



**CONTRIBUTIONS OF THE OFFICE OF THE OMBUDSMAN
FOR HUMAN RIGHTS OF THE REPUBLIC OF NICARAGUA
(PDDH) TO THE REPORT ON SELF-DETERMINATION AND
THE RIGHTS OF INDIGENOUS CHILDREN, IN
ACCORDANCE WITH THE UNITED NATIONS DECLARATION
ON THE RIGHTS OF INDIGENOUS PEOPLES**

REFERENCE

The Office of the United Nations High Commissioner for Human Rights sent a communication to National Human Rights Institutions, detailing that the Mechanism of Experts on the Rights of Indigenous Peoples made a request for contributions in relation to the preparation

of a *"Report on Self-Determination under the United Nations Declaration on the Rights of Indigenous Peoples"* and *"The Study on the Rights of Indigenous Children"*, in compliance with Human Rights Council resolution 33/25.

**I. CONTRIBUTION No.1: SELF DETERMINATION IN
NICARAGUA UNDER THE UNITED NATIONS
DECLARATION ON THE RIGHTS OF INDIGENOUS
PEOPLES.**

a) Context

The State of Nicaragua recognizes the right of all peoples to freely determine their political status and pursue their economic, social and cultural development, in accordance with the national legal order and International Human Rights Instruments, of which is signatory.

The First Stage of the Sandinista People's Revolution, and in particular the Political

Constitution of the Republic of Nicaragua (1987), arising in this context, demonstrated the will and real commitment of the Nicaraguan nation to respect the right to self-determination of all peoples, both related to external aspects, regarding the sovereignty of States, and internally, recognizing the right of all peoples to freely determine their political status and pursue their development at the economic, social and cultural levels, without any interference.

In the Republic of Nicaragua, national self-determination is an indispensable constitutional right of the people and a foundation of the Nicaraguan nation. Likewise, ensuring respect for freedom of self-determination of all peoples and the recognition of the identity of indigenous and Afro-descendant peoples, within a unitary and indivisible state,¹² all of which are among the principles of the Nicaraguan nation.

1 Article 1 Political Constitution of Nicaragua.

2 Article 5 Political Constitution of Nicaragua.

Nicaragua is a multicultural and multilingual country. The indigenous and Afro-descendant peoples coexist peacefully and harmoniously within the national territory.

In line with the above, the State of Nicaragua recognizes the existence of indigenous and Afro-descendant peoples, who enjoy the rights, duties and guarantees established in the Political Constitution and in particular, those of maintaining and developing their identity and culture, having their own forms of social organization and administering their local affairs; as well as maintaining communal forms of ownership and enjoyment of their lands in accordance with the Law. For the communities of the Caribbean Coast, the autonomy regime is established within the Political Constitution.³

³ Article 5 Political Constitution of Nicaragua.

**b) Active participation of Indigenous and
Afro-descendant Peoples in National
Development: National Plans**

The Government of Reconciliation and National Unity (GRUN), since 2007, began to implement a model of government inspired by Christian values, socialism and solidarity, with a philosophy of respect for human rights and constitutional guarantees, as part of the second stage of the Sandinista People's Revolution.

Under this model of ethical work, the purpose of government action is the survival and realization of all human beings; and its objective is to carry out structural transformations to overcome exclusion and liberate the human development potential of the excluded, including indigenous and Afro-descendant peoples.

The Government of Nicaragua has demonstrated its commitment to the increased participation

of indigenous and Afro-descendant peoples in building their own reality, during the formulation of the National and Particular Plans, as well as in the implementation thereof at the national level.

The current National Human Development Programme (2018-2021) contains an axis referring to indigenous and Afro-descendant Communities, stating:

A. Socioeconomic well-being

1. Continue to promote the identity and cultures of indigenous and Afro-descendant communities, as part of the process of restituting the rights of Caribbean Nicaraguan; in harmony with worldviews, and traditions, as well as with an approach based on coexistence and interculturality, in order to strengthen values and unity among community members

and in articulation with municipal, regional and national bodies.

2. Consolidate and secure the model of communal ownership of indigenous and Afro-descendant land.
 3. Increase workforce skills and increase productive training for community groups.
 4. Strengthen the Intercultural Health Care Model on the Nicaraguan Caribbean Coast.
 5. Strengthen the implementation of the Regional Autonomous Education Subsystem; strengthening the culture and use of the mother tongues of indigenous and Afro-descendant communities.
- B. Economic, equitable, sustainable and harmonious transformation between human beings and nature

1. Establish Multisectoral Development Poles on the Caribbean Coast.
6. Promote infrastructure for economic development: water, land and air transportation; telecommunications and electricity.
 1. Encourage agribusiness based on products that have the greatest potential on the Caribbean coast.
 2. Promote the development of tourism.
 3. Boost mining, under an environmentally sustainable framework.

The Government of Nicaragua has conceived the integral development of the Caribbean Coast since 2007, through the elaboration and implementation of the "Caribbean Coast and the

Upper Wangki and Bocay Development Strategy (EDCC) and its Plan". The Plan includes the following axes and programmes:⁴

Axis No. 1 "Socio-Cultural Development" provides for the following programs:

- 1) Mother Earth.
- 2) Community Harmony, Social Peace and Justice
- 3) Revitalization of Multi-Ethnic, Multicultural, Multilingual and Sports Identity
- 4) Regional Autonomous Bilingual Intercultural Education
- 5) Regional Autonomous Intercultural Health Care
- 6) Water and Sanitation
- 7) Family, Adolescence, Childhood and Women

⁴ The Plan has been developed in three stages: 2007 – 2011; 2012 - 2016; 2019 - 2029.

Axis No. 2 "Territorial Economic Development with a Climate Change Approach" provides for the following programs:

- 1) Environmental management, risk management and climate change.
- 2) Innovation, Knowledge and Communication Management for Agricultural Development.
- 3) Food Security and Sovereignty.
- 4) Agricultural Diversification and Agroforestry Systems
- 5) Associativity, Added Value and Entrepreneurship
- 6) Development of Cattle Farming with forest/pasture systems
- 7) Conservation and Development of Tropical Species Genetic Material
- 8) Forest Management / Sub Program: Landscape Restoration and Natural Regeneration Management (RN)
- 9) Forest Plantations.

- 10) Conservation and Protection of Forest
Ecosystems and Coastal Marine Ecosystems

Axis No. 3 "Productive and Economic Transformation"
provides for the following programs:

- 1) Economic Infrastructure
- 2) Energy Development
- 3) Agroindustrial Development
- 4) Fisheries Development
- 5) Tourism Development
- 6) Mining Development

Axis No. 4 "Strengthening Autonomy Institutionalility"
provides for the following programs:

- 1) Strengthening of the Autonomy Regime at
the Regional level
- 2) Program for the Strengthening of Traditional
Self-Government structures and
Territorial Governments

- 3) Strengthening the Model of Dialogue, Alliance and Consensus for Human Development
- 4) Strengthening the Model of Dialogue, Alliance and Consensus for Rural Development with a Territorial and Municipal Approach
- 5) Human Talent for Knowledge and Communication Management aimed at Human Development
- 6) Human Talent in the Management of the Regional Communication System for Development

c) Right to self-determination of peoples: The Reality in the communities of Nicaragua's Caribbean Coast

The successful administration of the Government of Reconciliation and National Unity (GRUN) of the Republic of Nicaragua, in the formulation and implementation of National Plans, together with the indigenous and Afro-descendant peoples, as well as the compliance with the national legal order and International

Instruments has made the right to self-determination of these peoples a reality.

The Government of Nicaragua sees the communities of the Caribbean Coast as an indissoluble part of the Nicaraguan people, and therefore has ensured that they enjoy the same rights, as well as the same obligations, as the rest of the country, in compliance with article 89 of the Political Constitution.

