



Human Rights and Business Country Guide

# Nicaragua

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THE DANISH  
INSTITUTE FOR  
HUMAN RIGHTS

# How to Use this Guide

This Human Rights and Business Country Guide contains information regarding the potential and actual human rights impacts of businesses. The information in this Guide is gathered from publicly available sources, and is intended to help companies respect human rights and contribute to development in their own operations and those of their suppliers and business partners.

## About the Human Rights and Business Country Guide

The Human Rights and Business Country Guide provides country-specific guidance to help companies respect human rights and contribute to development.

For companies to manage their potential human rights impacts, they must have comprehensive information about the local human rights context in which they operate. The Country Guide provides a systematic overview of the human rights issues that companies should be particularly aware of. For each issue, it provides guidance for companies on how to ensure respect for human rights in their operations or in collaboration with suppliers and other business partners.

The Country Guide is not only a resource, but a process. This Guide was produced through a systematic survey carried out by the Danish Institute for Human Rights (DIHR) and Nicaraguan Union for Corporate Social Responsibility (UNIRSE). The aim of this Guide is to improve the human rights practices of companies, including through facts-based dialogue regarding the issues presented here.

### **How the Human Rights and Business Country Guide can be used by companies**

- Develop company policies and procedures related to human rights issues in the local environment.
- Assess and track the potential human rights impacts of your own operations or in suppliers, business partners and investments.
- Raise awareness among staff, suppliers and other business partners.
- Engage with workers, potentially affected communities, consumers and other stakeholders whose human rights might be affected by your operations.
- Engage with civil society organisations, government bodies or international organisations on human rights-related issues.
- Provide background information for auditors.
- Establish or collaborate with mechanisms for workers, communities and other whose human rights might be affected by your operations.
- Contribute to development initiatives that align with human development needs and priorities in the local context.

### **How the Human Rights and Business Country Guide can be used by governments**

- Review and reform public policy and legislation relevant to the human rights impacts of business, including in the areas of labour, environment, land, equal treatment, anti-corruption, taxation, consumer protection or corporate reporting.
- Ensure respect for human rights in the state's own business affairs such as state-owned companies, sovereign wealth funds and other investments, public procurement, development assistance, export credit and other activities.

- Build awareness and capacity on human rights and business issues within relevant areas of public administration.
- Provide targeted advice to domestic companies.
- Inform the development of trade policy, trade and investment agreements and trade and investment promotion.
- Improve effective access to judicial and non-judicial remedies for victims of business-related human rights abuses.
- Enhance the contribution of the private sector in national and regional development programmes relevant to human rights.

#### **How the Human Rights and Business Country Guide can be used by civil society organisations**

- Inform human rights research and monitoring related to business operations.
- Work with affected workers and communities to define human rights and human development priorities related to the role of business.
- Provide capacity-building to government, business and civil society stakeholders on human rights and business.
- Work with local stakeholders to provide recommendations to business and government.
- Facilitate dialogue and engagement with, including multi-stakeholder forums, with state agencies and businesses.

The Country Guide aims to work with all stakeholders to promote, monitor and expand the activities described above. We request that all stakeholders who use the findings of the Country Guide in their work notify the Country Guide team of their activities and lessons learned. These experiences will be included in the Country Guide website, [HRBCountryGuide.org](http://HRBCountryGuide.org).

## Country Guide Process

Nicaragua is currently at step 3 in the Country Guide process.

The Nicaragua Country Guide was produced by the Danish Institute for Human Rights (DIHR) and the Nicaraguan Union for Corporate Social Responsibility Union (UNIRSE).

The Country Guide is a compilation of publicly available information from international institutions, local NGOs, governmental agencies, businesses, media and universities, among others. International and domestic sources are identified on the basis of their expertise and relevance to the Nicaraguan context, as well as their timeliness and impartiality.

The initial survey of publicly available, international sources was carried out by DIHR from October to December 2014. The draft was then updated and localized by UNIRSE with some interaction with local stakeholders from January to March 2015. The current Guide was comprehensively updated in early 2016.

The completed Country Guide aims to provide a comprehensive overview, on the basis of the information available, of the ways in which companies do or may impact human rights in Nicaragua. The current Country Guide is not meant as an end product, or a final determination of country conditions. It is intended to be the basis, and the beginning, of a process of dissemination, uptake and modification. DIHR and UNIRSE seek further engagement with local stakeholders, and intend to update the Country Guide on that basis.



# Country Guide Content

The Country Guide contains the following information:

## Areas for Attention

Each section of the Country Guide identifies areas for particular attention by businesses. The Country Guide identifies these areas through an analysis of the country's legal framework for human rights protection; enjoyment of human rights in practice; and the proximity of third-party human rights violations to company operations.

The headline and risk description describe the relevance of each issue for businesses. The text that follows the risk description presents the quantitative and qualitative information upon which this determination was based.

**Background & Context** gives an overview of economic, political and demographic characteristics.

**Rights Holders at Risk** identifies groups that may be vulnerable to workplace discrimination or community impacts.

**Labour Standards** identifies areas for attention related to employees and working conditions. This section includes child labour, forced labour, trade unions, occupational health & safety and working conditions.

**Community Impacts** identifies areas for attention related to communities whose human rights may be affected by company operations. This section includes impacts related to environment, land & property, revenue transparency & management and security & conflict.

**Sector Profiles** identifies human rights and business impacts related to a particular industry sector, such as extractive operations, manufacturing or agriculture.

**Region Profiles** identifies regions of the country where the risk of adverse human rights impacts differs markedly from the national profile. This may include underdeveloped regions, export processing zones or conflict areas.

## Cases

Each rights issue includes cases from media and law where the rights issue in question has been allegedly violated. These cases are drawn from the Business and Human Rights Resource Centre, international and local NGOs and stakeholder consultations. The cases presented here should not be considered comprehensive.

## Access to Remedy

Victims of corporate human rights abuses have the right under international law to mechanisms that provide for remedy. The UN Guiding Principles on Business and Human Rights explicitly obligate governments and businesses to provide and/or participate in such mechanisms.

The Country Guide includes information under each rights area about the remedy mechanisms available to redress violations of the right. Where possible, this also includes practice information about the effectiveness of such bodies, and the number of cases they have heard and redressed.

## Human Rights Guidance for Businesses

This section includes guidance for businesses to prevent and mitigate their adverse human rights impacts. This guidance is drawn from the Danish Institute for Human Rights' (DIHR) existing library of human rights due diligence recommendations, as well as international frameworks, principles and guidelines. Where available, this section includes recommendations issued by local NGOs and directed specifically at companies operating in the country.

This section also includes examples of initiatives carried out by companies to mitigate their human rights impacts. These are organized into Due Diligence Initiatives—activities that aim to meet the company's responsibility not to violate human rights—and Beyond Compliance Initiatives—activities that aim to contribute to development beyond this baseline obligation.

## Engagement Opportunities

Companies have a responsibility to prevent negative human rights impacts, but they also have an opportunity to contribute to positive human rights impacts. Each section of this Guide includes information for companies to link their policies and community engagement processes to ongoing governmental and institutional efforts to promote and fulfil human rights.

This includes Public Sector Initiatives—activities where the government is aiming to fulfil or promote the right in question through discrete programmes—as well as Development Priorities—themes identified by international institutions as warranting deliberate attention, or where companies could have the greatest impact with their development initiatives.

The purpose of the information in this section is to inspire further efforts and engagement by businesses, as well as to identify existing programmes that companies could support or take part in.

## About DIHR

The Danish Institute for Human Rights is a National Human Rights Institution accredited under the UN Paris Principles, and carries out human rights and development programmes in Denmark and around the world. Since 1999, the Danish Institute has worked closely with the business and human rights communities to develop tools and standards for better business practice.

*For more information, see [humanrights.dk](http://humanrights.dk).*

## About UNIRSE

The Nicaraguan Union for Corporate Social Responsibility Union (UNIRSE) was created in 2005 and is composed of 70 members, including companies, business leaders and business foundations that share its aim of promoting CSR as a new way of doing business.

UNIRSE's vision is a world in which businesses manage their operations in an economic, social and environmentally sustainable way; recognise the interests of investors, local communities and clients; and take into consideration the environment and future generations to come.

UNIRSE works in five thematic areas: working conditions, business ethics, business-community relationships, responsible marketing and environmental protection. Its objectives include promoting, disseminating and researching corporate social responsibility and organising events with the aim of sharing experiences and working with businesses to build their CSR capacity.

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# Background & Context

*Overview of political and socio-economic conditions in which businesses operate. This information is designed to inform businesses of the broader political and development trends in the country.*

Demographics & Economy	
Population	5,907,881 (July 2015 est.)
Ethnic Groups	mestizo (mixed Amerindian and white) 69%, white 17%, black 9%, Amerindian 5%
Religious Groups	Roman Catholic 58.5%, Protestant 23.2% (Evangelical 21.6%, Moravian 1.6%), Jehovah's Witnesses 0.9%, other 1.6%, none 15.7% (2005 est.)
Languages	Spanish (official) 95.3%, Miskito 2.2%, Mestizo of the Caribbean coast 2%, other 0.5% <i>note: English and indigenous languages found on the Caribbean coast (2005 est.)</i>

## Political, Economic & Development Statistics

*Quantitative indicators and country rankings*

Country Rankings & Ratings			
	2011	2013	2015
Reporters Without Borders: Press Freedom Index (Where 1 indicates the highest degree of freedom)	n/a	78	74
Freedom House: Map of Freedom - Political Rights (On a scale of 1 through 7, where 1 indicates the highest level of freedom)	4	5	4

Freedom House: Map of Freedom - Civil Liberties  (On a scale of 1 through 7, where 1 indicates the highest level of freedom)	4	4	3
Form of government	Republic		
Most recent general election	6 November, 2011		
Current head of state	President Jose Daniel Ortega Saavedra		
Ruling party	Sandinista National Liberation Front (FSLN)		
Other major parties	<ul style="list-style-type: none"> <li>• Alliance for the Republic or APRE</li> <li>• Conservative Party or PC</li> <li>• Independent Liberal Party or PLI</li> <li>• Liberal Constitutionalist Party or PLC</li> <li>• Nicaraguan Liberal Alliance or ALN</li> <li>• Sandinista Renovation Movement or MRS</li> </ul>		

Development Indicators & Trends			
	2012	2013	2014
GDP growth	5.1	4.5	4.7
GDP growth in Latin America	3.2	3	3.2
GDP per capita (PPP)	US\$4,400	US\$4,600	US\$4,600
Human Development Index rank	122	125	125
Human Development Index score	0.62	0.62	0.63
Human Development Index score – Regional Average	0.73	0.74	0.74
HDI discounted for inequality	0.62	0.62	0.48
GINI coefficient	45.7 (2009)	n/a	n/a
Percentage of population below national poverty rate	42.5 (2009)	n/a	n/a
Percentage of population below absolute poverty rate (\$1.25 per day)	8.5 (2009)	n/a	n/a



# Political Context

## *Governance structures and political developments*

Nicaragua is a constitutional presidential Republic with a representative and decentralised government. It has been an independent republic since 1838 and is divided into 15 departments and two Autonomous Regions.<sup>1</sup>

The President is the Head of State and Government. The major political parties in Nicaragua are the Sandinista National Liberation Front (FSLN), the Liberal Constitutionalist Party, the Liberal Independent Party, the Nicaraguan Liberal Alliance and the Conservative Party.<sup>2</sup>

In November 2011, President José Daniel Ortega Saavedra from the FSLN was re-elected to a second five-year term. Observers from the European Union criticised the election for lack of plurality and transparency.<sup>3</sup> A submission by civil society organisations to Nicaragua's Universal Periodic Review stated in 2014 that independent organisations were not allowed to be part of the electoral observation process.<sup>4</sup>

In 2012, the FSLN won a majority in 134 of 153 councils in local elections, consolidating its dominance. According to the International Working Group for Indigenous Affairs, the main liberal opposition party highlighted irregularities in 70 constituencies.<sup>5</sup>

