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I. Introduction

1. The constitutional framework of Nicaragua recognizes the existence of two historical developments concerning the social, economic and cultural characteristics that distinguish the Caribbean coast and the Special Status Zone of Alto Wangki and Bocay from the rest of the country and which are expressed through culture, community and territorial justice systems, a world view revealed through communal ownership, and health, education, cultural and production models based on the cultures and traditions of peoples and customary law, which are now protected and implemented through organic and sectoral laws, policies and programmes that are developed and applied in concert with the traditional institutions of self-government of indigenous peoples and persons of African descent.
2. The culture, traditions and languages of indigenous peoples and persons of African descent are promoted through the educational system and specialized entities in accordance with the rights to which they are entitled.
3. Nicaragua has made progress in protecting and restoring the individual and collective rights of indigenous peoples and persons of African descent, which are enshrined in the Constitution and ordinary laws, and in implementing and assessing the jointly formulated strategy and plan for the development of the Caribbean Coast and Alto Wangki and Bocay, which form part of the National Human Development Plan.
4. All national and regional programmes are developed, implemented and evaluated on the basis of dialogue and consensus, in close cooperation with communal and territorial authorities, representatives and leaders. Development plans are in place at the national, regional, municipal, territorial and communal levels. They are being implemented in municipalities and in the 23 indigenous and Afrodescendent territories, in compliance with international treaties and agreements, the Constitution and organic, special and sectoral laws.
5. The communities and territories elect their authorities in accordance with their traditions and customs, which are recognized and promoted by government bodies. They participate in the political life of the country through municipal, regional and national elections and play a role in government processes in the social, cultural and economic spheres through their own systems of representation. Their prior, free, informed consent is duly sought. They decide on and help define their own priorities for the development of their communities and territories, including with regard to natural resources.
6. Furthermore, the State of Nicaragua observes the treaties to which it is a party, in accordance with articles 5 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.
7. In light of the foregoing, the present report describes the progress made in restoring the rights of indigenous peoples and persons of African descent of the Caribbean coast and the Special Status Zone of Alto Wangki and Bocay, and the results achieved in eliminating all forms of racial discrimination against those groups, between 2008 and the first quarter of 2019, based on institutional sources at the Ministry of Family Economy, Cooperatives, Communities and Associations, the Ministry of Health, the Ministry of Education, the National Commission for Demarcation and Titling, and the Secretariat for the Development of the Caribbean Coast of the Office of the President.

II. Legal framework

8. Nicaragua has made significant progress in this area and has introduced an innovative model in terms of the constitutional and legal framework and the implementation of public policy, involving not only the application of positive law, but also the revitalisation of customary law so as to effectively promote inclusive growth and sustainable development based on the restoration of the rights of indigenous peoples and persons of African descent and to eliminate all forms of racial discrimination.

General legal framework

9. Government action to eliminate all forms of racial discrimination is based on respect for the self-determination of indigenous peoples and persons of African descent, who have their own institutions, namely the communal governments and 24 territorial governments of the 23 titled territories of indigenous peoples and persons of African descent.

Constitutional framework

10. The constitutional bases of the national human development model are the individual, family, community, territory and indigenous peoples and persons of African descent. The model is also based on shared responsibility and joined-up, coordinated social, economic and cultural policies.

11. Legal pluralism in Nicaragua is recognized under the Constitution (art. 55), which provides for the existence of two distinct but complementary systems, namely customary law and positive law, which within a single national geopolitical space accord a special place for indigenous peoples and persons of African descent. Thus, these groups enjoy the right to maintain their own identity, develop their identity and culture, practise their own forms of social organization, administer their local affairs and have communal forms of land ownership, including the enjoyment, use and benefit thereof. Customary law is thus revitalized. The communities and territories of indigenous peoples and persons of African descent should consequently be understood to be the foundation for human development in the regions concerned.

12. With regard to participation in the economic, political, cultural and social system, article 2 of the Constitution provides that national sovereignty resides in the people; the people exercise that sovereignty by means of democratic mechanisms and by determining and participating freely in the construction and development of the economic, political, cultural and social system of the nation.

13. Furthermore, under article 50, citizens have the right to participate on an equal footing in the conduct of public affairs and the administration of State. The law guarantees the effective participation, at the national and local levels, of individuals, families and communities in the formulation, implementation, evaluation, monitoring and follow-up of public and social policies and public services.

14. Moreover, under article 99, the State is responsible for promoting the country's overall development and, as steward of the common good, must ensure that individual, social, sectoral and regional interests and the needs of the nation are met.

15. Furthermore, under article 101, workers and other productive sectors, both public and private, have the right to participate in the preparation, implementation and monitoring of economic plans, in line with the model of dialogue, partnership and consensus promoted by the State, with a view to raising productivity through better education and training, better methods of organizing production, the adoption of modern technology, investment in modernizing productive capital, better infrastructure and public services.

16. Political power is exercised by the people through their representatives, who are freely elected by universal, equal, direct and secret ballot, and no other person or group of persons may arrogate that power or right of representation. The people may also exercise it through other direct mechanisms, such as participatory budgets, citizens' initiatives, territorial councils, territorial and communal assemblies of indigenous peoples and persons of African descent, sectoral councils and other procedures provided for under the current Constitution and the law, in accordance with articles 4 and 51 of the Constitution.

17. Article 5 sets out the principles and values of the Nicaraguan nation, namely liberty, justice, respect for human dignity, political and social pluralism, recognition of the identity of indigenous peoples and persons of African descent within an indivisible, unitary state, recognition of different forms of ownership, respect for the self-determination of peoples, Christian values, socialist ideals, solidarity, and the values and ideals of Nicaraguan culture and identity.

18. With respect to equality and non-discrimination, under article 3, the struggle for peace and the establishment of a just international order are inalienable commitments of the Nicaraguan nation. The State of Nicaragua therefore opposes all forms of colonialist and imperialist domination and exploitation and stands in solidarity with all peoples who are fighting against oppression and discrimination. Furthermore, article 27 provides that no one may be discriminated against on grounds of birth, nationality, political belief, race, sex, language, religion, opinion, origin, economic status or social position.

19. Article 48 provides for the unconditional equality of all Nicaraguans in the enjoyment of their political rights, in the exercise of those rights and the fulfilment of their duties and responsibilities. There is absolute equality between men and women. It is the duty of the State to remove actual obstacles to de facto equality between Nicaraguans and to their effective participation in the political, economic and social life of the country.

20. Article 49 provides for the right of urban and rural workers, women, young people, agricultural producers, artisans, professionals, technicians, intellectuals, artists, members of religious orders, the communities of the Caribbean coast and the population in general, without discrimination of any kind, to form organizations for the purpose of realizing their aspirations in accordance with their own interests and to participate in the construction of a new society.

21. Under article 91, the State has an obligation to enact laws for the promotion of measures to ensure that no Nicaraguan is subjected to discrimination on grounds of language, culture or origin.

22. The State recognizes the existence of indigenous peoples and persons of African descent, who enjoy the rights and guarantees and share the obligations set forth in the Constitution and especially those related to maintaining and developing their identity and culture, practising their own forms of social organization, administering their local affairs, and having communal forms of ownership of their lands and the enjoyment, use and benefit thereof, in full accordance with the law. Article 5 of the present Constitution establishes a system of self-government for the communities of the Caribbean coast.

23. Under article 89, the communities of the Caribbean coast form an inseparable part of the Nicaraguan people, and as such enjoy the same rights and have the same obligations. The communities of the Caribbean coast have the right to preserve and develop their cultural identities within the unity of the Nation, to adopt their own forms of social organization and to administer their local affairs in accordance with their traditions. The State recognizes the communal forms of land ownership of the communities of the Caribbean coast. It also recognizes the right to the enjoyment, use and exploitation of the waters and forests of their communal lands.

24. Regarding the Municipalities Act, article 177 states that that Act must address, among other things, the powers of the municipalities, their relations with the central Government, with indigenous peoples throughout the country and with the branches of government, and inter-institutional coordination.

25. Regarding community and communal ownership, article 5 of the Constitution recognizes that various forms of ownership – public, private, associative, cooperative, community, communal, family and mixed – must be guaranteed and encouraged without any discrimination, in order to produce wealth, and all of these forms of ownership, operating freely, must perform a social function. Furthermore, article 99 states that it is the responsibility of the State to protect, encourage and promote forms of ownership and of economic and corporate governance in the private, state, cooperative, associative, community, family, communal and mixed sectors so as to ensure economic and social democracy.

26. With respect to community and communal ownership, article 103 provides that the State guarantees the public, private, cooperative, associative, community, communal, family and mixed forms of ownership, all of which form part of the mixed economy. All these forms include the same rights and prerogatives in accordance with the applicable rules of law; lawful ownership and enjoyment of any of these forms may not be disturbed.