In line with the above, inspired by the principle of Revolution and Autonomy itself, Nicaragua promotes and preserves unity, fraternity and solidarity among the inhabitants of the Communities of the Caribbean Coast and throughout the nation.

The Communities on the Caribbean Coast are respected for their right to preserve and develop their cultural identity within the national union; advancing their own forms of

social organization and managing their local affairs according to their traditions.

The State of Nicaragua fully recognizes the communal forms of land ownership of the Communities of the Caribbean Coast. The communal lands in Nicaragua have special protections and cannot be purchased, sold, seized or transferred.

It also recognizes the full use and enjoyment of the waters and forests within communal lands, in accordance with the Political Constitution. Members of the communities of the Caribbean Coast have the right to define and decide their own ethnic identity.

The Caribbean Coast accounts for 49% of the national territory and approximately 13% of the total population, meaning it is the largest region of the country, but with the least population density.

An effort by the Government of Reconciliation and National Unity to strengthen the self-determination of indigenous peoples has been the issue of land tenure; Nicaragua has made great progress toward the titling of almost 96% of indigenous territories, leaving a minimum part pending, thus restoring the rights of indigenous and Afro-descendant communities. To complete 100% of the demarcation and delivery of communal titles to the indigenous and Afro-descendant peoples, only 4% of the Upper Wanky, located in the department of Jinotega is pending.

The Government of Nicaragua, during the 2007-2020 period, has legalized a total of 23 indigenous territories representing 23 titles of ownership, plus 2 titles of complementary areas, that were given to the indigenous territories of Miskitu Indian and Mayangna Sauni Bu, within the special regime area of the Upper Wanky-Bocay (for a total of 25 titles), that benefits a

total of 319 indigenous communities, involving 39,938 families, equivalent to 229,529 people. The 25 land titles delivered amount to a total of 38,434,81 km² of titled territory, which corresponds to 30% of the national territory.

Legal certainty regarding land ownership by indigenous and Afro-descendant communities on the Caribbean Coast has been strengthened, thereby contributing to the well-being and safety of indigenous and Afro-descendant children and adolescents.

With regard to **citizenship**, Nicaragua recognizes that the Communities of the Caribbean Coast are an indissoluble part of the unitary and indivisible State of Nicaragua and its inhabitants enjoy all their rights and duties as Nicaraguans, in accordance with the Political Constitution.

In Nicaragua, the constitutional right of freedom expression and the preservation of languages, art and culture of the communities of the Caribbean Coast is respected. The premise is that the development of their cultures and values enriches national culture. In reference to **the official language**, this is Spanish, as well as the languages of the Peoples of the Caribbean Coast which are of official use within the Autonomous Regions.⁵

The inhabitants of the Caribbean Coast of Nicaragua enjoy their own rights and duties, in compliance with the Political Constitution and Law No. 28 "Statute of the Autonomous Regions of the Caribbean Coast of Nicaragua", which are respected and promoted by the Government of Nicaragua:

1. Absolute equality of rights and duties among each other, regardless of the size of their population or level of development.

⁵ Article 11 of the Political Constitution.

2. Preserve and develop their languages, religions and cultures.
3. Use, enjoy and benefit from the waters, forests and communal lands, within the framework of national development plans.
4. Freely develop their social and productive organizations according to their own values.
5. Education in their mother tongues as well as in Spanish, through programs that collect their historical heritage, value systems, traditions and characteristics of their environment, all in accordance with the national education system.
6. Communal, collective or private forms of land ownership and transferability.

7. Elect and be elected as authorities of the Autonomous Regions.
8. Rescue, scientifically and in coordination with the national health system, the knowledge of natural medicine accumulated throughout their history.

In the same manner, in the Republic of Nicaragua, the following attributions of the Autonomous Regions are fully respected:

1. To participate effectively in the development and implementation of national development plans and programs within their regions, in order to harmonize them with the interests of the Communities of the Caribbean Coast.
2. Manage health, education, culture, transportation, community services and

other similar programs, in coordination with the relevant Ministries of State.

3. Promote their own economic, social and cultural projects.
4. Promote the rational use, enjoyment and benefit of waters, forests, communal lands and the defense of their ecological system.
5. Promote the study, promotion, development, preservation and dissemination of the traditional cultures of the Communities of the Caribbean Coast, as well as their historical, artistic, linguistic and cultural heritage.
6. Promote national culture in the Communities of the Caribbean Coast.

7. Encourage traditional exchange with Caribbean nations and peoples, in accordance with national laws and procedures governing the matter.
8. Promote the articulation of the intraregional and interregional market, thus contributing to the consolidation of the national market.
9. Establish regional taxes in accordance with the laws governing the matter.

With regard to administrative self-determination, the following administrative bodies operate within each of the Autonomous Regions of the Caribbean Coast, subject to the Political Constitution of Nicaragua:

1. Regional Council.
2. Regional Coordination.

3. Municipal and communal authorities.

4. Others corresponding to the administrative subdivision of the municipalities.

d) Good practices in ensuring the right to education and health in communities of the Caribbean Coast

The Political Constitution of the Republic of Nicaragua recognizes that the indigenous peoples and ethnic communities of the Caribbean Coast have the right within their region, **to an intercultural education**, in their mother tongue, in accordance with the law⁶. In compliance with this, a "Regional Autonomous Education Subsystem (SEAR)" has been developed in the Autonomous Regions of the Nicaraguan Caribbean Coast.⁷

⁶ Article 121 Political Constitution of Nicaragua.

⁷ Article 38 of Law No. 582 "General Education Law".

The Regional Autonomous Education Subsystem is oriented to the integral formation of women and men of Afro-descendant indigenous peoples and ethnic communities, based on the principles of Autonomy, interculturality, solidarity, relevance, quality, equity, as well as moral and civic values of regional and national culture; committed to sustainable development, gender equity and the rights of children, adolescents and youth. One of its fundamental axes is interculturality, as it promotes a solid scientific, technical and humanist preparation by strengthening ethnic, cultural and linguistic identity, contributing to the project of unity in diversity.

In coordination with the Ministry of Education and the National Institute of Technology, the Autonomous Regions direct, organize and regulate education at all levels in their respective territories, in accordance with

their uses, traditions, value systems and cultures.

The Government of Nicaragua has promoted quality education on the Caribbean Coast, which implies economic, material and infrastructure availability, accessibility, adaptability and acceptability.

The creation of didactic material and scientific texts translated into the languages of the indigenous peoples and peoples of African descent, especially Miskitu, Tuhka, Kriol, Panamahka and Ulwa, making them an accessible and understandable reality, has been emblematic.

The education system not only guarantees scientific and humanistic teaching, it also provides meals through the Comprehensive School Nutrition Program, which prepares school snacks for children, promoting school

attendance and retention, with community participation and close inter-agency coordination.

In the same manner, the National Police of the Republic of Nicaragua, through its prevention and direct care programs, guarantees public safety in schools, fostering an environment conducive to teaching.

With regard to the right to **health**, in the Republic of Nicaragua this is a constitutional right that is free and universal, for all Nicaraguans, equally, without discrimination. In the case of the Autonomous Regions of the Caribbean Coast, they have the right to define a model of health care that is in accordance to their traditions, culture, customs and practices within the framework of the policies, plans, programs and projects of the Ministry of Health.⁸

⁸ In line with article 10 of the General Health Law.

In compliance with the above, the Government of Reconciliation and National Unity (GRUN) has strengthened the articulation with Regional Governments and Regional Councils, in order to build the necessary guidelines to ensure humanized, free and quality care, respectful of ancestral practices and customs of inheritance.

As a result of this articulation, the Government of Reconciliation and National Unity, has promoted that the National Assembly, adopt laws that institutionalize the practice of natural and complementary medicine, as well as the application of techniques and procedures that are typical of the communities of Indigenous peoples and Afro-descendants, for the prevention and care of diseases.

