017, 2,342 specialists and 120 doctors received scholarships for study abroad.

134. The budget allocated to the Ministry of Health was increased from 3.962 billion córdobas (US\$ 187 million) in 2007 to 14.326 billion córdobas (US\$ 454 million) in 2018. Thus, the budget of the Ministry of Health rose from 13.4 per cent to 16.4 per cent of the national budget.

A. Protection of the family

135. Act No 870, the Family Code,⁵⁴ was adopted in 2014; this Act sets out a comprehensive regime for protection of the family in the area of public and private family law, as an obligation of both the State and society as a whole. The Act adds special protections for women who are victims of violence and establishes the obligation to report domestic or intra-family violence.

136. In the context of the enforcement of this Act, 28 family courts were set up throughout the country, including 26 district courts and 2 local courts, thus increasing coverage and accessibility for Nicaraguan families.

B. Protection of mothers

137. The figures recognized by the World Health Organization (WHO) indicate that Nicaragua has made satisfactory progress in recent years by providing assistance to around 60,000 women in maternity homes in hard-to-reach rural areas.

138. In 2007, there were 57 maternity homes which provided care for 11,716 women; in 2018, there were 178 maternity homes which housed 62,884 women. During the period covered by this report, 399,000 pregnant women received care in maternity homes, and training programmes were carried out in different fields, so that maternity homes also became midwife training centres.

C. Protection of children and adolescents

139. Since 2011, the National Policy on Early Childhood, entitled “Love for the smallest children”, has served as a practical tool for implementing legal norms and restoring the rights of children. All programmes and actions carried out by the agencies working under the National Social Welfare System, social and community organizations and mayors’

⁵⁴ Published in *La Gaceta, Diario Oficial* No. 190, of 8 October 2014. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/9e314815a08d4a6206257265005d21f9/bf20230a44cce90e06257d400064baa7?OpenDocument>.

offices throughout in the country work in coordination for the benefit of Nicaraguan children, from pregnancy to the age of 6 years.

140. According to the report of the United Nations Children's Fund (UNICEF) on The State of the World's Children 2016, Nicaragua is complying with plans for 2030 in areas such as infant mortality of children under 5 years of age, as well as neonatal mortality. The report shows that the under-5 mortality rate in Nicaragua has continued to drop, placing it at number 84 among 193 countries, with 22 deaths per 1,000 live births in 2015 (compared with 67 in 1990 and 35 in 2001). In the case of infant mortality for children under 1, the number dropped to 19 per 1,000 live births in 2015 (in 1990, the rate was 51 and in 2006, it was 29).

141. United Nations estimates for that same year indicate that global neonatal mortality should be lower than 12 per 1,000 live births; this is another goal that Nicaragua is meeting, as it reduced the rate to 8.4. The UNICEF report adds other interesting data on the situation of children in Nicaragua. With regard to immunization coverage, which is being promoted by the Government, UNICEF found that between 98 per cent and 99 per cent of children are vaccinated against disease.

D. Protection of persons with disabilities

142. The State gives priority to providing comprehensive care for persons with disabilities. Special reference should be made to Act No 763, on the Rights of Persons with Disabilities,⁵⁵ adopted in 2011, which is the legal framework for efforts on behalf of persons with disabilities, and the Todos con Voz (Everyone has a Voice) programme, which provides for personalized assistance to persons with disabilities in the form of medical care, technical aids and social support.

143. Since 2009, comprehensive care has been provided to 150,000 persons with disabilities, 2,008,686 home visits have been made, 53,721 technical aids such as wheelchairs, walking frames, crutches and canes have been provided, 41,167 new admissions have been recorded, and 49,725 ID cards have been handed out for persons with disabilities.

E. Right to proper health care in the Caribbean autonomous regions

144. To promote respect for the culture and traditions of the Nicaraguan people, two important laws were adopted in 2011: Act No. 759, on Traditional Ancestral Medicine,⁵⁶ and Act No. 774, on Natural Medicine, Supplementary Therapies and Natural Products in Nicaragua.⁵⁷ The relevant regulations were also adopted.⁵⁸

145. In addition, surveys have been conducted, and records and protocols have been developed on the sociocultural sicknesses of the Caribbean coast, pauka *alkan*, *muih bubulwa* and *grisi siknis*.

⁵⁵ See footnote 24, para. 40.

⁵⁶ Published in *La Gaceta, Diario Oficial* No. 123 of 4 July 2011. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92a87dac762406257265005d21f7/ae23c6a1d70de10062579100052a88f?OpenDocument>.

⁵⁷ Published in *La Gaceta, Diario Oficial* No. 10 of 18 January 2012. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92a87dac762406257265005d21f7/3ad74b588ba09352062579e2007a9fbc?OpenDocument>.

⁵⁸ Executive Decree No. 25-2014, Regulations to Act No. 759, on Ancestral Traditional Medicine, published in *La Gaceta, Diario Oficial* No. 85 of 12 May 2014, available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/9e314815a08d4a6206257265005d21f9/f0b975a684d9690e06257cde005b469a?OpenDocument> and Decree No. 26-2014, Regulations to Act No. 774, on Natural Medicine, Supplementary Therapies and Natural Products in Nicaragua, published in *La Gaceta, Diario Oficial* No. 86 of 13 May 2014, available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92a87dac762406257265005d21f7/dd7cde1b9616253a06257cf4004ca2eb?OpenDocument>.