Bertelsmann Foundation reported in 2016 that Nicaraguan state institutions were influenced by the political elite, resulting in lack of independence of the legislative and judicial branches and difficulty installing accountability mechanisms.<sup>6</sup> In 2011 the Eurasia Review noted concerns that the ruling party wielded strong influence over the Supreme Court of Justice and the Supreme Electoral Court (CSE).<sup>7</sup>

Though the constitution of Nicaragua did not permit consecutive re-election of the president,<sup>8</sup> the Supreme Court of Justice lifted the ban in 2010 allowing President Ortega to run for re-election. According to a 2011 report by the International Federation for Human Rights, the decision was criticised by civil society organisations, who claimed the FSLN controlled the court.<sup>9</sup> In January 2014 a Constitutional Reform was approved and stated indefinite re-election of the President.<sup>10</sup> The reform, according to members of the opposition cited in a Nicaragua Dispatch report, would only weaken Nicaragua's democracy and strengthen Ortega's grip on power.<sup>11</sup>

The constitution guarantees freedom of the press but allows some censorship. According to Freedom House in 2015, newspaper coverage was polarised.<sup>12</sup> Freedom of assembly and association are guaranteed by the constitution, however, limitations to those rights were reported.<sup>13</sup> A submission by civil society organisations to Nicaragua's Universal Periodic Review process stated in 2014 that freedom of expression for persons who criticised the government was not guaranteed in practice.<sup>14</sup> Defamation, including libel and slander, was a crime under the Criminal Code.<sup>15</sup>

# Socio-Economic Context

## *Human development indicators and trends*

Nicaragua is a lower-middle income country and the second poorest country in Latin America, only after Haiti.<sup>16</sup>

Its Human Development Index (HDI) rank in 2014 was 125 out of 188 countries, placing it under the medium human development category and below the average for other Latin American and the Caribbean countries. When the value was discounted for inequality, the HDI value lost 24 percent, slightly below the average lost due to inequality to countries in the Latin America and the Caribbean

region.<sup>17</sup> Nicaragua's latest Gini index score, from 2010,, was 40.5, placing the country as the 58<sup>th</sup> most unequal country in the world and the highest among other Central American countries.<sup>18</sup>

Poverty was largely a rural problem in Nicaragua, although pockets of poverty in the capital, Managua, and in other urban areas existed.<sup>19</sup> The latest available data, from 2012, indicated that 19.4 percent of the population was multidimensionally poor, while 14.8 percent was near multidimensional poverty. An additional 8.5 percent lived below the income poverty level.<sup>20</sup>

Nicaragua's social and economic indicators were the lowest in the region due to, according to a 2012 World Bank report, decades of civil conflict and devastating natural disasters.<sup>21</sup>

In terms of the Millennium Development Goals, Nicaragua achieved MDG1 on extreme poverty eradication by reducing the rate of undernourishment in the country from 55 to 21 percent from 2010-2012<sup>22</sup>, and was close to achieving MDG3 on gender equality, MDG4 on infant mortality rate, MDG5 on maternal mortality rate and MDG6 on reducing diseases. Challenges remained in relation to universal access to education, Combating HIV/AIDS and the use of improved drinking water sources.<sup>23</sup>

## Development Frameworks

*Companies should consult affected communities and align their development initiatives with national and local priorities. The following section identifies existing strategies for poverty alleviation and community empowerment.*

### National Human Development Plan 2012-2016

The Plan identifies 12 priorities:

- Economic growth with a rise in employment opportunities, poverty and inequality reduction;
- Strengthening of the Great Alliance between workers, producers and the government;
- Foreign policy and external cooperation that is based on sovereignty, independence and is open to all countries in their fight against poverty for the benefit of Nicaraguan families;
- Central-American integration, ALBA's union and Latin-American and Caribbean articulation through CELAC;
- Public safety, and fight against organised crime and drug trafficking;
- Participatory public management and direct democracy;
- Common good and social equality of Nicaraguan families;
- Science, technology, innovation and entrepreneurship for Nicaragua's transformation;
- Economic sector that prioritises the family, communitarian and cooperative economy, and food security and sovereignty;
- Social, transport, energy and productive infrastructure for Nicaragua's transformation, and
- Protection of mother earth and climate change adaptation.<sup>24</sup>

The Plan also gives an emphasis to the recovery of values, restitution of economic, social and cultural rights to its people, particularly to those sectors that have been historically excluded.

The Plan further calls on the private sector to commit on its fiscal, labour, social, cultural and environmental role towards society.<sup>25</sup>

## Inter-American Development Bank Country Strategy 2012-2017

The strategy's objective is to promote Nicaragua's social and economic development by enabling the main challenges to growth as regards to infrastructure, and that urban-rural divide in terms of poverty and access to services be narrowed. The following goals were set:

- Improvements in the basic health conditions and early childhood care by expanding and improving services; and
- Improving basic productive infrastructure in the energy and transport sectors.<sup>26</sup>

The strategy also prioritises rural areas in which poverty is concentrated.

The strategy further calls for public-private partnerships for the development of transportation infrastructure, and considers expanding the private sector participation in the energy matrix and the promotion of diversification of energy sources.<sup>27</sup>

## Central-American Bank for Economic Integration Strategy 2013-2017

The strategy's objective is to achieve a higher impact in economic development as a means to reduce poverty. Areas of intervention include:

- Productive infrastructure;
- Energy, industry;
- Urban development and services;
- Agriculture and rural development;
- Human development and social infrastructure; and
- Financial intermediation and finance for development.

The Bank further calls for public-private partnerships to implement the strategy, with a special emphasis on the generation of clean technology.<sup>28</sup>

## United Nations Development Assistance Framework 2013-2017

A programme document between the government and the UN Country Team describing collective actions and strategies toward achieving national development

The UNDAF was developed through a joint analysis conducted by the Nicaraguan government and the UN Country Team, in line with Nicaragua's National Human Development Plan. Consultations were also held with members of parliament, judiciary; indigenous people and Afro-descendants organizations; women's organisations, and donors.

The following priorities were identified:

- Reduction of multiple inequalities and poverty to reach human sustainable development;
- Guarantee the right to food security, health, education and wellbeing of its people;
- Environmental protection and risk management for human sustainable development; and
- Strengthening institutional capabilities for technological innovation and industrialisation.<sup>29</sup>

## World Bank Country Partnership Strategy 2013-2017

International priorities and activities to help end extreme poverty increase share prosperity and drive private sector growth.

The CPS focuses on two strategic areas: raising welfare by improving access to quality basic services and raising incomes by enhancing competitiveness and diversifying exports. Particular attention is given to gender and indigenous people, disaster risk mitigation and climate adaption.

The World Bank staff undertook consultations with the government, private sector, opposition political leaders, think tanks, indigenous communities and development partners.<sup>30</sup>

## International Legal Commitments

*Accession and ratification of international human rights instruments*

UN Conventions	
International Covenant on Economic, Social and Cultural Rights	ACCEDED
International Covenant on Civil and Political Rights	ACCEDED
Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the Abolition of the Death Penalty	RATIFIED
Convention Against Corruption	RATIFIED
Convention Against Torture	RATIFIED
Convention on the Elimination of All Forms of Racial Discrimination	ACCEDED
Convention on the Elimination of All Forms of Discrimination Against Women	RATIFIED
Amendment to article 20, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women (1995)	NOT SIGNED
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (1999)	NOT SIGNED
Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity (1968)	ACCEDED
Convention on the Prevention and Punishment of the Crime of Genocide (1948)	ACCEDED
Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination (1992)	NOT SIGNED
Convention on the Rights of Persons with Disabilities	RATIFIED
Optional Protocol to the Convention on the Rights of Persons with Disabilities (2006)	RATIFIED
Convention on the Rights of the Child	RATIFIED

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	ACCEDED
Optional Protocol on the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	ACCEDED
International Convention for the Protection of All Persons from Enforced Disappearance (2006)	NOT SIGNED
International Convention on the Protection of All Migrant Workers and Members of Their Families	ACCEDED
Convention Against Transnational Organized Crime	RATIFIED
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organised Crime	ACCEDED
<b>Regional Instruments</b>	
American Convention on Human Rights	RATIFIED
Additional Protocol to the American Convention on Human Rights in the areas of Economic, Social and Cultural Rights	RATIFIED
Inter-American Convention Against Corruption	RATIFIED
Inter-American Convention on the Prevention, Punishment and Violence Against Women	RATIFIED
Inter-American Convention on the Forced Disappearance of Persons	RATIFIED
Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities	RATIFIED
Inter-American Convention to Prevent and Punish Torture	ACCEDED
Protocol to the American Convention on Human Rights to Abolish the Death Penalty	RATIFIED
<b>International Labour Organization Conventions</b>	
ILO Hours of Work (Industry) Convention (C1, 1919)	RATIFIED
ILO Forced Labour Convention (C29, 1930)	RATIFIED
ILO Hours of Work (Commerce and Offices) Convention (C30, 1930)	RATIFIED



ILO Night Work of Young Persons (Non-Industrial Occupations) Convention (C79, 1946)	NOT RATIFIED
ILO Labour Inspectors Convention (C81, 1947)	NOT RATIFIED
ILO Freedom of Association and Protection of the Right to Organise Convention (C87, 1948)	RATIFIED
ILO Night Work of Young Persons Employed in Industry Convention (C90, 1948)	NOT RATIFIED
ILO Protection of Wages Convention (C95, 1949)	RATIFIED
ILO Right to Organise and Collective Bargaining Convention (C98, 1949)	RATIFIED
ILO Equal Remuneration Convention (C100, 1951)	RATIFIED
ILO Social Security (Minimum Standards) Convention (C102, 1952)	NOT RATIFIED
ILO Abolition of Forced Labour Convention (C105, 1957)	RATIFIED
ILO Discrimination (Employment and Occupation) Convention (C111, 1958)	RATIFIED
ILO Social Policy (Basic Aims and Standards) Convention (C117, 1962)	RATIFIED
ILO Equality of Treatment (Social Security) Convention (C118, 1962)	NOT RATIFIED
ILO Employment Policy Convention (C122, 1964)	RATIFIED
ILO Minimum Age (Underground Work) Convention (C123, 1965)	NOT RATIFIED
ILO Medical Care and Sickness Benefits Convention (C130, 1969)	NOT RATIFIED
ILO Minimum Wage Fixing Convention (C131, 1970)	NOT RATIFIED
ILO Holidays with Pay (Revised) Convention (C132, 1970)	NOT RATIFIED
ILO Workers' Representatives Convention (C135 of 1971)	RATIFIED
ILO Minimum Age Convention (C138, 1973)	NOT RATIFIED
ILO Migrant Workers (Supplementary Provisions) Convention (C143, 1975)	NOT RATIFIED
ILO Working Environment (Air Pollution, Noise and Vibration) Convention (C148, 1977)	NOT RATIFIED
ILO Occupational Safety and Health Convention (C155, 1981)	NOT RATIFIED
ILO Workers with Family Responsibilities Convention (C156, 1981)	NOT RATIFIED
ILO Termination of Employment Convention (C158, 1982)	NOT RATIFIED

ILO Indigenous and Tribal Peoples Convention (C169, 1989)	RATIFIED
ILO Night Work Convention (C171, 1990)	NOT RATIFIED
ILO Prevention of Major Industrial Accidents Convention (C174, 1993)	NOT RATIFIED
ILO Worst Forms of Child Labour Convention (C182, 1999)	RATIFIED
ILO Maternity Protection Convention (C183, 2000)	NOT RATIFIED
<b>Environmental Instruments</b>	
Stockholm Convention on Persistent Organic Pollutants (2001)	RATIFIED
Kyoto Protocol (1997)	RATIFIED
United Nations Convention on Biological Diversity	RATIFIED
United Nations Framework Convention on Climate Change	RATIFIED
Montreal Protocol on Substances that Deplete the Ozone Layer, 1987	ACCEDED
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes, 1989	ACCEDED
<b>Other International Instruments</b>	
Declaration on the Rights of Indigenous Peoples	SIGNED
Rome Statute of the International Criminal Court	RATIFIED
UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	ACCEDED

# Rights Holders at Risk

*Societal groups particularly vulnerable to employment-related discrimination or poor development outcomes*

Operating Environment		
	Nicaragua	Latin America and the Caribbean
HIV/AIDS prevalence (ages 15-49)	0.27 (2014)	0.03 (2013)
Female labour participation rate	62 (2012)	52.9 (2010)
Percentage urban population	58.8 (2015)	80 (2014)
Percentage rural population	42.2 (2015)	20 (2014)
Human Development Index score	0.63 (2014)	0.74 (2014)
HDI adjusted for inequality	0.48 (2014)	0.57 (2014)
HDI Gender Equality Gap Index score	0.96 (2014)	0.97 (2014)
Population below PPP US\$1.25 per day (%)	8.5 (2009)	4.6 (2011)
Literacy rate, 15-24 years old (%)	87 (2005)	98.3 (2015)
Maternal mortality ratio (per 100,000 births)	150 (2015)	85 (2013)
Seats held by women in national parliament (%)	39.1 (2015)	27.4 (2015)
OECD Social Institutions and Gender Rank	0.15 (2014)	
Labour force	2.9 billion (2014 est.)	
Percentage of population who are 15-24 years	22.16 (2015 est.)	