In 2011, the Law on Traditional and Ancestral Medicine was passed, which aims to recognize the right to respect, protect and promote the

practices and expressions of the traditional ancestral medicine of indigenous and Afro-descendant peoples, in all their specialties and forms of individual and collective exercise, based on their own intercultural health care practices and establishing the appropriate guarantees that correspond to the State for its effective implementation and development.⁹

As a best practice of the State of Nicaragua, this Law has allowed doctors practicing within Indigenous peoples and Afro-descendants communities, to be permanently trained with referral persons, who traditionally care for families within these communities, using herbs and other natural elements.

The implementation of the Maternal Homes Strategy in the communities where Indigenous and Afro-descendant Peoples live has been

⁹<http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aaca87dac762406257265005d21f7/ace23c6a1d70de10062579100052a88f?OpenDocument>

emblematic, as it aims to facilitate and bring closer the right to health care during childbirth for women of these communities from the most remote areas of the country. Maternal homes are facilities where women are housed, who mostly live in hard-to-reach areas and who have move in advance from their homes, to wait for childbirth.

Within the homes, food, accommodation, pregnancy monitoring, personal and environmental hygiene, counseling in breastfeeding, family planning and newborn care, among other services, is guaranteed.

The Government of Nicaragua increased fourfold the number of maternal homes in the country, from 50 in 2007 to 180 in 2021. This strategy is a global benchmark for the results attained on the reduction of infant and perinatal mortality in more than half, from 11 child deaths per thousand born in 2007 to 9 in 2020.

Annually, the Ministry for Health carries out national vaccination day, delivering free vaccines to immunize children, adolescents, youth and older adults within their homes, without discrimination and giving priority to communities that are far away from the healthcare facilities.

In this context, it must be reiterated that, since the foundation of the Nicaraguan State, no other government has shown the unwavering will and determination to comply with the aspiration for justice and the historical demands of our indigenous and Afro-descendant sisters and brothers, as the Government of Reconciliation and National Unity is doing.

Regarding the COVID-19 Pandemic, Nicaragua has responded successfully from the following work lines:

- Strengthening the universal and free health system initiated in 2007, with the construction of 18 hospitals, 58% more than the existing ones, with 6 more under construction; within the Health, Family and Community Model; and the progress made in Public Health.
- Daily follow-up to cases isolated by illness or contacts with sick people. Confirmed positive cases received home medication.
- Vaccines will be applied to the main risk groups.
- Application of 1.4 million vaccines against seasonal influenza and bacterial pneumonia.

In January 2021, the Bacteriology Laboratory was opened in the Northern Caribbean of Nicaragua. This center will benefit approximately 230,000

people from the municipality of Bilwi, Puerto Cabezas.

The Nuevo Amanecer Hospital on the North Caribbean Coast is currently under construction. Construction is planned to be completed in November 2022. The Hospital will have 207 high-tech beds and equipment, for the restitution of health rights of 457,256 inhabitants of the Autonomous Region of the Northern Caribbean Coast (RACCN).

For the first time in Nicaragua's history, a Government allocates financial resources to indigenous communities, through the General Budget of the Republic, in order to ensure its governance system; it is also during this same period that the necessary conditions for ensuring the restitution, promotion and enjoyment of the ancestral rights of the country's indigenous and Afro-descendant

communities, including the right to health, began and continues to develop.

From 2012 to 2020, the Government of Reconciliation and National Unity, through the Ministry for Family Economy (MEFCCA), has implemented policies in the Caribbean of Nicaragua aimed at eliminating the historical and exclusion discrimination suffered by the Caribbean populations and communities in the country. The Government's action in its fight against poverty and National Unity has had as its central axis the leading role of the indigenous and Afro-descendant family economy, as well as the participation of women and young people.

With a participative and sustainable approach, MEFCCA's actions on the Caribbean Coast, through its programmes and projects, has allowed the Government to accompany the transformation of the region, respecting the

worldview of the indigenous, Afro-descendant and Caribbean mestizos, enhancing and preserving Mother Earth, strengthening the leading community families in the participatory processes in prior, free and informed consultations; developing agricultural diversification and strategic crops such as bamboo, cocoa, coffee, coconut and artisanal fisheries, assistance to agribusiness and promotion of ventures, strengthening the articulation of the Consumer and Trade Production System in coordination with the Caribbean Regional Governments and the Special Zone of Upper Wangki and Bocay.

With the implementation of the Emblematic Programs of the Government of Reconciliation and National Unity, **277,128 leading families from the Caribbean Coast and Upper Wangki and Bocay** have been served, of which **63,522 protagonists** have been capitalized with the implementation of investment plans amounting to **C\$1,865 million.**

PROMOTION AND STRENGTHENING OF FAMILY AGRICULTURE

Promotion and diversification of agricultural production:

- Sustainable-comprehensive-productive-development in order to ensure food security and family income, by strengthening environmentally friendly agroforestry and livestock systems, capitalizing **6,348 producing families**, through vegetative material, seeds, delivery of minor livestock, agricultural tools, training, collectively owned mills for rice processors and technical assistance.
- Establishment of **basic grain seed banks** benefiting **620 families** of the Wangki Maya and Wangki Twi Tasba Raya, Matumbak, Mayangna Sauni, Twahka Indigenous territories

of the municipalities of Waspam, Bonanza and Rosita. Strengthening technical capacities through training, theoretical-practical workshops for producers in post-seed management, in order to ensure the availability of quality seeds for the next production cycle, with higher yields, resistant to pests and diseases, and greater adaptability to the area.

- **In the cocoa sector**, the technical capacities for the production and improvement of living conditions of **3,281 producing families** have been strengthened through the establishment of 3,944 hectares of cocoa under diversified agricultural systems with gender equity and adaptation to climate change.

Cocoa collection centers.

- Establishment, improvement and equipment of 7 **basic cocoa collection centers** benefiting approximately **2,500 families** from the

municipalities of Siuna and Rosita. The construction of drying areas, fermentation cellars, tasting, equipment and value-added tools; Strengthening technical capacities through trainings, as well as theoretical-practical workshops aimed at partner-producers.

- Construction of 2 infrastructures for Coffee and Cocoa processing, administrative offices, tools and equipment for the transformation of coffee and cocoa, equipment for administrative use, trainings, and theoretical-practical workshops aimed at partner producers This investment in Collection centers and infrastructure has been in the amount of: C\$25,330,173.07
- **In the robusta coffee** sector, the technical capacities for the production and improvements in living conditions of **602 families** have been strengthened with

diversified agricultural systems based on gender equity and adaptation to climate change.

- **In the coconut** sector, 580 hectares of coconut were established benefiting 520 leading families in the municipalities of Kukra Hill and Pearl lagoon with an investment of C\$6,863,051.6. In addition, two small coconut oil processing plants were installed in two communities of Pearl Lagoon with the participation of local community organizations.
- **Development of artisanal fisheries** to ensure food security and income of fishing families through 10 investment plans with the capitalization of **2,052 actors** with a 38.4% participation of women and an investment of **C\$125,859,724.32** córdobas in **40 coastal communities**.

In consensus with the leaders and protagonists of each community, nets and other fishing equipment were delivered, having a direct impact on the capture of desired species, better price, quality and decreasing the capture of juveniles.

Means of transportation were provided: 25 dories, 10 engines of 15 hp and 25 hp, vests, GPS, all with the aim of strengthening capabilities to deliver products to collection centers.

9 Small Fishing Collection Centers were built, in 9 communities, to which stainless steel tables, baskets, thermos with capacities of 100, 300, 500 pounds, weights, boots, aprons, hats, facemasks, were given.

- Development of Dry Shrimp processing in Pearl Lagoon.