27. In accordance with article 8 of the Constitution, Nicaragua is a multi-ethnic nation, and the languages of the communities of the Atlantic Coast of Nicaragua may also be used for official purposes (art. 11 of the Constitution). Similarly, article 90 states that the communities of the Caribbean Coast have the right to free expression and the preservation of their languages, art and culture. The development of their culture and values enriches the national culture. The State is required to create special programmes to enhance the exercise of these rights.

28. Regarding the justice system, article 32 provides that all persons subject to a trial are entitled, on an equal basis, to due process and effective judicial protection, including the minimum guarantees.

29. With respect to education, article 58 states that Nicaraguans have the right to education and culture. Article 116 states that the purpose of education is to provide a full, all-round education for Nicaraguans, to develop their critical, scientific and humanistic awareness, personality and sense of dignity, and to train them to assume the tasks of common interest required for the nation's progress. Education is consequently a fundamental factor in the transformation and development of the individual and society.

30. Moreover, article 117 states that education is a single, democratic, creative and participatory process that links theory with practice, manual with intellectual labour, and promotes scientific research. It is founded on our national values, on knowledge of our history, reality and national and universal culture, and on constant scientific and technical development. It nurtures the values of the new Nicaraguan, in accordance with the principles set forth in the Constitution, the study of which is to be promoted.

31. Under article 121, access to education is free and equal for all Nicaraguans. The indigenous peoples and the ethnic communities of the Atlantic Coast have the right, in their region, to intercultural education in their mother tongue, in accordance with the law.

32. With regard to the administration of justice, article 27 provides that all persons are equal before the law and are entitled to equal protection. No one may be discriminated against on grounds of birth, nationality, political belief, race, sex, language, religion, opinion, origin, economic status or social position.

33. Article 160 links positive law and customary law in the administration of justice. The latter guarantees the principle of legality and protects and safeguards human rights and access to justice through the application of the law in all matters or proceedings under its competence. It recognizes the participation of citizens through the traditional indigenous leaders of the Caribbean coast and Alto Wangki and Bocay as alternative means of accessing justice and settling disputes, in full accordance with the law.

34. Regarding political, administrative, social and cultural autonomy, article 180 of the Constitution states that the communities of the Caribbean coast have the right to live and organize their society in accordance with their historical and cultural traditions. The State guarantees these communities the enjoyment of their natural resources, the validity of their forms of communal ownership and the free election of their authorities and deputies. It likewise guarantees the preservation of their cultures, languages, religions and customs.

35. In accordance with article 181, the State is required to organize, by means of a law, the system of self-government for the indigenous peoples and ethnic communities of the Caribbean coast, setting out, inter alia, the powers of their organs of government, their relationship with the executive branch and the legislature and the municipalities, and the exercise of their rights. Concessions and contracts for the rational exploitation of natural resources granted by the State in the autonomous regions of the Atlantic coast must be approved by the relevant autonomous regional council.

Rights under specific laws

36. Act No. 28, the Statute of Autonomy of the Communities of the Caribbean Coast of Nicaragua, guarantees these communities, within the unity of the Nicaraguan State, a system of self-government that allows their members to exercise effectively their historical

rights and their political, economic, social and cultural rights; it ensures equality in diversity, strengthens the country's national unity and territorial integrity, and reinforces democratic principles.

37. The autonomy of the indigenous peoples and persons of African descent of the Caribbean and Alto Wangki and Bocay enriches the national culture, recognizes and strengthens ethnic identity, respects the cultural specificity of the communities of the Caribbean coast and Alto Wangki and Bocay, preserves their history, recognizes the right of ownership of communal land and recognizes religious freedom and the existence of distinct identities on which to draw in the construction of national unity.

38. Under Act No. 28, the inhabitants of the communities of the Caribbean coast are entitled: (i) to absolute equality of rights and obligations among themselves, regardless of the size of their population or their level of development; (ii) to preserve and develop their languages, religions and cultures; (iii) to use, enjoy and benefit from communal waters, forests and land; (iv) to freely develop their social and productive organizations in accordance with their own values; (v) to instruction in their mother tongue and Spanish through programmes that cover their historical heritage, value systems and traditions and the characteristics of their environment; (vi) to have communal, collective or individual forms of ownership and transfer thereof; (vii) to elect the authorities for each autonomous region and to be elected to the corresponding posts; and (viii) to preserve, in scientific fashion and in coordination with the national health system, the knowledge of natural medicine accumulated throughout their history.

39. In accordance with the provisions of the Constitution and Act No. 28 and its regulations, communal lands cannot be alienated, donated or sold and enjoy special protection guaranteed by the State. Therefore, rights over these lands cannot be transferred, alienated or encumbered in favour of third parties, and only the rights of use and usufruct may be exercised, with the approval of the communal assemblies, in respect of the leasing and exploitation of natural resources. These lands may not be seized or encumbered and are imprescriptible.

40. Chapter III of Act No. 162 of 22 June 1993, on the official use of the languages of Atlantic Coast communities, provides that, in the autonomous regions, justice will be administered pursuant to special regulations reflecting the cultural characteristics of these regions.

41. Under the new Criminal Code, Act No. 641 of 13 November 2007, coordination with communal/Wihta/Wistah judges is required when an indigenous person or member of an ethnic community of the Caribbean coast commits a crime or offence within and between members of these communities that carries a penalty of not more than 5 years' imprisonment. In such cases, the victim has the right to choose the state justice system at the outset of the proceedings, with the prohibition on multiple criminal prosecutions being at all times observed (Criminal Code, art. 20).

42. Article 4 of the Family Code, Act No. 870, empowers the communal/Wihta/Wistah judges of indigenous peoples to act in cases involving family matters, which are governed by specific regulations consistent with customary law and the laws of indigenous and Afrodescendent communities.

43. Article 37 of the Family Code provides that indigenous peoples and persons of African descent have the right to preserve, maintain and promote their own family systems. The State recognizes, respects and protects the various types of indigenous and Afrodescendent families, particularly the extended family. The State recognizes, in particular, the right of families, indigenous peoples and persons of African descent to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of children and adolescents.

44. The Family Code also recognizes the family systems particular to indigenous peoples. In the Miskito and Mayangna communities, these are extended families, or rather family groups. They are referred to as "sulani" by the Mayangna and "kiamkas" by the Miskito; they represent a lineage that constitutes a community. The terms "sulani" and "kiamkas" refer to the generation and human group living together in a territory, which the

Mayangna call “Pa” and the Miskito “Wan Tasbaya”. The community is the place of origin, life and continuity.

45. Extended families in the Miskito and Mayangna communities are broader than nuclear families, with siblings and their spouses and children, fathers, mothers, married children and very close friends, who are recognized as members of the family, involved in the household and productive activities and economic system of the communities.

46. Article 62, on persons authorized to perform marriages and to certify stable de facto unions, provides that in Nicaragua the persons so authorized are family court judges and, where there are no such courts, local civil court or combined court judges, notaries who have been registered with the Supreme Court for at least 10 years and the territorial and communal authorities of indigenous peoples and persons of African descent in the autonomous regions of the Caribbean coast.

47. Regarding the family and community health model,¹ article 11 of the General Health Act, Act No. 423, provides that the autonomous regions of the Caribbean coast may define a model of health care that is in line with their traditions, culture, customs and practices, within the framework of the policies, plans, programmes and projects to be coordinated to that end by the Ministry of Health with the regional governments. Within this framework, the regional governments have created health secretariats to help improve the administration of health-care services in line with national health policies, standards and procedures.

48. Under article 13, health promotion is a matter for individuals, communities and the State, the aim being to create, maintain and improve positive health conditions for the entire population, to foster attitudes and practices among individuals that are conducive to healthy lifestyles and to encourage the public to work towards better individual and collective health.

49. The comprehensive health-care model under article 38 is the set of all the principles, standards, provisions, schemes, plans, programmes, measures and instruments for the promotion, protection, recovery and rehabilitation of health that, through an approach centred on individuals, families and communities, provide for coordinated environmental actions and seek to contribute effectively to improving the standard of living of the Nicaraguan people.

50. In line with article 60, the health model of the autonomous regions is based on the following principles: (i) integration; (ii) social participation, in particular the participation of indigenous peoples; (iii) cultural revitalization; (iv) reciprocity and social solidarity among the various stakeholders and members of society involved; and (v) equitable care.

51. Pursuant to the Ancestral Traditional Medicine Act, Act No. 759, and its regulations, adopted in 2012, the Ministry of Health established the Institute of Natural and Traditional Medicine and Complementary Therapies, which bases its work on intercultural health models, natural medicine and complementary therapies, and traditional medicine.

52. The Regional Autonomous Education Subsystem, provided for under the General Education Act, Act No. 582, is a key element for strengthening the Regional Autonomous Educational Subsystem, a participatory educational model that is decentralised, autonomous and responsive to the educational realities, needs, desires and priorities of the multi-ethnic, multilingual and pluricultural population concerned. The aim of the system is to ensure the comprehensive education of the children, youth and adults, men and women of the Caribbean coast at all levels of the educational system and respect for and the recovery and strengthening of their various ethnic, cultural and linguistic identities.