Law prohibits discrimination on the grounds of	The constitution guarantees equal rights to all citizens and prohibits discrimination on the grounds of birth, nationality, political belief, race, sex, language, religion, opinion, origin, economic position and social status.
Major ethnic groups	mestizo (mixed Amerindian and white) 69%, white 17%, black 9%, Amerindian 5%
Recognition of indigenous groups in law	The constitution recognises the multi-ethnic nature of Nicaragua, the existence of indigenous peoples and their right to identity, culture and collective land ownership. <sup>31</sup>
Major Indigenous groups	Rama, Mayagna and Miskitu peoples (Autonomous Atlantic Regions); Chorotega, Cacaopera and Ocanxiu (Pacific Coast)
Major religious groups	Roman Catholic 58.5%, Protestant 23.2% (Evangelical 21.6%, Moravian 1.6%), Jehovah's Witnesses 0.9%, other 1.6%, none 15.7% (2005 est.)
Major migrant groups	Colombians, Peruvians and Ecuadorians.
Persons with disabilities	461,000 persons (2011)
Relevant legislation	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Law 28 provides for an autonomous government and a system of communal ownership of territories in the Atlantic Coast region, 1987</li> <li>• Law No. 238, Law for the Promotion, Protection and Defence of Human Rights of People Living with HIV/AIDS, 1996</li> <li>• Law 392 for the Promotion of Nicaraguan Youth's Comprehensive Development, 2001</li> <li>• Criminal Code, 2008</li> <li>• Law 648 on Equal Rights and Opportunities guarantees equal pay for equal work, 2008</li> <li>• Law 763 on the Rights of Persons with Disabilities, 2011</li> <li>• Law 757 on Dignified and Fair Treatment for Indigenous and Afro-Descendants, 2011</li> </ul>

	<ul style="list-style-type: none"> <li>• The Comprehensive Act Against Violence Towards Women was adopted, 2012</li> <li>• Labour and Social Security Code, 2013</li> </ul>
Responsible agencies	<ul style="list-style-type: none"> <li>• Ministry of Family, Adolescence and Childhood</li> <li>• Ministry of Labour</li> <li>• Ministry of Youth</li> <li>• National AIDS Commission (CONSIDA)</li> <li>• National Commission to Fight Violence Against Women</li> <li>• National Commission for the Elimination of Racial Discrimination</li> <li>• National Council for the Promotion and Implementation of the Rights of Persons with Disabilities</li> <li>• Nicaraguan Women's Institute</li> <li>• Office of Nicaraguan National Police of the Superintendent of Women</li> <li>• Parliamentary Commission on Ethnic Affairs</li> <li>• Secretariat of Indigenous and Afro-Descendant Affairs</li> <li>• Secretariat for the Promotion and Implementation of the Rights of Persons with Disabilities</li> <li>•</li> </ul>
Local NGOs addressing this issue	<ul style="list-style-type: none"> <li>• Asociacion por los Derechos de la Diversidad Sexual Nicaraguense (ADESENI)</li> <li>• Autonomous Women's Movement (MAM)</li> <li>• Centro Nicaraguense de Derechos Humanos</li> <li>• Centro de Derechos Humanos, Ciudadanos y Autonomicos</li> <li>• Centro para la Educacion y Prevencion del SIDA</li> <li>• Observatorio de la Red de Mujeres contra la Violencia</li> </ul>



## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The constitution guarantees equal rights to all citizens and prohibits discrimination on the grounds of birth, nationality, political belief, race, sex, language, religion, opinion, origin, economic position and social status. The Criminal Code defines and criminalises discrimination on the basis of race, gender, disability, language and social status.<sup>32</sup>

The constitution also prohibits discrimination in the workplace based on ethnicity, sex or religious beliefs,<sup>33</sup> while the Labour Code prohibits discrimination on grounds of political belief, race, gender, religion or any other condition.<sup>34</sup> Afro-Descendants

Nicaragua reportedly had the largest Afro-Caribbean population in Central America.<sup>35</sup> According to latest official data available, people of African descent made up about nine percent of the total population, though according to the latest report from the Centro para los Derechos Humanos, Ciudadanos y Autónomos, from 2011, the number may be much larger, as many Afro-Nicaraguans did not self-identify as black.<sup>36</sup> They mostly live in the autonomous regions on the Caribbean Coast.<sup>37</sup> The Creoles and Garífunas are the two major African descendant groups.<sup>38</sup>

Unemployment rate of Afro-descendants in 2011 was close to 90 percent.<sup>39</sup> Those employed worked mostly in banana, coconut, pineapple and African palm plantations, according to the government.<sup>40</sup> A 2011 report by the World Council of Churches noted that Afro-descendants faced multiple forms of discrimination and were exposed to extreme poverty, unemployment, lack of education, poor housing, ill health and malnutrition.<sup>41</sup> The UN Committee on Economic, Social and Cultural Rights further added in its latest report, from 2008, that Afro-descendants (along with indigenous peoples) had the highest illiteracy rates of any social group in Nicaragua.<sup>42</sup>

The U.S. Department of State reported that in 2015 that Afro-descendants have been victims of discrimination, including extra security measures and illegal searches by the police.<sup>43</sup>

## Migrant Workers

The law mandates equal remuneration and working conditions for migrants and nationals.<sup>44</sup>

The International Organization for Migration (IOM) estimated in 2013 that there were approximately 40,000 migrants in Nicaragua.<sup>45</sup> According to the Nicaraguan Centre for Human Rights in 2015, undocumented migrant workers comprised citizens of Colombia, Peru and Ecuador. Citizens from Nigeria, Cuba and China transit through Nicaragua for migrant labour.<sup>46</sup>

The Centre also reported on cases of abuses perpetrated by security officers against Colombians and Cubans at Migration Retention Centres.<sup>47</sup>

In relation to internal migration, it was reportedly for job opportunities in the agriculture sector in coffee and sugarcane plantations.<sup>48</sup> The IOM later reported on cases of migrants working under debt bondage conditions.<sup>49</sup>

## Persons with Disabilities

Discrimination against persons with physical or mental disabilities is illegal.<sup>50</sup> Law 763 on the Rights of Persons with Disabilities prohibits discrimination against persons with physical, sensory, intellectual or mental disabilities. The government reportedly did not mandate accessibility to buildings, information and communications for persons with disabilities.<sup>51</sup>

The law also stipulates that employers must organise the workplace and work equipment to enable employment of persons with disabilities. Companies must employ at least one person with a disability for every 50 employees.<sup>52</sup> Although no penalties are stipulated for noncompliant companies, penalties may still be issued through a general labour inspection. The U.S. Department of State reported in 2015 that in practice, discrimination against persons with disabilities in employment was widespread.<sup>53</sup>

The National Survey on Persons with Disabilities, from 2009, indicated that 126,000 persons suffered from some kind of disability. By 2011, that figure rose by 300 percent, accounting to 461,000 persons with disabilities.<sup>54</sup> Official figures further reported that 3.5 percent of persons with disabilities were as a result of workplace accidents.<sup>55</sup>

The Ministry of Labour reported in 2014 that major obstacles facing persons with disabilities in the workplace included levels of employment and challenges in showing their technical skills to fulfil employer's expectations.<sup>56</sup> According to the Nicaraguan newspaper *El Nuevo Diario*, companies did not adopt policies to promote the inclusion of persons with disabilities within their workforce.<sup>57</sup>

A report conducted in the region of Esteli showed that it was much easier for persons with disabilities to perform activities such as harnesses assembly, tobacco packaging and other related tasks at industrial complexes in Free Trade Zones, than persons without disabilities.<sup>58</sup>

The Nicaraguan Centre for Human Rights reported in 2015 a lack of accessibility to buildings and public transportation for persons with disabilities, and that oftentimes persons with disabilities were not treated with dignity by the government or the society at large.<sup>59</sup> The U.S. Department of State also reported in 2015 that discrimination was widespread in education, health care and state services.<sup>60</sup> The UN Economic Commission for Latin America (CEPAL) stated in its latest report, from 2012, that an estimated 44 percent of people with disabilities were illiterate, compared to a national average of 4.6 percent, and averaged less than five years of enrolment in school. Low rates of education and high rates of poverty among persons with disabilities were particularly pronounced in rural areas and among those between 15 and 34 years.<sup>61</sup>

The Nicaraguan Centre for Human Rights added in 2015 that the enforcement of rights for persons with disabilities was limited due to a lack of coordination among governmental institutions.<sup>62</sup>

## Human Rights Defenders

A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that the environment for human rights defenders was hostile and that the government supported media campaigns to discredit their activities. Defenders of women's rights, indigenous peoples and LGBT rights were among the most vulnerable to intimidation.<sup>63</sup>

The Nicaraguan Centre for Human Rights added in 2015 that obstacles to their activities included threats, harassment, physical aggressions, criminalisation, the government's denial to inspect detention centres and the unwillingness of police officers to receive human rights training.<sup>64</sup> A high level of impunity in the investigation of attacks and aggressions was also reported.<sup>65</sup>

## Persons Living with HIV/AIDS

The constitution states that all persons are equal before the law and are entitled to equal protection. The law further provides specific protections for persons living with HIV/AIDS against discrimination in health services.<sup>66</sup>

The Law for the Promotion, Protection and Defence of Human Rights of People with HIV/AIDS prohibits any form of discrimination against persons with HIV/AIDS in the workplace and in accessing health services.<sup>67</sup> It also stipulates that persons living with HIV/AIDS have the right to work, that HIV infection

must not be considered an impediment to employment and that HIV infection is not a valid cause for termination of an employee.<sup>68</sup> The law further specifies that no one may be subjected to HIV testing without her knowledge and consent.<sup>69</sup>

In 2014 an estimated 10,000 people were living with HIV/AIDS, with a prevalence rate of 0.3 percent in persons aged 15-45, according to UNAIDS.<sup>70</sup> A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that the prevalence rate of HIV/AIDS in Nicaragua has been rising over the last couple of years.<sup>71</sup> 7 out of 10 new cases were reported in persons between 15 and 39 years of age.<sup>72</sup> Most cases were observed in border areas such as the Atlantic Autonomous regions, followed by Las Minas, Managua, Chinandega and Leon.<sup>73</sup>

The U.S. Department of State reported in 2015 widespread discrimination against persons living with HIV/AIDS, including in employment and the provision of health services, and a high level of stigmatisation.<sup>74</sup>

## Indigenous Peoples

The constitution recognises the multi-ethnic nature of Nicaragua, the existence of indigenous peoples and their right to identity, culture and collective land ownership.<sup>75</sup> Law 28 provides for an autonomous government and a system of communal ownership of territories in the Atlantic Coast region, and divides the region into the North Atlantic Autonomous Region (RAAN) and the South Atlantic Autonomous Region (RAAS).<sup>76</sup> Law 757 on Dignified and Fair Treatment for Indigenous and Afro-Descendants guarantees just and equal treatment regarding job opportunities and access to employment.<sup>77</sup>