With the participation of 312 Shrimping families, two Community revolving funds were created, with C\$2,419,200.00, for the purchase of raw materials (fresh shrimp) for the production of dry shrimp.

Improved capacity to produce dry shrimp is achieved through the use of 202 handcrafted dryers; and 89 containers for cooking dry shrimp.

- We have accompanied the **establishment of 6,689 family patios** for the production of healthy food, diversification of their food intake and marketing of surpluses in communities.
- **168,963 small producers of basic grains, coffee, bananas, fish, marango and creative ventures** were accompanied with training and technical assistance for the establishment and management of crops, promoting the

adoption of technologies to expand production and improve food availability.

- In order to increase crop yields, we contributed to the food security and household incomes of **6,836 producing families** that were capitalized by providing an equal number of **technology bonds**, containing bamboo plants, musaceous plants, coffee, cocoa, vegetables, fish hatchlings, among others.

- With the **Creative Entrepreneurship Promotion Plan: Gardens, Nurseries and Husbandry Sites**, were established with the participation of 7,312 protagonists through workshops and expo fairs.

- **Bamboo Tech Bonus**. Establishment of 03 Bamboo nurseries (RACCN, RACCS and The Mines), of which 130 plants were delivered to each municipality, as well as strengthening

technical capacities in the agronomic management of bamboo cultivation.

Establishment of 26 hectares of bamboo in: RACCS with the delivery of 840 plants to 24 protagonists (5m, 9h); RACCN with the delivery of 1,155 plants to 31 protagonists (9m, 22h); Las Minas with the delivery of 560 plants to 10 protagonists (8m, 2h).

Small craft businesses were capitalized with the aim of industrializing them to become model bamboo workshops, to whom machinery and electrical tools were provided through the signing of an agreement, including: Drill, Polisher, bench lock, guillotine or cutter, compressor and router, and manual tools such as: hammer, sandpapers, varnish, seals and dyes, as well as the installation of a solar dryer in the Workshop: BARATARA, Rosita.

- **CRISSOL program**, between **2014 to 2015**, a total of **2,879** protagonists of **the CRISSOL program for the** planting of beans, maize and rice in the first and second cycles, were attended for the establishment of a total of approximately 6,903 hectares, in the municipalities of the northern and southern Caribbean coast, with an amount of C\$31,600,160,000.

- **Food and Production Program and Microcredit Program for Entrepreneurship in the rural areas. Rural Microcredit:**
 - As part of the Food and Production Program (Usura Zero Program), during the 2007-2020 period, 6,317 protagonists were served in the Autonomous Region of the Northern Caribbean Coast (RACCN), providing 18,494 loans, placing a total of C\$119,795,800; in turn, 13,405 protagonists were served in the

Autonomous Region of the Southern Caribbean Coast (RACCS), providing 45,441 loans, placing a total of C\$350,924,700

- With the PPA, **26,160** families from the Caribbean Coast and Upper Wangki and Bocay were capitalized, with a total of 277,598 pig and bird bonds and 10,435 cattle bonds.
- Microcredit Program for Entrepreneurship in the Rural Area, from 2017 to January 2021, a total of 669 solidarity groups have been benefitted, **comprising 2,680 actors** from the RACCN, RACCS, The Mines and Upper Wangki Bocay delegations for a total disbursed amount of **C\$82,614,427.67 córdobas**.

DEVELOPMENT OF SMALL COMMUNITY AGRIBUSINESS

- Organizational aspects of agribusiness and small business ventures have been strengthened with training in cooperativism and value aggregation, for integration into other market spaces and greater profitability of ventures.
- **23,806** families are trained in issues of aggregation of value and transformation in fruit, musaceous, basic grains, medicinal plants, roots and tubers.

PROMOTION OF THE UNDERTAKINGS OF THE FAMILY ECONOMY.

- The **Plaza for Fairs** of the Family Economy in Bilwi was built and conditioned, strengthening the capabilities of ventures and generating marketing spaces for their products at fair prices, which allows for trade and

the generation of community alliances, benefiting 1,350 producers with an **investment of C\$4.5 million.**

- From 2017 to 2020, **2,539 trade** dynamic events have been held, Family Economy Fairs, producer markets, competitions, festivals, business roundtables, among others, with the participation of **34,616** entrepreneurs and producers; generating **sales of C\$55.5 million.**
- **35,000 small businesses and ventures** have been trained to strengthen their business knowledge and capabilities to promote and market their products, in regard to issues of financing alternatives, business plans, good manufacturing and innovation practices, formalization, digital marketing, among others.
- During the **2019 – 2021** period, **400** Protagonists with disabilities have been

attended by the **Plan: Nicaragua Blessed Strength, Endeavors that inspire!**, promoting **37** social inclusion activities such as fairs, workshops, trainings, motivational talks, laborious hand contests, summer catwalks, congresses and festivals at the municipal, departmental, regional and national levels, generating sales of **C\$ 122,621.00**.

- With **the Digital Business Plan "Your Time to Prosper" 2019-2021**, we have attended **688** protagonists **through 38** activities such as digital commerce, workshops, panels, meetings, trainings and exchanges, in order to strengthen their commercial capabilities, making use of digital platforms and implementing necessary tools in digital marketing, generating **sales of C\$ 72,542.00**.

- Rehabilitation and maintenance of 29 kilometers of rural neighborhood roads, which facilitate the movement of

production. Benefitted communities include: Wisconsin, La Esperanza, Santa Clara, Francia Sirpi, Miguel Biikan and Tasbba Paiin, Bachilaya, Tuskru Tara, Tuskru Sirpi, Wasla, Koom, Kiwas Tara, Auhya Pura, Pure Stripe, Andris, Klampa, Bum, Sawa, Uram, Sih, Living Creek, Utlá Mahta, Plankira and Rancho Escondido, in two indigenous territories (Wangki Twi and Wangki Maya).

Strengthening organizational and associative capacities.

- We have accompanied the associative **strengthening of 462 cooperatives** registered in both regions of the Caribbean, providing them with services and training related to associative life and decentralized services certifications of management bodies, legal personality, etc.

Strengthening the self-management capacities of territorial governments and indigenous community governments

- 8 Plans were implemented to strengthen the self-management capacities of the Territorial Government and Indigenous Community Governments of Wangky Maya, Wangki Twi Tasba Raya, Awaltara, Laguna de Perla, Tasba Pauni, Twahka, GT Matumbak, Mayangna Sauni As, of the municipalities of Waspam Rio Coco, Pearl Lagoon, Desembocadura del Rio Grande, Bonanza and Rosita, for the attention of 2,344 families.

DETAILS OF THE INVESTMENTS AND PROTAGONISTS SERVED BY PROJECTS, WITH A TOTAL OF 277,128 PROTAGONISTS CAPITALIZED WITH AN AMOUNT OF C\$1,865,413,145.57

- **NICARIBE:** 14072 producing families (8074 h and 5998 m) were served in the northern

and southern regions, including the territory of the Mines, with an investment of **C\$269,051,680.15 cordobas**.

- **PAIPSAN:** Capitalizing **14,826** producer families (7,887 h and 6,939 m) with an investment amount of **C\$1,186,500,000.00 cordobas**.

- **NICADAPTA:** **1,534 producing families** (1119 h and 415 m) from the Tasba Pri and Wangky Twi Tasba Raya territories were served. With an investment **C\$122,080,477.75 cordobas**.

- **PROCACAO:** **1,371 producers** were served, from the municipalities of Siuna, Rosita and Bonanza, with an investment of **C\$173,556,400**.

- **Food Production Program:** 26,160 families from the Caribbean Coast and Upper Wangki and Bocay were capitalized, a total of

277,598 pig and bird bonds were awarded, as well as 10,435 cattle bonds.

