



**Convention on the Rights
of Persons with Disabilities**

Distr.: General
21 July 2020
English
Original: Spanish
English, Russian and Spanish only

Committee on the Rights of Persons with Disabilities

**Second periodic report submitted by Nicaragua
under article 35 of the Convention, due in 2013***

[Date received: 8 May 2019]

* The present document is being issued without formal editing.



Introduction

1. Nicaragua has a population of 6,262,703, a land area of 130,494 km², which makes it the largest country in Central America, and a population density of 47 inhabitants per km². It comprises three geographic regions: the Pacific, the central and the Caribbean regions. Sixty per cent of the population is concentrated in the Pacific half of the country and more than 58 per cent is urban. The central and Caribbean regions are largely rural (1).
2. During the period 2015–2016, the Government of Nicaragua continued strengthening the processes necessary to restore the rights of persons with disabilities, with the Convention on the Rights of Persons with Disabilities serving as its guiding instrument, and thereby facilitating inclusion with tangible results.
3. Nicaragua has continued to further the universal recognition of rights, acting in accordance with legal vehicles established on the basis of standards of prevention, protection and assistance for persons with disabilities that are in line with the Optional Protocol.
4. Nicaragua is presenting its second periodic report to the Committee on the Rights of Persons with Disabilities, which provides an opportunity to describe how it continues to apply best practices in its work with persons with disabilities, demonstrating respect for ideas, cultures, forms of religious thought and party ideology. This has led to harmony in its compliance with the Convention and domestic laws.
5. It is of the utmost importance to the State of Nicaragua that the present report reflects real practice and the experience gained through its work in conjunction with all public service sectors and federations of persons with disabilities, which validate every action undertaken and every advance achieved in their favour.
6. The report's preparation was overseen by an inter-agency State commission coordinated by the Ministry of Health, through its "A Voice for All" (Todos Con Voz) Programme, and composed of representatives of the Ministry of Foreign Affairs and the Persons with Disabilities' Office.

Background

7. Nicaragua reaffirms the State's commitment and obligation to promote, respect and restore the rights that persons with disabilities inherently possess as human beings, with a special focus on persons highly vulnerable to different risks, including poverty, social exclusion and discrimination on the basis of political or religious beliefs or sexual orientation.
8. The continuing efforts of the Nicaraguan Persons with Disabilities' Office as a forum for communication and coordination between the State and the various types of associations of persons with disabilities, played an important role in the drafting of Act No. 763 on the Rights of Persons with Disabilities, which was adopted in 2011 and supplemented by implementing regulations in 2014. The Act is consistent with the Convention and favours a rights-based approach over the charity-based approach that had prevailed until then. Under the Act, the Ministry of Health is assigned various duties in the area of disability, which are coordinated through the "A Voice for All" Programme (2).
9. According to Presidential Decision No. 57-2013, the head of the Ministry of Health is appointed Chair of the National Council for the Promotion and Implementation of the Rights of Persons with Disabilities, in accordance with Act No. 763 on the Rights of Persons with Disabilities, articles 69 to 72 of which address the formation, functioning and composition of the Council. This presidential decision established the Office of the National Council for the Promotion and Implementation of the Rights of Persons with Disabilities, which coordinates with other State institutions and the organizations and federations brought together under the Persons with Disabilities' Office to put into practice different measures to promote and implement the rights of persons with disabilities (3).

National context

10. The latest survey from the National Development Information Institute, carried out in 2016, shows that the country's poverty rate had decreased from 42.5 per cent to 29.6 per cent. This is one of the Government's most important achievements, followed by the sustained national economic growth of 4.5 per cent (one of the highest growth rates in the region) and a series of programmes that have had significant social impact and that the people themselves view as key to their advancement and growth (4).

11. The 2012–2016 National Human Development Plan, drafted and implemented in Nicaragua under the leadership of the Government of Reconciliation and National Unity, was an instrument for the promotion of education and rural development through which government policies, strategies and nationwide actions aimed at achieving poverty reduction and human, social and economic development could be put into practice with fairness and with individuals, families and communities playing the leading role (5).

12. Today, a biopsychosocial perspective and the restoration of rights underpin the approach taken in providing assistance to persons with disabilities, with persons with disabilities at the centre of all processes aimed at their inclusion in areas such as education, employment and health care.

13. The "A Voice for All" Programme facilitates the social inclusion of persons with disabilities in all societal settings, promoting and ensuring the elements related to its purpose, as established under the Act on the Rights of Persons with Disabilities. The work of different institutions is coordinated under the programme with a view to increasing responsiveness to the main concerns of persons with disabilities.

14. In 2016, there were 124,069 persons with disabilities in Nicaragua, of whom 51 per cent were male and 49 per cent were female. By clinical classification of disability, 39 per cent had physical or motor impairments, 26 per cent had intellectual disabilities, 12 per cent had visual impairments, 9 per cent were hard of hearing, 8 per cent had psychosocial disabilities, 5 per cent had two or more disabilities and 1 per cent had visceral impairments. By age group, in the same period, 43 per cent were over 60 years of age, 27 per cent were between 40 and 59, 11 per cent were between 30 and 39, 8 per cent were between 20 and 29, 4 per cent were between 14 and 19, 6 per cent were between 5 and 14, and 1 per cent were between 1 and 4.

15. The Persons with Disabilities' Office has an important structural and organizational role, as it encompasses commissions and working groups that validate procedures, laws and government instruments and serve as a channel for communication between organizations of persons with disabilities and the Government. In addition, awareness-raising and training campaigns and various other activities designed to promote and defend the human rights restored by the current Government are run under the Office's oversight.

Section on the general provisions of the Convention

Articles 1–4 of the Convention

16. For the period 2007–2014, Nicaragua reported on the incorporation into the domestic legal framework of the concepts defined in the Convention and on their adoption by the various sectors that work with persons with disabilities (6).

17. In the period 2015–2016, these concepts were not only adopted by government and autonomous institutions but were also extended to a large part of Nicaraguan society, including private institutions, universities, organizations and embassies accredited to Nicaragua.

18. The State of Nicaragua has made significant efforts to have the concepts applied by public officials when preparing technical reports, bills, technical evaluations, systematic reviews, bibliographies, academic theses, standards and legal protocols addressing disability-related issues and by professionals working directly with the groups in question,

including doctors, nurses, physical therapists, educators, outreach workers, psychologists, psychiatrists, social workers, and other professionals and specialists.

19. The following basic concepts are set out in article 3 of the Act on the Rights of Persons with Disabilities:

(a) Disability is the result of the interaction between persons with impairments and their disabling environment. Disability is framed by latent, ever-present barriers erected by society that make it impossible for persons with disabilities to experience life in society, actively, passively, directly or indirectly, in the same way as any other person. Disability, therefore, is not something that is rooted in a person as a result of an impairment;

(b) Persons with disabilities are persons who have long-term physical, mental or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others;

(c) Discrimination on the basis of disability is any disadvantage, legal, administrative or regulatory provision, or act or fact that undermines, excludes, restricts, impairs or nullifies the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field by persons with disabilities, whether male or female. It includes all forms of discrimination, including denial of reasonable accommodation (that is, not making the adjustments necessary to ensure the exercise and full enjoyment of all human rights) and intimidating, hostile, degrading, humiliating, cruel and offensive conduct directed towards persons with disabilities;

(d) Reasonable accommodation refers to the necessary and appropriate individual modifications and adjustments required by persons with disabilities to ensure that they are able to exercise and fully enjoy their human rights and fundamental freedoms;

(e) Communication includes languages, display of text, Braille, tactile communication, adjusted print, accessible multimedia and audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology. Language means spoken and signed languages and other forms of non-spoken languages;

20. Article 39 (2) of the regulations implementing the Act on the Rights of Persons with Disabilities, which falls under Chapter VI, on the rights to health, states that the authorities must ensure that all persons with disabilities are enrolled in the “A Voice for All” Programme and are able to fully enjoy all health services on an equal basis with others, the restitution of the right to health being a policy of the Government of Reconciliation and National Unity (2).

21. The following criteria are used when diagnosing, classifying and enrolling persons with disabilities in the “A Voice for All” Programme:

- (a) Physical or motor disabilities:
 - (i) Paralysis of an upper or lower limb;
 - (ii) Hemiplegia, hemiparesis, paraplegia, paraparesis, quadriplegia or quadraparesis;
 - (iii) Amputation of upper and lower limbs;
 - (iv) Disorders affecting coordination of movement and muscle tone;
 - (v) Serious disorders of the central nervous system (e.g. muscular dystrophies);
 - (vi) Alterations of the musculoskeletal system, absence of a limb or other part of the body or severe spinal deformities;
 - (vii) Functional limitations in performing daily activities (because of cardiac, pulmonary, vascular, hepatic or other conditions);
 - (viii) Language disorders (aphasia, dysphasia, dysarthria, dyslalia, stuttering, partial or complete amputation of the tongue, etc.);

- (ix) Full-time use of mobility aids (such as wheelchairs, canes, crutches and walkers).
- (b) Sensory disabilities:
 - (i) Visual impairments. Total blindness: individuals with no light perception in either eye. Loss of an eye or total unilateral blindness. Low vision: individuals with a serious reduction in vision that cannot be corrected surgically and who require the use of glasses with at least 4-dioptre lenses or magnifying glasses for near vision;
 - (ii) Hearing impairments. Deafness: the inability to perceive any sound. Hearing loss: varying levels of loss of hearing requiring the use of hearing aids.
- (c) Organ or visceral disorders. Chronic renal insufficiency (only when dialysis or haemodialysis is required);
- (d) Psychosocial disabilities. Chronic psychosis: schizophrenia, paraphrenia and bipolar disorders. Dementia: refers to any type of Alzheimer's disease and to vascular and mixed dementia;
- (e) Mixed or multiple disabilities: when an individual is affected by two or more disabilities;
- (f) Intellectual disabilities: Individuals diagnosed with a mild, moderate, severe or profound intellectual disability or suspected to have such a disability and requiring observation for its diagnosis.

22. Persons with all these forms of disability continued to be brought under the programme and provided with assistance during the period 2015–2016, with multidisciplinary medical units going from house to house and direct care being provided by the inter-institutional teams. This allowed for an expansion of the services provided for persons with disabilities who have disability certificates indicating the type of disability they have.