146. Health care is free, and universal coverage is provided through the family and community health model, which has been adapted to ensure that adequate care is provided for the Caribbean communities based on their own culture and traditions. Thus, two intercultural health-care models have been developed, one for the indigenous population of the North Caribbean and another for the Afrodescendent population of the South Caribbean. Work is also under way on development of a mechanism for consultation with indigenous peoples and persons of African descent which involves the establishment of procedures for care, complaints, requests and suggestions, in order to avoid potential contradictions.

Article 11

Right to an adequate standard of living

A. Economic growth and poverty reduction

147. In the context of poverty reduction, the Nicaraguan Institute for Agricultural Technology has carried out 19 projects, with support from international cooperation agencies, on the development of technologies that contribute to increased production and sustainable management of soils, water and adaptation to climate change in staple grains, livestock, sesame, soy, vegetables, cocoa, coffee, cassava and plantains.

148. Seven hundred fifty research and technological innovation farms were established to support research and transfer of technology and know-how in every department of the country.

149. Over the past five years, assistance in this area has been provided to 100,625 actors per year, on average. Thirty-eight per cent of these beneficiaries were women who participated in training events and received technical support to apply technologies that increase productivity and contribute to poverty reduction.

150. During the period covered by this report, a portfolio of 26 projects were carried out with the aim of improving competitiveness, mainly for micro, small and medium-sized enterprises, improving the quality of processes and products, technology and development of production capacities. Funding was obtained from grants and loans totalling US\$ 62,781,839, which benefited micro, small and medium-sized enterprises in the textile, garment, wood furniture, food, leather footwear, tourism, metalworking industries and union organizations and chambers of commerce.

151. An entrepreneurial culture was promoted, contributing to the development of the investment and economic sector of the country, by strengthening the regulatory framework for businesses, facilitating formalities and setting up single windows for investments in the territories, which improved the business climate and increased investment. The time frame for starting up a business was shortened, as the time required for completing formalities and registering a business in the Mercantile Registry and the Single Window for Investments was cut by more than 60 per cent, from 39 days in 2010 to 13 days in 2014.

Foreign trade

152. The Free Trade Agreement between Central America, the United States and the Dominican Republic (CAFTA-DR) entered into force for Nicaragua in April 2006. The categories that benefit the most from preferences (tariff reductions) under CAFTA-DR are agriculture and agro-industry, which play an important role in creating jobs in industries such as pure vegetable oil, cigars, cheese, bovine leather and hides, leather manufactures, bathroom fixtures, beef, sugar cane, sugar cane molasses, bread and bakery products, ethyl alcohol, non-alcoholic beverages, apparel and clothing, hammocks, live plants, tubers, beans, mangoes, watermelons and okra.

153. The United States is the primary supplier of imports to Nicaragua. Raw materials and capital goods together account for 50.3 per cent of total imports, contributing to the production system and job creation.

154. An important aspect of trade agreements is that they make it possible to benefit from tariff quotas, which help increase the supply and stabilize prices for basic consumer goods for the population. Similarly, these agreements have directly benefited exporters and suppliers of raw materials, which has a positive impact through the multiplier effect on job creation and domestic consumption of goods and services.

155. Tariff reductions have had a negative effect on the following sectors: rice, chicken, pork and sorghum. Efforts are being made to formulate a plan to mitigate the impact of increased competition from goods originating in the United States. It should be noted that these sectors have been improving their productivity, which is a prerequisite for the success of any mitigation plan.

156. In addition, at the Central American level, the regional committees are studying the effect of CAFTA-DR on agriculture and assessing the possibility of applying special safeguards for agriculture.

157. In the context of its economic openness, Nicaragua has signed bilateral and multilateral trade agreements as a result of which Nicaragua's exports tripled and its imports doubled during the period 2008–2018. Exports to countries granting tariff preferences represented 97 per cent of total exports. Imports from countries to which Nicaragua grants tariff preferences accounted for 65 per cent of total imports.

B. Food

Legal framework

158. Under the principle laid down in article 63 of the Constitution, Nicaraguans have the right to freedom from hunger. The State must promote programmes to ensure that an adequate supply of food is available and that it is distributed equitably. Thus, the assurance of food and nutritional security and sovereignty is a fundamental pillar of the National Human Development Programme 2018–2021.

159. In 2009, the legislature adopted Act No. 678, the General Act on the Nicaraguan Institute for Fisheries and Aquaculture,⁵⁹ which strengthens the legal framework of the institution charged with administering the aquaculture and fishing resources of the country, and Act No. 688, on Promotion of the Dairy Sector and the Vaso de Leche Escolar (Milk for Schools) Programme,⁶⁰ and the regulations thereto (Decree No. 75-2009),⁶¹ which promote the production of cow's milk throughout the country to ensure the health of consumers and improve child nutrition.