- **Microcredit Program for Entrepreneurship in the rural areas**, between 2017 to 2020, **C\$82,614,427.67 córdobas** were disbursed to a total of 2,680 protagonists, made up of 669 solidarity groups, in the delegations of RACCN, RACCS, The Mines and Upper Wangki Bocay.
- **CRISSOL Program: From 2014 to 2015** a total of **2879** protagonists were served for the planting of beans, maize and rice in the first and second cycles for a total of approximately 3,600 hectares planted, with an amount of **C\$31,600,160.**

II. CONTRIBUTION No. 2: THE RIGHTS OF INDIGENOUS CHILDREN IN NICARAGUA

a) Context

The Nicaraguan nation is multi-ethnic and multicultural in nature. In the national territory, indigenous and Afro-descendant peoples are full holders of law and indispensable actors in the implementation of sustainable development at the national level, coexisting peacefully and harmoniously.

The main peoples on Nicaragua's Caribbean Coast are the Mayangnas, Ulwas, Miskitus, Ramas, Creoles and Garifunas; while on the Pacific, Northern and Central region of the country, there are Chorotegas, Nahoas, Sutiabas and Matagalpas.

The State of Nicaragua constitutionally recognizes the existence of indigenous and Afro-descendant peoples, who enjoy the rights, duties and guarantees established in the Constitution and in particular those of maintaining and developing their identity and culture, having their own forms of social organization and administering their local affairs; as well as maintaining communal forms of ownership of their lands and enjoyment, use and benefitting from this, all in accordance with the Law. For the communities of the Caribbean Coast, the autonomy regime is established in the Political Constitution.

In the Republic of Nicaragua, it is the duty of the family, community, state and society at large, to ensure, with absolute priority, the fulfilment of the rights and guarantees of girls, children and adolescents relating to life, family and community coexistence, identity, nationality, health, food, housing,

education, environment, sports, recreation, culture, dignity, respect and freedom.

The right to live and develop under the forms of social organization that correspond to their historical and cultural traditions is guaranteed for Girls, boys and adolescents belonging to Indigenous Communities, ethnic, religious or linguistic social groups or of indigenous origin.

The State guarantees girls, children and adolescents belonging to such indigenous communities or social groups to have the rights that they share in common with the other members of his or her group, to have their own cultural and educational life, to profess and practice their own religion and customs, to use their own language and to enjoy the rights and guarantees set out in Law No. 287 "Code of Children and Adolescents."

Since 2007, the Government of Reconciliation and National Unity (GRUN) has established a human rights-friendly government model, inspired by values of Christianity, Socialism and Solidarity, that envisages a philosophy of work and commitment to sectors historically marginalized and violated by neoliberal policies.

In line with the above, the Government of Nicaragua has conceived indigenous and Afro-descendant peoples as full subjects of law, indispensable actors in the construction of their own development, through the joint development and implementation of National Development Plans.

The Government of Nicaragua has promoted the updating of the national legal system, the creation of specific development plans, the allocation of necessary resources, as well as the implementation of actions to enable the

enjoyment and exercise of the human rights of indigenous and Afro-descendant peoples, in particular children belonging to these vulnerable groups.

In Nicaragua, children's law - including indigenous children and adolescents - are of public order and mandatory for all the inhabitants of the Republic.

b) The Right to nationality, rights to life, physical and mental integrity, freedom and safety of persons, violence prevention, access to justice for children of indigenous and Afro-descendant peoples.

With regard to **the right to a nationality**, in the Republic of Nicaragua, children and adolescents belonging to indigenous and Afro-descendant peoples are guaranteed this right, in accordance with the national legislation,

under the same conditions as the rest of the population.

Nationality is a constitutional right, regulated in Title III of the Magna Carta, articles 15 to 22, which provides that Nicaraguans are national or nationalized.

In the case of nationals, they are all those born within the national territory; children of Nicaraguan father or mother; those born abroad to a parents whom were originally Nicaraguans, as long as they requested it after reaching the majority of age or emancipation; infants of unknown parents in the Nicaraguan territory, without prejudice to the fact that, learning of their affiliation may have effects; children of foreign parents born aboard Nicaraguan aircraft and vessels, provided they request it.¹⁰

¹⁰ The constitutional rule makes one exception: the children of foreigners in diplomatic service, those of foreign officials in the service of international organizations or those sent by their governments to perform work in Nicaragua, unless they opt for Nicaraguan nationality.

In turn, the National Assembly may declare foreigners as nationals, to those who have distinguished themselves on extraordinary merits in service of Nicaragua. Foreigners may be nationalized, upon renunciation of their nationality and by request to the competent authority, when they comply with the requirements and conditions established by the laws of the matter.

Nicaragua's regulatory framework for equality and non-discrimination has its source in article 27 of Nicaragua's Political Constitution, which states that:

"All people are equal before the law and have the right to equal protection. There will be no discrimination on the basis of birth, nationality, political creed, race, sex, religion, opinion, origin, economic position or social status (...). The State

respects and guarantees these rights recognized in the Constitution to all persons who are in its territory and subject to its jurisdiction".

Article 48 of the Constitution proclaims the unconditional equality of all Nicaraguans in their enjoyment of their political rights, in the exercise of them and in the fulfilment of their duties and responsibilities, emphasizing absolute equality between men and women.

In compliance with the Political Constitution, all persons are equal before the law in Nicaragua and have the right to equal protection. Children belonging to indigenous and Afro-descendant peoples are not discriminated against on any basis and may be officially registered during or after birth, in accordance with national law.

The registration of children and adolescents in Nicaragua, including indigenous and Afro-

descendant peoples, is regarded as the right to an identity, in accordance with the Family Code.

To ensure that every child and adolescent is entitled to his or her own names and surnames, the State Powers and Institutions, The Regional Councils of the Autonomous Regions of the Caribbean Coast, as well as Regional, Territorial, Communal and Municipal Governments, will promote their registration in the State Civil Registry of Persons and ensure that registration is free and immediate upon birth, in compliance with the Family Code.

Under this Act, the specially appointed parent or representative must personally register the birth of the sons and daughters, within twenty-four months of birth.

In turn, the authorities of the State Civil Registry of Persons, makes ex officio registrations of children under the age of

seven, who have not been registered, without the need to incur in a process of replacement of birth certificate, with the signature of the parent, guardian or tutor, in compliance with the national legal order.

Registration is free and the first certification of the birth certificate has no cost, and no other amount is charged for this procedure.

Registration can be made in the municipality where he or she was born or in the municipality of habitual residence of the parents.

For all purposes, the birth registration certificate or certificate is valid for ten years.

In line with this, Law No. 287, "Code of Children and Adolescents" recognizes that the girl or child has the right from birth, to a nationality in accordance with the requirements and procedures established in the Political

Constitution and the law regulating the matter, in order to have a name and to know their mother and father and to be cared for by them. The State shall respect the right of the girl, child and adolescent to preserve her identity, including nationality, name and family relations.

In Nicaragua, under no circumstances may a child, or adolescent be deprived of his/her identity. In the of illegally dep provision of any or all of the elements of your identity, the State guarantees appropriate assistance and protection to restore them. A child is registered in the registry at birth or within the time limits that the law of the matter establishes. The State guarantees agile and easily accessible registration mechanisms and extends the first birth certificate free of charge.

The Government of Reconciliation and National Unity (GRUN), in compliance with national legislation and International Human Rights Instruments, has approved and implemented since 2011, the "National Early Childhood Policy of "Love for the Little Ones."

The National Early Childhood Policy means that guaranteeing the right to a first and last name is essential for the fulfilment of the human rights of children. This right materializes with the registration of children in the State Civil Registry of Persons, a legal act that enables him or her to exercise and demand their rights before the State, municipalities, families and society in general.