23. During this period, 25,000 persons with disabilities were certified and duly recognized as eligible for priority service in the different programmes and projects run by the various State institutions. Certification allows persons with disabilities to, for example:

- (a) More easily apply for pensions, where applicable;
- (b) More easily access employment;
- (c) Access government self-development programmes;
- (d) Obtain a disability card;
- (e) Receive exemptions.

Laws and regulations specifically on the rights of persons with disabilities

24. Nicaragua has continued to strengthen its laws, regulations, protocols and State policies in order to maintain its progress in restoring the rights of persons with disabilities. In the period 2015–2016, it did so through the following instruments:

- (a) Regulations, contained in Decree No. 11-2014, implementing the Act on the Rights of Persons with Disabilities;
- (b) Act No. 931 declaring April 2 of each year “National Autism Awareness Day”, which was adopted on 31 May 2016.

Ordinary laws with articles related to the rights of persons with disabilities

25. These laws are:

- (a) The Code of Civil Procedure of Nicaragua (Act No. 902), adopted on 4 June 2015;
- (b) Act No. 842 on the Protection of Consumer and User Rights, adopted on 13 June 2015;

(c) Act No. 888 amending the Organic Act on the Legislature (Act No. 606), adopted on 12 November 2014;

(d) The Comprehensive Act combating Violence against Women (Act No. 779), adopted on 30 July 2014;

(e) Regulations implementing Act No. 473 on the Prison System and Sentence Enforcement, adopted on 17 March 2014.

26. All these laws were reviewed and drafted with the participation of the various associations of persons with disabilities. The important contributions they made and the comments they provided are reflected in each of the laws and regulations indicated for this period.

Section on specific rights

Equality and non-discrimination (art. 5)

27. The right to equality and non-discrimination is enshrined in the Constitution and the Act on the Rights of Persons with Disabilities as an obligation that the State recognizes, respects and guarantees to all persons present in the country and subject to the State's jurisdiction.

28. Framed within the Convention, the Government's policies are adapted over time to the new needs of persons with disabilities and allow both for the adoption of new lines of work and for the continuation of efforts to provide for persons with disabilities already under way. These efforts must be continued in order to expand the coverage of services for persons with disabilities and thereby have an impact on their quality of life. Examples of these efforts include the following programmes: "A Voice for All", "Zero Usury", "Love for Tiny Tots", "Houses for the People", the Roof Plan, "Food Basket", the Food Production Voucher Scheme, "Healthy Patio", "Moringa", "Zero Hunger", the School Snack Programme, the Comprehensive School Nutrition Programme, the Special Programme for Staple Grains and Supporting Each Other, the Regional Programme for Entrepreneurship, and the Financing and Training for Small and Micro Agricultural Producers (non-exclusive) programme (7).

Section on the specific situation of women and children with disabilities

Women with disabilities (art. 6)

29. The Nicaraguan Government's gender policy is based on the premise of equality between men and women as a human right and a strategic necessity for the country's development. The policy gives women a central role in the process of establishing more humane and equitable gender relations that reflect a visionary spirit of complementarity and partnership in all areas: family, community, economy, politics, culture and society. This vision is set forth in article 48 of the Constitution, which states that "there is absolute equality between men and women", in article 3 of the Act on the Rights of Persons with Disabilities and in article 4 of the Comprehensive Act combating Violence against Women (8).

30. The Government has made significant and sustained progress in the area of gender equality, and this has nurtured a new vision of the role of women, as aware, strong and full of hope, that allows for their full and active participation in decision-making forums.

31. According to the Inter-Parliamentary Union, Nicaragua tops the global list of countries with the most women in ministerial cabinets, with women occupying 57 per cent of the relevant posts in 2015. The Union also notes that, of the 10 countries worldwide with the highest percentage of parliamentary seats held by women, Cuba, Nicaragua and Ecuador are the only Latin American ones, with Nicaragua ranking eighth (9).

32. In 2015, the World Economic Forum ranked Nicaragua twelfth on its Global Gender Gap Index, 78 places ahead of its 2007 ranking of ninetieth. In order to build women's

leadership and other skills, 82 training and educational events were organized, which were attended by 10,585 women and men and involved workshops, diploma courses, conferences, discussion groups, experience-sharing, meetings, forums, theatre festivals and cultural carnivals. As part of efforts to institutionalize gender-responsive practices, training sessions were held for 1,640 central and local government employees (10).

33. In 2016, 60,794 women and girls with disabilities were registered under the Ministry of Health's "A Voice for All" Programme. Most of them were participating in some form of government social programme. On the country's Caribbean coast, 2,551 female heads of household were assisted through the food production voucher scheme. In addition, microcredits amounting to 11.47 million córdobas (C\$) were granted in solidarity to 1,805 women participating in the "Zero Usury" Programme, and 5,756 women received training in how to better manage their family businesses. Under the government programmes mentioned, the benefits are provided exclusively to women, without distinction of any kind.

34. School-age girls with disabilities benefit from inclusive strategies designed to ensure their inclusion in the Ministry of Education's inclusive special education system. All pregnant women are given priority in health care, as provided in State policy and Ministry of Health rules on care.

Children with disabilities (art. 7)

35. The initial report, covering the period 2007–2014, included information on the mechanisms created and the institutions in place to provide comprehensive assistance to Nicaraguan children, in line with the Convention on the Rights of the Child and article 71 of the Constitution, which is part of chapter IV, on the rights of the family. This article states that "Nicaraguans have the right to start a family. They are entitled to hold family property, which shall not be subject to attachment and shall be exempt from any form of taxation. These rights shall be governed and protected by the law. Children shall enjoy special protection and all the rights that their particular status requires, and the Convention on the Rights of the Child shall therefore have full effect". Article 3 of the Code on Children and Adolescents (Act No. 287) stipulates that "every child and adolescent is a member of society and a subject of law and, as such, has the right to participate actively in all spheres of social and legal life, subject only to the limitations established by law". The fact that the Code defines children as rights holders provides a legal basis for all measures related to children and adolescents (11).

36. Article 32 of Act No. 763, on the rights of children and adolescents with disabilities, states that children and adolescents with disabilities have the right to have their lives and their physical, psychological and emotional integrity respected; the right not to be hidden; the right not to be abandoned; and the right not to be separated from their families. Consequently, general information, services and support must be provided to children and adolescents with disabilities and their families. When a family is unable to care for a child or adolescent with a disability (2), the State, through the Ministry for the Family, Adolescents and Children, will guarantee the child the protection and assistance needed. The article also states that "general information, services and support must be provided to children and adolescents with disabilities and their families". With this legal foundation, the assistance provided to children through the programmes is being extended technically and methodologically.

The "A Voice for All" Programme

37. During the period 2015–2016, a total of 3,917 children with disabilities under 6 years of age, of whom 1,805 were boys and 2,112 girls, were registered under the "A Voice for All" Programme. This programme provides continuing, scheduled care, with two house visits a year being made to children with disabilities and four house visits a year being made to those in a critical situation.

38. In another effort to monitor and follow up on the situation of children with congenital anomalies, the State of Nicaragua, through the Ministry of Health, keeps a register of congenital anomalies. In 2016, out of a total of 139,574 babies born in the

country, 1,074 were born with congenital anomalies, a prevalence of 76.9 per 10,000 live births.

The “Love for Tiny Tots” Programme

39. During the period 2015–2016, the State of Nicaragua succeeded in bringing the institutions represented on the Cabinet Committee for Social Affairs (Ministry of Health, Ministry of Education, Ministry for the Family, Adolescents and Children, and mayor’s offices) together to form a multisectoral and multidisciplinary body through which they can work as a cohesive team on issues affecting children from before their conception until the age of 6 years old.

40. The “Love for Tiny Tots” Programme supports parents and guardians in the use of basic tools to develop methods and approaches for raising children from pregnancy through early childhood stimulation and development and up to 6 years of age, with training in the correct use of the “Love for Tiny Tots” early stimulation booklet being provided beforehand by regional educators and outreach workers.

41. In the period 2015–2016, 873,390 children under 6 years of age were visited in their homes and 347,041 booklets were distributed to the homes of children already enrolled in the “Love for Tiny Tots” Programme.

Implementation of the Community-Based Rehabilitation Strategy

42. In the period 2015–2016, the Community-Based Rehabilitation Strategy received a significant boost in 75 municipalities, which received funding to reintroduce the programme two decades after its initial roll-out and after a phase of preparatory work for its relaunch initiated in the period 2007–2014.

43. As a result, in 2015 and 2016, these 75 municipalities took a series of steps to benefit children with disabilities, with the community being involved in the identification process and 150 meetings being held with the active participation of 7,500 parents. At these meetings, guidance was provided on how to educate children in a framework of inclusive development using the methodology set out in the basic guide to the Portage method.

“Towards the Eradication of Chronic Malnutrition in Children 2008–2015” National Plan

44. The spirit behind the principle of universality and equality for Nicaraguan children could be seen clearly in the preparation, adoption and entry into force of the Family Code in 2015. The Code facilitates access to the right to food, to a name, to prompt and comprehensive protection, to equality between sons and daughters and to the recognition of the unborn as persons.

45. Continuing its efforts to eradicate chronic malnutrition in childhood by 2015, the State of Nicaragua has met the target set under the Millennium Development Goals, i.e. to halve the proportion of people who suffer from hunger, as a result of the “Towards the Eradication of Chronic Malnutrition in Children 2008–2015” National Plan.

46. The National Plan included health and nutrition measures aimed at permanently and sustainably reducing chronic malnutrition in Nicaraguan children, with the Government taking the following steps:

(a) Adopting new World Health Organization child growth standards and guidelines on nutritional and food counselling;

(b) Strengthening the strategy of promoting exclusive breastfeeding for children under 6 months and continued breastfeeding for children between 6 months and 2 years of age or older, with the appropriate introduction of foods with high nutritional value and the use of milk banks;

(c) Providing micronutrient supplementation, rotavirus vaccines, treatment, fortified complementary foods for families living in areas of high nutritional vulnerability comprising pregnant women, nursing mothers or children between 6 and 36 months of age.

47. The Ministry of Health is responsible for this programme and runs it, through its regulatory and executive units, in coordination with the Ministry for the Family, Adolescents and Children's Programme of Comprehensive Care for Nicaraguan Children and with the participation of the Technical Committee for Food and Nutrition Security and the Food and Nutrition Security Commission.