53. Interculturality is one of the key issues addressed by Regional Autonomous Education Subsystem, which promotes a solid grounding in science, technology and the humanities with a view to strengthening the ethnic, cultural and linguistic identities of the persons concerned and contributing to the project of unity in diversity, in line with the practices, traditions, value systems and cultures of these persons, in cooperation with the

¹ Political Constitution of the Republic, as amended, art. 105.

Ministry of Education, Culture and Sport, the National Council of Universities and the National Institute of Technology.

54. The purpose of Act No. 445, on the communal property regime of the indigenous peoples and ethnic communities of the autonomous regions of the Atlantic Coast of Nicaragua and of the Bocay, Coco, Indio and Maiz Rivers is to regulate the communal ownership regime of the lands of the indigenous and ethnic communities of the Atlantic Coast and the Coco, Bocay, Indio and Maíz river basins. Its specific objectives include:

- Guaranteeing to indigenous peoples and ethnic communities full recognition of their communal ownership rights and the right to use, administer and manage traditional lands and the natural resources found there through the demarcation and titling of those lands
- Regulating communal ownership rights and the right to use and administer the natural resources of the traditional communal lands of indigenous peoples and ethnic communities
- Defining the legal procedures required for such recognition, with the full participation of indigenous peoples and ethnic communities through their traditional authorities
- Establishing the basic principles of the administrative regime for indigenous peoples and ethnic communities relating to the management of their communal territories
- Establishing rules and procedures for demarcation and titling relating to the communal ownership rights covered by the Act
- Defining an institutional framework to govern the process of titling the communal lands of each of the indigenous peoples and ethnic communities covered by the Act

55. The law also defines, among other things, two fundamental concepts:

(a) Communal land, as the geographical area in the possession of an indigenous or ethnic community, whether it is under the title of absolute ownership or not, comprising the lands inhabited by the community and those that constitute the traditional sphere of its social, economic and cultural activities, sacred places, forest areas for the reproduction and multiplication of flora and fauna, boat building and subsistence activities, including hunting, fishing and agriculture. Communal lands may not be encumbered and are unseizable, inalienable and imprescriptible;

(b) Communal property is the collective property constituted by the lands, waters, forest area and natural resources contained therein that have traditionally belonged to the community, traditional knowledge, intellectual and cultural property, biodiversity resources and other goods, rights and securities belonging to one or more ethnic or indigenous communities.

56. Article 4 of the Act provides that the Communal Assembly constitutes the highest authority of indigenous and ethnic communities. The communal authorities legally represent the communities. Each community decides on the communal authority that will be its legal representative. The highest authority of a territory is the Territorial Assembly, which is convoked in accordance with procedures established jointly by the communities comprising the territorial unit. Furthermore, under article 5, the communal authorities are the administrative and traditional government bodies that represent the communities, which elect them in accordance with their customs and traditions. The territorial authorities are the administrative bodies of the territorial units that they legally represent.

57. Article 6 states that the election, re-election and dissolution of the communal or territorial authorities are to take place, and the length of their terms of office is to be decided, in accordance with the customs and traditional procedures of the indigenous and ethnic communities.

58. Pursuant to Act No. 445,² the traditional communal authorities grant permits to third parties for the development of the natural resources of the communal lands, provided that they are expressly instructed to do so by the Communal Assembly. Permits are not required for subsistence activities. In the case of the development of natural resources shared by communities within a territory, permits will be granted for such use by express order of the Territorial Assembly. The relevant autonomous regional council will provide technical support to the communities during the approval process and regarding the rational use of regional resources.

59. Furthermore, under the Special Development Regime, the Miskito Indian Tasbaika Kum, Mayangna Sauni Bu and Kipla Sait Tasbaika indigenous territories located in the Alto Wangki and Bocay basin and their communities also enjoy constitutional and legal guarantees regarding the use of natural resources and the effectiveness of their systems of self-government, with communal ownership being reinforced by Decree No. 19-2008, adopted 14 April 2008.

60. Within this institutional framework, one of the strategic aims of the Supreme Court of Nicaragua is to facilitate the access of Nicaraguan citizens to the justice system, without any form of discrimination. The Court's objective is, within 10 years, to facilitate access to justice by expanding the coverage of services throughout the country and guaranteeing equal and effective access to and protection of the courts, without discrimination. The goal is to provide a prompt and timely judicial response for the protection of the rights of indigenous peoples, persons of African descent and other persons in vulnerable situations.

61. The Executive Authority (Organization, Competence and Procedures) Act (Act No. 290) provides that the executive branch, as one component of the State, will act in a joint and coordinated manner with the other branches of State, the regional governments of the autonomous regions and the municipal governments, in accordance with the Constitution and the laws. The territorial and communal governments are also included, in accordance with the Political Constitution of the Republic and related laws.

62. Pursuant to article 15 of Decree No. 25-2006, adopted on 20 April 2006, the Office of the President of the Republic has established a body responsible for coordinating and cooperating with the Caribbean coast and the indigenous peoples of the Caribbean coast and Alto Wangki and Bocay, namely the Office for Caribbean Coast Affairs.

Defenders of indigenous peoples and persons of African descent

63. In accordance with the manual on the organization and functions of the Public Defender Service of 8 March 2012, the Supreme Court of Justice created the Public Defender Service for Indigenous Peoples and Persons of African Descent. Its primary functions are: counselling, defending and representing the members and traditional authorities of these groups both in and out of court; analysing submitted documentation, evidence, facts raised, evidentiary items, the legal framework, culture and traditions; examining sources of evidence and producing evidence to serve as the basis for the defence; and acting as mediator in the regularization process provided for in Act No. 445.

III. Strategy and plan for the development of the Caribbean Coast and Alto Wangki and Bocay

64. The restoration and revitalization of the social, economic, political and cultural rights of indigenous peoples and persons of African descent, and the elimination of all forms of racial discrimination are national priorities. These objectives are pursued by means of the National Human Development Plan, of which the strategy and plan for the development of the Caribbean Coast and Alto Wangki and Bocay forms part. These

² Act No. 445, on the communal property regime of the indigenous peoples and ethnic communities of the autonomous regions of the Caribbean Coast of Nicaragua and of the Bocay, Coco, Indio and Maiz Rivers, art. 3. Published in *La Gaceta* No. 16 of 23 January 2003. Arts. 11 to 33.

instruments provide the framework for policies that have been consulted and agreed on in discussions at the national, regional, municipal, territorial and communal levels. This approach requires the application of a model that is based on partnerships, dialogue, consensus and shared responsibility and that unifies and strengthens public institutions through cooperation with traditional forms of self-government and autonomy.

65. Within this framework, the 23 territories of indigenous peoples and persons of African descent have adopted rules or statutes and territorial development plans that strengthen collaboration between the public sector and traditional forms of self-government with a view to pursuing human development measures that are consistent with the identity of each people.

66. This development strategy represents the vision and aspirations of individuals, families, communities, municipalities, regions, institutions and organizations and the legacy that will be left to future generations; it must therefore be founded on the world vision of the peoples concerned, while drawing on modern approaches such as sustainable development, inclusion, social justice, gender equality, environmental conservation and low-emission development.

67. The principles governing the implementation and evaluation of the strategy are: the good way of living and the common good, cultural identity and interculturalism, respect for Mother Earth and harmony with nature, ecological integrity, climate change and emissions reduction, a green economy approach, gender equality and the empowerment of women and girls, shared responsibility, territorial development and a solidarity economy, knowledge sharing, partnerships, consensus and targeting.

68. As a result of its management model, Nicaragua has made significant progress in ensuring the right of every person to equality before the law, particularly in terms of restoring and revitalizing the rights of the indigenous peoples and persons of African descent of the Caribbean Coast and Alto Wangki and Bocay, which has helped to reduce racial discrimination and promote understanding, tolerance and friendship among the nations and population groups that enrich the nation in terms of, for example, culture, language, traditions, production, health, education and justice.

69. The Caribbean and the area of the Special Status Zone of Alto Wangki and Bocay account for 49 per cent of the national territory. An example of the Government's commitment to effectively and efficiently reducing discrimination in Nicaragua is the fact that indigenous peoples and persons of African descent have been issued with land titles totalling 120,339.54 km², or 32 per cent of the national territory.

70. From its outset, the development strategy for the Caribbean Coast and Alto Wangki and Bocay, which forms part of the National Human Development Plan, was intended to be implemented in three phases. The first phase ran from 2009 to 2012, the second from 2012 to 2018 and the third, which is due to run from 2019 to 2029, is at the final revision stage prior to publication (annex 1).

Action area 1: Sociocultural development

71. Key aspects specific to the human development of the peoples of the Caribbean Coast and the Special Status Zone of Alto Wangki and Bocay are taken into account within the framework of seven programmes, namely: (i) Mother Earth; (ii) community harmony, social peace and administration of traditional justice; (iii) revitalization of multi-ethnic, multicultural, multilingual and sports-related identities; (iv) regional autonomous bilingual intercultural education; (v) regional autonomous intercultural health; (vi) water and sanitation; and (vii) family, adolescents, children and women. The main achievements and challenges are outlined below.