160. Act No. 804, amending and supplementing Act No. 290, on the Organization, Powers and Procedures of the Executive Branch,⁶² was adopted in 2012. This Act creates the Ministry of Household, Community, Cooperative and Associative Economy to set up a new holistic and comprehensive model of support for micro and small rural and urban producers and reduce underemployment and unemployment while acknowledging the different forms of participation in the national economy.

161. Act No. 693, on Food and Nutrition Security and Sovereignty,⁶³ and the regulations thereto, in Decree No. 74.2009,⁶⁴ were adopted in 2009 to set up a well-distributed and

⁵⁹ Published in *La Gaceta, Diario Oficial* No. 106 of 9 June 2009. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aeea87dac762406257265005d21f7/d38912f37ac791980625764a0061c502?OpenDocument>.

⁶⁰ Published in *La Gaceta, Diario Oficial* No. 133 of 16 July 2009 Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/3133c0d121ea3897062568a1005e0f89/6e4f89f0b1974b8e0625764e007b5858?OpenDocument>.

⁶¹ Published in *La Gaceta, Diario Oficial* No. 173 of 11 September 2009. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b34f77cd9d23625e06257265005d21fa/d048b2f8ebc805f0625765b005c6ab6?OpenDocument>.

⁶² Published in *La Gaceta, Diario Oficial* No. 134 of 17 July 2012. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aeea87dac762406257265005d21f7/436fd2fd6a181be006257a4800783cd8?OpenDocument>.

⁶³ See note 40, para. 86.

orderly public management system and make it possible to target and coordinate State programmes for guaranteeing the constitutional right of Nicaraguans to sufficient, safe and nutritious food.

162. In compliance with article 37 of the Act on Food and Nutrition Security and Sovereignty, the Government adopted Act No. 881, on the *Digesto Jurídico Nicaragüense* on the subject of Food and Nutrition Security,⁶⁴ to enable the compilation, organization, debugging and consolidation of existing legislation on the matter.

163. As a member of Codex Alimentarius, Nicaragua aligns its food standards to international standards which are the global benchmark for protecting the health of consumers and ensuring international trade in foodstuffs.

Implementation of programmes and projects

164. Between 2008 and 2018, the Ministry of Household, Community, Cooperative and Associative Economy implemented a total of 11 programmes and projects, such as Nicaribe, Nicadapta, Paipsan, Procacao, Cosecha de Agua, Food Production Programme, Cattle Programme, Nicavida, Procaval, Patio Saludable and Proderul, to restore the right to food for the most vulnerable households.

165. During this period, a total of 10 programmes and projects were implemented, amounting to US\$ 240 million. Five of them are carried out in the autonomous regions of the North and South Caribbean Coast under the territorial economic management model. The initiatives focus on food security and strengthening of the capacities of actors and institutions working in the context of the autonomous regions of the Caribbean Coast.

166. Support has been provided to 14,072 indigenous and Afrodescendent families living in poverty and extreme poverty through the implementation of agrifood production models (community seed banks, coconut, cocoa) and community agricultural and agroforestry models.

167. Between 2007 and 2016, during the first stage of the Zero Hunger food production programme, 198,693 families received food production vouchers; in particular 170,876 women received inputs for raising and breeding small farm animals so as to improve their standard of living and their income. Funding was received from different sources, beginning with the national budget, which was supplemented with funds from the International Fund for Agricultural Development (IFAD), the Inter-American Development Bank (IDB) and PRORURAL Common Fund agencies (Switzerland, Sweden, Canada, Austria, Finland).

168. Over 2,000 nuclei of women were organized under the Zero Hunger programme to manage their assets and develop their technical, business and administrative skills; in addition, more than 700 cooperatives are currently involved in livestock, value-added and transformation projects. Some 16,502 women in the programme generated savings of approximately 109 million córdobas. In 2017, the production programme migrated to a new modality, with a trust fund administered by a financial institution. Under this programme, in 2017 and 2018, technical assistance was provided to 19,987 rural families to enable them to obtain loans and develop their enterprises at an annual interest rate of 5 per cent.

169. The Agrifood Support Programme (2055/BL-NI-PPA-APAGRO) was implemented in 37 municipalities of Matagalpa, Jinotega, Estelí and Nueva Segovia, beginning in November 2010. Assistance was given to 11,543 families, and financial training was provided for 1,945 female community workers; 880 others also received training.

170. The Nicaraguan Institute for Agricultural Technology launched 16 projects, with support from international cooperation agencies, on development and validation of climate-

⁶⁴ Published in *La Gaceta, Diario Oficial* No. 173 of 11 September 2009. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/9e314815a08d4a6206257265005d21f9/b1d610eacf1ffdd706257657007ae914?OpenDocument>.

⁶⁵ Published in *La Gaceta, Diario Oficial* No. 43, of 4 March 2015. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/7E846DCD384E315206257DFF007C0934?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/7E846DCD384E315206257DFF007C0934?OpenDocument).

resilient varieties and technologies that contribute to the sustainable management of crops such as rice, beans, maize, sorghum, fruits and vegetables.

171. Producers have received support in the organization of 443 community seed banks involving 5,316 producers throughout the country, who participate in the process of producing biofortified seeds that are resilient to climate change and produce high yields and making them available to other producers; ensuring the production of staple grains for household consumption; encouraging the production of cocoa in an agroforestry system, generating surpluses for households, and improving household income and food security.