Therefore, this Policy contains an identity component that includes the implementation of the registration of children; as well as promoting self-esteem and identity. The Lines of action for ensuring an Identity are:

- a. Ensure the free registration of children from the moment they are born, at the health units, through the midwives network and the offices of the civil registry in the Municipal Governments.
- b. Identify through CDI, CICO networks and preschools and primary schools, girls and boys who are not registered, in order to guarantee them the right to a name.
- c. Promote administrative reforms that facilitate the registration process for children who were not registered in the regular periods established by law.
- d. Strengthen coordination between the Family Courts, Municipalities, State Civil Registry of Persons, the Ministry of the Family and the Ministry of Health, in order to promote the registration of children.

e. Expand community awareness campaigns and promote the registration of children, promoting that they should be registered by their mothers and fathers as soon as they are born.

f. Promote the participation of girls and children under the age of eight in decision-making, which affect or benefit their lives in family and community spaces.

A good practice of the State of Nicaragua to promote the registration of children at the national level, is the installation of special registration windows in hospitals and health centers of all communities, in order to ensure the territorial, agile and free availability of this right to children of indigenous and Afro-descendant peoples. This concrete action has ensured that children are recognized by their parents.

Since 2007, the Government of Reconciliation and National Unity has prioritized its efforts to ensure the exercise and **enjoyment of the right to life** of the general population, and in particular of children belonging to indigenous and Afro-descendant peoples, in compliance with article 23 of the Political Constitution of the Republic, which conceives this right as inviolable and inherent to the human person.

The Government of Reconciliation and National Unity (2007) currently implements this Axes of the National Human Development Programme (2018-2021), which has enabled excellent results to be achieved in reducing perinatal and maternal mortality, malnutrition and extreme poverty, contributing positively to the right to life of children belonging to indigenous and Afro-descendant peoples.¹¹

¹¹ <https://bit.ly/373OxZR>

With the aim of reducing perinatal and maternal mortality, the Government of Reconciliation and National Unity has built maternal homes throughout the national territory, especially in the remote communities that are far away from urban centers, where large settlements of sisters and brothers belonging to the indigenous and Afro-descendant peoples live.

Maternal homes are facilities where women are housed who mostly live in hard-to-reach areas, which are previously moved from their homes to await childbirth. Within the homes food, accommodation, pregnancy monitoring, personal and environmental hygiene, counseling regarding breastfeeding, family planning and newborn care, among others, is guaranteed.

The Government of Nicaragua increased the number of maternal homes within the country fourfold, from 50 in 2007 to 180 as of the date of this report. This strategy is a global

benchmark for the result of preventing and reducing infant and perinatal mortality by more than half.¹²

With regard to actions against malnutrition and extreme poverty in general, the Government of Nicaragua conceives that hunger is a consequence of poverty conditions in which the majority of the population lives. From this comprehensive perspective, the National Plans and the current National Human Development Program establishes a comprehensive strategy that includes ensuring access to land, loans to make it produce, knowledge for the improvement and diversification of production, and the implementation of programs to combat hunger.

In an exemplary manner, the Government of Nicaragua implements a food and nutrition and security strategy, in compliance with

¹² Nicaragua is recognized by Maternal Homes strategy to reduce maternal and perinatal mortality (<https://bit.ly/3q5XpWd>).

article 63 of the Political Constitution that recognizes the right of Nicaraguans to be protected against hunger.

Accordingly, food programmes have been developed taking into account the right to define their own sustainable food production, distribution and consumption strategies, which guarantee the right to food, respecting the indigenous and Afro-descendant peoples' own cultures, their forms of organization and the diversity of their forms of agricultural production and marketing. For more information, see Nicaragua Contribution No. 1 (page 19 of this report).¹³

With reference to **the right to physical and mental integrity** of children belonging to indigenous and Afro-descendant peoples, in the Republic of Nicaragua, everyone has the constitutional right to respect their physical, psychic and

¹³ As an example of this, Guaranteeing distribution of food in general to 14,000 families in 15 municipalities on the Caribbean Coast (<https://bit.ly/3pT9U7v>).

moral integrity, in line with article 36 of the Magna Carta.

The Government of Reconciliation and National Unity, as part of the "National Early Childhood Policy Love for the Little Ones", devised an educational strategy that reflects the Government's interest in promoting a new relational culture that respects and promotes children's rights, recognizing that girls and boys have the right to grow up free from violence, including children belonging to indigenous and Afro-descendant peoples.

The premise is based on the aggressions and impacts that parents routinely use as a disciplinary method, severely damaging the integral development of girls and boys, affecting their self-esteem and injuring their physical integrity. From the Ministry of Family, Adolescents and Children through the Solidarity Social Promoter, educational strategies for families are promoted

in order to prevent physical punishment and psychological violence, throughout the national territory.

The Government of Nicaragua promotes respect for the dignity of children belonging to indigenous and Afro-descendant peoples, through harmonious relationships, dialogue and exchange of ideas, opinions, searching for consensus without ignoring the responsibilities of care and protection of adults towards children, and promoting social, family and community spaces conducive to the development of independent and active child identities.

The **right to freedom and security of children belonging to indigenous and Afro-descendant peoples, as well as the prevention of violence,** have been a priority for the Government of Reconciliation and National Unity (GRUN), in compliance with article 25 of the Political Constitution.

In order to achieve the above, in the Republic of Nicaragua, the National Police, an armed corps of a civilian nature, is responsible for all police activity and is organized in a preventive, proactive and community model, with the leading participation of the population, families and communities.

It guarantees the internal order, the security of people and their properties, the prevention, prosecution and investigation of crimes and all that the Political Constitution and the National Legal Order points out to. The National Police is a professional body, apolitical, apartidist, obedient and non-deliberative, governed in strict adherence to the Political Constitution to which it maintains respect and obedience.

In particular, the National Police, along with the structures of the Regional Governments of

the Caribbean Coast, develop work plans to provide the safety and prevention of violence in children, adolescents and young peoples belonging to indigenous and Afro-descendant peoples.

An emblematic example of this is the Inter-Agency Program for the Integral Care and Development of Adolescents and Youth, which promotes the construction of a Culture of Peace in Nicaragua, with special emphasis on rural communities where indigenous and Afro-descendant families reside. The components of this programme are: interinstitutional social care for youth and adolescents; Youth culture, culture of peace; Entrepreneurship and youth development, and police and community relationship.¹⁴

This programme has achieved a close and positive relationship and articulation between National Police officers and families of indigenous and Afro-descendant peoples, in

¹⁴ <https://bit.ly/3p92f3r>

particular with children, adolescents and young people and has contributed to the elimination of violence among young people, by eradicating and preventing the creation of antisocial groups.

The Republic of Nicaragua is the safest country in Central America¹⁵, as a result of programs and projects working with groups at risk for crime prevention. This security contributes to children's full development in an environment free from danger, vices and crime.

In the same order of ideas, the National Policy for Early Childhood envisages lines of Action for the Prevention of All Forms of Violence against Children, attending the victims and sanctioning the offenders, which are:

¹⁵ <https://bit.ly/2NeWns8>

- a. To strengthen educational partnership programs aimed at mothers and fathers and tutors of girls, boys, in order to change the patterns of parenting of their daughters and sons, on the perspective of educating with love and tenderness.
- b. To include sexual education content from Preschool and Primary Education to promote healthy and responsible sexuality in children, in order to prevent them from sexual harassment.
- c. To establish coordination with social organizations working on the issue of commercial sexual exploitation, in order to promote joint actions that contribute to the eradication of sexual abuse.
- d. To strengthen psychological care programs for girls, boys and adolescents who are victims of physical, psychological and/or

sexual abuse, in order to restore their physical, emotional and spiritual status.

- e. To prevent sexual violence through educational campaigns and strengthen the authorities responsible for caring for victims and punishing those responsible for the commission of crimes.
- f. To promote violence-free relational models within families.
- g. To strengthen the work of School Counseling Unit of the Ministry of Education (MINED) to promote school discipline without resorting to physical punishment methods.
- h. To promote educational models that strengthen the self-esteem and identity of children, through the Solidarity Promoter styles of parenting free from physical punishment.