Awareness-raising (art. 8)

48. As part of the effort to implement effective policies, the Ministry of Education, supported by organizations of persons with disabilities, is spearheading the "Ring the Bell" awareness-raising campaign for inclusive education, which is being carried out in 30 Latin American countries. The aim of the campaign is to have children, young people and members of the public in general, with or without disabilities, promote a world without discrimination.

49. In November 2015, the Ministry of Education and the national-level educational communities held the First National Congress of Special Education Offices with a view to deepening and expanding scientific knowledge about disability and its effects on learning. Students, parents, teachers, school principals and delegates took part in this forum for reflection. There are currently 382 Special Education Offices throughout the country. As a means of following up on the Ministry of Education's educational programme, the Second Congress on Special Education was held on 27 April 2016 with the aim of moving forward on a strategy that would ensure access to a system of inclusive education for thousands of children and adolescents. This event was attended by teachers, teaching consultants, officials from the Ministry of Education and parents.

50. In its quest to restore human rights, the Government of Nicaragua, through the Ministry of Health's National Coordination Office for the "A Voice for All" Programme, issued a handbook for family members and persons with disabilities. This booklet provides families including persons with physical, motor, intellectual, psychosocial or sensory disabilities with new tools to help them to better manage their living arrangements. It sets out the basic rights enjoyed by persons with disabilities in Nicaragua and provides a series of recommendations and pieces of advice "for families and the community on the mobility, diet and daily activities of persons with disabilities at home and in the community in order to achieve the social inclusion of persons with disabilities".

51. The Office of the Human Rights Ombudsman, through the Office of the Special Ombudsman for Persons with Disabilities, carries out regular awareness-raising and training activities on the Convention on the Rights of Persons with Disabilities and Act No. 763 on the Rights of Persons with Disabilities, for two main audiences – public officials working in State institutions and members of the public – in an effort to improve and reinforce the culture of respect for the human rights of persons with disabilities. Article 18 of Act No. 212 establishing the Office of the Human Rights Ombudsman provides that the Office's duties include the promotion of human rights and the development of participatory programmes to promote these rights and educate society as a whole about them. The Office also provides dynamic, organized and accessible documentation services to internal and external users in the form of institutional and bibliographic reference guides on human rights, with a special emphasis on the human rights of persons with disabilities (12).

52. The Office of the Human Rights Ombudsman leads discussions on issues relating to the human rights of persons with disabilities on the programme "Let's Talk about Disability" broadcast on the national radio station *La Primerísima*. It also provides information on various issues relating to the rights of persons with disabilities on the television programme *Adelanto*, broadcast on channel 6.

53. The National Assembly oversaw an information campaign about the rights of persons with disabilities designed to foster greater social awareness and respect and thereby promote an inclusive, supportive and respectful attitude towards persons with disabilities.

Accessibility (art. 9)

54. With respect to legislative measures taken to ensure access to the physical environment, mention should be made of those that are already in place: thanks to

government policies and Act No. 763, planning has been resumed on modifications to various self-development spaces for persons with disabilities. The main considerations regarding accessibility for persons with disabilities are set out in article 31 of the Constitution; Chapter II, on accessibility, of Act No. 763, comprising articles 9 to 21; articles 6 and 11 of the regulations implementing Act No. 763; article 9 of the Convention; and the Nicaraguan Mandatory Technical Standard on Accessibility, entitled “Accessibility of the Physical Environment” (NTON 12 011-13) (13).

55. The State of Nicaragua, under the laws in force, has set up an inter-institutional technical commission to coordinate measures to benefit persons with disabilities, in compliance with the Accessibility Standards for All Persons with Disabilities. The commission is coordinated by the Ministry of Transport and Infrastructure and is authorized to convene member institutions to discuss agreements and commitments. In order to publicize the nationwide implementation of the Nicaraguan Mandatory Technical Standard on Accessibility, training was provided to the staff of mayoral planning offices at the departmental and municipal levels.

56. To make the various transport services accessible, the Ministry of Transport and Infrastructure has taken various steps. For example, it has:

- Prepared technical specifications that address spacing and equipment (ramps) for new purchases of transport units
- Included conditions regarding the accessibility of buildings in the requirements for new transport terminals
- Provided support to mayor’s offices in equipping new transport units and adapting existing transport terminals
- Coordinated with the Municipal Corporation of the Markets of Managua, which is involved in the management of land transport terminals, to introduce accessible signage in terminals
- Disseminated the Standard on Accessibility through the Departmental Land Transport Offices so that it is taken into account and applied in the field of transport
- Begun the process, in the municipality of Managua, of adding 35 urban public transport units equipped with ramps and interior physical spaces for persons with disabilities

57. In accordance with the Nicaraguan Mandatory Technical Standard on Accessibility, changes have been made to offices and centres providing assistance to older adults to facilitate these individuals’ mobility by improving accessibility. These buildings now have access ramps, handrails and accessible bathrooms. The local governments of 14 municipalities (Estelí, Matagalpa, Jinotega, Ocotal, Bluefields, Bilwi, Managua, Nagarote, Juigalpa, El Jícaro, La Paz Centro, Masaya, Nindirí and Niquinohomo) have built ramps and installed signs on sidewalks, platforms, parks and sports facilities to make them accessible to persons with disabilities. In six of these municipalities (Estelí, Managua, Masaya, Jinotega, Ocotal and Puerto Cabezas), accessibility ordinances have been approved.

58. In 2015, the Government of Reconciliation and National Unity, through the Ministry of Transport and Infrastructure, formulated and implemented a series of policies whose ultimate goal is the well-being of the Nicaraguan people. The most significant were:

- The adoption of a strategic approach aimed at developing and preserving transport infrastructure so as to increase the coverage of basic social services (education, health, transport) and developing the economic potential of the Caribbean coast in harmony with the environment
- The development and maintenance of secondary road infrastructure connecting productive centres so as to ensure competitiveness
- The prioritization of the renovation and improvement of the main international freight and passenger transport corridors

59. All users of the country’s road network were ensured uninterrupted and safe transit through the construction, repair and maintenance of road infrastructure, with potholes being

filled and the use of trailer hitches being eliminated on roads in areas of high production, in order to keep roads passable. This has allowed for continuous road contact with the Caribbean coast and regional connection points.

Accessibility of information and communications

60. Through its ministries and autonomous institutions, Nicaragua enforces the rights of access to information. Vocational education programmes and courses nationwide have therefore been made accessible to persons with disabilities. These include information technology courses using Job Access with Speech (JAWS) software aimed at persons with visual impairments, a basic course in sign language, and courses in orientation and mobility and Braille systems. Act No. 621 is thereby applied on an equal basis in law and in practice. The Act provides for the creation of access to public information offices in every ministry, which are responsible for providing the public with information on all ministerial resolutions and decisions. In addition, libraries are available in ministries and autonomous bodies where documentation related to government institutions and public affairs can be consulted and computer equipment can be used for accessing websites (14).

Right to life (art. 10)

61. Considering that the right to life is fundamental to the full realization of the other rights of persons with disabilities, in 2015–2016 the Government reaffirmed the provision contained in article 23 of the Constitution, which states that: “The right to life is inviolable and inherent in the human person”. The right to life is also protected by the provision concerning the purpose of the General Health Act (No. 423), which states that: “The purpose of this Act is to protect the right of everyone to enjoy, preserve and recover their health” (15).

62. Article 12 of the Code on Children and Adolescents expressly states that: “Children and adolescents have an intrinsic right to life from conception onwards, and to the protection of the State through policies that permit their birth, survival and comprehensive and harmonious development and a decent life” (11). Similarly, article 32 of the Act on the Rights of Persons with Disabilities states that children and adolescents with disabilities “are entitled to respect for their lives and their physical, psychological and mental integrity” (2).

63. Moreover, article 7 of the Comprehensive Act combating Violence against Women stipulates that: “All women, in both the public and private spheres, are entitled to lead a life free from violence, to sexual and reproductive freedom and integrity, and to the recognition, enjoyment and protection of all their human rights and freedoms as enshrined in the Constitution”. Subparagraph (a) indicates that these rights include the right to life and to live without violence and discrimination (8).

64. Therapeutic abortion no longer exists in Nicaragua. When it was permitted, before 2007, the most common ground for the procedure was the congenital malformation of the unborn child (child with a disability). All forms of abortion, including with the woman’s consent, are punishable under article 143 of the Criminal Code (Act No. 641) (16).

Situations of risk and humanitarian emergencies (art. 11)

65. During the reporting period, the Government strengthened the National System for Disaster Prevention, Mitigation and Response established by Act No. 337, the purpose of which is to reduce people’s vulnerability to natural or man-made disasters that endanger lives, property, ecosystems and the national economy by constructing safe and sustainable development scenarios for the country in coordination with other nations, and by encouraging and harnessing synergies between all institutional, regional and local stakeholders and civil society actors within the framework of a risk management process with a social, environmental and economic focus and broad citizen participation (17).

66. The civil defence unit of the Nicaraguan Army and the entities that make up the National System for Disaster Prevention, Mitigation and Response have organized and trained, in an inclusive manner, 96 disaster prevention, mitigation and response committees in regions I, II, IV, V and VI of the country. These committees will operate at the local municipal level, carrying out inclusive risk management activities such as risk mapping,

developing local and school response plans and conducting simulations at the community and municipal levels. Efforts have been made to enhance the monitoring and follow-up of support provided to schools, communities and municipal disaster prevention, mitigation and response committees. Four national drills have been conducted, including hurricane drills on the Caribbean coast. Comprehensive care, support and assistance were provided in solidarity with 6,085 families (32,529 persons) affected by the building fires, strong winds and heavy rains, among other natural phenomena, that occurred throughout 2015, and food packages were delivered to 47,522 families (237,610 persons) in municipalities located in the Nicaraguan dry corridor. Persons with disabilities participated in all of these activities.

Equal recognition before the law (art. 12)

67. The main measures which ensure that persons with disabilities can exercise their legal capacity are enshrined in the Constitution and the Act on the Rights of Persons with Disabilities, article 24 of which recognizes their right to sign contracts, to represent themselves, to own and inherit property, to control their own financial affairs, to take out loans and to use their assets as collateral. Mechanisms for the exercise of these rights are established in the legislation concerning persons with disabilities (2). The Act on the Rights of Persons with Disabilities derives from the provisions of the Convention and through it the State has asserted and restored various related rights, for example by providing access to identity cards and implementing inclusive policies on housing, health, education, food and infrastructure. The Code on Children and Adolescents provides that the Ministry for the Family, Adolescents and Children is competent to hear and adjudicate on cases of abuse of persons with disabilities (11).