Programme 1: Mother Earth

72. The objective of the programme is to strengthen the governance of communal and territorial property regimes. The Caribbean and the Special Status Zone of Alto Wangki and Bocay account for 49 per cent of the national territory, and 31.4 per cent of that area is

titled under a communal property regime for 23 indigenous and Afrodescendent territories. Of these, 16 are in the Autonomous Region of the North Caribbean Coast, 4 in the Autonomous Region of the South Caribbean Coast, and 3 are in Special Status Zone.

73. Of the 32 per cent of land titled for indigenous peoples and persons of African descent, 28.86 per cent is in the autonomous regions of the Caribbean and 3.14 per cent is in the Special Status Zone of Alto Wangki and Bocay. The titling process covers 23 indigenous and Afrodescendent territories, 306 communities with 283,351 inhabitants and 120,339.54 km². Land titles, covering 55 per cent of the Caribbean and 100 per cent of the area of the Special Status Zone, have been issued to indigenous peoples and persons of African descent. This figure could increase once the titling process is completed for the two additional areas, thus finalizing the land titling phase (see annex II).

74. The additional areas pending titling come under the Special Status Zone of Alto Wangki and Bocay located in the northern part of Nicaragua between the department of Jinotega and the North Atlantic Autonomous Region, home to the Mayangna and Miskito indigenous populations, namely the Miskito Indian Tasbaika Kum territory and the Mayangna Sauni Bu territory. This stage would conclude the titling phase and the addition of these areas to the two territories would increase, from an accounting perspective, the proportion of national land that is titled (see annex II).

75. The process of updating the two assessments for the demarcation and titling of the two additional areas of the Mayangna Sauni Bu and the Miskito Indian Tasbaika Kum indigenous territories is ongoing; once it has been concluded, the titling of the areas claimed by indigenous peoples will have been completed and the area of titled land will have increased.

76. In accordance with article 40 of Act No. 445 Act on the communal property regime of the indigenous peoples and ethnic communities of the autonomous regions of the Atlantic Coast of Nicaragua and the Bocay, Coco, Indio and Maíz Rivers, the process of demarcation and titling of the communal property of the indigenous and ethnic communities was launched and carried out in line with established procedures and by the competent bodies, in full compliance with the relevant general principles and criteria, in order to ensure:

(a) The full and direct participation of the indigenous peoples and ethnic communities concerned, with speaking and voting rights, through their traditional authorities;

(b) The full readiness and willingness of the various institutions and individuals concerned to work together with a sustained focus on carrying out the process;

(c) The determination of the boundaries and surface area of the land to be recognized, taking into account the cultural and historical ownership exercised by the applicant community or communities;

(d) The willingness to contribute peacefully and reasonably to the search for a solution to any potential conflicts between communities or groups of bordering or neighbouring communities in their settlements.

77. The communities that have been issued with land titles for certain areas, including those granted by the Mosquitia Land Titling Commission under the 1905 Harrison-Altamirano Treaty, or other titles, are also entitled to areas in addition to those lands that they have traditionally occupied. The indigenous and ethnic communities of the coastal areas, islands and cays of the Caribbean Coast have the exclusive right to utilize marine resources for community-based and artisanal fishing within 3 miles of the coast and within a radius of 25 miles around the adjacent islands and islets.

78. Taxes collected by the tax authorities as fees for the use of natural resources in the autonomous regions should directly benefit the indigenous communities of the areas where the natural resources are found. These funds are disbursed by the Ministry of Finance and Public Credit to the legal representative, namely the communal or territorial authority nominated by the community assemblies.

The National Demarcation and Titling Commission and the inter-institutional demarcation and titling commissions

79. The State of Nicaragua is fully committed to responding to the request for the titling of the lands and territories of the indigenous peoples and ethnic communities of the former Mosquitia territory of Nicaragua, in accordance with a right enshrined in the international treaties concluded between the United Kingdom and Nicaragua, such as the 1860 Treaty of Managua and the 1905 Harrison-Altamirano treaty, and recognized in the Constitution of Nicaragua and the Statute of Autonomy of the Autonomous Regions of the Caribbean Coast. To that end, it adopted and promulgated Act No. 445, which provides for the establishment of the National Demarcation and Titling Commission, which is composed of:

- (a) The two rotating presidents of the autonomous regional councils;
- (b) The director of the Rural Titling Office;
- (c) Two representatives from the Bocay basin;
- (d) One delegate from the Ministry of Agriculture and Forestry;
- (e) The director of the Nicaraguan Institute for Territorial Studies;
- (f) A representative from each of the ethnic communities of the autonomous regions;
- (g) A representative from the National Assembly's Commission for Ethnic Affairs and the Communities of the Atlantic Coast who is originally from the autonomous regions of the Atlantic Coast of Nicaragua;
- (h) The mayors of the municipalities located in the demarcation and titling area.

80. The National Demarcation and Titling Commission is responsible for: dealing with demarcation and titling requests; leading the demarcation process; establishing technical, regional and territorial commissions; adopting its rules of procedure; managing its budget; and coordinating with the Rural Titling Office the issuance of titles for the lands and territories of the indigenous peoples and ethnic communities.

81. In accordance with Act No. 445, in the autonomous regions and in the territories of the basin of the Coco and Bocay Rivers, three inter-institutional demarcation and titling commissions have been established to carry out the demarcation and titling process, with a mandate to receive requests for communal land titling submitted by the communities, to accept and process the communities' requests if they meet the legal requirements or, if they do not, to make appropriate comments so that they can be amended.

82. As part of the special protection granted to communal property, in accordance with the Constitution and Act No. 28 and its regulations, communal lands cannot be alienated, donated or sold and they benefit from special protection status, which is guaranteed by the State. Accordingly, the rights over these lands may not be transferred, alienated or encumbered in favour of third parties, and only rights of use and usufruct may be exercised, with the approval of the communal assemblies, through the leasing and use of natural resources. These lands may not be seized or encumbered and are imprescriptible.

Programme 2: Community harmony, social peace and the administration of traditional justice

83. Human development must be based on progress accompanied by social peace and the recognition of multi-ethnic, multicultural and multilingual identities. With a view to revitalizing a way of life based on a culture of dialogue, partnerships and consensus among peoples, the private sector and the Nicaraguan State are promoting unity and collective and humanist interest, based on shared responsibility in meeting the challenges raised by community, territorial and regional development.

84. The objectives of the programme are: (i) to strengthen the process of revitalizing the concepts of the good way of living and the common good, which are based on the legacy of customary law, harmony among peoples, social peace and justice deriving from collective ancestral wisdom, with a focus on the family and community; and (ii) to reaffirm the

principles and values of our peoples, which are at the heart of our identity and our way of life.

85. One of the strategic guidelines of the Supreme Court of Nicaragua concerns the provision of access to justice for Nicaraguans without discrimination of any kind. The Court has set itself the 10-year objective of facilitating access to justice by expanding the coverage of services throughout the country and guaranteeing equal and effective access to and protection of the courts, without discrimination. The aim is to provide a flexible and timely judicial response to the protection of the rights of indigenous peoples, persons of African descent and other persons in vulnerable situations (see annex III).

86. In this regard, the administration of justice in Nicaragua ensures citizen participation through the traditional indigenous leaders of the Caribbean Coast as alternative means of accessing justice and settling disputes, in full accordance with the law.

87. Currently, access to justice is guaranteed, as is the use of indigenous languages, in the regions of the Caribbean Coast and the Special Status Zone of Alto Wangki and Bocay, inasmuch as the indigenous peoples and persons of African descent have their own public defenders, who help to strengthen the restoration and exercise of the rights of those concerned.

88. In addition, the staff responsible for the administration of justice in the regions are indigenous to the Caribbean coast. In Alto Wangki and Bocay, two registrars have been appointed, one for each municipality, with responsibility for providing specific advice and support to the indigenous peoples of Alto Wangki and Bocay.

89. The strengthening of the community justice system began in 2013 as part of efforts to establish closer links between the indigenous community customary justice system and the State justice system. A total of 168 community leaders, including 52 community and territorial judges, have received accredited training on positive law and customary law. A total of 31 professionals, community and territorial judges have attended a diploma course on indigenous rights delivered by the Institute of Advanced Judicial Studies of the Supreme Court of Justice.

90. Currently, there are seven defenders of indigenous peoples and persons of African descent: five Miskitos, one Garifuna and one Mayangna. Overall, the Public Defender Service has 35 staff members, of whom 29 per cent are men and 71 per cent are women. Of these, 40 per cent are Miskitos, 14 per cent are persons of African descent, 3 per cent are Mayangnas and 43 per cent are Mestizos.