- i. To ensure comprehensive care (health, psychological, family, community) to children who are victims of physical, psychological and sexual abuse through the Ministry of Family, Adolescents and Children (MIFAN) and the Ministry for Health (MINSA).
- j. To provide psychosocial and supported care to families living internally in situations of violence, where mothers, fathers, daughters, sons and other family members participate to recreate relationships, heal and stabilize the home as a social unit.
- k. To strengthen the family and community child protection network.
- l. To establish coordination with the institutions of the Judicial System, in particular with the National Police and

Public Prosecutor's Office so that children victims of domestic and sexual violence have the right to access to justice and their aggressors do not fall into impunity.

In relation to **access to justice**, in the Republic of Nicaragua, by constitutional mandate, the administration of justice guarantees the principle of legality; protects human rights and guarantees access to justice through the application of laws or processes within its competence.

The administration of justice recognizes citizen participation through traditional leaders of indigenous peoples on the Caribbean Coast and Judicial Facilitators throughout the country, as alternative methods to access justice and alternate conflict resolution, in line with article 160 of the Political Constitution.

Under the above, in the Autonomous Regions of the Caribbean Coast of Nicaragua, the administration of justice is governed by special regulations that reflect the cultural particularities of the Communities of the Caribbean Coast, in accordance with the Political Constitution of Nicaragua.

In the Republic of Nicaragua, the ability to acquire rights and obligations for children and adolescents is recognized¹⁶. In particular, in the case of indigenous and Afro-descendant peoples, territorial and communal authorities shall also be competent and governed by particular regulations in accordance with customary, indigenous and Afro-descendant law.

The life and community structure of our indigenous and Afro-descendant peoples, underpinned by the practice of solidarity and complementarity of their families and authorities, is recognized and respected, in harmony with

¹⁶ <https://bit.ly/3qrz5yh>

Mother Earth within the paradigm of good living, in a clear inspiration of Christian values, socialist ideals and solidarity practices.

The recognition of the customs of indigenous and Afro-descendant peoples by the State is one of the tasks of the Government of Reconciliation and National Unity, as part of the process of restitution of rights to indigenous families, which is manifested in the judicial system, allowing victims to choose between communal justice (if the crime is worth less than five years) or formal justice. In the first case, a communal judge (Wihta) imposes non-custodial moral penalties, which are for the benefit of the whole community.

The State of Nicaragua has designed and developed a protocol to strengthen inter-agency responsiveness and articulation with effective

access to justice in compliance with human rights standards, gender perspective and comprehensive protection, ensuring the rights of children and adolescents, victims of sexual violence. The Protocol was jointly developed by the Ministry of Education, Ministry of Family, Adolescents and Children, Ministry for Health, National Police through the Women's, Children's, and Family Police Stations, Public Prosecutor's Office and the Supreme Court of Justice through the Technical Secretariat of Gender, Public Defender and the Institute of Legal Medicine, to continue strengthening the necessary measures in the comprehensive care of girls, children and adolescents who are victims of sexual violence.

c) Non-discrimination, health, housing (as part of the right to an adequate standard of living and non-discrimination); Education. (Articles 14, 17 and 21)

The Government of Reconciliation and National Unity (GRUN), faithful to its real commitment to national development, as well as ensuring progressive progress in the human rights of the Nicaraguan nation, has developed general and specific work plans, in consultation with all sectors, including indigenous and Afro-descendant peoples.

As a result, the Government of Nicaragua has improved the economic and social conditions of indigenous and Afro-descendant peoples, positively impacting the enjoyment of the right to health, housing, employment, work, culture, education, without any discrimination and especially for children belonging to indigenous and Afro-descendant peoples.

It is the policy of the State of Nicaragua to ensure that all services provided by the Government through its institutions and the institutions of the Regional Governments are

accessible, in mother tongues and under all conditions for the enjoyment of children belonging to indigenous and Afro-descendant peoples, in compliance with the constitutional mandate of equality and non-discrimination.

In the same sense, Nicaraguans have the right to **health**, without discrimination. The State establishes the basic conditions for its promotion, protection, recovery and rehabilitation, corresponding to direct and organize health programs, services and actions and promoting and defending popular participation, in compliance with article 59 of the Political Constitution.

The communities of the Caribbean Coast of Nicaragua define a model of health care according to their traditions, culture and customs within the framework of the policies, plans, programs and projects of the Ministry for Health, under Law No. 423 "General Law on Health".

The Ministry for Health coordinates with the Regional Councils, all aspects related to institutional management models, as well as those required to promote decentralization, deconcentration and delegation in these regions.

Autonomous Regional Councils may create their Administrative Health Institutions that they deem appropriate for the administration of Health Services, all within the framework of autonomy and in accordance with national health standards and procedures policies.

In line with the above, Article 8 of the Statute of Autonomy of the Caribbean Coast of Nicaragua, recognizes as part of the powers of the Autonomous Regions, the administration of health programs, among others, in coordination with the corresponding Ministries of State.

Since 2007, the Government of Nicaragua has ensured that Nicaraguans enjoy the human right to health, with quality and warmth, after this right was privatized for 16 years, making it a commodity.

As a result of the privatization of health, health centres and hospitals were deprived of medical supplies and medicines; families were assuming the cost of medicines; zero investment in medical infrastructure, expanding the list of people waiting for an operation.

Under the economic model of health, the system required doctors as a sign of efficiency, the care of a certain number of patients a day, which violated humanism and the warmth of care, becoming mechanical.

The few resources available were earmarked for curative health, neglecting preventive health.

These and others are the challenges faced by the second period of the Sandinista government.

The Government of Reconciliation and National Unity, through the National Plan for Human Development, conceives within the Health Policy, this as "a factor of development and a human right". The health of children in general, as well as that of children from indigenous and Afro-descendant communities, is protected from conception, which involves comprehensive care for the mother during pregnancy and during childbirth and comprehensive care for girls and boys during the first years of life.

The Government of Nicaragua has managed to expand coverage of prenatal care and safe delivery in health facilities, actions that have positively impacted the reduction of maternal and child mortality.

The Family and Community Health Model (MOSAFC) has fostered social mobilization around the right to health, raising awareness of family responsibility in the health care of girls and boys, which has allowed to expand the coverage of immunizations and vitamin supplementation, deworming, etc.

Girls and boys receive medicines for free, they are attended in health units with general doctors and specialists, as required. Health care has been taken to schools through days of promoting hand washing, proper garbage management and oral health, through fluoride rinses, all these actions have the advantage of radiating the girl and child's family.

Child morbidity, expressed mainly in acute respiratory and diarrhoeal diseases, has been reduced, thanks to the implementation of preventive strategies, such as water chlorination, expansion of oral rehydration therapies, improvement

of homes, days of cleaning streets and courtyards, etc.

Since 2007, the Government of Nicaragua has guaranteed more modernized health infrastructure: 18 new hospitals; more trained staff: 36,649 health workers by 2020 compared to 22,083 in 2006; 6,045 doctors in 2020 compared to 2,715 in 2006 and with emblematic and supportive programmes that highlight GRUN's sacred commitment to restoring rights to the population; Everyone with a Voice, Love for the little ones, Operation Miracle, starting with the organization of the Family and Community Health Model (MOSAFC), working in conjunction with the community network and with greater budgetary investment.

Infrastructure construction has restored the right of indigenous and Afro-descendant peoples to health, especially children. Similarly, all health personnel are permanently trained to

provide quality and warmth of care and in mother tongues.