172. Over the past five years, 50,486 producer families received assistance through capacity-building programmes, technical support and technology vouchers, seeds and agricultural inputs.

C. Adequate housing

173. Under article 64 of the Constitution, Nicaraguans have the right to decent, comfortable and safe housing that guarantees family privacy.

174. To improve the living conditions of its citizens and provide access to decent housing, in 2007 the State resolved to restore this right for Nicaraguan families and developed an inclusive policy for promoting access to affordable housing.

175. Under the national housing policy and guidelines, the State is promoting the construction and purchase of family dwellings. Housing incentives are granted as follows: (1) a subsidy of US\$ 2,500 for construction of housing for low-income sectors; (2) direct subsidies of US\$ 2,000 for a down payment on a mortgage, for sectors that earn between one and seven times the minimum wage; (3) subsidies on mortgage interest rates of between 2.5 per cent and 3.5 per cent per year for a 10-year period, so as to further reduce the interest rate, based on the wage levels of beneficiaries; (4) advance payment of social benefits to workers, based on seniority, to enable them to make the down payment on a home; (5) exemptions on the value added tax (VAT), for purchase of construction materials; (6) providing financial resources for granting long-term mortgage loans at fair interest rates for the purchase or renovation of dwellings for households earning between one and seven times the minimum wage, through the creation of an escrow fund.

176. Between 2014 and September 2018, the State facilitated construction of 57,859 new and renovated dwellings, benefitting the same number of families and 236,165 individuals.

Management and titling of rural property

177. Between September 2014 and September 2018, the State issued a total of 138,737 ownership documents, including titles to urban properties (55,257), titles to rural properties (56,606), *Solvencias de ordenamiento territorial* (compliance with land management regulations) (588) and certificates of compliance (3,286). This action benefited 542,333 actors, including 244,050 men (45 per cent) and 298,283 women (55 per cent). This guarantees legal certainty for the beneficiaries and makes them creditworthy, especially small and medium-sized producers.

178. The documents that satisfy titling requirements are urban titles, rural titles, *solvenencias de ordenamiento territorial* (compliance with land management regulations) and certificates of compliance. A total of 395,167 titles have been granted, directly and indirectly benefitting 800,214 men and 978,037 women. The relevant data are shown below:

Indicator	Title issued by years			Total 2007–2018
	2007–2011	2012–2016	2017–2018	
Urban titles	39 500	71 013	20 356	130 869
Rural titles	41 803	54 575	22 514	118 892
<i>Solvencias</i>	60 812	46 657	10 408	117 877

<i>Indicator</i>	<i>Title issued by years</i>			
Certificates of compliance	15 463	11 581	485	27 529
Total documents	157 578	183 826	53 763	395 529
Men	319 096	372 248	108 870	800 214
Women	390 005	454 969	133 063	978 037
Total actors	709 101	827 217	241 933	1 778 251

State recognition and protection of the property rights of indigenous communities

179. Articles 89 and 180 of the Constitution guarantee communal ownership as well as the use and enjoyment of the natural resources of the lands and territories on which the communities of the Caribbean coast traditionally rely for their sustenance, recognizing their attachment to their culture, traditions and worldview on their lands. In that context, the assurance of legal certainty is included in the National Development Plan and Programme; accordingly, 23 communal land titles have been granted, 16 in the Northern Autonomous Region and 7 in the Southern Autonomous Region.

180. The National Human Development Plan, which is an integral part of the Strategy and Plan for Development of the Caribbean Coast and the Alto Wangki Bocay region, provides the framework for policies that have been consulted and agreed on in discussions at the national, regional, municipal, territorial and community levels, ensuring the prior, free and informed consent of the indigenous peoples, persons of African descent and ethnic groups in a model of partnerships, dialogue and consensus with shared responsibility to promote the human development of individuals, families and communities with unique characteristics that reinvigorate and restore the rights of these peoples and strengthen the traditional forms of self-government and autonomy.

181. The Caribbean and the area of the Special Regime of Alto Wangki Bocay account for 49 per cent of the national territory, and 31.4 per cent of that area is titled under a communal property regime for 23 indigenous and Afrodescendent territories. It should be noted that of 23 titled territories, 16 are in the Autonomous Region of the North Caribbean Coast, four are in the Autonomous Region of the South Caribbean Coast, and three are in the area of the Special Regime. At the national level, of the 31.4 per cent of titled land, 28.26 per cent is in the autonomous regions of the Caribbean and 3.14 per cent is in the area of the Special Regime of Alto Wangki Bocay. The titling process covers 304 communities with 205,317 inhabitants and 3,819,340 hectares.

182. Two police delegations have been set up to provide security and protection to the Miskito communities of the North Caribbean Coast: (1) the Regional Police Delegation on the North Caribbean Coast, which serves the municipalities of Bilwi, Waspam and part of the municipality of Prinzapolka (Prinsu Auhia Um territory) and (2) the Regional Police Delegation on the North Caribbean Coast, which serves the municipalities of Bilwi, Waspam and part of the municipality of Prinzapolka (Prinsu Auhia Um territory).