68. Act No. 650 on the Protection of the Human Rights of Persons with Mental Illnesses establishes that the State shall allocate specialized human resources and the material resources necessary for the care of patients with mental illnesses. It also prohibits discrimination on the grounds of mental illness. Special measures intended to protect the rights or secure the advancement of persons with mental illness shall not be deemed to be discriminatory. Every person with a mental illness has the right: (a) to receive care in all health units; and (b) to exercise all civil, political, economic, social and cultural rights as recognized in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other international instruments ratified by Nicaragua (18).

Access to justice (art. 13)

69. Effective access to justice is considered an inherent right of persons with disabilities. The Constitution and the Act on the Rights of Persons with Disabilities refer to the enjoyment and exercise of this right in judicial proceedings and guarantee the use of languages and forms of communication appropriate to the different types of disability.

70. The Supreme Court of Justice has included 135 persons with disabilities in its judicial facilitators programme; they serve in this capacity throughout the country. The Office of the Human Rights Ombudsman has delivered a course in sign language for justice officials. The curriculum of the Judicial Training Academy is being revised to ensure that the institution adopts and applies thematic content relating to access to justice for persons with disabilities along with appropriate measures to ensure conditions of equity and equality.

71. With regard to reasonable accommodation, the Supreme Court of Justice has established links with organizations of hard-of-hearing persons to ensure that Nicaraguan Sign Language interpreters are available to assist hard-of-hearing persons involved in judicial proceedings.

Liberty and security of the person (art. 14)

72. One of the fundamental principles of the State is that all Nicaraguans should enjoy liberty and security, rights which are clearly set down in the Constitution. Accordingly, persons with disabilities must be accorded complete freedom to exercise their rights in all spheres of activity, whether in the family, at school, in the community, in institutions or in society at large, in accordance with article 25 (a) and (b) of the Constitution (19).

73. Article 26 of the Act on the Rights of Persons with Disabilities states that: “The State shall respect and uphold the rights of liberty and security and shall ensure that the existence of a disability is not under any circumstances used as a grounds for deprivation of liberty. Any deprivation of liberty must not be arbitrary, and must be carried out in conformity with the law and with respect for the physical and mental integrity of the person with a disability” (2).

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

74. Since ratifying the Convention, the Government has sought to ensure the inclusion of persons with disabilities in measures to prevent and provide protection from torture. The prevention of torture is also addressed in the Constitution, Act No. 745 on Enforcement, Privileges and Jurisdictional Oversight of Criminal Sanctions (20) and the Act on the Rights of Persons with Disabilities, which requires the State to create conditions to protect persons with disabilities from abuse, torture, neglect, and cruel, inhuman or degrading treatment or punishment, and to intervene and prioritize the restitution of the violated human right above any other circumstance.

Freedom from exploitation, violence and abuse (art. 16)

75. The State endeavours to prevent and address exploitation, violence and abuse, in accordance with domestic legislation and guidelines, so as to ensure that persons with disabilities do not fall victim to these scourges at the hands of public or private institutions or a private individual.

76. Thus, article 25 of the Act on the Rights of Persons with Disabilities states that: “The State must create the conditions to ensure respect for the right of persons with disabilities to be protected from discrimination, exploitation, social violence, especially domestic and sexual violence, and from abuse” (2). During the period 2015–2016, legislation on protection against exploitation, violence and abuse was strengthened, as described in the following paragraphs.

77. Article 25 of the Comprehensive Act combating Violence against Women provides for precautionary measures, while article 50 takes up the provisions of article 169 of the Criminal Code relating to the severity of the penalty for rape when the victim is a person with a disability.

78. Article 161 of the Criminal Code, in relation to the exploitation of children, states that “anyone who uses persons with disabilities, children or adolescents for the purposes of begging shall be punished by 1 to 3 years’ imprisonment”. Furthermore, articles 176, 179, 180 and 182 provide that, if the victim is a person with a disability, aggravating circumstances will apply for the offences of sexual exploitation, pornography and paid sexual acts with adolescents; procuring; living off immoral earnings; and trafficking in persons for the purposes of slavery, sexual exploitation or adoption. Article 165 of the Criminal Code likewise establishes that aggravating circumstances will apply in the event that the victim of an offence of kidnapping for extortion is a person with a disability. With regard to sexual abuse, article 172 stipulates that the victim’s consent is not recognized when the victim is under 14 years old or has a disability or mental illness. Article 169 on aggravated rape states that the penalty is 12 to 15 years’ imprisonment when the victim is vulnerable because of a physical or psychosocial disability.

Protecting the integrity of the person (art. 17)

79. This right is enshrined in article 36 of the Constitution, which states that: “All persons have the right to respect for their physical, psychological and mental integrity.”

80. In this connection, article 8 (6) of the General Health Act (No. 423), in chapter II on the rights of users, provides that all health service users are entitled to respect for their person, human dignity and privacy, without discrimination by reason of race, sex, socioeconomic status, morals, ideological or political beliefs, trade union membership, type of illness or ailment, or any other condition (15).

81. Patients have the right to know the full name of the physician responsible for coordinating their care. When users require information in writing, this must be duly provided. The confidentiality and secrecy of all information, including details of users' medical records and any time spent in public or private health institutions, is guaranteed, except where the law establishes exceptions.

Liberty of movement and nationality (art. 18)

82. Public institutions endeavour to uphold the right to liberty of movement and the right to a national identity, ensuring that persons with disabilities can move around without restriction or hindrance. Regarding liberty of movement, article 31 of the Constitution states that: "All Nicaraguans have the right to circulate and to establish their residence in any part of the national territory and to freely enter and exit the country" (19). Article 23 of the Act on the Rights of Persons with Disabilities establishes that: "The State has an obligation to guarantee the exercise of the right to liberty of movement for persons with disabilities, without any restrictions whatsoever on grounds of disability" (2).

83. With regard to children, the municipal authorities continue to ensure that hospitals register all births on their premises, while heads of household are responsible for reporting any other births to the public registry office in their town or municipality. Article 13 of the Code on Children and Adolescents establishes the State's obligation to create flexible mechanisms for the registration of children and adolescents (11). In this connection, article 22 of the Act on the Rights of Persons with Disabilities states that: "Persons with disabilities, and specifically children, have the right from birth to be registered by their parents. Adolescents, young people and adults with disabilities who have not been entered in the civil register have the right to be registered without having to pay any form of fine" (2).

Living independently and being included in the community (art. 19)

84. Persons with disabilities in Nicaragua are enjoying a changed reality in terms of their independence and inclusion in society, since the Act on the Rights of Persons with Disabilities and its implementing regulations, together with other laws relating to health, education, housing and other needs, make provision for their right to a life in which they are included in the community (2).

85. Persons with disabilities have the right to choose their place of residence and to have access to all public, private or community services, where they exist, in accordance with the Constitution, the Civil Code, the Family Code, the Code on Children and Adolescents and the Act on the Rights of Persons with Disabilities and its implementing regulations.

Personal mobility (art. 20)

86. The municipal authorities, working in coordination with the Nicaraguan Institute for Municipal Development, have implemented a special plan to build 1,750 ramps throughout the country to facilitate movement and improve access to public places for persons with disabilities.

87. This initiative has resulted in the installation of 134 ramps in municipal parks, 261 ramps in child development centres and 169 ramps in maternity centres, primarily to ensure that children have the best possible conditions for mobility, recreation and access to educational activities. Ramps have also been installed at bus stops and in municipal markets and new buildings commissioned by municipal authorities. As part of the plan, designated parking places and other exclusive spaces for persons with disabilities, which must display the International Symbol of Access, will be provided at 40 municipal soccer, baseball and softball stadiums.

88. In addition, public toilets in parks, at bus stops and in intermunicipal bus terminals must offer adequate conditions for access and use by persons with disabilities. To bring the entire plan to a successful conclusion, municipal authorities and contractors will participate in workshops, organized at the departmental level, to ensure that project designs effectively comply with standards for access and use by persons with disabilities.

Freedom of expression and opinion, and access to information (art. 21)

89. The right to freedom of expression is enshrined in article 30 of the Constitution and article 30 of the Act on the Rights of Persons with Disabilities. These provisions create conditions for the exercise of the right to freedom of expression and opinion and access to information (2).

90. All governmental institutions provide access to information through offices and web pages that allow persons with disabilities to raise their concerns with different areas of the institution using any means of communication.

91. Radio and television programmes have been created that allow persons with disabilities to share their opinions and exercise their freedom of expression on any subject, be it religious, social, educational, health-related, ideological or cultural.

Respect for privacy (art. 22)

92. Article 26 of the Constitution establishes that: “All persons have a right to privacy for themselves and for their family”. In accordance with this article, the Act on the Rights of Persons with Disability, under article 27, states that: “The State shall respect and uphold the right to privacy of persons with disabilities, who shall not be subjected to arbitrary or illegal interference in their private or family life, in their home or in their correspondence or other types of communications, or to attacks on their honour, reputation and moral integrity” (2).

93. Article 8 of the General Health Act and articles 6 and 7 of its implementing regulations refer to the confidentiality of information contained in medical records and indicate that effective mechanisms for communication about treatment options and respect for the patient’s privacy regardless of his or her ailment or illness must be ensured. In this connection, the Ministry of Health issued Regulation No. 004, the Standard for the Management of Medical Records, which guarantees the confidentiality of patient information. The different treatment units of the Ministry of Health have individual consulting rooms so that conversations between doctors and patients are private and confidential (15).

94. With regard to measures taken so that persons with disabilities are not concealed, article 32 of the Act on the Rights of Persons with Disabilities states that the Ministry for the Family, Adolescents and Children will guarantee the rights of children and adolescents not to be neglected, concealed or segregated by applying special protection measures based on the principle of the child or adolescent’s best interests (2).

95. In this sense, article 21 of Act No. 820 on the Promotion, Protection and Defence of Human Rights in the Context of HIV/AIDS, and on its Prevention and Treatment states that the Ministry for the Family, Adolescents and Children will apply special care policies and programmes for persons with disabilities who have been abandoned because of AIDS (21).