Nicaragua's indigenous minorities constitute 5 percent of the population.<sup>78</sup> The main groups are the Rama, Mayagna and Miskitu peoples who live in RAAN and RAAS and the Chorotega, Cacaopera and Ocanxiu that are located in the Pacific Coast.<sup>79</sup>

The latest Minority Rights Group International report, from 2008, stated that the unemployment rate of indigenous peoples was close to 90 percent and those who were employed were concentrated in informal jobs, including in farming.<sup>80</sup> According to the latest Agriculture Survey, from 2011, banana and cacao were the commodities most commonly produced in areas where indigenous people were located, particular in the northern region.<sup>81</sup>

According to the Centro de Derechos Humanos, Ciudadanos y Autónomos, approximately 75 percent of indigenous peoples lived in poverty.<sup>82</sup> A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that indigenous people in the Caribbean Coast suffered from higher levels of poverty, lower levels of schooling and major deficiencies in the health system when compared to the general population.<sup>83</sup> A 2014 joint report by the Nicaraguan Centre for Human Rights, the International Organisation against Torture and the International Federation for Human Rights added in 2014 that indigenous people living in the Caribbean Coast suffered from high levels of unemployment, violence, and lack of infrastructure as a result of historical abandonment from the government.<sup>84</sup>

The Office of the UN High Commissioner for Human Rights noted in 2011 that lack of schools, materials and human resources in the autonomous regions resulted in a 20 percent illiteracy rate among the indigenous population, compared to only 4.6 percent for the general population.<sup>85</sup>

Infrastructure projects as well as those for the exploitation of natural resources negatively impacted on indigenous people's rights to their ancestral territories, including the expansion of the agriculture frontier; cattle ranching, logging, mining, and hydroelectric dams.<sup>86</sup>

## Rural Poor

In Nicaragua according to the latest International Fund for Agriculture Development (IFAD) report, from 2012, extreme poverty was almost exclusively seen in rural areas, where the household typically worked in the agriculture sector.<sup>87</sup> The Rural Poverty Portal reported in 2014 that 80 percent of the rural poor in Nicaragua depended on agriculture for their livelihoods.<sup>88</sup> Families of small-scale farmers, landless farm workers and families engaged in agriculture and other income-generating activities were reportedly the most vulnerable groups in terms of access to basic services such as water, health and education.<sup>89</sup>

IFAD further noted that the Atlantic and Central Region rural areas showed particularly high poverty rates.<sup>90</sup>

## Sexual Minorities

There was no law that expressly recognised the legality of homosexuality.<sup>91</sup> The constitution prohibits discrimination based on sex, but does not prohibit discrimination based on sexual orientation or gender identity.<sup>92</sup>

A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that local regulations did not guarantee the right to gender identity and did not contemplate sexual orientation.<sup>93</sup> The Criminal Code prohibits discrimination in the workplace based on sexual orientation.<sup>94</sup> However, Nicaragua's Universal Periodic Review process concluded that the Criminal Code did not criminalise the concept of hate crimes, and instead criminalises discrimination, and discrimination based on sexual orientation was considered an aggravating circumstance.<sup>95</sup>

An estimated 10 percent of the population was sexually diverse, according to the Nicaraguan Centre for Human Rights in 2015.<sup>96</sup>

A submission to Nicaragua's Universal Periodic Review process further noted in 2014 that the LGBTI community suffered from discrimination in their access to employment, and to decent jobs.<sup>97</sup> In 2015, the U.S. Department of State added that in practice, LGBT persons faced discrimination including in housing and education.<sup>98</sup>

According to Iniciativa de la Diversidad Sexual por los Derechos Humanos in 2014, discrimination against lesbians and homosexuals was widespread in Nicaragua. Transsexuals working in Free Trade Zones were particularly vulnerable to discrimination. Employers reportedly did not allow transsexual women to work unless they cut their hair and there were cases of employers forcing them to quit based on religious considerations.<sup>99</sup>

Most LGBT persons reportedly hid their sexual identity in fear of being subjected to rejection, discrimination or violence in the workplace, at universities and within their own families.<sup>100</sup>

The Nicaraguan Centre for Human Rights reported in 2015 cases of discrimination against the LGBT community from government officials and inside public educational institutions. Patterns of violence, aggression and harassment were also reported.<sup>101</sup> A national movement for the rights of the LGBT community stated in 2013 that the National Police as well as justice officers were homophobic.<sup>102</sup> More than 25 offenses against the LGBT community were reported in 2012 while 15 cases were reported during the first semester of 2013.<sup>103</sup>

## Women

The law provides that women enjoy the same rights as men, including in family and property ownership.<sup>104</sup> The law guarantees gender equality within the workplace, and the constitution protects women's rights to equal pay for equal work.<sup>105</sup> Law 648 on Equal Rights and Opportunities also guarantees equal pay for equal work. In 2014 the International Labour Organization's Committee of

Experts on the Application of Conventions and Recommendations (CEARC) expressed concerns over the provisions that the principle should be applied with work experience, academic qualification, level of responsibility and responsibility of the position. The lack of regulation in this matter, the CEARC concluded, could not guarantee equal pay for work of equal value for women.<sup>106</sup>

Female employees are entitled to 12 weeks of paid maternity leave.<sup>107</sup> The ILO recommends 14 weeks of maternity leave. Sixty percent of the salary during maternity leave is paid by the Social Security Institute and 40 percent by the employer.<sup>108</sup>

Despite higher levels of education, women participation rate in the labour market was lower than men.<sup>109</sup> From 2009-2012, the female participation rate in the labour market increased from 48 to 62 percent,<sup>110</sup> compared to 81 to 86 percent for men.<sup>111</sup>

Most women worked in the informal sector, according to a 2014 United Nations Development Programme (UNDP) report.<sup>112</sup> In that regards, the latest report from the UN Committee on the Elimination of Discrimination Against Women, from 2007, expressed concern over the high rate of women working in the informal sector as they lacked legal protection.<sup>113</sup>

97 percent of women in the informal sector were employees, while this percentage drop to 27 in the formal sector, implying a high level of self-employment. In terms of working hours, the UNDP report highlighted that those employed in the informal sector worked less hours than the ones in the formal sector, especially women with children. Their working hours averaged 31 a week, as of 2014.<sup>114</sup>

Most working women were service providers and salespersons.<sup>115</sup> Of the estimated 160,000 women working in the agriculture sector in 2011, less than 11,000 were registered in the national social security system.<sup>116</sup> The government reported in 2014 that from 2001-2011, women agriculture producers increased by 71 percent.<sup>117</sup>

Women comprised 59 per cent of all workers in Free Trade Zones for the manufacturing of textiles, and most of them were below 35 years of age and with a lower level of education.<sup>118</sup>

In terms of wage gap, men earned on average more than 30 percent of what women earned.<sup>119</sup> A 2014 UNDP study found that causes for the reported gap included: men having more flexibility to continue training on professional skills while women had more household responsibilities, women tend to be employed in the service sector with reportedly lower salaries, social stigma towards maternity and household duties, the belief that women do not have economic responsibilities, therefore less income is needed, maintaining women economic dependence by marginalising them with lower salaries, and gender violence, impacting on their self-esteem and job performance.<sup>120</sup> In 2012, the UN Economic Commission for Latin America and the Caribbean reported that women with up to five years of education received 95 percent of men's wages. The gap was reduced to 78 percent of men's wages for women with more than 13 years of education.<sup>121</sup>

In 2015, the U.S. Department of State also reported that women faced unequal access to credit, ownership and management of businesses. Women were also reportedly less likely to hold senior management positions.<sup>122</sup> However, in terms of women participation in political life, some advances were recorded. The Inter-Parliamentary Union placed Nicaragua on its 2014 Index as the country with the highest percentage of women in ministerial positions while the 2013 World Economic Forum report placed Nicaragua in the tenth position on the list of counties with better equality in public offices.<sup>123</sup>

Sexual harassment is a criminal offense and is punishable by up to three years in prison if the victim is over 18, and up to five years in prison if the victim is under 18.<sup>124</sup> In 2015, the ILO's CEARC noted that the definition of sexual harassment was limited and it did not cover all aspects of employment and occupation.<sup>125</sup>

The Comprehensive Act Against Violence Towards Women was adopted in 2012 and includes fines of up to 300 days' salary in cases where women are discriminated against on the basis of, among other things,



physical appearance, marital status, motherhood or HIV status.<sup>126</sup> The government adopted in 2014 a regulation to the law stating that for a case to be categorised as 'femicide' it needed to be in the context of an interpersonal relationship, limitation that, according to the Nicaraguan Centre for Human Rights in 2015, was not in line with international conventions.<sup>127</sup>

The Nicaraguan Centre for Human Rights also reported in 2015 that although a high amount of cases of violence against women were reported, very few of them reached an indictment, which made evident the lack of implementation of the law.<sup>128</sup> In July 2008 a revised penal code came into force criminalising all forms of abortion, including in cases of rape, incest and where the mother's life was endangered by the pregnancy.<sup>129</sup>

Social Watch reported in 2012 that government institutions to protect women's rights were limited in their effectiveness and in their ability to influence the economic and social policies most pertinent to women's lives.<sup>130</sup>

## Youth

Law 392 for the Promotion of Nicaraguan Youth's Comprehensive Development was adopted in 2001 with the mandate to promote youth's human development guaranteeing the fulfilment of their rights, including access to employment.<sup>131</sup>

According to a 2012 UN report, more than 60 percent of the population was below the age of 30.<sup>132</sup>

An estimated four out of each 10 youth had a job as of 2012, according to the newspaper *el Nuevo Diario* in 2014.<sup>133</sup> Official figures further reported that approximately 350,000 people between 15 and 24 years of age did not work or study, and that an estimated 400,000 were working under precarious working conditions.<sup>134</sup>

The newspaper *La Prensa* noted in 2013 that access to employment was denied due to their lack of experience and employer's unwillingness to provide them with training.<sup>135</sup>

A 2011 UNDP report stated that youth unemployment rate was 2.3 percent higher; their salaries were 24 percent lower and 60 percent of them worked in the informal sector, in the agriculture sector.<sup>136</sup> The unemployment rate was higher among those with a university degree, and 30 percent of college-educated youth were under-employed.<sup>137</sup> Nicaragua's youth unemployment rate was reportedly the third highest in the Central-American region.<sup>138</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *2015, Nicaraguan Centre for Human Rights:* A man was discharged from the armed forces after his condition of living with HIV/AIDS came into the knowledge of his superiors.<sup>139</sup>
- *2015, Nicaraguan Centre for Human Rights:* 12 human rights defenders were subjected of threats and retaliation as a result of demanding the rights of local communities impacted by mining activities in Rancho Grande, Matagalpa.<sup>140</sup>
- *October 2014, ILGALAC:* ANDISEX denounced that a journalist, during a TV show, stated that 'homosexuals were a deviation of nature'.<sup>141</sup>

# Company Initiatives

*Private-sector programmes that aim to ensure respect for human rights or contribute to development*

## Company Development Initiatives

**Exportadora Atlantic S.A. – Starbucks Coffee Company (2015):** The two companies signed an agreement with the Inter-American Development Bank and the International Finance Corporation with the objective of providing with long-term loans to coffee farmers in Nicaragua in order to combat the negative effects of the coffee rust fungus, which affects the production and threatens the livelihood of millions who depend on the coffee industry. The project includes not only the provision of financing to replace old or deceased plants with disease resistance variant, but also technical assistance to help them make farming more sustainable.<sup>142</sup>

**Grupo Coen:** The agribusiness company established a Scholarship to provide among others, outstanding university students with the amount of 25 dollars monthly in order to help cover their tuition fees at private institutions.<sup>143</sup>

## Stakeholder Recommendations

**United Nations Development Programme (2014):** The organisation recommends that companies in Nicaragua:

- Revise their human rights guidelines to be more inclusive to their human talent, irrespective of gender, promoting affirmative actions that will allow the reduction of labour segmentation;
- Support capacity building and professional practice;
- Foster first employment through quality internships that include capacity building and possible access to its workforce;
- Elaborate, in collaboration with the public sector, a diagnosis of the education sector to motivate it in order to fulfil the demand for employment in the productive sector.<sup>144</sup>

**U.S. Ambassador to Nicaragua (2010):** The Ambassador recommended that the private sector should make HIV prevention and education a priority by educating the labour force about HIV and non-discrimination towards workers living with HIV/AIDS; distributing condoms; making voluntary testing available; and offering counselling services.<sup>145</sup>

# Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

## Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

### Discrimination

*Does the company ensure that employment-related decisions are based on relevant and objective criteria?*

- The company identifies different types of discrimination, including those rooted in formal structures and cultural traditions.
- It is company policy to ensure that decisions concerning hiring, wages, promotion, training, discipline, retirement and termination are based only on unbiased criteria, and are not linked to any of the discriminatory characteristics listed in the description for this question.
- Each job category in the company has a written description stating the salary level and the qualifications required for that job category.
- The company ensures that employment advertisements do not reference discriminatory criteria, such as race, gender or age (unless listed as part of a legal equal opportunities promotion).
- The company ensures that job applicants are not asked to give information about their marital status, pregnancy, intent to have children, number of dependents, or similar information that may lead to discriminatory hiring decisions.
- All hiring managers receive training regarding the company's non-discrimination policies.
- The company has established a procedure, accessible and known to all workers, where workers can safely report incidents of workplace discrimination.
- The company takes reasonable steps to enable qualified persons with disabilities or health conditions to gain employment opportunities with the company, for example by providing wheel chair access, flexible working hours, longer breaks etc.