Table: Public defenders in the North and South Caribbean Coast and Alto Wangki and Bocay

<i>Overview of public defenders</i>					
<i>M</i>	<i>F</i>	<i>Miskitos</i>	<i>African descent</i>	<i>Mayangnas</i>	<i>Mestizos</i>
10	25	14	5	1	15
29 %	71 %	40 %	14 %	3 %	43 %

Programme 4: Regional autonomous bilingual and intercultural education and sports education

91. Education is a fundamental factor in the transformation and development of human beings. The Autonomous Regions of the Caribbean Coast and the Special Status Zone of Alto Wangki and Bocay have a regional autonomous educational subsystem, which is aimed at providing comprehensive training for women and men who are members of indigenous or ethnic communities or are persons of African descent. The training is based on the principles of autonomy, interculturalism, solidarity, relevance, quality, equity, and the moral and civic values of the regional and national cultures, and the commitments made by these men and women to sustainable development, gender equality, and the rights of children and young people.

92. In indigenous and Afrodescendent community schools, the Ministry of Education, in coordination with the Regional Autonomous Educational Subsystem, has distributed course materials and textbooks that include content covering subjects to strengthen economic, social and cultural rights and eliminate racial discrimination, with a special focus on the participation of women, on the basis of the practices, traditions and customs of the communities concerned, within the context of interculturalism and community rootedness, and in their own mother tongue (Miskito, Tuhka, Ulwa, Panamahka, Creole, Rama and Garifuna).

93. In the indigenous and intercultural schools of the Caribbean Coast and the Special Status Zone of Alto Wangki and Bocay, the issues of racial discrimination, xenophobia and other related forms of intolerance are addressed from a preventive perspective, with the participation of other State institutions, such as the Ministry of Health, the Ministry of the Family, the National Police, and the Ministry of Women and Youth, through experiential workshops, talks, videoconferences and the study and analysis of relevant cases. Similarly, strategies are being considered to develop understanding and cooperation and to foster a culture of peace and peaceful coexistence through dialogue.

94. The indigenous and Afrodescendent community schools of the Caribbean Coast and Alto Wangki and Bocay are spaces of coexistence where diverse cultures contribute to an intercultural environment and which allow issues to be addressed – such as tolerance and non-discrimination on various grounds – in a way that goes beyond purely theoretical subject-matter teaching and learning, by providing practical content on civic virtues and allowing children in primary and secondary education to develop behaviour and good habits that will help to eliminate discrimination.

95. These schools seek to reinforce peaceful coexistence and promote a philosophy of tolerance through practical examples and exercises proposed in the curricula and programmes and based on assertive communication and respect for others and their cultures, with a view to overcoming ethnocentrism and combating continuously all types of discrimination. This work is supported by the community education councils of the Ministry of Education, in coordination with the education commissions in each community, comprising parents and indigenous and Afrodescendent leaders.

96. The community education councils are one element of the strategy to protect the tranquility of Nicaraguan families and, therefore, of indigenous peoples and persons of African descent. The councils are intended to strengthen the role of families, schools and communities in promoting values that help to build a culture of respect; this, in turn, encourages Nicaraguan families to live well, happily, healthily and harmoniously, fostering non-discrimination. The councils operate in schools throughout the country based on the active involvement of parents, students, teachers, principals and vice-principals.

97. In order to carry out comprehensive values training, the councils organize festivals, meetings with students and parents, international forums, national congresses, talks, workshops, municipal and departmental meetings and sports activities, thus reaffirming the importance of promoting values.

98. The Regional Autonomous Educational Subsystem implements the intercultural bilingual education curriculum in schools in the Caribbean Coast region and Alto Wangki and Bocay. The purpose of the curriculum is to explore alternative ways of helping to build habits and raise awareness with a view to putting an end to intolerance and discrimination on the basis of culture, race or linguistic and social class, by fostering equitable contact and interaction among different peoples and cultures at all levels and for all types of education.

99. The teacher-training colleges of the Caribbean region of Nicaragua have in recent years trained 1,100 specialists in intercultural bilingual education who will teach students in the indigenous communities of the Caribbean in their own native languages.

100. Intercultural bilingual education is provided in preschools, regular primary schools and single-class primary schools by a bilingual community outreach worker or educator in preschools and by bilingual teachers in primary schools, who communicate in the mother tongue of their pupils and use Spanish as the second language. In addition, in schools in the

urban area of the Caribbean Coast, English is taught in the first two grades of primary education by teachers specializing in this language.

101. In the Caribbean Coast region and Alto Wangki and Bocay, instruction is currently provided in the pupils' mother tongue in more than 70 per cent of schools located in indigenous and Afrodescendent communities, where there are 313 schools and 1,623 intercultural teachers.

102. In the South Caribbean Coast Autonomous Region, a seven-year education plan, for the period 2014–2021, was approved by decision of the Autonomous Regional Council. It is aimed at improving the quality and relevance of intercultural bilingual and monolingual education at all levels.

103. The school retention rate for indigenous and Afrodescendent women and children is 96 per cent, as compared to 70 per cent in 2008. The school attendance rate is 85 per cent; it has risen significantly, since more indigenous women and girls, particularly in rural areas, have greater access to education thanks to the construction of new school infrastructure in remote settlements and communities.

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

105. In 2017, initial enrolment in regular education increased by 32.75 per cent compared with 2015, the best results being in primary education, where enrolment rose by 6.8 percentage points. The average school retention rate during the period 2012–2016 was 87 per cent and the school pass rate was 89.70 per cent. A total of 90 per cent of students had free access to education.

106. In other forms of education for young people and adults, initial enrolment for 2016 and 2017 totalled 92,743 students (67 per cent in the North Caribbean Coast Autonomous Regions and 33 per cent in the South Caribbean Coast Autonomous Regions). Of these, 1,129 were enrolled in regular initial training courses at teacher training colleges, 42,924 in primary education, 35,542 in secondary education, 6,643 in literacy classes, 162 in vocational training and 6,343 in distance secondary education in rural areas.

107. In the Special Status Zone of Alto Wangki and Bocay, in 2008 the number of pupils enrolled in preschool, primary and secondary education stood at 5,600. This figure gradually increased year-on-year to reach in 2018, according to the statistical information system, the figure of 8,204 pupils, each with his or her own code. Similarly, schools are registered with their respective codes. Progress is hence being made in increasing school attendance, as part of the restoration of rights.

108. Between 2012 and 2017, the school meals programme continued, with a total of 910,050 meals being provided. The programme thus reached an average of 98.5 per cent of preschool and primary school-age children in public, community and subsidized schools. Furthermore, over one million textbooks and exercise books were distributed to primary and secondary school children; 1,551 curricula, modules and guides for teachers in regular primary education, 13,422 learning modules to students in grades 7 and 8 enrolled in distance secondary education in rural areas and 4,449 curricula and guides for teachers responsible for grades 7 to 11 in regular and distance secondary education.

109. Between 2016 and 2017, school support kits and shoes were provided to 171,594 students in preschool, primary, and secondary education, and those in special education and secondary education in rural areas. Learning conditions were improved with the provision of 26,411 desks, both new and repaired.

110. In both regions, a real time monitoring system is being implemented as a pilot project in 42 schools in the municipalities of Bilwi, Bluefields, Laguna de Perlas and La Desembocadura. The system is aimed at detecting cases of violence among peers and between teachers and pupils, and organizing activities with a view to eliminating any discrimination in schools.

111. Assessment and monitoring of the attendance of indigenous and Afrodescendent women and children of the Caribbean Coast who are enrolled in intercultural bilingual education show an attendance rate of 95 per cent. This high rate is associated with flagship programmes launched by the Nicaraguan Government, such as the school meals programme, which is part of the Integrated School Nutrition Programme, the provision of school kits and schoolbags, the “Ayudame a llegar” programme to help children get to school and the distribution of free digital and paper-based textbooks.

112. Cleaning supplies are provided to all schools to ensure, with the participation of parents, clean, healthy and safe learning environments.

113. In order to reduce and eradicate illiteracy, young persons and adults from indigenous and Afrodescendent communities are offered literacy courses, which include literacy and post-literacy programmes, and the “Yes, I can” programme. Upon completion of the course, the young persons and adults enrol in continuing education courses in rural areas or in distance learning courses, with a view to preparing for life.

114. In 2015, a total of 25,639 students were enrolled in the literacy programme; of these 58 per cent were from the North Caribbean Coast Autonomous Region and 42 per cent from the South Caribbean Coast Autonomous Region. A total of 65 per cent of students completed the course and 87 per cent of these went on to enrol in further courses. In 2018, the weighted enrolment stood at 26,132 young persons and adults on the various literacy courses, with the greatest number of students again from the North Caribbean Coast Autonomous Region, at 62 per cent. In addition to the technological tools used, notebooks, books, pencils and workbooks are provided for all students following literacy courses. The overall enrolment rate in the technical education programme and training courses for the three sectors of the economy for the various specialties and professions was 92,375 students; of these 54 per cent were on vocational training courses and 46 per cent in technical education (basic and intermediate technical training, the technical baccalaureate and other technical courses). Grants were awarded to 95 per cent of these students.