Communal land use

183. Pursuant to Act No. 445,⁶⁶ the traditional communal authorities grant permits for use of the natural resources on communal lands to third parties, provided they are expressly ordered to do so by the Communal Assembly. As required by the Constitution, the municipal authorities respect the rights of the indigenous peoples and ethnic communities to the communal property located on their lands and to the natural resources found in those lands.

⁶⁶ Act No. 445, on the Communal Property Regime of the Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and of the Bocay, Coco, Indio and Maiz Rivers. Published in *La Gaceta, Diario Oficial* No. 16 of 23 January 2003. Available at: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/xpNorma.xsp?documentId=F59730333B3F6FA5062571B200559533&action=OpenDocument>.

184. When granting concessions and contracts for rational exploitation of natural resources in the subsoil of indigenous lands, municipal authorities issue their opinion only after consultations with the indigenous community on whose lands the natural resources are located. All concessions and contracts for rational exploitation of natural resources must be granted in coordination with the Central Government and the communities that own the natural resources.

185. Similarly, Decree No. 20-2017⁶⁷ and Decree No. 36-2002⁶⁸ empower the autonomous regions of the Caribbean coast to administer the system of environmental assessments for permits and authorizations for the sustainable use of natural resources. These instruments establish the technical, legal and social mechanisms for the granting of permits to programmes, plans and projects with jurisdiction in the regions, guaranteeing compliance with environmental indicators, safeguards and full participation of the indigenous and Afrodescendent peoples.

On the implementation of the judgment in the case of the Awas Tingni community

186. The Inter-American Court of Human Rights issued its judgment in the case of *Mayagna Awas Tingni Community v. Nicaragua* on 31 August 2001. Under the supervision of the Court, the case was closed and filed pursuant to a decision of 3 April 2009, following full compliance with the judgment.

187. Regulations were drawn up for governance of communal property in the Amasau territory. This instrument, which is being implemented by the Awas Tingni community, lays down the vision for management of communal property, mechanisms for access by members of the community and outsiders, treatment and mechanisms for settlement of disputes on land use, tariffs and types of use.

D. Access to water and sanitation

188. Under article 105 of the Constitution, the State has the obligation to promote, facilitate and regulate the provision of basic public services such as energy, communications and water supply. Access to water is a civil right that is confirmed in the national legislation. The State has advocated for changes in the legal system with the aim of securing the right to water for all Nicaraguan citizens.

189. Act No. 620, the National Water Act,⁶⁹ was adopted in 2007. Article 4 of the Act clearly stipulates that the drinking water supply must not be privatized, directly or indirectly, and that it must always be viewed as belonging to the public. The State is solely responsible for the management, oversight and control of the water supply; this responsibility is to be exercised by the institutions created or to be created in future for that purpose.

190. The Special Act on Drinking Water and Sanitation Committees⁷⁰ was adopted in May 2010 to lay down provisions on the organization, establishment, legalization and operation of existing Drinking Water and Sanitation Committees. The regulations for the

⁶⁷ Decree No. 20-2017, on the System of Environmental Assessment of Permits and Authorizations for the Sustainable Use of Natural Resources. Published in *La Gaceta, Diario Oficial* No. 228 of 29 November 2017. Available at: <http://www.mem.gob.ni/wp-content/uploads/2018/02/Decreto-20-2017-Sistema-de-Evaluacion-Ambiental-de-Permisos-y-Autorizaciones-para-el-Uso-Sostenible-de-los-Recursos-Naturales.pdf>.

⁶⁸ Decree No. 36-2002, on Administration of the System of Permits and Environmental Impact Assessments in the Autonomous Regions of the Atlantic Coast. Published in *La Gaceta, Diario Oficial* No. 67 of 12 April 2002. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/89436DD30CA2DCDF062570F9005B113B?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/89436DD30CA2DCDF062570F9005B113B?OpenDocument).

⁶⁹ Published in *La Gaceta, Diario Oficial* No. 169 of 4 September 2007. Available at: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/C0C1931F74480A55062573760075BD4B](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/C0C1931F74480A55062573760075BD4B).

⁷⁰ Published in *La Gaceta, Diario Oficial* No. 111 of 14 June 2010. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/3133c0d121ea3897062568a1005e0f89/a63305b993cddb210625775f0069e8b3?OpenDocument>.

National Public Registry of Water Rights⁷¹ were adopted in 2011 to establish procedures for operation of the National Public Registry of Water Rights.

191. Act No. 850, amending Act No. 466, on Budgetary Transfers to the Municipalities of Nicaragua,⁷² was adopted in 2013. Under this Act, the mayors' offices are required to allocate a minimum of 7.5 per cent for water supply and sanitation services and 5 per cent for the environment, with a view to make more rapid progress and developing partnerships in the effort to achieve universal coverage.

192. The Comprehensive Sectoral Water Supply and Human Sanitation Programme was put under way in 2014 for comprehensive development of drinking water systems in order to improve the coverage, quality and continuity of service while ensuring that sewage is treated in compliance with national standards before being discharged into receiving bodies.