### Fair Treatment

*Does the company protect workers from workplace harassment including physical, verbal, sexual or psychological harassment, abuse or threats?*

- The company has a commitment to prevent workplace harassment.
- The company actively informs workers of their obligations to refrain from violent, threatening or abusive conduct.
- Managers receive training on how to identify and deal with instances of harassment in the workplace.
- The company investigates all complaints of workplace harassment and takes appropriate preventative and disciplinary action including reporting of criminal actions to the appropriate authorities.

## Privacy

*Does the company respect the privacy of its employees whenever it gathers private information or monitors the workplace?*

- The company has a procedure stating which kinds of workplace monitoring are allowed; what kind of personal worker information is retained; where it is stored; who has access; and why the information is necessary.
- Workers are made aware of all workplace monitoring, including cameras and Internet or e-mail monitoring, and the specific purpose of the monitoring.
- The company obtains the worker's prior written consent before gaining information from an individual with whom the worker has a privileged relationship, including a former employer, doctor or lawyer.
- Workers have access to all personal data collected about them, including data concerning disciplinary decisions and data obtained through monitoring, but excluding confidential management specific information related to performance evaluations, salary negotiations, promotions, rotation and similar employment decisions.

## Community Engagement

*Does the company engage with local communities on the actual or potential human rights impacts of its operations?*

- The company has a commitment to engage openly with communities in and around its area of operations, prior to, during and after commencing activities that may negatively impact their access to resources (e.g. water, food, land) or livelihoods (e.g. fishing or hunting grounds).
- The company communicates and consults with local communities prior to, during and after commencing activities to prevent, reduce and mitigate impacts.
- The company takes steps to remedy the legitimate concerns of local communities regarding any negative impacts of the company's operations on the access to resources or livelihoods.

## Country Risk

*Does the company seek to avoid involvement in human rights abuses owing to government or societal practices?*

- If operating in a country or region with systematic human rights abuses, the company seeks to become aware of and avoid the risk of contributing to, endorsing or benefiting from such abuses.
- Where the company risks involvement in systematic human rights abuses owing to government or societal practices, the company seeks to identify solutions through dialogue with other businesses, civil society organisations, experts and other relevant stakeholders, including where possible with the authorities.
- The company ensures that it does not endorse any state imposed discriminatory limitations on the right to vote, and does not pass along information concerning religious, racial, political affiliations or other characteristics of employees which could be used by the government as a reason to restrict the right to vote.

## Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- International Labour Organization Core Labour Standards on Non-discrimination and the ILO Bureau for Gender Equality: Non-discrimination comprises one of the four core areas of the ILO Declaration on Fundamental Principles and Rights at Work, which comprises the ILO core labour standards. The ILO integrates gender throughout its work, with the objective of achieving gender equality as an essential feature of decent work. This can include advisory services, research and information dissemination, training and capacity building.
- Oxfam Australia: Women, Communities and Mining: The Gender Impacts of Mining and the Role of Gender Impact Assessment (2009): This Guide is intended to inform mining company staff of potential gender impacts of mining projects and introduces some tools and approaches that can be used to conduct a gender impact assessment.
- Women's Empowerment Principles (2010): Developed in collaboration between UN Women and the UN Global Compact, the Women's Empowerment Principles are a set of principles for businesses offering guidance on how to empower women in the workplace, marketplace and community.
- The Forest Peoples Programme: Established in 1990, the Programme is dedicated to supporting Indigenous Forest Peoples protect their land rights and human rights. The Programme works directly with indigenous communities, assisting them in building their own capacities and exercising their human rights.
- IFC Performance Standard 7: Indigenous Peoples (2012): The IFC PS7 and its accompanying guidance offer directions on how private sector projects can respect the human rights of Indigenous Peoples through following the stated requirements.
- International Council on Mining and Metals Good Practice Guide: Indigenous Peoples and Mining (2010): The ICMM is the industry organisation for the mining and metals sector. The Guidance provides advice to companies on how they can build effective relationships with Indigenous Peoples, as well outlining ways in which companies can effectively engage throughout the lifecycle of a project.
- International Working Group for Indigenous Affairs (est. 1968): IWGIA is an international human rights organization specialising in Indigenous Peoples' rights. IWGIA works to further the understanding, knowledge and engagement with the rights of Indigenous Peoples through publications, advocacy programmes and support of local projects.
- The Manila Declaration of the International Conference on Extractive Industries and Indigenous Peoples (2009): The Declaration is a statement on behalf of Indigenous Peoples and support organisations from 35 countries that calls on different stakeholder groups, such as extractive companies, communities and civil society organisations, to respect and uphold the recognised rights of Indigenous Peoples.
- Tebtebba Foundation (Indigenous Peoples' International Centre for Policy Research and Education): The Foundation's main purpose is to work for the respect, protection and fulfilment of Indigenous Peoples' rights and the operationalization of Indigenous Peoples' self-determined sustainable development. The Foundation offers a number of relevant resources on issues such as traditional knowledge and traditional livelihoods, biodiversity and climate change.



- UN Permanent Forum on Indigenous Issues (est. 2000): The Forum was formed to advise the United Nations Economic and Social Council on a number of Indigenous Peoples' rights issues, such as economic and social development, culture, education, environment, health and human rights.
- UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples (est. 2001): The Special Rapporteur mandate is to advise on and monitor the human rights situation of Indigenous Peoples. This includes country reports, promoting good practice, addressing relevant human rights violations and contributing to thematic study on topics related to Indigenous Peoples.

## Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

### Public Sector Initiatives

**Training Session on Human Rights (2014):** The Ombudsman for the Defence of Human Rights conducted 207 training workshops on human rights to various national institutions as well as to civil society organisations. Key issues included persons with disabilities, violence against women, including in the workplace, persons living with HIV/AIDS, and sexual minorities.<sup>146</sup>

**National Employment and Decent Work Policy:** The government adopted the policy that consists of active employment policies through free employment services targeting both, men and women. It also contains provisions to offer support to self-employed, and contemplates training and development activities.<sup>147</sup>

**Joint Programme on Youth, Employment and Migration:** Within the framework of the programme, 56 municipal youth employment boards were established to facilitate employment and self-employment for young persons in the targeted municipalities.<sup>148</sup>

**Labour Code in Miskito Language (2010):** The government of Nicaragua published the labour code in the Miskito indigenous language in order to raise awareness among the Miskito-speaking population of their labour rights.<sup>149</sup>

**Zero Usury Microcredit Programme (2007-present):** The programme is targeted at women living in urban areas and seeks to provide access to credit to female micro entrepreneurs and small producers.<sup>150</sup> The government committed to provide credit to 100,000 more women during 2016.<sup>151</sup>

**Fund To Purchase Land for Rural Women Workers (2010-present):** The government established the fund that is being administered by the Bank Produzcamos. The objective of the fund is to empower rural women by providing them with property rights over land suitable for economic activity.<sup>152</sup>

# Child Labour

*Work that interferes with the health, development, education or family life of persons under 18*

Operating Environment		
	Nicaragua	Latin America and the Caribbean
Net Enrolment Ratio in Primary Education (% both sexes)	93.2 (2010)	93.6 (2015)
Percentage of pupils starting grade 1 and reaching last grade of primary	48.4 (2007)	76.1 (2015)
One-year-old children immunised against measles (%)	99 (2013)	92 (2013 – Latin America)
Mortality rate of children under 5 years old (per 1,000 live births)	23.5 (2013)	18 (2013)
Percentage of population below 14	28.57 (2015 est.)	
Restrictions on children under 18 from working	Hazardous work	
Minimum age of employment	14	
End of compulsory education	12 years of age	
Relevant legislation	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Labour and Social Security Code, 2013</li> <li>• Law against Trafficking in Persons, 2015</li> </ul>	
Responsible ministries	<ul style="list-style-type: none"> <li>• Ministry of Labour</li> <li>• Ministry of Government</li> <li>• National Coalition against Trafficking in Persons</li> </ul>	
Local NGOs addressing this issue	<ul style="list-style-type: none"> <li>• Fabretto</li> <li>• Casa Alianza</li> <li>• Aldeas Infantiles</li> </ul>	

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The constitution states that children and adolescents are to be protected against any form of economic and social exploitation.<sup>153</sup> The Labour Code sets the minimum age for employment at 14.<sup>154</sup> Children 14-16 years old must have parental permission to work, and must be under the supervision of the Ministry of Labour.<sup>155</sup>

Minors are prohibited from engaging in employment that potentially interferes with their schooling or that endangers their health and safety.<sup>156</sup> This is in line with international standards. Violators of child labour laws face fines and imprisonment of up to eight years.<sup>157</sup>

According to the Ministry of Labour (MOL), the latest publicly available national survey of adolescent and child labour, from 2005, indicated that approximately 239,000 children 5 -17 were working.<sup>158</sup> The government conducted a new survey in 2009, though the results were not publicly available as of 2016. More recently, UNICEF estimated in 2010 that 10-15 percent of all children below 14 years of age in Nicaragua were involved in labour.<sup>159</sup>

Thirty-six percent of working children were younger than 14,<sup>160</sup> and six out of 10 did not reportedly receive a salary.<sup>161</sup>

The MOL's Inspector General's Office comprised of 97 inspectors to monitor the enforcement of child labour laws. According to the U.S. Department of Labor, 1,205 inspections were conducted in 2014 and 161 cases of child labour infractions by employers were identified.<sup>162</sup>

Child labour inspections in agricultural areas were reportedly limited due to resource and personnel constraints.<sup>163</sup>

## Worst Forms of Child Labour

A 2010 Ministerial Agreement prohibits hazardous work for children and young persons under 18 years of age, and contains a detailed list of the types of hazardous work.<sup>164</sup> In 2015, the first Law against Trafficking in Persons was adopted, including exploitative child labour as a crime and raised penalties for the trafficking of children and adolescents from 10-12 years imprisonment to 19-20 years.<sup>165</sup>

A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that 76 percent of all working children were engaged in the worst forms of child labour.<sup>166</sup> The great majority (135,380 children) was employed in the agriculture sector, followed by commerce, manufacturing and communal services, and to a lesser extent, in construction and mining.<sup>167</sup>