115. It is important to underscore the efforts made to ensure the establishment and operation of vocational colleges under the supervision of the municipalities. Since they were set up, 3,372 students have enrolled; of these, in 2017 alone, 568 obtained employment certifications in various professions. To support these efforts, work was carried out to renovate and equip four technical training centres in the municipalities of Bilwi, Siuna, El Rama and Nueva Guinea, 11 municipal vocational colleges in Siuna, El Ayote, Kukrahill, Rosita, Corn Island, 2 in Bluefields and 4 in Laguna de Perlas. Seven technological centres in the municipalities of Bonanza, Siuna, Desembocadura del Rio Grande, Kukra and Corn Island, and two in Laguna de Perlas have also been renovated and equipped.

116. The implementation of the Regional Autonomous Educational Subsystem has resulted in progress being made in culturally inclusive and participative education, including validation of the curriculum for first to sixth grade, which includes content on the culture, context, customs and traditions of indigenous peoples. In that connection, 400 teachers from the two regional teacher training colleges were trained in bilingual intercultural education.

117. In order to offer our children and young people decent school environments, we are continuing to invest in educational infrastructure. As a result, 517 school facilities have been equipped, renovated or built; of these 64 per cent are in the North Caribbean Coast Autonomous Region and 36 per cent in the South Caribbean Coast Autonomous Region. In addition, 12 child development centres have been built and a further 19 have been renovated. In Alto Wangki and Bocay, schools have been built in the indigenous communities of Amak, Kudawas, Walakitan, Raiti and Yahbra Tangni.

Programme 5: Regional autonomous intercultural health

118. Nicaragua implements the Community Family Health Model, together with the Intercultural Health-Care Model (for both the North Caribbean Coast Autonomous Region and the South Caribbean Coast Autonomous Region), based on the Health Act and the Act on Autonomy of the Autonomous Regions of the Caribbean and the Decree on the Special Status Zone. Within this framework, the country is developing preventive programmes and reviving ancestral wisdom and traditional community medicine, with a focus on curative services.

119. As a result, access to health services in the Caribbean Coast region and the Special Status Zone of Alto Wangki and Bocay has improved in recent years, through the strategy of extending coverage of health services through local health offices, mobile medical brigades, the health services network and integration and coordination with the community network.

120. The objective of the programme is to improve quality of life by implementing the health-care models and by organizing services by sector.

121. Health care in the Caribbean Coast and Alto Wangki and Bocay is organized through the 397 health sectors of the Intercultural Health-Care Model, and services are provided by its integral intercultural health groups, which work with a community network and community, life and family offices composed of 6,288 members, consisting mainly of midwives, “sukia” shamans, healers, members of health brigades, volunteers and traditional doctors, who ensure the coverage of services in coordination with the health units and mobile medical brigades.

122. Pursuant to the Ancestral Traditional Medicine Act, Act No. 759, and its regulations, adopted in 2012, the Institute of Natural and Traditional Medicine and Complementary Therapies was created in 2014, under the Ministry of Health, with the aim of training health personnel in, and increasing their awareness of, these therapies. These systems have been coordinated with the intercultural health models, natural medicine and complementary therapies, and traditional medicine, which has helped spread and promote the use of ancestral traditional medicine.

123. To date, 16 branches of the Institute have opened, of which 1 is located in the South Caribbean Coast region, where training is provided to health workers and members of the community network. There are also 188 natural medicine and complementary therapy clinics, of which 16 are in the Caribbean Coast region (9 in the North Caribbean Coast Autonomous Region and 7 in the South Caribbean Coast Autonomous Region) and 68 holistic pain management clinics, of which 4 are in the Caribbean Coast region (2 in the South Caribbean Coast Autonomous Region and 2 in the North Caribbean Coast Autonomous Region). These clinics, in addition to consultations for musculoskeletal diseases, chronic diseases, nervous and gastrointestinal problems, offer therapies such as tai chi, moxibustion, cupping, foot reflexology, shiatsu and Anma massage.

124. With regard to the revival of indigenous and Afrodescendent traditional knowledge for preventing, diagnosing and treating culturally specific diseases, a national survey was carried out, as a result of which traditional diseases and their relationship with the identities and worldviews of indigenous peoples and persons of African descent were categorized, and a systematic list drawn up of innovative practices that acted as a bridge between “official” medicine and traditional medicine.

125. As part of the processes linking ancestral traditional medicine with the health services provided by the Ministry of Health, a code is used to identify and record data on the most common diseases of a sociocultural origin presented by the indigenous populations of the Miskito and Mayangna ethnic groups, such as the diseases pauka alkan, muh kalbululwa and grisi siknis, in order to ensure national epidemiological surveillance. However, in municipalities it is necessary to update the records of traditional doctors by speciality and establish coordination and consensus mechanisms for registering treatment in accordance with the provisions of the Ancestral Traditional Medicine Act.

126. The coordination of knowledge among, and dialogue between, health systems has involved meetings between Ministry of Health medical personnel and traditional doctors or

specialists in ancestral medicine, such as healers, traditional chiropractors, snakebite healers and midwives.

127. To guarantee the rights of indigenous peoples and persons of African descent, and respect for their dignity, culture, ways of life and the health services provided to them locally, consultations are being carried out on the implementation of the consultation mechanism for indigenous peoples and persons of African descent. This mechanism establishes the procedures for dealing with complaints, claims, requests and suggestions, taking into consideration traditional forms of organization in order to avoid potential conflicts or contradictions that could arise when integrating the use of ancestral traditional medicine.

128. With regard to access to health services, the percentage of municipalities with hospitals is currently 47 per cent (72 hospitals in 153 municipalities). In the Caribbean Coast region, 60 per cent of municipalities have hospitals (9 hospitals in 15 municipalities).

129. In the Caribbean Coast region, as at 2018 there were 245 health units in the 15 municipalities. A total of 212 “health points” are spread over 1,348 rural communities, in other words providing health-care coverage to approximately 15.7 per cent of these communities (the North Caribbean Coast region has the highest percentage, at 16 per cent). The municipalities in the North Caribbean Coast region with the highest rural “health point” coverage are Puerto Cabezas, with 38 per cent coverage, and Waspam, with 35 per cent coverage. In the South Caribbean Coast region, the municipality of Desembocadura de Río Grande, has 78 per cent rural “health point” coverage, and Laguna de Perlas has 17 per cent coverage.

130. To support the health models, the health services network has been growing in the Caribbean Coast region. In the period 2008–2018, three new hospitals were built; six were rehabilitated and three extended; intensive care conditions were created; and operating rooms were expanded, and now have recovery areas, areas for hemodialysis and areas for chemotherapy, with high-tech medical equipment.

131. In 2018, in the Caribbean Coast region, a total of 2,208,483 acts of medical care were provided (a 65 per cent increase compared to 2008), of which 671,946 (30 per cent) were in the South Caribbean Coast region and 1,536,537 (70 per cent) were in the North Caribbean Coast region. The Mestizo ethnic group accounted for 57 per cent of the medical care acts, the Miskito for 35 per cent, the Creole for 3 per cent and the Mayangna for 2 per cent; women accounted for some 69 per cent of the medical care acts.

132. In the Special Status Zone of Alto Wangki and Bocay, a total of 108,151 medical care acts were provided; the Miskito ethnic group accounted for 62 per cent of those patients, the Mayangna group 19 per cent and the Mestizo 18 per cent; women accounted for 65 per cent of the medical care acts. A total of 35,994 surgeries were performed in 2018, representing a 69 per cent increase compared to 2008.

133. In order to expand the access and coverage of health services, the Caribbean Coast region has four mobile clinics that provide general, specialized and natural medical care, comprehensive dental care, pregnancy care, ultrasounds, and tests such as Pap smears, HIV tests and electrocardiograms, to those living in remote areas that are difficult to access.

134. The 2018 infant mortality rate in the Caribbean Coast region is the same as for 2008, namely 14 deaths of children under the age of 1 per 1,000 live births. The infant mortality rate in the South Caribbean Coast region, however, decreased to 12 deaths per 1,000 live births. Some 70 per cent of births were for the Mestizo ethnic group, 28 per cent for the Miskito and 2 per cent shared between the Mayangna and Creole ethnic groups.

135. Maternal mortality in the Caribbean Coast decreased from 144 deaths per 100,000 live births in 2008 to 79 in 2018.

136. There are 84 “Casas” (houses) for people with special needs, including 4 in the Caribbean Coast region (1 in the South Caribbean Coast Autonomous Region and 3 in the North Caribbean Coast Autonomous Region). Meetings are organized there for residents.

137. The Ministry of Health keeps statistics on medical care disaggregated by ethnic groups of indigenous peoples and persons of African descent.

138. The national “Love for the Little Ones” programme has lasting effects on health, learning, motivation and appropriate early stimulation, with input from families, communities and schools, making it possible for girls and boys to fully develop their biological, psychological and social structures.

139. The flagship “Everyone has a Voice” programme, which is run by the Ministry of Health, social organizations and associations of persons with disabilities, consists in providing personal attention to persons with disabilities, through medical care, technical assistance and social support. It was set up in October 2009 to improve care for people with disabilities by training families, community leaders and community-based health rehabilitation personnel in primary ear and hearing care, mental health, dealing with people with autism spectrum disorders, proper use of wheelchairs, visual health and healthy lifestyles.