Monitoring of water quality

193. Continuous monitoring of the drinking water supply and sewage systems by the laboratories of the Nicaraguan Water Supply and Sewerage Corporation ensures that the water distributed in urban areas meets quality standards. In rural areas, the Nicaraguan Water Supply and Sewerage Corporation conducted two inspections of water sources, in 2015 and 2016, which showed that the water consumed by families in rural communities also meets the established water quality standards.

194. The State has also administered and implemented programmes such as the Lake Managua sanitation programme whereby wastewater collected in Managua is properly treated prior to being discharged into Lake Xolotlán. In addition, there are plans for new sewerage systems to be built in 39 cities throughout the country which, together with those already in operation, will ensure adequate treatment of all wastewater collected.

195. Between 2007 and 2018, improvements were made in the drinking water supply for 222,446 households and in sewerage for 168,264 in urban areas, at a cost of US\$ 620.92 million.

196. The investments made between 2007 and 2018 made it possible to increase coverage of the drinking water supply from 65 per cent in 2006 to 91.8 per cent in 2018; the plan is to achieve 95 per cent coverage in 2021. The coverage of sewerage was increased from 33 per cent in 2006 to 45.2 per cent in 2018, and the plan is to achieve coverage of 60 per cent and 65 per cent in 2021 with projects that are currently under way in the urban areas. In rural communities, between 2008 and 2018, the right to safe drinking water was restored to 70,067 rural families. Likewise, the right to sanitation was restored to 57,046 families.

197. Twenty-one water basin committees had been set up by 2018, and three plans have been drawn up, namely, the Pilot Plan for Integrated Management of Water Resources in the Mayales Sub-basin (2015), the Plan for Integrated Management of Water Resources in the Colorado River, El Rama Microbasin (2015) and the Plan for Integrated Management of the Water Resources of Basin 72, between the Brito River and the Sapoá River (2017). In addition, the Plan for Integrated Management of Water Resources in the Dipilto River Basin (2018–2019) is currently under development.

198. In the framework of the land management and land-use planning which are needed to manage the country's water resources, the National Water Authority is promoting the national hydroeconomy and has granted concessions for 207 sources of surface and ground waters to be exploited for human consumption.

199. The National Water Authority made a contribution through legalization of the Drinking Water and Sanitation Committees, which encourage local inhabitants to become

⁷¹ Published in *La Gaceta, Diario Oficial* No. 124 of 5 July 2011. Available at: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/xpNorma.xsp?documentId=4FA947F1622AA6900625791900586A13&action=OpenDocument>.

⁷² Published in *La Gaceta, Diario Oficial* No. 237 of 13 December 2013. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/041948A36F3089FA06257C5C0061445A?OpenDocument](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/041948A36F3089FA06257C5C0061445A?OpenDocument).

involved in the management and distribution of quality water in their communities. Special licenses have been granted in the communities of León, Poneloya, Palenque, Murra, Juigalpa and San Juan de Limay.

200. The Emergency Social Investment Fund, with support from international cooperation agencies, is implementing eight projects that help to guarantee permanent universal access to drinking water, sanitation and hygiene.

Article 13

The right to education

201. The human right to education is a priority for the State, as evidenced in the restoration of the right to free and increasingly improved education.

202. In keeping with its duty to plan, direct and organize the national education system, the Ministry of Education has successfully worked to provide a full and comprehensive education for Nicaraguans through a system that includes elementary and secondary education and teacher training; technical education and vocational training; higher education; the regional autonomous educational system of the Caribbean Coast, and distance education.

203. The outcomes achieved between 2008 and 2018 are a reflection of an education system that reaches Nicaraguans irrespective of their geographic location, socioeconomic status, political position or religious beliefs, based on a vision of equity, inclusion and justice, as evidenced in the expanded coverage and continuous improvement of educational quality in all the subsystems.

204. In 2018, preschool education was provided to 283,102 children, which is 22.1 per cent more than in 2008. This increase reflects the sustained growth of the net enrolment rate for early childhood education, from 55.2 per cent in 2008 to 69.3 per cent in 2018.

205. Primary education: 877,549 students were enrolled in 2013, 48 per cent of whom were girls. The urban areas accounted for 43 per cent of students enrolled. In terms of gender equity, the share of girls in urban and rural areas was 48 per cent and 52 per cent, in that order.

206. The net enrolment rate was 91.7 per cent in 2008 and 91.6 per cent in 2018; the current rate is practically the same as in 2018. The system has the capacity to sustain coverage of the population aged 6 to 11 years, given that the net rate remains at 91.7 per cent, 89.1 per cent and 91.6 per cent, despite the slight decline between 2008 and 2018.

207. Secondary education: Enrolment grew at a rapid pace, the growth rate being 15 per cent between 2008 and 2018. The gross enrolment rate in 2008 was 65.7 per cent and rose steadily to 79.8 per cent in 2018, among other improvements. The passing rate was 83.9 per cent in 2008 and 81.9 per cent in 2013 and rose to 92.7 per cent in 2018.

208. In 2018, 3,209 students with special educational needs were enrolled, while 3,360 students were enrolled in 2008. The decline in enrolment is the result of an inclusive education strategy, whereby students with special educational needs are enrolled in regular schools.