The President of the Superior Council of Private Enterprises stated that children between 14 and 17 years of age were the largest workforce in the agriculture sector, according to the Nicaraguan Centre for Human Rights in 2015.<sup>168</sup> The International Organization for Migration reported in 2013 that children employed in agriculture typically worked on banana, coffee or tobacco plantations, where they were exposed to hazardous conditions and dangerous pesticides and fertilizers. Children were also reportedly found working in the production of oranges, African palm and sugarcane.<sup>169</sup>

The Head of the Federation of Local Development Organisations noted in a 2013 *El Nuevo Diario* newspaper article that children were subjected to working up to 18 hours a day and did not have social security benefits, and that child labour was mostly seen in the departments of Jinotega and Matagalpa in relation to coffee plantations and Leon in relation to various agriculture activities.<sup>170</sup> The Business for

Social Responsibility reported in 2012 that the coffee sector, which accounts for the majority of rural employment, hired 65,000 children every year, under perilous conditions.<sup>171</sup>

The Trade Union Confederation Unification added in 2013 that children worked in quarrying limestone at San Rafael del Sur and in itinerant trading in the streets of Managua.<sup>172</sup>

Children were also engaged in commercial sexual exploitation. Children in Granada, Managua, the Caribbean Coast and San Juan del Sur were particularly vulnerable to commercial sexual exploitation, sometimes as a result of human trafficking, according to the U.S. Department of Labor in 2015.<sup>173</sup> According to the U.S. Department of State in 2015, Nicaragua was a destination for child sex tourists from the United States, Canada and Western Europe.<sup>174</sup>

The International Labour Organization (ILO) added that children have been internally trafficked for the purpose of forced labour in agriculture. Data from a 2010 ILO report found that boys were trafficked to work in farms and girls were trafficked to take up jobs as domestic workers.<sup>175</sup>

## Education

The constitution mandates free compulsory education through primary school, while the General Law on Education sets seven years of compulsory education, estimated to be up to 12 years of age.<sup>176</sup> The two years gap between compulsory education and the minimum age of employment left children vulnerable to child labour, according to the ILO's Committee of Experts on the Application of Conventions and Recommendations in 2014.<sup>177</sup> The U.S. Department of Labor noted in 2015 that even though education was free, costs associated with school supplies and transportation made it difficult for some children to attend school.<sup>178</sup>

According to the 2005 Survey, 53 percent of working children did not go to school. However, that percentage could have been reduced to less than 15 percent, as estimated by the ILO's Office in Nicaragua in 2014.<sup>179</sup>

The Nicaraguan Centre for Human Rights also reported in 2015 that four out of ten children that started first grade did not complete primary education, a much lower percentage when compared to other countries in the region.<sup>180</sup>

A 2014 UNESCO survey found that the education in Nicaragua had deficiencies, was not inclusive and was not accessible to children in remote areas.<sup>181</sup>

The government reported in 2014 that preschool and primary school curricula have been redesigned with a bilingual intercultural approach to include indigenous and Afro-descendants.<sup>182</sup> The government also established schools for special education to support children with disabilities, however, according to civil society organisations in 2014, there were not enough to attend the existing demand.<sup>183</sup>

The Centro de Derechos Humanos, Ciudadanos y Autonomicos stated in 2014 that ethnical and cultural discrimination existed at schools, and that it was a major obstacle to access education. Indigenous girls were particularly vulnerable to violence and in cases, sexual abuse.<sup>184</sup>

A 2012 World Bank report noted that around a third of the estimated 300,000 families with children living in extreme poverty have at least one child who was working or not going to school.<sup>185</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- **May 2015, El Espectador:** A research found that out of 26 children between the ages 12-17 that were working in sugarcane plantations, 13 were not attending school, 4 did not know how to write or read, and almost all of them have suffered injuries or illnesses resulting from the job conditions.<sup>186</sup>

## Company Initiatives

*Private-sector programmes that aim to ensure respect for human rights or contribute to development*

### Company Development Initiatives

**Telefónica Nicaragua (2005-2014):** The company implemented the project Proniño with the aim of eradicating child labour in Nicaragua by promoting schooling and the protection of children and adolescents. A total of 97 schools received support from the company, including the training of teachers.<sup>187</sup>

**Nuevo Carnic:** The slaughterhouse contributes to the purchase of computers that are distributed in children schools on Boaco, Nicaragua. It also makes economic contributions to the Technical Institute Juan Pablo II in Managua that supports youth technical education with values.<sup>188</sup>

### Stakeholder Recommendations

**Human Rights Without Borders - International Initiative to End Child Labour:** The organisations recommend that coffee farms identify child labour risks in their operations, engage in skill development and plan how to ensure children above 14 years of age to attend school while working on the farm.<sup>189</sup>

## Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

### Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

- The company does not employ workers under 15 years of age for full-time work, 13 years of age for light work and 18 years of age for hazardous work (please see the question description for exceptions).
- If the company employs minors below the age of 18, the company has a list of job functions that can safely be performed by minors.

- The company is aware of local age-levels for completion of compulsory education and does not employ workers under that age for work that may interfere with such education.
- The company has a reliable procedure to check the age of young job candidates by birth certificate, other official forms of identification, or by alternative means such as physical appearance or knowledge of historic events.
- Company apprenticeship programmes do not constitute the main portion of the workforce, are limited in duration, are performed in conjunction with a school programme (or supervised by Labour Ministers or Labour Organisations), and do not interfere with the child's compulsory education.
- If the company becomes aware that it is employing young workers below minimum age, it ensures that they are enrolled in education programme, and that their dependents are compensated for the resulting loss of income.

## Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- Business and Human Rights Resource Centre, Business & Children Portal: The Portal is an information hub developed to give practical assistance to people from all business sectors in their work and decision-making, leading to better protection of the rights and welfare of children. The Portal has sections on: issues, positive initiatives, alleged abuses, lawsuits and guidance.
- Children's Rights and Business Principles (2012): Developed by UNICEF, UN Global Compact and Save the Children, these Principles are the first comprehensive set of principles to guide companies on the full range of actions that they can take in the workplace, marketplace and community to respect and support children's rights.
- ILO Programme on the Elimination of Child Labour (est. 1992): The Programme has the overall goal of the progressive elimination of child labour, to be achieved through strengthening the capacity of countries to address it and promoting a worldwide movement to combat child labour.
- UN Committee on the Rights of the Child General Comment No.16 on State obligations regarding the impact of the business sector on children's rights (2013): The Committee is the body of independent experts that monitors the implementation of the Convention on the Rights of the Child and the Optional Protocols. In April 2013, the Committee issued a general comment on business and children's rights. The objective of General Comment No.16 is to provide States parties with a framework for implementing the CRC, particularly with regard to the business sector.
- Children's Rights in Impact Assessment – A Tool For Companies (2013): Developed by UNICEF and the Danish Institute for Human Rights, this checklist is a practical tool intended to help companies to identify and manage their impact on children's rights. The checklist contains a set of questions and indicators covering the 10 Children's Rights and Business Principles, addressing different aspects of company policies and operations and the impact on children's rights.
- Better Work (ILO, IFC): Guidance Sheet on Child Labour (2009)

# Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

## Public Sector Initiatives

**Campaign 'Lets Eliminate Dangerous Child Labour' (2014):** The government launched the campaign in order to support the prevention and child labour eradication. The campaign includes Workshops with the general population, youth entrepreneurs and social labour movements in order to address the issue.<sup>190</sup>

**Awareness Campaign on Child Sex Tourism:** The Nicaraguan Institute of Tourism conducted raising awareness campaigns among travel agencies and companies in order to prevent child sex tourism.<sup>191</sup>

**Programa Amor (2007-current):** This programme was designed to combat child labour and defend the right of children to education, with the aim of restoring their right to live in normal conditions and grow up with their families. The programme also contemplates the creation of child development centres. From 2011-2013, 568,208 families were supported, benefitting 187,721 children under the age of 6. An annual average of 18,103 children and adolescents workers were integrated in the school system during the same period of time.<sup>192</sup>

**School Snack Programme:** More than 800 thousand food rations to an average 970 thousand preschool and primary school pupils were distributed within the framework of the food security strategy. Food and nutritional security education were incorporated into the school curriculum.<sup>193</sup>

**The Coffee Harvest Plan (Plan Cosecha de Café) (2007-current):** A tripartite initiative supported by the National Commission for the Eradication of Child Labour (CNEPTI), this programme aims to assist children whose parents work in the coffee harvest to improve these children's educational opportunities. The Ministry of Labour collaborates with coffee producers, other government ministries and civil society organisations to achieve child labour-free coffee harvest.<sup>194</sup> The government reported in 2014 that from 2010-2011, a total of 1.371 children benefitted from the programme, especially in the departments of Jinotega, Matagalpa and Carazo.<sup>195</sup>

**Education Sector Plan (2011-2015):** The Plan aims at improving the coverage and quality of preschool education, completion of primary education and the coverage and quality of secondary education. Activities include distribution of learning materials in primary school under a revised curriculum; the extension of school feeding to all preschool and primary school children; and the distribution of school supplies, including uniforms and shoes for children in the poorest households.<sup>196</sup>

## NGO Initiatives

**Best Practices of Corporate Social Responsibility in the Path to Eradicate Child Labour Forum (2010):** The forum, which was organised by a coalition of international and national NGOs, resulted in 23 coffee producers committing themselves to preventing exploitative child labour and participating in the Educational Bridges programme, implemented by the NGO Entérate, that keeps schools open during vacation periods. This has secured access to education for 1,371 children living in rural areas and prevented them from exploitative child labour in the coffee sector during harvest season.<sup>197</sup>



# Forced Labour

*Debt bondage, human trafficking or other coercion that makes workers unable to freely leave employment*

Operating Environment	
U.S. Department of Labour Trafficking in Persons: Tier Placement	Tier 2
Relevant laws	<ul style="list-style-type: none"><li>• Constitution, 1948</li><li>• Labour and Social Security Code, 2013</li><li>• Law Against Trafficking in Persons, 2015</li></ul>
Responsible agencies	<ul style="list-style-type: none"><li>• Ministry of Labour</li><li>• Ministry of Government</li><li>• National Coalition against Trafficking in Persons</li></ul>
Local NGOs addressing this issue	<ul style="list-style-type: none"><li>• Caritas de Nicaragua</li></ul>

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The constitution prohibits forced or compulsory labour, debt bondage and all related practices.<sup>198</sup>

According to the 2014 Global Slavery Index, there were an estimated 13,300 persons in modern slavery in Nicaragua.<sup>199</sup>

The U.S. Department of State added in 2015 that in Nicaragua, adults were subjected to forced labour in agriculture, construction, mining and the informal sector.<sup>200</sup> Cases of migrants working under debt bondage conditions were further reported by the International Labour Organization in 2013.<sup>201</sup>

## Trafficking

In 2015 the first Law against Trafficking in Persons was adopted, raising penalties for trafficking to up to 10 years imprisonment.<sup>202</sup> The law also sets the principle of social corporate responsibility, and companies should collaborate in the prevention, education, communication, raising awareness and addressing of trafficking.<sup>203</sup>

According to the IOM, Nicaragua was primarily a source and transit country for trafficking in persons. On a minor scale, it was a country of destination for the purpose of sexual exploitation.<sup>204</sup> Cases of men trafficked to work under conditions of forced labour in agriculture in the southern border areas to Costa Rica have been reported.<sup>205</sup>

Many trafficking victims were recruited in rural areas or border regions for work in urban centres and around tourist sites, where they were reportedly subjected to sex and labour trafficking.<sup>206</sup> Women in the Caribbean Coast were particularly vulnerable to trafficking for sexual exploitation.<sup>207</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *September 2015, Fox News:* 6 persons were prosecuted on charges of trafficking after the adoption of the First Law against Trafficking in Persons.<sup>208</sup>
- *2015, Nicaraguan Centre for Human Rights:* 2 men were arrested in the border area with Costa Rica in connection with a trafficking network of people to Costa Rica. 18 Cubans were rescued from the traffickers.<sup>209</sup>
- *2015, Nicaraguan Centre for Human Rights:* 14 people were arrested, including 5 police officers, in connection with a trafficking network between Nicaragua and Costa Rica.<sup>210</sup>

## Company Initiatives

*Private-sector programmes that aim to ensure respect for human rights or contribute to development*

### Company Due Diligence Initiatives

**Cargill:** The company has adopted a Strategic Sourcing Ethics Code in order to reinforce ethical behaviour. It states that the company does not tolerate the use of illegal, abusive and forced labour in any of its operations. All members of the sourcing team are trained on the Code.<sup>211</sup>

## Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

### Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

- Workers can give notice and leave employment within a reasonable length of time. This is clearly communicated to workers prior to starting employment.
- The company (or its recruitment agencies) ensures that it does not withhold wages or bonuses and that it pays them in a timely and regular manner.
- The company ensures it does not make deductions from wages for disciplinary measures or other deductions not authorised by national law.