Respect for home and the family (art. 23)

96. Article 70 of the Constitution states that: “The family is the fundamental nucleus of society and is entitled to protection by society and the State”. Individuals, families and communities are the key components in the National Human Development Plan.

97. The guiding principles of the Family Code (Act No. 870) are set out in its article 2. Subparagraph (a) states that “the protection, development and strengthening of families is an obligation of the State”, while subparagraph (d) refers to “Protection against domestic violence provided by State institutions”; subparagraph (f) to “Promotion and protection of the establishment of the family home”; and subparagraph (j) to “Protection of and respect for personal and family privacy” (22).

98. Persons with disabilities have the right to marry, to make a home and to plan a family. If they are parents, they have the right not to be separated from their children, except when competent authorities subject to judicial review determine, in accordance with applicable law, that such a separation is necessary for the best interests of the child or adolescent.

99. If the parents of children with disabilities are struggling to provide them with daily care and adequate attention, the Ministry for the Family, Adolescents and Children makes alternative care arrangements, such as placement in a child development centre, if the child is under 6 years old, or referral to a care centre for persons with disabilities where children receive help with their schooling, participate in play, learn to use new modes of communication, practise teamwork and attend pre-vocational training courses, among other activities.

Education (art. 24)

100. Legislative measures in the sphere of education are reviewed to ensure their conformity with the Constitution, the General Education Act (Act. No. 582) and the Act on the Rights of Persons with Disabilities. The main lines of the Government's education policy for children and adolescents with disabilities are as follows:

- Expanding and strengthening nursery education within the framework of comprehensive early childhood care as a preliminary stage conducive to the integration, continuation and success of pupils in primary education.
- Improving conditions for the continuous improvement, in practice, of the inclusion of persons with disabilities in the education system, guaranteeing the human rights of children, adolescents, young people and adults with disabilities.
- Organizing the primary and secondary education subsystems into education clusters that will respond to the problems arising from school dispersion, building systematic and synergetic relationships between local schools and facilitating convergence in the organization of activities.
- Developing a quality model centred on the school as an environment for human and community development, which will allow communities to play a leading role and encourage relevant and significant learning.
- Advancing in the professionalization and training of teachers and the status they are accorded.
- Organizing a school enrolment campaign, inclusive education forums, competitions on best practices in inclusive education, fairs celebrating the International Day of Persons with Disabilities and an arts festival with the participation of children, adolescents and young persons with disabilities.

101. In this context, the Special Education Directorate of the Ministry of Education assists families with the care of children under 3 years of age who have, or are at high risk of having, developmental disorders, by applying the methodology of the early education programme. The aim of this programme is not only to develop children's functional skills and abilities, but also to enable changes in families and in the children's environment that serve to improve their living conditions and ensure that they are respected and included in their family units and communities.

102. The early education programme is non-formal by nature and has a community-based focus. This facilitates children's access to preschool education, whether in special education schools or in formal or community-run nursery schools that provide inclusive education.

103. The Ministry of Education gives training on orientation and mobility techniques for education professionals who teach students with visual impairments, so that these students can develop the ability to recognize and be aware of their surroundings, organize themselves, familiarize themselves with the world through physical contact, and move from one place to another effectively.

104. Teachers of students with visual impairments also receive training on the Braille reading and writing system, curricular adjustments and use of the abacus.

105. The Special Education Directorate has a team of educational advisers who prepare curricular support documents, train personnel from the Ministry's departmental and municipal offices and teachers from special education and mainstream schools, and conduct advisory and support visits to special education schools and mainstream schools that practise inclusive education. The municipal offices appoint educational advisers who have

responsibility for inclusive education. These teams currently operate in most departmental capitals.

106. The Ministry of Education's strategies for guaranteeing education for persons with disabilities are implemented through:

- 26 special education schools, with an average annual intake of 3,000 students, in which only students with severe disabilities are educated on a temporary or permanent basis.
- 12,542 mainstream schools that cater for students with some form of disability.
- The early education programme, whereby every year it provides assistance to an average of 800 children under the age of 3 years old who have developmental disorders. The aim of this community programme is to develop and maximize their physical, intellectual, sensory and emotional potential.
- The Educational Guidance Unit, comprised of 130 teachers who travel to mainstream schools that cater for students with educational needs that may or may not be associated with a disability. These teachers are experienced in special education and have a command of Braille or Nicaraguan Sign Language. Some are specialists in psychology. The unit conducts psychological and educational tests with children who have educational needs associated with a known disability in order to place them in the school closest to their home. The teachers' responsibilities include: (a) providing technical and methodological support to mainstream school teachers who have students with educational needs within the framework of inclusive education; (b) overseeing the preparation of individual curricular adjustments; (c) training teachers in topics related to educational strategies for students with educational needs that may be associated with a disability, and in topics related to inclusive education; (d) facilitating evaluation, planning and training workshops; and (e) training parents in the application of methods or therapies that help them to provide timely and appropriate care.
- Eight Educational Resources for Diversity Centres, located in teacher-training colleges. These centres are staffed by teacher-training college graduates who have experience in special and inclusive education. They focus on information, advice and intervention, research, training and the development of teaching materials.
- Eight classrooms in the hospitals of León, Matagalpa, Managua (two classrooms), Río San Juan, Juigalpa, Jinotepe and Estelí. In these classrooms teaching is provided for school-age children who are hospitalized for long periods; their main purpose is to ensure educational continuity for these students/patients.
- The Educational Resources for the Blind Centre, whose team is trained to adapt and reproduce educational materials in Braille and tactile and audio formats.
- Basic courses in Nicaraguan Sign Language, which are attended on average by 150 teachers with hard-of-hearing students each year.
- The production and provision of curricular support documents for teachers in special education schools and mainstream schools that practise inclusive education.
- Support for teachers, headteachers and departmental and municipal teams in order to strengthen teaching practices.
- Adoption of a flexible curriculum, which can be adjusted as necessary to meet the educational needs of the student body in all its diversity. The Special Education Directorate has implemented an in-service training plan for teachers and support teams, which includes courses and training on topics related to teaching methods, curricular adjustments, early education, dealing with diversity, disability and deafblindness, the Braille system, use of the abacus, basic Nicaraguan Sign Language and classroom support for teachers, among others.

107. Guidelines on teaching students with educational needs in the framework of diversity have been drafted and national-level training workshops held to support their application. A process of assigning sign language interpreters to assist hard-of-hearing secondary school students is under way.

108. Similarly, teachers from the Educational Guidance Unit are assigned to support students with visual impairments enrolled in secondary education. With regard to the employment of persons with disabilities as teachers, it is noteworthy that persons with disabilities work at the head office of the Ministry of Education, in its departmental and municipal offices, and in special education and mainstream schools.

109. As for technical and vocational education and training, the country's lead institution in this area is the National Institute of Technology, established by Executive Decree No. 3-91 of 10 January 1991. The Institute has the following functions: (a) to implement vocational training programmes for persons over 14 years of age and special population groups so that they can take up technical employment, adapt to a new job and improve their technical qualifications; and (b) to develop and deliver special programmes for women, the unemployed and the disabled, and training programmes in support of cooperatives and microenterprises. The Institute's vocational rehabilitation department promotes the employment of persons with disabilities by providing them with training alternatives that will allow them to become self-employed or set up a microenterprise, thus improving their socioeconomic status. The department's aim is to provide vocational rehabilitation for the target groups by training them in skills that respond to labour market demand, with a view to their integration in the social, labour and economic life of Nicaragua.

110. During the reporting period, the Institute provided persons with disabilities with specialized training in breadmaking; carpentry; foam crafts; flower-arranging; personal computer repair and maintenance; making piñatas; garment-making; confectionery and cake decoration; basic gasoline engines; beauty treatments; making home-made sorbet; mobile telephone repair; hammock-making; self-esteem; decoration and fine-tuning techniques; adjusting necklines, sleeves and skirts; basic plumbing; residential electricity; making preserves and juices; jewellery-making; traditional Nicaraguan cuisine; vocational rehabilitation; business management, accounting and business profile development; wine-making; horticulture; computing with the JAWS application; applying acrylic nails; kitchen gardening; breadmaking of the Caribbean coastal regions; basic English; motorcycle repair; crafts; hammock-weaving; making dairy products; barbering; planting and tending a nursery; and cosmetology, among others. Entrepreneurship, business management, self-esteem, attitude, responsibility and health and hygiene are taught as cross-cutting subjects in all training provided by the Institute, thus contributing to the social and career development of persons with disabilities and their advancement in the community.

111. The Institute accredits sign language teachers and offers a course in basic Nicaraguan Sign Language as part of its educational offer.

112. It has also developed and implemented technical training modules that are accessible for persons with disabilities, incorporating assistive technologies into courses such as those on computing with JAWS, basic sign language, orientation and mobility and Braille. Every two years, the Institute teaches an introductory course on vocational rehabilitation to resident physiatrists at the Aldo Chavarría rehabilitation hospital in Managua, in which participants learn about the Act on the Rights of Persons with Disabilities.

Health (art. 25)

113. In the area of health, Nicaragua has formulated a legal and institutional framework to restore the rights of persons with disabilities in which it prioritizes humane care. Article 59 of the Constitution states that all Nicaraguans have an equal right to health and that the State must establish the basic conditions necessary to promote and protect health and ensure recovery and rehabilitation. The article further states that it is incumbent on the State to direct and organize health programmes, services and initiatives and promote civic participation in health promotion activities.

114. The Government of Reconciliation and National Unity guarantees free medical care in hospitals and health centres. There are no charges for public health services, and priority is given to programmes for mothers and children, older persons and persons with disabilities, under the terms set out in article 5 of the General Health Act (No. 423) (2).

115. Under article 8 of the General Health Act (2), users of public and private health services enjoy the right to accessibility and to equal treatment when receiving care. In

particular, vulnerable groups, including persons with disabilities, have the right to free public health care.

116. Under article 7 (3) of the regulations of the General Health Act, service providers must install entry and internal access ramps for users with disabilities (15).

117. Through the Ministry of Health, the Government has created and strengthened health promotion and disease prevention programmes for mothers and children by improving antenatal and postnatal care and childbirth conditions. As a result, there has been a reduction in obstetric complications and in disabilities originating from the antenatal and perinatal stages.