209. Study plans have been enhanced with the inclusion in the curricula of subjects that contribute to comprehensive development (growing with values; learn, undertake, prosper; art, culture and tradition; chess in third grade and English as a second language in public primary schools). Likewise, 15,199,770 textbooks, programmes and teacher's guides have been provided.

210. In 2018, schools began to teach English for communication in first grade, using a teaching method focused on development of language communication skills based on real-life situations. During that year, 77,161 English texts were provided to first graders and teachers.

211. Teacher training: given the crucial role that teachers play in achieving the right to quality education, plans were developed to professionalize the teaching staff and reduce the

number of untrained teachers; 80,039 teachers received professional training, 31,737 students were enrolled in basic teacher training. Thus, in secondary education, the ratio of untrained teachers fell from 43 per cent in 2006 to 5.03 per cent; at the primary level, the ratio of untrained teachers fell from 18.9 per cent to 12.96 per cent in 2017.

212. In the area of special education, several courses and programmes on inclusive education were carried out in 2018 which were attended by preschool, primary and secondary education teachers. The courses included a basic course on sign language interpretation that was attended by 168 teachers; a course on strategies for the development of inclusive education, attended by 5,579 teachers (96 per cent); 842 teachers in special education teams participated in regional workshops; 30 teachers from teachers' colleges attended the Braille literacy course; educational software systems were set up to facilitate learning for 194 students with disabilities in special education schools, so as to enable teachers and students to participate and learn through technological tools.

213. Youth and adult education is geared towards fostering human development through a comprehensive education in which learning is viewed as a lifelong process. The effort to combat illiteracy is a constant struggle. The illiteracy rate was reduced from 22 per cent in 2006 to 3 per cent in 2010; during the period between 2008 and 2018, 910,255 young people and adults learned to read and write, as the human right to a lifelong education was restored. At the same time, 2,943,723 students were enrolled in primary and secondary education.

214. With the introduction in 2015 of counselling services in educational communities, comprised of 160,000 teachers in educational communities, a culture of was created in which values are promoted among students, teachers and parents. This has led not only to strengthening the technical ability to provide psychological assistance, but also to personal growth meetings for educators and families. Certificates of recognition with the designation "Pride of my School" were awarded to 40,069 parents or guardians who played an important role in school activities, in the context of school counselling services.

215. In regard to the promotion of values, in 2018, the Valopolis educational game was used with the participation of 68,482 children, teenagers and parents to promote the practice of values during school recess. The idea of the game is to prevent bullying, sexual abuse, violence and drugs and encourage the positive use of technology; this has helped to improve the integration of students and camaraderie in schools.

216. Training in the use and management of educational technologies has been provided to 280,000 students and 46,486 primary and secondary teachers.

Effective right to adequate education on the Caribbean coast

217. Pursuant to the General Education Act, indigenous peoples and people of African descent are guaranteed the effective enjoyment of the right to an education that is in alignment with their customs and world view, through the Regional Autonomous Education System within the national education system, which is led by regional education delegations that work in coordination with the authorities, leaders and communities.

218. Free education is provided at all levels of primary and secondary education; in flexible modalities for the rural sector: one-room primary schools, distance education at the primary and secondary levels in the country or in hard-to-reach communities; primary school for older students, primary and secondary literacy programmes for young people and adults.

219. In 2018, the public schools started teaching English as a second language for communication in first grade. Bilingual intercultural education in indigenous languages is guaranteed on the Caribbean coast.

220. In order to promote coverage, permanence and nutrition, in 2018, enrolment in mainstream schools was 248,976 and in other types of schools, 52,865 students; 1,177 at-risk children and adolescents were enrolled; 151,497 school support kits and school lunches were provided to 100 per cent of students; 150 new teaching positions were created, and 241 children under 6 years of age received comprehensive care in child development centres.

221. On the Caribbean coast and Alto Wangki Bocay, classes are currently taught in the mother tongue in more than 70 per cent of schools located in indigenous and Afrodescendent communities, where there are 313 schools with 1,623 intercultural teachers.

222. Teacher training colleges on the Caribbean coast have trained 1,200 teachers to provide bilingual intercultural education in the native languages of the indigenous and Afrodescendent communities of Alto Wangki Bocay, thereby guaranteeing respect for their language and their social and cultural rights and strengthening their identity as indigenous peoples. This programme is carried out in the context of the Regional Autonomous Education System of the Caribbean Coast.

223. The coverage and quality of regular education was increased as new forms of education were introduced. In 2015, initial enrolment in all types of regular schools totalled 126,596 students (62 per cent in the North Caribbean Coast Autonomous Region and 38 per cent in the South Caribbean Coast Autonomous Region); of these, 64.5 per cent were enrolled in primary education, 17.6 per cent in regular secondary schools and 17.9 per cent in preschool. In 2017, initial enrolment totalled 168,066 students (71.3 per cent in the North Caribbean Coast Autonomous Region and 28.7 per cent in the South Caribbean Coast Autonomous Region); 71.13 per cent were enrolled in primary education, 17.08 per cent in preschool education and the remaining 11.79 per cent in regular secondary education.