140. A sexual and reproductive health strategy underpins the comprehensive care of adolescents for the development of a healthy sexuality. Under the strategy, the following actions are carried out:

- Sector-based activities for adolescents to develop as leaders and peer promoters on issues of sexual and reproductive health and development of life skills, with the aim of empowering adolescents to create their own life plan through activities in teenage circles.
- Comprehensive care involving screening of gender violence in adolescents; psychosocial risk inventory; establishing a scale of depressive disorders in adolescence; monitoring of growth and development standards.
- Sector-based activities aimed at the family through the “strong families” strategy, which prevent risk behaviours by creating a space for communication and promotion of values between mothers and fathers by establishing an environment of protection and risk prevention.
- Sector-based activities with the community in spaces for cultural recreation, knowledge clubs, discussion forums and other activities in the area of pregnancy prevention and the use of contraception.
- Organization of the community to supply contraception that is accessible to adolescents and young people.
- The inter-institutional activities of the Ministry of Health through the Community Family Health Model, Intercultural Health-Care Model (for both the North Caribbean Coast Autonomous Region and South Caribbean Coast Autonomous Region) and sectorization have fostered coordination between the Ministry of Health, the Ministry of Education and the Ministry of the Family, Adolescents and Children, which provide care for adolescents through an early warning system for the prevention of violence, which includes the prevention of pregnancy and providing support to adolescents and their families.
- Reduction of Infectious Diseases: in 2017, the country began the preparatory phase of pre-assessment for the elimination of mother-to-child transmission of HIV and congenital syphilis, with the visit of the technical mission of the Pan American Health Organization/World Health Organization (PAHO/WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the United Nations Children’s Fund (UNICEF). Using a baseline of the situation of the HIV epidemic and the monitoring of the elimination indicators for the 2012–2016 period, HIV and syphilis tests are offered, as well as treatment to manage the symptoms of sexually transmitted infections and newly detected cases of HIV, leading to a drop in the number of new cases of sexually transmitted infections and HIV.

Action area 2: Territorial economic development

141. The regional governments, the government of the Special Status Zone of Alto Wangki and Bocay, territorial governments and local actors and sectors identify and carry out socioeconomic development actions in a broad, communal, territorial and multisectoral

sense, helping the territories execute their own strategy, in harmony with nature, motivating and supporting the authorities in the construction of rural development with a territorial approach and climate change focus. There are 10 programmes, including the Food Security and Sovereignty Programme. The elements that characterize this model are described below.

Food security and sovereignty programme

142. The food security strategy is based on the quality of natural resources and the ancestral knowledge of indigenous peoples and persons of African descent, through the promotion of a family agro-food production model, based on socioeconomic realities. The objective of this programme is to increase the production and sustainable availability of healthy and nutritious food, enabling the production capacity of rural families, contributing to the security, food sovereignty and nutrition of families.

143. Food security and sovereignty policies and programmes have prioritized indigenous peoples and persons of African descent and multi-ethnic regions, closely linked to the capitalization and development of the family economy in communities and territories of the Caribbean and Alto Wangki and Bocay.

144. Act No. 693, on food and nutritional security and sovereignty, published in 2009, is intended to guarantee the right of all Nicaraguans to sufficient, safe and nutritious food according to their essential needs; to ensure that this food is physically, economically, socially and culturally accessible in a timely and permanent manner and to ensure its availability, stability and adequacy through the development and implementation by the State of public policies on food and nutritional security and sovereignty.

145. Likewise, this law establishes non-discrimination, thereby contributing to the fact that no group or person is discriminated against by age, sex, ethnicity, religious or political belief or disability when it comes to access to resources or enjoyment of human rights, especially the right to produce, obtain, have and access sufficient nutritious food.

146. Act No. 804 amending and supplementing the Executive Authority (Organization, Competence and Procedures) Act (No. 290) assigns to the Ministry of Family Economy, Cooperatives, Communities and Associations the task of improving production levels, agricultural yield, productivity, the income and standard of living of families and communities, thus helping to ensure food security and sovereignty and protect against climate change (art. 29 (a)).

147. Subsidies were granted to support the family economy in the communities of indigenous peoples and persons of African descent through (i) the Food Production Programme, (ii) the Entrepreneurship Programme and (iii) various projects.

148. During the period in question, 54,968 persons received subsidies under the above system in the Caribbean communities in Nicaragua. Between 2008 and 2016, the Food Production Programme was well established in all Caribbean communities and regions, granting food production vouchers to families in those communities.

149. In that period, 21,328 persons in the Caribbean Coast region received food production vouchers, of whom approximately 90 per cent were women. The distribution of recipients in the regions was as follows: Alto Wangki, 2,575; Las Minas, 5,705; the North Caribbean Coast Autonomous Region, 8,036; and the South Caribbean Coast Autonomous Region, 5,012.

Table: Recipients of food production vouchers, by year and by region

<i>Region</i>	<i>Food production voucher</i>									
	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>Total</i>
Alto Wangki	465	-	-	84	628	134	160	354	750	2 575
Las Minas	545	-	657	373	790	259	380	1 076	1 625	5 705
RACCN	1 490	1 045	730	730	674	-	256	486	2 625	8 036

RACCS	Food production voucher									
	750	-	350	380	820	187	163	634	1 728	5 012
Total	3 250	1 045	1 737	1 567	2 912	580	959	2 550	6 728	21 328

(RACCN: North Caribbean Coast Autonomous Region; RACCS: South Caribbean Coast Autonomous Region)

150. The Entrepreneurship Programme 2017–2018 aims to provide financial support to the entrepreneurial initiatives of families that set up small businesses. This programme prioritizes rural areas and families that have not participated in any government programme. In the Caribbean region, this programme reached 2,104 beneficiaries. Most beneficiaries (868) were in the North Caribbean Coast Autonomous Region, followed by Las Minas (641), the South Caribbean Coast Autonomous Region (474) and Alto Wangki (121). Some 68 per cent of the beneficiaries were women (see annex IV).

151. In the Caribbean, projects carried out in the period 2013–2019 contributed significantly to the implementation of the strategy of productive development and food security and sovereignty at the regional level. From 2013 until April 2019, projects run by the Ministry of Family Economy, Cooperatives, Communities and Associations such as Nicaribe, Procacao, Paipsan and Nicadapta, which feature territorial investment plans and the active involvement of beneficiaries and their communities, granted subsidies to 31,536 beneficiaries in the following areas: Las Minas, 11,373; the North Caribbean Coast Autonomous Region, 11,572; the South Caribbean Coast Autonomous Region, 8,536; Alto Wangki, 320 (see annex IV).

152. In 2013, some \$59.5 million was spent on projects subsidizing the family economy. This production investment was part of the development strategy for the Caribbean Coast and Alto Wangki and Bocay and concerned agriculture, fisheries, agribusiness and small businesses. This investment was implemented through 102 investment plans in 733 communities in the two multi-ethnic regions of the Caribbean and the Special Status Zone of Alto Wangki and Bocay (see annex IV).

153. The participation of indigenous peoples and persons of African descent in these projects was highest in the North Caribbean Coast Autonomous Region, with 12,320 Miskito beneficiaries, 3,278 Mayangna beneficiaries, 2,159 Creole beneficiaries, 299 Garífuna beneficiaries, and 257 Ulwa and 199 Rama beneficiaries (see annex IV).

154. Las Minas was the geographical area that received the most investment in production projects, and had the largest number of beneficiaries and the largest number of communities (347), followed by the North Caribbean Coast Autonomous Region (211 communities), the South Caribbean Coast Autonomous Region (162 communities) and Alto Wangki (13 communities).

155. Women were involved to a considerable extent in actions to combat poverty and the promotion of food and nutrition security and sovereignty. In four projects run by the Ministry of Family Economy, Cooperatives, Communities and Associations, their participation rate stood at 44 per cent.

156. In the programmes run by the above ministry, women's participation was higher, comparatively, in the Caribbean regions. For example, 90 per cent of beneficiaries of the Food Production Programme and 68 per cent of beneficiaries of the Entrepreneurship Programme were women.

Action area 4: Strengthening autonomous government institutions

157. This action area aims to strengthen the institutional capacities for strategic management and shared responsibility in the management of human development by the authorities and officials of the autonomous government system, as well as in the process of dialogue, partnership and consensus with the private sector, with the aim of contributing to the sustainability and continuity of the results achieved and the challenges met.

158. This action area consists of four programmes: (i) the programme for strengthening autonomous government institutions at the regional level; (ii) the programme for strengthening traditional forms of self-government and territorial and municipal governments; (iii) the programme for strengthening the dialogue, partnership and consensus model; and (iv) the human talent development programme, for consolidating the system of autonomy.