118. All persons with disabilities who are registered with the “A Voice for All” Programme, which is based on a family and community health model, receive comprehensive care, including two home visits per year, rising to four for persons in critical situations. The basic structural units of the Ministry of Health are the regions, which are made up of family and community health teams and are responsible for following up all cases and, where necessary, referring them to more specialized facilities for specialist clinical care, including free treatment and supplementary examinations.

119. In 2018, through the “A Voice for All” Programme, the Ministry of Health provided care to 138,698 persons with disabilities. The Ministry works in coordination with all State institutions and the Persons with Disabilities’ Office, which implements programmes on behalf of the institutions.

120. A national plan has been adopted with the general objective of providing comprehensive care for all persons with disabilities through mechanisms involving the participation of individuals, families, the community and society as a whole. The specific objectives of the plan are to:

- (a) Take action to prevent disability and provide care and rehabilitation to persons with disabilities;
- (b) Strengthen inter-institutional cooperation in order to ensure comprehensive care for people with disabilities;
- (c) Guarantee the health of persons with disabilities and ensure that assessments and clinical genetic studies are performed;
- (d) Provide aids to persons who require them.

121. In 2017 and 2018, 660,112 home visits were made to families and persons with disabilities under “A Voice for All” Programme. In addition, 22,645 new participants were enrolled in the programme as a result of the efforts of outreach teams and through home visits, fairs and mobile health units. A total of 7,343 aids have been distributed, including wheelchairs, walkers, canes and crutches, and 19,247 persons with disabilities have been issued with a disability certificate and identity card.

122. The Ministry of Health has a map showing where in the country persons with disabilities live, by region and by type of disability. The map, which is updated quarterly, can be consulted by the general public on the Ministry’s website.

Rehabilitation services

123. The Ministry of Health provides comprehensive care for persons with disabilities using a family and community health model. The aim is to improve quality of life through the rehabilitation and social inclusion of persons with physical, motor, visual, hearing or psychosocial impairments and children with developmental disorders.

Support for persons with physical and motor impairments

124. The Ministry of Health provides rehabilitation and physiotherapy services in 63 health facilities, including one national referral hospital. Specialized rehabilitation and physiotherapy services are available in regional, departmental and primary hospitals and in health centres. There are 48 early stimulation facilities operated by the 19 comprehensive

local health-care systems in the country, at which families receive support in encouraging their children's development and preventing disability.

125. There are 280 persons working in the area of physical rehabilitation, including rehabilitation doctors specializing in physiatry, physiotherapy graduates, physiatry technicians, psychologists, social workers, occupational therapists and nurses. In addition, 73 persons have been trained in early stimulation techniques.

Prosthetics and orthotics workshop

126. The prosthetics and orthotics workshops at the Aldo Chavarría Hospital, the Trinidad Hospital and the Puerto Cabezas School of Nursing have produced 600 prostheses and 960 orthoses for persons with physical and motor disabilities.

Support for persons with visual impairments

127. The Ministry of Health's service network includes a national ophthalmology centre, which serves as a national referral centre, and specialized ophthalmology services in the 19 departmental capitals. The Ministry also operates flagship programmes for the prevention of cataract blindness, including "Operation Miracle", a programme that has restored the sight of many older persons. Under the "A Voice for All" Programme, 100 ocular prostheses have been provided and 250 blind persons have received white canes.

Support for hard-of-hearing persons

128. The Nicaraguan health system has five audiology centres in the departments of Managua, Matagalpa, Estelí, Chontales and Jinotega. At these centres, 3,000 audiometric and tympanometric tests have been performed, and more than 2,000 persons have been issued with hearing aids. There are ear, nose and throat specialists in 10 comprehensive local health-care systems, and medical staff receive ongoing training in ear and hearing care.

129. At the national level, basic, intermediate and advanced training in primary ear and hearing care has also been provided, using modules developed by the World Health Organization, with the aim of improving hearing health and preventing and reducing hearing impairments.

Support for persons with psychosocial disabilities

130. The Ministry of Health has a comprehensive care plan for persons with psychosocial disabilities that is based on a community mental health model. Primary care personnel have been trained under the Mental Health Gap Action Programme of the World Health Organization. There is a national psychosocial referral hospital and specialized psychiatric care is available in departmental hospitals. There are 334 persons working in related areas. This number includes psychiatrists, psychologists, social workers and nurses.

Support for children with intellectual disabilities and persons with disabilities caused by genetic disorders

131. The genetics team has been strengthened with the addition of three clinical geneticists and nine practitioners with master's degrees in genetic counselling in different regions of the country who provide specialized care and advice to families with genetic disorders.

Maternity centres

132. Nicaragua's adopted strategy for preventing risk factors that can cause impairments, reducing infant mortality and ensuring the registration of births is centred on the construction of maternity centres. In 2015 and 2016, 111,858 pregnant women received care at these centres, which are located in rural areas and in ethnic and indigenous communities. This State programme met all three evaluation criteria and won the 2011 Americas Award conferred by the International Training Centre for Authorities and Leaders in Atlanta, which is part of the United Nations system.

Disability and prevention of HIV/AIDS

133. In November 2007, at the Central American Congress on AIDS (CONCASIDA), Nicaragua initiated a drive to tackle the issue of HIV and persons with disabilities. Although no information is available on persons with disabilities living with the virus, the authorities understand that having the disease leads to limitations and restrictions. Since 2008, training on HIV and HIV prevention has been provided to leaders in the disability sector, the National Council for Persons with Disabilities has been working in increased coordination with the Nicaraguan Commission on AIDS and persons with disabilities have been encouraged to take part in the Council's events and activities. In 2010, HIV prevention materials were developed in sign language and Braille. In addition, consultation processes are under way with a view to printing and distributing documents that can be read and understood by persons with disabilities.

134. In 2010, a communications campaign on HIV prevention was launched that included posters printed in sign language and was followed by forums and training sessions with an emphasis on HIV prevention for persons with physical and motor impairments, blind persons and deaf persons, organized with the primary aim of recognizing their rights as sexual beings.

135. Since 2013, and in accordance with the provisions of Act No. 820 on the Promotion, Protection and Defence of Human Rights in the Context of HIV/AIDS, representatives of the Persons with Disabilities' Office have been part of the Nicaraguan Commission on AIDS. The Act has now been amended to include preventive and support measures to benefit persons with disabilities (21).

Habilitation and rehabilitation (art. 26)

136. The Ministry of Health's network of rehabilitation services has been strengthened and there are now 38 physiotherapy units in health centres and 22 rehabilitation services based in the main departmental hospitals. There is also a teaching hospital that specializes in rehabilitation, the Aldo Chavarría Hospital, and a national referral hospital, the Antonio Lenin Fonseca Hospital. There are also three centres that produce prostheses, orthoses and other technical aids, located in Managua, Estelí and Puerto Cabezas. The range of services available at the Aldo Chavarría Hospital has been expanded. Previously a centre for the provision of care for persons with physical and motor disabilities, the hospital now also provides care and rehabilitation services for blind persons, having extended its coverage to include 50 blind persons who receive basic functional training over a four-month period.

137. The national "A Voice for All" Programme, established to provide more effective care for persons with disabilities, is run by the Ministry of Health in coordination with, inter alia, the Ministry of Labour, the Ministry of Education, the Ministry for the Family, the Office of the Human Rights Ombudsman, the Social Solidarity Outreach Programme and the Office for Persons with Disabilities and is supported by departmental and municipal programme coordinators around the country. There is a national comprehensive care plan for persons with disabilities, the general objective of which is to provide comprehensive care for all persons with disabilities in Nicaragua through mechanisms that rest on the participation of individuals, families, the community and society as a whole. A total of 469,344 home visits were made under the "A Voice for All" Programme in 2015 and 2016, with medical consultations and specialized care organized in parallel. Cases in which surgery was required were attended to immediately. In addition, 7,462 technical aids were distributed to persons in need, including wheelchairs, crutches, canes, walkers, hearing aids, limb prostheses and beds. In coordination with the Persons with Disabilities' Office, regulations for implementing Act No. 763 on the Rights of Persons with Disabilities have been drafted and a document designed to serve as a certificate of disability and identity card for persons with disabilities has been approved.

Work and employment (art. 27)

138. The Government of Reconciliation and National Unity is working hard to comply with national and duly ratified international treaties, protocols and laws concerning the rights of persons with disabilities, guaranteeing their labour and other human rights on

equal terms and providing support for workers or employees who acquire a disability in the workplace. It monitors, on an ongoing basis, adjustments aimed at providing reasonable accommodation in governmental and non-governmental bodies and ensuring that the right of persons with disabilities to work is protected and promoted.

139. The Ministry of Labour is working to restore the rights of persons with disabilities, having spearheaded the development of a number of mechanisms. Its website features a disability icon which provides a link to the three-step procedure established by the Public Employment Service for the recruitment of persons with disabilities. In the first step, the employer is required to make reasonable accommodation, adjusting the environment and working conditions based on the needs of persons with disabilities. In the second step, the employer can either visit the Ministry to receive guidance on the job advertisement, send the advertisement or request information by mail or contact the Ministry by telephone.

140. The third and final step entails managing the job advertisement process and arranging interviews for persons with disabilities. Based on the information provided by the employer and the position being offered, the Public Employment Service searches its database for persons with disabilities who might be eligible for the post, depending on their employment profile. They are then invited to the Ministry's offices, where they are given information about the post, and, if interested, they are then referred to the employer for an interview. Job seekers with disabilities who are referred to the employer are given a referral letter confirming that they are registered in the Ministry's database.

141. Hard-of-hearing persons are accompanied by an interpreter the first time they have contact with the employer.

142. The employer must agree a date and time for the candidate's visit with the Public Employment Service in advance, allowing them to submit their documents and have their interview on the same day; because of their physical and financial limitations, they should not be expected to make repeated visits to the employer's premises. A week after the interviews, the Public Employment Service contacts the employer to find out the name of the person hired.

143. The Public Employment Service was created to serve all persons of working age without distinction. It maintains a statistical database, which is confidential and exclusively for internal use, and a system for storing *curricula vitae*.

144. The Ministry of Labour has a team of labour inspectors to conduct inspections, implementing inspection plans in workplaces and using forms to check the percentage of employees or workers with disabilities. In application of Act No. 763, persons with disabilities should make up 2 per cent of the workforce, and should be provided with the working conditions, ongoing training and psychosocial support that they require in order to achieve inclusive, full and productive employment. The Equality and Non-Discrimination technical guide is used in inspections with the aim of educating employers about non-discrimination in employment and ensuring the correct application of Act No. 763 with regard to the inclusion of persons with disabilities in the labour market.