224. School sports: students receive a well-rounded education and are able to participate in sports and recreation and enjoy a healthy life. Sporting tournaments, including chess, are also organized.

225. As regards school infrastructure, 30,997 classrooms and school settings have been renovated or built and furnished with 814,803 desks at a cost of approximately 4.986 billion córdobas. New architectural design has been applied in 114 classrooms, and 106 classrooms for one-room primary schools have been built and furnished, as well as 210 classrooms for distance secondary schools in the country.

226. School lunches and kits: to support families that need help and improve their situation, 1.809 billion daily meals have been provided to preschools, primary schools, teacher training colleges and distance education facilities in the country, for an annual average of 1,013,382 students of public and subsidized private schools.

227. Between 2008 and 2018, 4,047,192 school support kits containing notebooks and educational materials were provided to children and students in preschool, primary, special education and secondary distance education in the country.

Article 15

Right to cultural development

228. The Nicaraguan Cultural Institute has implemented policies in the area of cultural promotion and artistic creation, as well as in the area of protection and promotion of the national cultural heritage (material cultural heritage, local cultural traditions), advocating for comprehensive training of persons with artistic talent and pride in the national identity.

229. Since 2008, important contributions have been made to the culture sector, as funding was provided through the General Budget of the Republic, in particular for refurbishment of art school facilities (dance, music, plastic arts and theatre) to guarantee teaching and promotion of the arts and culture; renovation of cultural centres (Fortress of the Immaculate Conception in El Castillo, on the San Juan river; San Francisco Convent in Granada; Hacienda San Jacinto, Huellas de Acahualinca Museum, exhibition halls of the National Museum of Nicaragua, the National Palace of Culture, the former Gran Hotel, Colonia Dambach Cultural Centre, Hacienda Santa Úrsula, Malpaisillo Public Library, Boaco Public Library, Niquinohomo Public Library, Sandino Birthplace Museum, Rubén Darío Birthplace Museum, León Cathedral and the historic ruins of León Viejo (the latter two of which have been declared World Heritage Sites); purchase of digitization equipment for recovery and preservation of the historical and documentary memory allocated to the Rubén Darío National Library and the General Archives of the Nation.

230. Similarly, during the period between 2008 and 2010, free cultural activities were carried out on Saturdays and Sundays, with the participation of local and national artists.

231. Between 2014 and 2018, advertising and promotion of activities was increased with the use of media such as websites, Facebook and Messenger, thus making information available to everyone both nationally and worldwide.

232. From 2008 to 2010, with the support of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Nicaragua launched the *El Güegüense* Plan of Action, which led to creation of the National Council for the Protection, Preservation and Promotion of *El Güegüense*; the Guardians of Tradition Medal being awarded to the performers of *El Güegüense* and publication of print and video materials to disseminate and increase awareness of this oeuvre among the Nicaraguan people.

233. During the period 2014 to 2018, the National Library and the General Archives of the Nation were renovated, progress was made in the preservation and digitization of historic documents and ancient and historic works, and a survey was made of the 87,000-volume inventory of the National Library.

234. In 2012, the Ruta de la Lectura (Road to Reading) programme was launched with activities designed to promote and encourage reading, as well as travelling libraries, reading circles, clubs, lectures, technical advisory services, crafts workshops and virtual reading circles. These programmes were carried out in 43 public libraries which formed the National Library Network in order to encourage reading among the general public.

235. During the period between 2008 and 2018, artistic and cultural education programmes in the art schools of the Nicaraguan Cultural Institute were strengthened, as 3,281 students received training in the visual arts, music, dance, ballet and theatre. During this period, an average of 300 students graduated in various branches of art; 474 young people from low-income families received scholarships for the entire period; 50 student choirs and 25 student symphony orchestras made up of 3,130 students were created; 10,244 pre-school, primary and secondary teachers received training in Nicaraguan folk dances in the Pacific, central and northern regions of Nicaragua.

236. In 2018, the Programme of Professionalization and Certification by Equivalency was implemented. Under this programme, the careers of 30 musicians and 10 circus artists were evaluated, and they were awarded mid-level technical degrees in music and art education and in teaching of circus arts.

237. During the period from 2012 to 2015, the Network of Protectors of the Cultural Heritage was set up. Members of the Network received training in the arts and culture, as well as technical assistance. This strategy led the way for the rest of Central America, as Nicaragua was the first country to lead this initiative at the regional level. Members in 39 municipalities of 11 departments throughout the country received training in the care, preservation and protection of cultural heritage.

238. This is within the sphere of action of the Intellectual Property Registry Office of the Ministry of Development, Industry and Trade, working in coordination with the National Register of Cultural Property and Artistic Creation of the Directorate of Cultural Heritage of the Nicaraguan Cultural Institute, and the Office of Legal Affairs of the Cultural Institute, which protects artists under Act No. 215, on Promotion of National Artistic Expression and Protection of Nicaraguan Artists.⁷³

⁷³ Published in *La Gaceta, Diario Oficial* No. 134 of 17 July 1996. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aaca87dac762406257265005d21f7/40bf16e71b55180706257116005a40b7?OpenDocument>.