In 2014, the Government of Nicaragua promoted at the National Assembly, the Law on Natural Medicine, Complementary Therapies and Natural Products in Nicaragua¹⁷. It directs hospitals and any health facilities on the Caribbean Coast to adapt their methods of care with traditional ones in the communities of indigenous peoples:

"In the case of the Autonomous Regions of the Caribbean Coast of Nicaragua, the Ministry for Health will incorporate Natural Medicine, complementary therapies and natural products into the Conventions with Regional Governments and Councils in a relevant manner and appropriate to the needs, worldview, tradition and culture of indigenous and

¹⁷ Law on Natural Medicine, Complementary Therapies and Natural Products in Nicaragua (<https://bit.ly/3oYP9G8>)

Afro-descendant peoples and communities."

This provision brings together the right to health of children and adolescents and adapts to their environment, customs and traditions.

Another good practice of the Government of Reconciliation and National Unity to guarantee the right to health of children in general, as well as those belonging to indigenous and Afro-descendant peoples is that annually, the Ministry for Health develops the national vaccination day, bringing home free vaccines to immunize children, without discrimination and with priority in communities far from health facilities.

With regard to **housing**, the Government of Nicaragua has had as its priority, to ensure that Nicaraguans have the right to decent, comfortable and safe housing that guarantees

family privacy, in compliance with article 64 of the Political Constitution.

The current axes of the corresponding National Human Development Programme, corresponding from 2018-2021, reaffirm the will of the Government of Nicaragua to promote the construction and acquisition of new family homes, continue to support the construction of housing of social interest to low-income families and promote and develop policies to promote housing repairs and improvements.

Until 2007, poor families were excluded from housing programs; those that had been designed were only available to middle and high-income sectors, not to the vast impoverished majority after 16 years of neoliberalism. Approximately 12% of families inhabited ranches or makeshift homes.

Another sector of the population lacked drinking water and electricity service. When homes do not have safe water sources, those who inhabit it, mainly girls and boys are at risk of diarrhoeal diseases, a risk that increases when the floor of the dwellings is dirt.

Compliance with the right to decent and adequate housing is essential to ensure safety for children. The Government of Nicaragua built about 118 thousand 45 homes across the country from 2007 to 2018.

Programs that benefit women through the provision of productive credits also affect the improvement of housing. Decent, overcrowded housing with services guarantees well-being for girls and boys, as they ensure conditions conducive to their growth and development.

In the Republic of Nicaragua, indigenous and Afro-descendant peoples are guaranteed full

recognition of communal property rights, use, administration, management of traditional lands and their natural resources, through the demarcation and qualification thereof, in accordance with the Law.

As part of the process of restitution of rights to families of Indigenous peoples and Afro-descendants, the Government of Reconciliation and National Unity, has promoted the adoption of the necessary legislation to ensure land tenure to Caribbean communities, lands where they have historically lived and did not have the title of ownership.

Since 2007, titles of communal ownership have been given to special area territories of the Autonomous Regions of the North and South Caribbean and the indigenous territories of Altos Coco, Bukawas (Bocay River) and the Indio y Maíz River.

The safety of families in the tenure of their inherited lands ensures that children remain in their places of origin, without resorting to migration and without abandoning their ethnic and cultural roots, rooted in each of their communities.

In early 2021, the Government of Reconciliation and National Unity promoted in parliament the adoption of the Law declaring and defining Nicaraguan Caribbean Biosphere Reserve, to a total area of more than 4,415 hectares containing natural riches and complete coastal and marine ecosystems of high ecological and economic value in the Nicaraguan Caribbean region. The law points to the need to protect the nation's natural heritage and guarantee the right of communities in the Caribbean regions of Nicaragua to sustainable development and to address the impacts of climate change.

The **Right to Education** for children belonging to indigenous and Afro-descendant peoples are guaranteed without discrimination, in accordance with national law and international human rights instruments.

The Political Constitution of the Republic of Nicaragua recognizes that Nicaraguans have the right to education and culture (Article 58). For its part, Law No. 28, Statute of Autonomy of the Regions of the Caribbean Coast of Nicaragua recognizes as part of the rights of the Communities of the Caribbean Coast, education in their mother tongues and in Spanish, through programs that collect their historical heritage, their system of values, the traditions and characteristics of their environment, all in accordance with the national education system (Arto. 11, numeral 5).

In the same line, the General Education Law protects the access of children from indigenous and Afro-descendant peoples to the country's free and universal public education system, as follows:

*"Education in the autonomous Regions is a fundamental right for indigenous and Afro-descendant peoples and ethnic communities of the Caribbean Coast recognized in the country's Political Constitution and as an indeclinable public service by the State, and indissoluble from Regional Autonomy"*¹⁸

Since 2007, the Government of Nicaragua has focused its efforts to ensure that Nicaraguans have a quality education throughout the national territory, progressively advancing economic, territorial and material availability, accessibility, adaptability and acceptability in education.

¹⁸ Article 39, General Law on Education of Nicaragua (<https://bit.ly/3a5DFws>).

On January 11, 2007, it marks a historic date for Nicaragua's national education system, on that date and after Comandante Daniel Ortega again assumed the presidency, the first thing that he did was eliminate school autonomy and ensure that thousands of children and young people could enter classrooms, as part of free education.

The political will to increase the budget to guarantee the right to education in a sustained manner has enabled the construction and rehabilitation of schools across the country, without excluding communities of indigenous and Afro-descendant peoples.

The education system not only guarantees scientific and humanistic education, it also provides food through the Comprehensive School Nutrition Program, to cook school snacks to children, promoting school attendance and

retention, with community participation and close inter-agency coordination, primarily in communities far from urban areas.¹⁹

The Government of Reconciliation and National Unity has endeavoured to provide scientific texts with translations into mother tongues of indigenous peoples into the Regional Autonomous Education System, especially in Miskitu, Tuahka, Kriol, Panamahka and Ulwa, to teach all school figure subjects in schools on the Nicaraguan Caribbean Coast, under bilingual Intercultural Education.²⁰

Teachers receive monthly training, for the correct planning of the contents to be addressed in classes, thus achieving an updated approach of all subjects and according to the new times that the world lives.

19 Comprehensive School Nutrition Program (<https://bit.ly/3p6fToj>)

20 Update bilingual Intercultural Education textbooks for the Nicaraguan Caribbean (<https://bit.ly/3a3hhDz>)

In the context of the Covid-19 Pandemic, Nicaragua did not close its public schools, safeguarding the right to public education of children and adolescents, implementing appropriate health and biosecurity measures. This allowed an average enrollment of 1.7 million students at all educational levels from 2007 to the date of this report.

To ensure the right to education equally, the Government of Nicaragua ensures 100% of primary education in 11,000 rural schools; which guarantees school meals, as part of the food and nutrition strategy, with absolute equality, without discrimination and adjusted to the customs of indigenous and Afro-descendant peoples, ensuring the right to food.

The political will of the Government of Nicaragua is reflected in the rapid action to rebuild the schools destroyed by Hurricane

Iota and Eta of 2020 on the Caribbean Coast, mobilizing all the necessary resources to the communities farthest from urban areas, thus achieving the normal start of the 2021 school year; ensuring the construction and operation of mobile classrooms (prefabricated schools), which are equipped with educational materials and technology equipment.²¹

These concrete actions ensure that children and adolescents from indigenous and Afro-descendant peoples have access to an education system without discrimination and appropriate to their reality, customs and traditions inherited from generation to generation.

In addition, the National Police of the Republic of Nicaragua implements programs aimed at providing security in schools, protecting children from indigenous and Afro-descendant peoples from a number of crimes, and in

²¹ Ministry of Education develops prefabricated classrooms to serve hurricane-affected schools (<https://bit.ly/36YwvYK>)

particular against economic exploitation and against any work that may be dangerous or interfere with their education, or that may be detrimental to health or physical development , mentally, spiritually, morally or socially of children, bearing in mind their status as vulnerability and the importance of education as a transformative engine throughout the country.

Managua, 12 March 2021.

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