Programme 1: Programme for strengthening autonomous government institutions at the regional level

159. The aim is to strengthen the capacities for decision makers, professionals and technicians, and strengthen the planning, tools and conditions of autonomous government institutions, dialogue platforms, partnerships and consensus, thereby strengthening the capacities that contribute most effectively to the autonomous management of human development in all areas of government.

160. The complementarity and shared responsibility of the public and territorial institutional framework must be taken into account and implemented using a results-based system, based on territorial planning and short-, medium- and long-term budgets aligned with the strategy and plan for the development of the Caribbean Coast and Alto Wangki and Bocay within the framework of territorial, municipal and regional planning.

161. The strategy presupposes a sustained and effective process of strengthening results-based planning, monitoring and evaluation; institutions responsible for natural resources and the environment; sustainable low-emission production systems in line with the green economy model; security of ownership; health; education; harmony; community justice; watershed management and water sources; water and sanitation services; and family, women and children, among other things. A key issue is the strengthening of capacities of territorial and communal governments that are under the political and technical responsibility of regional governments and the territorial government of Alto Wangki and Bocay.

162. The implementation, monitoring and evaluation of the programme will be led by regional and territorial and communal governments and the municipal government.

163. With regard to the exercise of political, social, economic and cultural rights that strengthen the autonomy of indigenous peoples and persons of African descent, at the level of regional governments, the table in annex V shows participation levels by sex: women's participation stands at 48 per cent while that of men is 52 per cent, of which persons of African descent account for 13 per cent and indigenous peoples 30 per cent (see annex V).

164. In municipal governments, women account for 46 per cent of councillors and men 54 per cent, of whom persons of African descent represent 8 per cent and indigenous peoples 32 per cent. Some 33 per cent of mayors are from indigenous peoples and 20 per cent are persons of African descent (see annex V).

Programme 2: Strengthening traditional forms of self-government

165. The aim is to revive the world view of the Caribbean Coast and Alto Wangki and Bocay, by strengthening the collective right of communities and territories, which includes respecting principles and values as fundamental pillars of traditional forms of self-government in collective results-based management for human development, which is a priority.

166. The role of community assemblies as the top authority in decision-making is important for promoting social cohesion through results-based planning, based on territorial planning and a monitoring and evaluation system that contributes to the transparent administration of property and natural resources, in coordination with municipalities, the regional government, sectoral bodies and the private sector.

167. The State of Nicaragua recognizes and respects the traditional forms of organization of indigenous peoples and persons of African descent; the Constitution recognizes as direct mechanisms for exercising democracy the territorial councils and the territorial and communal assemblies of indigenous peoples and persons of African descent. Indigenous

and Afrodescendent communities conduct elections according to their traditions and customs. The Nicaraguan State, in the exercise of democracy, guarantees the full participation of indigenous peoples and persons of African descent in municipal, regional and national elections.

168. Human development planning at all levels of government, and by sectoral bodies, has institutionalized the processes of free and informed prior consultation for consent, at the level of global and sectoral bodies and at all administrative levels, and is integrated into the operational manuals of human development programmes and projects.

169. The 23 territories, through the territorial governments, receive funding from the General Budget of the Republic to guarantee the traditional functioning of self-government structures. The transfer is made under Act No. 550 as part of the planning and annual budgetary exercise of the territories. Additionally, they receive resources for activities such as logging, mining and fishing, administered directly by the territorial and communal governments.

170. All territories have a territorial regulation or statute governing their operation, as well as provisions on the use and usufruct of natural resources and the environment and territorial development plans; some have land development plans, which need to be updated to respond to the new challenges.

IV. Public investment

171. The Public Investment Programme of the Caribbean Coast began in 2007 with a budget of US\$ 41.0 million; in 2018 the budget was US\$ 136.9 million, representing an increase compared to 2007 of US\$ 95.9 million (or 234.1 per cent). However, the 2019 Public Investment Programme budget of US\$ 106.5 million represents an increase of only 65.5 million compared to 2007 (or 159.9 per cent) and, compared to 2018, a decrease of US\$ 30.4 million (or -22.2 per cent).

172. Two indicators show the evolution of the Public Investment Programme of the Caribbean Coast from 2007 to 2019, as follows:

(a) The share of the national Public Investment Programme represented by the Caribbean Coast Public Investment Programme. In 2007 this share was 9.8 per cent; it increased in the following years up to 2018, by which time it had reached 19.7 per cent, but in 2019 the share dropped 6.1 percentage points down to 13.6 per cent;

(b) The share of the national Gross Domestic Product (GDP) represented by the Caribbean Coast Public Investment Programme. Evolution is similar to the previous indicator; the percentage in 2007 was 0.6 per cent; in 2018 it was 2.54 per cent, and in 2019, the year when the Public Investment Programme budget fell, it stands at 1.99 per cent.

173. In reference to the direct transfers for the institutional strengthening of territorial and communal governments, which strengthen the institutions of traditional forms of self-government, the budget allocations are set out below.

Table: Transfers made to the territorial governments of the Caribbean Coast region and Alto Wangki and Bocay. Period: 2007–2019

Territorial Government	Córdoba (thousands)			US\$ (thousands)		
	Current	Capital	Total	Current	Capital	Total
Alto Wangki and Bocay indigenous territorial government	39 189.2	23 616.0	62 805.2	1 417.3	832.8	2 250.1
Wanki Maya Río Coco Abajo territorial government	6 614.0	4 076.0	10 690.0	233.4	140.7	374.1
Government of the Sumu Mayangna Nation	10 350.0	6 900.0	17 250.0	353.9	236.0	589.9
Karatá territorial and Afrodescendent government	6 243.0	4 162.0	10 405.0	209.5	139.6	349.1

<i>Territorial Government</i>	<i>Córdobas (thousands)</i>			<i>US\$ (thousands)</i>		
	<i>Current</i>	<i>Capital</i>	<i>Total</i>	<i>Current</i>	<i>Capital</i>	<i>Total</i>
Twi Waupasa indigenous territorial government	5 031.0	3 354.0	8 385.0	169.3	112.9	282.1
Tasba Pri Matriz Indígena indigenous territorial government	6 243.0	4 162.0	10 405.0	209.5	139.6	349.1
Yahbra Twi indigenous territorial government	4 785.0	3 190.0	7 975.0	161.7	107.8	269.5
Sauni Arungka (Matumbak) territorial government	6 840.0	4 560.0	11 400.0	235.4	156.9	392.4
Wangki Awala Kupia communal government	2 130.0	1 420.0	3 550.0	68.7	45.8	114.4
Twahka territorial government	6 657.0	4 438.0	11 095.0	229.6	153.1	382.7
Wangki Li Aubra territorial government	6 237.0	4 158.0	10 395.0	214.8	143.2	358.1
Prinzu Auhya Un territorial government	6 057.0	4 038.0	10 095.0	208.6	139.1	347.7
Mayangna Sauni As territorial government	7 692.0	5 128.0	12 820.0	262.9	175.3	438.2
Sauni Bas (Sikilta) indigenous territorial government	4 965.0	3 310.0	8 275.0	169.2	112.8	282.0
Amasau (Awastingni) indigenous territorial government	4 602.0	3 068.0	7 670.0	156.9	104.6	261.5
Twi-Tasba Raya indigenous territorial government	5 698.0	3 798.0	9 496.0	193.9	129.3	323.2
Lilamni indigenous territorial government	6 663.0	4 442.0	11 105.0	226.5	151.0	377.4
Prinzu Awala indigenous territorial government	5 697.0	3 798.0	9 495.0	193.9	129.3	323.1
Tawira indigenous territorial government	5 328.0	3 552.0	8 880.0	182.5	121.7	304.1
Awaltara Luphia Nani Tasbaya territorial government	10 794.0	6 556.0	17 350.0	388.2	229.8	617.9
Rama Kriol territorial government	9 698.0	6 132.0	15 830.0	342.1	213.2	555.3
Cuenca Laguna de Perlas indigenous territorial government	7 392.0	4 928.0	12 320.0	250.1	166.8	416.9
Tasba Pauni territorial government	3 516.0	2 344.0	5 860.0	117.7	78.4	196.1
Creol Bluefields territorial government	3 156.0	2 104.0	5 260.0	103.9	69.3	173.2
Total	181 577.2	117 234.0	298 811.2	6 299.5	4 028.8	10 328.3

174. Data on municipalities in areas of indigenous peoples and persons of African descent are included in the following table.

Table: Other transfers of tax revenue accruing from fishing, aquaculture and forestry management. Period: 2007–2019

<i>Type of transfer</i>	<i>Córdobas (thousands)</i>			<i>US\$ (thousands)</i>		
	<i>Current</i>	<i>Capital</i>	<i>Total</i>	<i>Current</i>	<i>Capital</i>	<i>Total</i>
Transfers to indigenous authorities and communities of tax revenue accruing from fishing and aquaculture	128 506.2	0.0	128 506.2	4 882.7	0.0	4 882.7
Transfers to indigenous authorities and communities of tax revenue accruing forestry management	175 276.3	0.0	175 276.3	7 020.3	0.0	7 020.3