- Within normal working hours workers are able to earn a living wage sufficient to meet the basic needs of themselves and their closest dependents.
- Overtime work is paid, voluntary and not compelled through threat of pay deductions, termination or other sanctions.
- The company (or its recruitment agencies) ensures that it does not retain identity cards, passports, travel documents or other personal items without which workers cannot leave employment. If letters of release or other documents are needed for the worker to leave employment, such letters are issued without delay.
- All workers are allowed to leave company premises during breaks and at the end of their shifts, and workers in company housing may freely enter and exit their accommodation at any time.
- The company (or its recruiting agencies) ensures that it does not require workers to pay recruitment fees or lodge money deposits.
- Loans or salary advancements to workers are based on fair terms that are clearly explained to the worker, are not granted to cover basic living expenses, are limited in size, and do not require the worker to remain with the company until repayment is completed.
- If the company uses prison labour it ensures that all prison workers have been convicted by a court of law, and that the work is voluntary and supervised by a public authority.
- The company ensures that it does not use labour from agencies or firms involved in human trafficking or other forms of bonded labour.

## Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

### Public Sector Initiatives

***Raising Awareness on Trafficking in Persons (2012-2016):*** The government provides training on prevention, prosecution and the protection of rescued victims of trafficking. Public officials, teachers and the community in general are to be trained throughout 2016.<sup>212</sup>

# Occupational Health & Safety

*Unsafe or unhealthy working conditions that expose workers to the risk of accidents or occupational illnesses*

Operating Environment	
Relevant laws	<ul style="list-style-type: none"><li>• Constitution, 1948</li><li>• General law on Occupational Hygiene and Health, 2007</li><li>• Labour and Social Security Code, 2013</li></ul>
Responsible agencies	<ul style="list-style-type: none"><li>• Ministry of Labour</li><li>• National Council on Occupational Health and Safety</li><li>• Nicaraguan Social Security Institute</li></ul>
Local NGOs addressing this issue	<ul style="list-style-type: none"><li>• Better Work Nicaragua</li></ul>

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The law establishes a system of health and safety inspection that obligates employers to, at minimum: adopt preventive measures aimed at guaranteeing the hygiene and safety of employees; designate a person trained on occupational health to attend activities that promote OHS; to prevent and protect against labour risks; guarantee periodic occupational health exams for employees; assess unavoidable risks and adapt work to the capacity of the individual employees.<sup>213</sup> Employers contribute with 16 percent of workers salary to the Nicaraguan Social Security Institute that includes pension, family health and labour healthcare, while the workers contribute with 6.5 percent for pension and family health.<sup>214</sup> During 2014, 670,266 workers were under the scheme.<sup>215</sup>

Companies must also establish Mixed Commissions for Work Hygiene and Safety—bodies that include employer and worker representation that evaluate and supervise the implementation of work hygiene and safety rules.<sup>216</sup>

In 2015, the U.S. Department of State noted that health and safety standards were not widely applied to the informal sector, that includes a large amount of workers in agriculture and ranching, transportation, fishing and minor construction.<sup>217</sup>

During 2014, the Nicaraguan Social Security Institute registered 36,322 workplace accidents. Most accidents were reported in the manufacturing industry (29 percent, public administration (19 percent) and agriculture (10 percent). Most accidents resulted in contusions and internal injuries. During the

same year, workplace illnesses accounted for 886 cases, and the majority of them related to carpal tunnel syndrome (acute and chronic irritations in the wrists) and chronic kidney disease (CKD).<sup>218</sup> Both figures reported an increase of between 5-15 percent compared to 2013 figures.<sup>219</sup>

Most accidents and illnesses were recorded in Managua, followed by Chinandega.<sup>220</sup>

A major occupational health and safety issue in Nicaragua was the kidney disease epidemic affecting agricultural workers. According to NBC news, the number of annual deaths from CKD more than doubled in a decade, going from 466 in 2000 to 1,047 in 2010,<sup>221</sup> while the newspaper La Gran Epoca noted in 2014 that more than 20,000 workers died during the last 10 years as a result of the illness in Chichigalpa, district of Chinandega.<sup>222</sup> The victims were primarily men working in manual labour, typically in the sugar cane industry.<sup>223</sup>

The cause of death is unexplained, but the International Consortium on Investigative Journalism noted in 2014 that a combination of factors including chronic dehydration and heat, as well as exposure to toxic chemicals used in agriculture could be among the causes of CKD.<sup>224</sup> A University of Boston study concluded that the exhausting labour in sugarcane plantations was among the risk factors for CKD, according to a 2015 Confidential report.<sup>225</sup> Conversely, sugarcane producers have reportedly denied the alleged connection between CKD and the sugarcane industry.<sup>226</sup>

According to the news service Demotix, in 2012, Nicaragua ranked forth in worldwide deaths per capita due to CKD (81.61 per million). Within Nicaragua, the Ministry of Health has shown that the departments of Leon and Chinandega, prominently agricultural regions, had a CKD mortality rate 4 to 5 times higher than the national rate; however the distribution of the disease was not homogeneous within these departments; the two communities of la Isla and Candelaria showed a particularly high occurrence of the disease.<sup>227</sup>

Cuts from machetes used in agriculture were common workplace accidents, especially on coffee farms.<sup>228</sup> Most injuries were treated on farms, and Human Rights Without Borders reported in 2011 that workers were reportedly only taken to the hospital if their life was threatened. Employees did not, however, always know where the first aid kit was kept.<sup>229</sup>

According to a 2010 BSR Report, a lack of safety training in the use of pesticides resulted in farm workers being exposed to toxic pesticides, leading to acute pesticide poisoning in some cases.<sup>230</sup>

In terms of the garment sector, a 2015 Better Work Nicaragua survey on the industry revealed that 96 percent of factories did not comply with at least one OHS regulation including personal protection equipment; noise and temperature level; suitable chairs; and protection against chemical and hazardous substances.<sup>231</sup> Cases of employers not properly investigating workplace accidents were further reported.<sup>232</sup>

A 2014 thematic report on fire safety conducted by Better Work Nicaragua found that of all factories assessed, 46 percent had gaps in compliance regarding accessible, unobstructed and unlocked emergency exits; 38 percent did not have OHS licenses; 27 percent did not have properly marked and posted exit and escape routes; and 27 percent did not have proper storage for chemicals and hazardous substances.<sup>233</sup>

The Department of Occupational Health and Safety under the Ministry of Labour conducts inspections. The latest data available reported that during the first six months of 2012, labour inspectors conducted 1,276 health and safety inspections and registered 6,820 workplace accidents.<sup>234</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *October 2015, La Informacion:* One miner died after a mine collapsed in Bonanza.<sup>235</sup>
- *April 2015, El Mundo:* A female worker at a textile factory reported a chronic disease and pharyngitis as a result of 13 years of exposure to fluff inhalation.<sup>236</sup>
- *August 2014, El Pais:* 27 artisanal miners were trapped in a mine in the proximities of El Comal as a result of a landslide.<sup>237</sup> The authorities conducted a rescue operation and 20 miners were rescued.<sup>238</sup>
- *2014, Nicaraguan Centre for Human Rights:* A worker was reportedly dismissed after suffering a workplace accident in the facilities of MARNOR S.A.<sup>239</sup>

## Company Initiatives

*Private-sector programmes that aim to ensure respect for human rights or contribute to development*

### Company Due Diligence Initiatives

**The Campo Limpio Programme (2013):** Nicaraguan agrochemical importers and distributors initiated the programme through the Asociación Nicaragüense de Formuladores y Distribuidores de Agroquímicos (ANIFODA). The programme aims at reducing pesticide-related health effects and sickness caused by the reusing of agrochemical containers for water, milk and food storage. The programme commits ANIFODA members to implement a cleaning and recycling programme for used agrochemical containers.<sup>240</sup>

**Nicaraguan Enterprise for the Production of Basic Food:** The state-owned company established a Department on OHS, which includes the development of periodically training sessions for workers to inform them on the local laws and raise awareness on workplace accident prevention.<sup>241</sup>

**Unilever Nicaragua:** The company implements a variety of programmes on OHS through its Department of Health, Safety and Environment, including the publication of learning experiences on accident prevention, safety awareness campaigns, regular meetings with leaders of management systems, identification and reduction of risks, training programs and audits on the implementation of laws and standards on OHS.<sup>242</sup>

### Company Development Initiatives

**Nicaragua Sugar Estates Limited:** The company has been providing support to people who suffered from chronic kidney disease. Since 2009, more than 2000 persons were supported by the provision of food, medical assistance, housing and economic self-sustainability projects, amounting to US\$4 million as of 2014.<sup>243</sup>

## Stakeholder Recommendations

**Human Rights Without Borders and International Initiative to End Child Labour:** The two organisations recommend that coffee producers conduct workers safety training programmes for permanent and

seasonal workers and their families. Safety training in the use of pesticide should be provided to workers who mix, apply and work in areas treated with agrochemicals.<sup>244</sup>

Better Work Nicaragua (2014): The organisation recommended that apparel factories in Nicaragua:

- Assign a representative from the employers' association to work directly with factories on fire safety issues;
- Raise awareness among factories of the need and benefit, in terms of human risks, financial implications, and reputation, of prioritising fire safety;
- Seek joint initiatives with government institutions and technical training institutes to promote fire safety and prevention; and
- Ensure factories a) identify and train a responsible person for fire safety, b) invest in proper training of workers, and c) invest in necessary equipment and their maintenance.<sup>245</sup>

## Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

### Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

*Does the company ensure that its workers are provided safe, suitable and sanitary work facilities?*

- Responsibilities for health and safety tasks are clearly defined.
- The company routinely monitors its production processes, machinery and equipment to ensure that they are safe and in good working order.
- Workers and managers are trained to respond to workplace emergencies; first aid kits and fire extinguishers are readily available; and escape exits are clearly marked and free from obstruction.
- The workplace is maintained to ensure clean and comfortable conditions including a suitable temperature, ventilation and lighting; suitable washing and sanitation areas appropriate for both genders.
- Residential or overnight facilities are safe and sanitary and meet the basic needs of workers including with regard to safety, space, temperature, lighting, ventilation, food, water, sanitary facilities, privacy and affordability.
- The company provides safe drinking water for workers and facilities for clean and sanitary food storage and eating.
- Where relevant the company has put in place special health and safety precautions for pregnant women, employees with disabilities, night workers, young workers and other vulnerable groups.

*Does the company ensure that workers are provided with the protective equipment and training necessary to perform their tasks safely?*



- The company has a procedure to ensure that all workers are provided, free of charge or deposits, with the protective equipment necessary to safely perform their job functions.
- The company is committed to ensuring that workers use the protective equipment provided and understand why it is necessary to use the equipment.
- The company ensures that all workers have the necessary training to safely perform their job functions and keeps workers fully informed, in a language and form understandable to them, of the health and safety procedures.
- An accurate record is kept of who has been trained and for what tasks.
- On a regular basis and when assigned to new tasks, workers receive training in the safe use of equipment and processes.
- A company function or member of staff is responsible for keeping informed of scientific and technological developments regarding health and safety risks and protective equipment.