145. In the area of guidance and awareness-raising, the Ministry of Labour has trained 121 persons with disabilities in occupational health and safety, besides successfully integrating persons with disabilities into the workforce around the country.

146. Recent initiatives in the area of inspections have included training projects designed to support the socioeconomic and vocational reintegration of persons with disabilities who are victims of landmines and the social and employment reintegration of persons with disabilities who are victims of anti-personnel mines in the municipality of Condega, in the department of Estelí. Under these projects, which received financial support from the Pan American Health Organization and World Health Organization, men and women were provided with training and help to set up productive projects with the aim of improving the quality of life and living conditions of mine victims and their families through employment.

Adequate standard of living and social protection (art. 28)

147. The Government of Reconciliation and National Unity guarantees an adequate standard of living and social protection for persons with disabilities within the national

regulatory framework, which establishes their rights to full enjoyment of public services, to full inclusion and participation in society, to food, clothing and access to social housing programmes, to the continuous improvement of their living conditions, to social protection and poverty reduction programmes and to assistance.

148. At the end of 2015, the results of the 2014 National Survey of Living Standards were published. They showed that poverty levels had decreased significantly, with the overall poverty rate having dipped to 29.6 per cent, a reduction of 12.9 percentage points since 2009 and 18.7 percentage points since 2005. The rate of extreme poverty stood at 8.3 per cent, down 6.3 percentage points since 2009 and 8.9 points since 2005.

149. According to the Food and Agriculture Organization of the United Nations, hunger was reduced by more than half in Nicaragua between 1990 and 2014, as the proportion of the population that was undernourished fell from 54.4 per cent in 1990–1992 to 16.6 per cent in 2012–2014.

150. In 2016, the infant mortality rate was 17 per 1,000 live births, meeting the Millennium Development Goals target of 19 per 1,000 live births by 2015. The maternal mortality rate was 44.7 per 100,000 live births.

151. A total of 27.6 million health consultations were carried out in the public and private sectors combined. The Government provided 26.6 million consultations and 59.5 million prescriptions. Under the “A Voice for All” Programme, 136,747 persons with disabilities received comprehensive care in their homes. Under the “Operation Miracle” scheme, and with the support of a Cuban medical unit, 20,000 ophthalmic operations were performed to treat pterygium and cataracts. In the area of education, 1,683,820 students were enrolled in 2016 and 1,824,300 students were registered in all educational settings in 2015.

152. Every year, schoolchildren from families in severe financial difficulty receive free primary education and are given snacks, school materials and shoes. Students who successfully complete their secondary education in public schools also receive a graduation bonus. Technical, technological and language education continues to expand, and new technicians are being trained to high standards.

153. As a result of joint efforts by the national Government, local governments and the private sector, 22,308 houses have been built or improved. As part of the Roof Plan (“Plan Techo”) initiative, 121,550 families received roofing materials such as zinc sheets and nails. In rural areas, 36.5 per cent of the population (961,900 individuals) now has access to drinking water and 43 per cent (1.13 million individuals) has access to rural sanitation. In addition, 1,393 kilometres of roads and highways have been built, and 85.3 per cent of the country now has electricity, 48.6 per cent of which is generated from renewable sources, notwithstanding the impact of El Niño on hydroelectric power generation.

154. In order to ensure access for persons with disabilities to social protection programmes and poverty reduction strategies, efforts have continued to be made to strengthen family finances and community economies. This is an essential strategy for overcoming poverty, and programmes that capitalize on and guarantee access to resources for producers have been maintained. A total of 22,562 families have been involved in the “Zero Hunger” Programme. In addition, the “Zero Usury” Programme has provided 455.4 million córdobas (C\$) in loans to 70,720 women. As part of the Christianity, socialism and solidarity programmes, 35,398 persons received funding amounting to C\$ 237.9 million for the renovation of 38,960 housing units.

155. Nicaragua builds virtuous circles of development, inclusion, equality and peace, which is the essence of the model of Christianity, socialism and solidarity. To this end, the Government continues to fight all forms of discrimination and to increase the active participation of women.

156. The Government continues to work to guarantee citizen security, making Nicaragua one of the safest countries in Latin America. The homicide rate, which is a typical indicator, has fallen by 22 per cent since 2006.

157. The broad participation of men, women, young people and even children guarantees continued success in achieving such good results. The Government is therefore

strengthening the community health network and increasing volunteerism; 379,185 young persons have taken part in 18,908 solidarity activities and 880,356 young persons have participated in 29,331 recreational activities.

158. Within the framework of social security policies, the authorities have continued their efforts to: (i) protect workers and their families from risks at work and in everyday life; (ii) provide cash allowances for disability, old age, death and occupational hazards; and (iii) provide comprehensive health services, maternity care and treatment for common diseases and injuries caused by accidents or occupational hazards. Other social services are also provided with the aim of restoring rights and improving the standard of living of the Nicaraguan population. Public and private health service providers have continued to implement preventive, therapeutic and rehabilitation programmes to guarantee comprehensive care for persons with health insurance and their dependants, as well as for persons in receipt of a pension.

159. All persons with health insurance receive treatment, irrespective of the type of illness. The prepaid service agreement has been expanded to cover laboratory tests, computerized axial tomography and magnetic resonance imaging scans and all types of diagnostic and therapeutic ultrasound scans. The agreement also covers all life-saving surgical services and procedures, among others.

160. There are 15 public and private social security clinics that provide medical care for insured persons and their dependants, older persons and persons in receipt of a pension. Access to complex and costly services has been improved, and the complementary care programme remains active. Under the programme, funding is provided for highly complex services such as chemotherapy for cancer patients, heart surgery and cardiac catheterization, kidney transplants and dialysis and specialized orthopaedic surgery.

161. The number of pension payment centres has been increased to 28, located in Managua and departments and municipalities around the country, with the aim of improving the service provided to persons in receipt of a pension. Using its network of pharmacies, the Nicaraguan Social Security Institute has extended the availability of non-basic medicines for persons with health insurance or who are in receipt of a pension and their dependants. Of the total number of patients receiving treatment, 22 per cent have health insurance, 72 per cent are in receipt of a pension and 6 per cent are dependants.

162. Pensions for war victims continue to be reactivated, and the pensions paid to the mothers of victims of hostilities continue to be reassessed. In 2015, the number of pensions being paid had risen to 32,361, an increase of 65 per cent since 2006 (9).

Participation in political and public life (art. 29)

163. The Government of Nicaragua has been making progress in terms of access to the various forms of participation and inclusion in political and public life for persons with disabilities. As a result of these efforts, the Supreme Electoral Council has:

- completed a census to map out where persons with disabilities are living and begun the process of relocating polling stations in order to improve access to the highly important political right that is the right to vote.
- identified persons with disabilities who for various reasons have not yet received an identity card.
- worked to actively involve persons with disabilities in electoral processes in Nicaragua, giving them the training required to ensure that they are aware of their political rights in electoral matters.
- continued to work with polling officers to facilitate participation in electoral processes for older persons and persons with disabilities.
- provided Braille tablets to enable blind persons to exercise their right to vote in person.
- for the first time, published election publicity documents in Braille.

164. Under Act No. 763 on the Rights of Persons with Disabilities, municipal officials have been appointed in 15 municipalities in the departments of the Pacific, north and central regions. In the most recent municipal elections, a number of persons with disabilities stood for election and 11 were elected to serve as municipal councillors. This achievement marks political recognition for persons with disabilities, since it is the first time that members of organizations of persons with disabilities have stood for election to public offices.

165. With regard to political involvement, one of the results of the actions of organizations of persons with disabilities has been the promulgation of Act No. 763 and its regulations. At the local level, compliance with the Act, which is rooted in a rights-based perspective, and local government responses to the demands of persons with disabilities are closely related to the robust stance of organizations of persons with disabilities and their regional and local coordination bodies.

Participation in cultural life, recreation, leisure and sport (art. 30)

166. Chapter VIII of Act No. 763, which contains articles 62 and 63, states that the State must guarantee effective equality of opportunity in sporting, cultural and recreational activities. Central, municipal and regional bodies must promote inclusive cultural, sports and recreational programmes and activities with and for persons with disabilities. Persons with disabilities are entitled to a discount of at least 50 per cent on tickets for public, sporting, cultural and recreational events, whether organized by public or private entities.

167. Efforts to restore rights have been concentrated on strengthening, promoting and practising sports, with a particular emphasis on mass participation in a range of sports by children, young persons and adults, both for enjoyment and recreation. There has also been a focus on improving the performance of Nicaraguan athletes in national and international competitions.

168. The Sports Federation of the Nicaraguan Paralympic Committee is the body responsible for meeting the needs of athletes with disabilities. It has a basic budget for national and international sports activities involving athletes with visual, hearing, intellectual or physical and motor impairments.

169. In 2015 and 2016, disability sport, physical education and physical recreation were systematically promoted and encouraged. Cooperation between the national Government, local governments, the Sandinista Youth, the Alexis Arguello Sports Movement and sports federations and associations has been a key element in promoting sport, recreational activities and physical education and encouraging mass participation.

170. A total of 166,104 children, young persons and adults participated in 1,312 national school, federated, recreational and physical education events in 31 sporting disciplines.

171. Within the framework of national policy on culture, the Nicaraguan Cultural Institute has continued to spearhead the drive to strengthen the country's diverse, multi-ethnic identity. To this end, it has adopted various strategies in the field of artistic and cultural promotion and recreation, including activities to restore, protect, safeguard, preserve and promote ancestral cultural practices, to preserve historical and cultural heritage and to provide cultural, art education and information services that promote appreciation of and access to historical and cultural centres and sites.

172. A total of 4,155 promotional and recreational artistic and cultural activities have been organized, in which 225,607 children, young persons, adults and older persons have participated. These activities have included festivals, fairs, exhibitions, concerts, competitions, contests, artistic presentations and initiatives to promote reading, as well as 1,105 activities to support communities and their cultural traditions, in the form of incentives, research, publications, training, advice, assistance and technical inspections. Restoration works have been undertaken at six historical sites.

173. Training and other initiatives in art schools include the following:

- 2,076 young persons and teachers of language, literature and cultural and artistic expressions from 151 municipalities received training, in coordination with the Ministry of Education and the Leonel Rugama Cultural Movement
 - 476 students enrolled in arts schools and received training in music, visual arts, dance, theatre and ballet
 - At the School of Dance, three classrooms in the Gran Hotel Cultural Centre were renovated with the aim of improving the quality of artistic education
 - The operation of the School of Music has been streamlined
 - 15 artistic education teachers at the primary and secondary levels qualified to teach folk dances, and 2 young persons qualified as modern and folk dancers
 - 22 students graduated in different disciplines: 17 in dance, 1 in music, 3 in visual arts and 1 in theatre
 - 153 individuals were accredited to teach folk dance for the Leonel Rugama Cultural Movement
 - 210 cultural promoters were trained in regional dances
 - Support was provided to a Garifuna instructor from Honduras to give dance training to the Garifuna people
174. In the fields of promotion of art and literature:
- 211 folk dance, ballet, contemporary dance and puppetry performances were held, with a total of 36,599 attendees
 - 22 festivals were organized, with the participation of 465 artists and 11,055 attendees, as well as 4 artistic gala performances
 - 39 art and book exhibitions in Managua, Granada, Masaya, La Paz Centro and Estelí received 2,391 visitors
 - The National Orchestra gave 38 concerts in 10 municipalities, with 7,093 attendees
 - The rehearsal room used by the National Orchestra was fitted out with acoustic wall coverings, new furniture and an air-conditioning system
 - 145 poetry collections from 17 Spanish-speaking countries were submitted for the Rubén Darío International Poetry Award 2015
 - A book of poems by young persons was published by the Leonel Rugama Cultural Movement, under the title “En el claro del canto se anuncia el amanecer” (“Clarity of song heralds the dawn”)
 - Masaya City Council oversaw the Masaya Handicrafts Centre project
 - Corn Island Council built the Blue Crab Monument

Section of the report relating to specific obligations

Statistics and data collection (art. 31)

175. A tool created under the Ministry of Health’s “A Voice for All” programme makes available a variety of information regarding persons with disabilities registered with the programme, who, in accordance with the Act on the Rights of Persons with Disabilities, are issued with a disability card free of charge. For each individual, the following general information is entered into databases that are subject to continuous and constant modification: unique file number; name; type of disability; age; address; educational level; civil status; living and housing conditions; family composition; employment status; substance use and other factors related to the health of the person with a disability and of his or her family members; accessibility and participation; health status; accessories, medications and technical aids needed; type of disability; cause of disability; and an evaluation of critical conditions.

International cooperation (art. 32)

176. The Sandinista Government recognizes the importance of international cooperation and facilitates and promotes its continuous development through its legal framework, with article 5 of the Constitution providing that: “Nicaragua bases its international relations on friendship, complementarity and solidarity among peoples and reciprocity between States. Nicaragua adheres to the principles comprising American international law, as recognized and ratified nationally, favours regional integration and supports the reconstitution of the Great Central American Homeland.” Article 7, on external funding, of the Act on the Rights of Persons with Disabilities states that: “The State shall manage international cooperation funds in such a way that, together with the results of fiscal efforts, they ensure the implementation of the present Act”.

177. According to national leaders, the following local non-governmental organizations have access to funding from international partners: (1) Organización de Ciegos de Matagalpa Luis Braille (Louis Braille Organization for the Blind of Matagalpa), in Matagalpa, which has access to funding from the Danish Association of the Physically Disabled and Fundación ONCE of Spain; (2) Fundación Familias Especiales (Special Families Foundation), in Matagalpa, which has access to funding from Liliane Fonds of the Netherlands and the non-governmental organization SCIAF of Sweden; (3) Asociación Nicaragüense de No Videntes Estelí (Nicaraguan Association of the Blind of Estelí), which has access to funding from Disability Rights Fund of the United States of America, the Danish Association of the Physically Disabled, Fundación ONCE of Spain and Liliane Fonds of the Netherlands; (4) Asociación Cristiana La Luz (“The Light” Christian Association), in Masaya, which has access to funding from the European Union, Fondo Común de Gobernabilidad Democrática (Common Fund for Democratic Governance) and the Danish Association of the Physically Disabled; and (5) Asociación por un Mundo Solidario (Association for a World of Solidarity), in Diriamba, which has access to funding from Asociación por un Mundo Solidario of Spain and the Embassy of Japan.

National implementation and monitoring (art. 33)

178. Nicaragua’s ratification of the Convention energized the fight to uphold the rights of persons with disabilities. Even though the work to be done represented a challenge, given all the social dimensions of the commitments assumed under this international instrument, legislative measures were adopted under the domestic legal framework, including reasonable accommodation in basic social services at all levels of care, all corresponding to the existing needs of persons with disabilities.

179. The Act on the Rights of Persons with Disabilities, which was adopted and entered into force in early 2011, provides for the promotion, protection and assurance of the full enjoyment, on an equal basis with others, of all human rights of persons with disabilities, and has a scope that encompasses the public sector, the private sector and society as a whole. The regulations adopted in 2014 detail how the instrument applies to all the centralized and decentralized bodies and entities that comprise the public administration, municipal governments, private companies, individuals and organizations that serve persons with disabilities. The Nicaraguan Institute for Municipal Development sets up regional and municipal committees to promote and coordinate the implementation of the rights of persons with disabilities as inter-institutional hubs in the planning, development and consultation processes for government policies on the inclusion of persons with disabilities.

180. The monitoring mechanism established by the Head of Government has been placed directly under the Ministry of Health, which is also responsible for the Office of the National Council of Persons with Disabilities and the “A Voice for All” Programme, the programme tasked with keeping up-to-date, segregated data on persons with disabilities nationwide. The Ministry coordinates an inter-institutional commission that monitors the main efforts to ensure the implementation of government policies, the national workplan and the legal framework. The Office of the Human Rights Ombudsman follows up on the application of Act No. 763 and the regulations thereto, either ex officio or upon receiving a complaint, overseeing respect for the human rights of persons with disabilities on the part of the public administration and public officials and acts or omissions of the public

administration that violate the human rights of persons with disabilities. The Office endeavours to clarify the matter and refers suspected offenders to the relevant body for appropriate punishment. It also carries out inspections of public administration facilities to verify accessibility conditions (Nicaraguan Mandatory Technical Standard) and orders public officials to provide information, which they are required to submit without objections.

Conclusions

181. The Government of Reconciliation and National Unity has adopted a model of social cohesion in which persons with disabilities play the leading role, in partnership with workers, the national Government, local governments and the private sector. The 40 social programmes run by the Government on the basis of the principle of equality have led to international recognition for the country's implementation of its social policies. As a whole, these policies counter the scourge of poverty and contribute to a more even distribution of wealth, placing the emphasis on the human being and the family and thereby achieving real human development instead of simply macroeconomic growth.

182. The present report describes the main advances made in government policies and plans and the domestic legal framework under the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, giving effect to the rights recognized in the Convention.

183. The legal framework for disability in place in Nicaragua – namely, Act No. 763 and the regulations thereto – is the point of departure for the thorough and effective implementation of the rights of persons with disabilities. This implementation must be in line with the country's real potential for economic growth and its fiscal and budget capacity; in other words, it must be gradual, progressive, effective and directly proportional to the results achieved so that the necessary steps can continue to be taken at all levels with a view to achieving universal inclusion and full, sustainable self-development for persons with disabilities.

Bibliography

1. National Development Information Institute, *Anuario Estadístico 2015*, Managua. Accessed from <https://www.inide.gob.ni>.
2. Act No. 763 on the Rights of Persons with Disabilities Act, *La Gaceta* (Official Gazette of Nicaragua), Managua (2011).
3. Presidential Decision No. 57-2013, *La Gaceta* (Official Gazette), Managua (2013).
4. *Reporte de Pobreza y Desigualdad: EMNW 2016*. Accessed from <https://www.inide.gob.ni>.
5. 2012–2016 National Human Development Plan. Accessed from <http://www.hacienda.gob.ni/documentos/presupuesto/presupuesto-gral.-de-la-republica>.
6. Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, ratified by Nicaragua, without reservations, in 2007.
7. *Nicaragua Sandinista y la Justicia Social* (2018). Accessed from <https://www.el19digital.com>.
8. Comprehensive Act combating Violence against Women (Act No. 779), *La Gaceta* (Official Gazette), Managua (2014).
9. *Informe del Presidente al Pueblo y Asamblea Nacional: Gestión 2015*, Managua.
10. “Foro Económico Mundial destaca avances de Nicaragua en Índice de Competitividad Global.” Accessed at <https://pronicaragua.gob.ni/es/notas-de-prensa-2/1994-foro-econ%C3%B3mico-mundial-destaca-avances-de-nicaragua>.
11. Code on Children and Adolescents (Act No. 287), *La Gaceta* (Official Gazette), Managua (1998).
12. Act No. 212 on the Office of the Human Rights Ombudsman, *La Gaceta* (Official Gazette), Managua (1996).
13. Nicaraguan Mandatory Technical Standard on Accessibility NTON 12 011-13, adopted on 19 April 2013.
14. *Estudio Diagnóstico del Sector de las Personas con Discapacidad en la República de Nicaragua*, Managua (2014). Accessed at <https://www.jica.go.jp/nicaragua/espa%C3%B1ol>.
15. The General Health Act (No. 423) and regulations thereto, *La Gaceta* (Official Gazette), Managua (2002).
16. Nicaraguan Criminal Code (Act No. 641), *La Gaceta* (Official Gazette) (2007).
17. Act No. 337 establishing the National System for Disaster Prevention, Mitigation and Response, Managua (2000).
18. Act No. 650 on the Protection of the Human Rights of Persons with Mental Illness, *La Gaceta* (Official Gazette), Managua (2008).
19. Constitution of the Republic of Nicaragua, *La Gaceta* (Official Gazette), Managua (2014).
20. Act No. 745 on Enforcement, Privileges and Judicial Oversight of Criminal Sanctions, published in *La Gaceta* (Official Gazette), Managua (2011).
21. Act No. 820 on the Promotion, Protection and Defence of Human Rights in the Context of HIV/AIDS and on its Prevention and Treatment, *La Gaceta* (Official Gazette), Managua (2012).
22. The Family Code (Act No. 870), *La Gaceta* (Official Gazette), Managua (2014).