*Does the company actively involve workers in health and safety work?*

- The company consults employees on health and safety issues either directly or through a freely elected safety representative(s) for relevant groups of employees.
- A health and safety committee has been established including employee safety representatives and representatives from management.
- Health and safety accidents are reported and investigated including involving the relevant worker(s), and actions are taken to prevent recurrences.
- Health and safety near-misses (accidents not resulting in injury) are reported and investigated to help improve safety.
- Health and safety accidents are monitored including hours lost as a result of injury or illness and e.g. compared to total hours worked (lost time injury frequency).

## Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- IFC Performance Standard 2: Labour and Working Conditions (2012): FC PS2 is guided by the international labour standards as outlined by the ILO and covers health and safety.
- Portal for Responsible Supply Chain Management: The Portal is designed to support companies in improving the social and environmental conditions within their supply chain. The Portal offers tools and guidance on a number of supply chain issues, such as child labour, corruption and discrimination. In addition, the Portal also details sector specific resource material and pertaining legislation.
- Ethical Trading Initiative Base Code (2012) and ETI Principles of Implementation (2009): The Ethical Trading Initiative is an alliance of business stakeholders promoting the implementation of corporate codes of practice that cover supply chain working conditions. The alliance consists of companies, NGOs and trade union organisations. The ETI Base Code has been developed as a code of labour practice, targeted generally for supply chains, and is in line with the international labour standards. The accompanying ETI Principles of Implementation outline the requirements needed by corporate

members to implement the ETI Base Code in their supply chains, including the necessary commitments, management practices and behaviours.

## Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

### Public Sector Initiatives

**Best Company Award on Occupational Health and Safety (2014):** The Ministry of Labour organised the contest by which 25 companies competed for the Award. 17 companies were awarded as 'Leading Companies' in Occupational Health and Safety standards.<sup>246</sup>

**Unit on Chronic Kidney Disease (2011-present):** The Nicaraguan Social Security Institute incorporated a unit for patients that suffer from chronic kidney disease. In 2014, 337 patients were admitted.<sup>247</sup>

**Ministerial Agreement on Feeding of Farm Workers:** The Ministry of Labour adopted the agreement by which companies are obliged to provide cooked food to their employees while working on farms. This benefit should not be deducted from their salaries.<sup>248</sup>

# Trade Unions

*Restrictions on the right of workers to collectively represent their interests*

Operating Environment	
<p>Largest trade unions and union confederations</p> <p>Names, sectors and number of employees represented</p>	<ul style="list-style-type: none"> <li>• National Workers Front (FLO): 267,000 members</li> <li>• Sandinista's Central of Workers (CST): 50,000 members</li> <li>• Worker's Central of Nicaragua (CTN): 25,410 members</li> <li>• Confederation of Self-Employed Workers: 50,000 members</li> <li>• Confederation of Union's Unification (CUS): 30,000 members</li> <li>• Industrial and Manufacturing Union and the Free Trade Zones (CST-JBE): 70,000 members</li> </ul>
Relevant laws	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Penal Code, 2008</li> <li>• Trade Union Law, 1997</li> <li>• Labour and Social Security Code, 2013</li> </ul>
Responsible agencies	<ul style="list-style-type: none"> <li>• Ministry of Labour</li> </ul>

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The government created the Great Alliance that includes workers and employers in order to promote a tripartite dialogue.<sup>249</sup> The International Labour Organization (ILO) stated that in Nicaragua a social dialogue was in place and that it had achieved concrete advancements in the Free Trade Zones, according to a 2012 government report.<sup>250</sup> Barriers to Unionisation

The constitution guarantees the right to association to all workers except the armed forces and the police. The law allows for several unions to be formed within a company.<sup>251</sup>

An estimated 350,000 workers were unionised as of 2014, representing 14 percent of the labour force and 32 percent of all paid workers.<sup>252</sup> This figure was slightly below Latin American average of 21 percent.<sup>253</sup> Official figures noted that 59 active trade union organisations existed at Export Processing Zones covering 10,719 workers, according to the ILO in 2015.<sup>254</sup>

The government reported in 2014 that trade union registration rate increased by 12 percent compared to earlier figures, accounting to a total of 3,987 trade unions in the country.<sup>255</sup>

Nicaraguan trade unions suffered from fragmentation due to internal ruptures of central trade unions, according to the Danish Trade Union Council for International Development Cooperation (LO/FTF Council) in 2014.<sup>256</sup> Most of them were reportedly allied with political parties.<sup>257</sup> Freedom House noted in 2015 that the ruling party (FSLN) controlled many of the country's labour unions and the legal rights of non-FSLN unions were not fully guaranteed.<sup>258</sup> The U.S. Department of State reported in 2015 that FSLN-public sector unions used intimidation and coercion to recruit new members.<sup>259</sup>

According to a 2014 Nicaraguan Centre for Human Rights report, once employers knew about workers starting the process of registration for their trade union, they would reportedly unfairly fire one of the signatories of the request, reason enough for the Ministry of Labour not to authorise their respective registration.<sup>260</sup> Freedom House added in 2015 that the Ministry of Labour almost never granted approvals for unions registration.<sup>261</sup>

## Collective Bargaining

The constitution guarantees the right to collective bargaining.<sup>262</sup> The length of a collective bargaining agreement is two years and it is automatically renewed if neither party requests revisions.<sup>263</sup>

It was estimated that collective bargaining agreements covered 2.4 percent of the total labour force, according to the LO/FTF Council in 2014.<sup>264</sup> Official figures reported that 20 collective agreements were signed at Export Processing Zones covering 48,180 workers, according to the ILO in 2015.<sup>265</sup>

The LO/FTF Council also added in 2014 that labour leaders noted that employers were not complying with collective bargaining agreements with a high level of impunity.<sup>266</sup> In terms of the garment sector, a 2015 Better Work Nicaragua survey on the industry revealed that some factories did not comply with the terms stipulated in collective bargaining agreements.<sup>267</sup>

## Strikes

The constitution recognises the right to strike.<sup>268</sup> At least 50 percent plus an additional union member must support a strike for it to be officially recognised, which according to the International Trade Union Confederation (ITUC) in 2014, was excessive.<sup>269</sup> The ILO's Committee of Experts on the Application of Conventions and Recommendations reiterated in 2014 the need to amend that provision.<sup>270</sup>

The law states that if no agreement is reached within 30 days of a legal strike, the Ministry of Labour may intervene to put an end to the strike. ITUC considered that such provision gave power to the authorities to unilaterally cease a strike action.<sup>271</sup>

The law prohibits employers from hiring replacement workers during a strike, though the U.S. Department of State reported in 2015 that in practice, companies were doing so.<sup>272</sup>

## Anti-Union Discrimination

The law prohibits dismissal of, or discrimination against, workers due to union membership or activity.<sup>273</sup> However, according to ITUC in 2014, the government did not provide adequate means of protection against it.<sup>274</sup>

Employers who violate labour rights are subject to sanctions in accordance with the Penal Code.<sup>275</sup> The LO/FTF Council reported in 2014 that union representatives considered the fines not to be severe enough to prevent abuses.<sup>276</sup>

The government reportedly interfered in union activities.<sup>277</sup> A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that unfair dismissal due to union activities was common.<sup>278</sup>

A 2015 Better Work Nicaragua survey on the garment sector industry revealed that one factory was found to interfere with worker's communications with their union, and dissuading them to bring issues under their consideration.<sup>279</sup>

Employers are required to reinstate workers fired for union activity. Employers are permitted to dismiss any employee, including union organisers, if they have the permission of the Ministry of Labour and pay twice the amount of the usual severance pay.<sup>280</sup>

The U.S. Department of State reported in 2015 that employers blacklisted union members.<sup>281</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *February 2015, International Trade Union Confederation:* Embotelladora Nacional S.A., which markets and distributes products from PepsiCo, reportedly dismissed 70 workers 24 hours after creating a trade union. The Ministry of Labour demanded the company to reinstate all workers.<sup>282</sup>
- *2014, Nicaraguan Centre for Human Rights, World's Organization against Torture, International Federation of Human Rights:* Youth people supporting senior citizens engaged in a demonstration to demand increase in their pensions were reportedly attacked by the police, who also threatening to rape some of the girls.<sup>283</sup>

## Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

### Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

*Does the company recognise the rights of its workers to freedom of association and to bargain collectively?*

- The company has a commitment to recognise the rights of its workers to freedom of association and collective bargaining, including the right to freely form and/or join independent trade unions, and this commitment is clearly communicated to all employees.
- The company recognises workers' organisations for collective bargaining purposes and has procedures in place to ensure regular collective bargaining with authorised worker representatives concerning all workplace related issues.
- The company allows worker representatives access to collective bargaining agreements, company premises, employees and other relevant documentation needed to fulfil their duties.

- The company prohibits discrimination or adverse actions against worker representatives or employees for participating or refraining to participate in lawful trade union activities.
- The company has agreed with workers' representatives about the requirements of a fair hearing to be followed in relation to all disciplinary cases and employee grievances.
- The company has a committee, with participation of employee-elected representatives, which is responsible for hearing, processing, and settling disciplinary cases and employee grievances.

*If independent trade unions are either discouraged or restricted, does the company enable workers to gather independently to discuss work-related problems?*

- The company allows employees to engage in regular employee-only meetings within normal working hours, where employees can discuss concerns regarding working conditions.
- Where allowed by local legislation, and if independent trade unions are not present, the company informs employees of their right to form independent collective representation at the workplace.
- Where allowed by local legislation, the company informs workers of their right to engage in regular collective bargaining concerning all workplace issues.
- Company management meets regularly with worker representatives to discuss work-related problems and any concerns/complaints employees may wish to raise.

## Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

### Public Sector Initiatives

Promotion of collective bargaining in Export Processing Zones: The government initiated a series of actions in order to promote collective bargaining in EPZ, including the establishment in 2010 of the Tripartite Labour Committee for EPZ, and the signing in 2012 of a tripartite agreement by the Nicaraguan Textile and Clothing Industry Association, the Federation of Nicaraguan Private Export Processing Zone Associations, the Ministry of Labour, and the National Commission for Export Processing Zones on labour and production stability in EPZ.<sup>284</sup>

# Working Conditions

*Employment status, wages, working hours and social security*

Operating Environment	
Minimum wage	NIO 3,330 (US\$80) (2016)
Relevant laws	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Labour and Social Security Code, 2013</li> <li>• Law on the Application of a Minimum Wage, 2012</li> </ul>
Responsible agencies	<ul style="list-style-type: none"> <li>• Ministry of Labour</li> <li>• National Minimum Wage Commission</li> <li>• Nicaraguan Social Security Institute</li> </ul>

Working Conditions: National Law		
	Nicaragua	International Standard
Standard workweek	48	48
Overtime pay rate	n/a	1.25x
Holidays with pay, per year	n/a 10 paid national holidays per year	3 weeks
Maximum daily working hours	8	10
Maximum weekly working hours	48	48
Uninterrupted weekly rest period	24 hours per 7 days	24 hours per 7 days

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The constitution guarantees the right to liberty and dignity for all workers and provides for working conditions in line with international standards.<sup>285</sup> The minimum standards set by the constitution cannot



be reduced under any circumstances and are only subject to negotiation if resulting in the strengthening and improvement of employee's rights.<sup>286</sup>

The Government's labour policy is carried out through the Great Alliance, consisting of the State, employers and workers.<sup>287</sup> In that line, the Nicaraguan government's labour policies are aimed at straightening the tripartite model to foster decent working conditions for men and women, articulating policies towards sustainable development that generates employment and reduces unequal access to economic growth.<sup>288</sup>

According to a 2015 United Nations Development Programme (UNDP) report, 14 percent of workers lived with less than US\$2 a day, much more than the average of US\$5.60 in the Latin American and Caribbean region.<sup>289</sup> Wages

The constitution provides for a minimum wage, double pay for overtime and a 13th-month bonus '*aguinaldo*' equal to the most recent monthly salary received to be paid no later than December 10.<sup>290</sup> The Minimum Wage Law establishes minimum wages for ten sectors of the economy.<sup>291</sup> A Tripartite National Minimum Wage Commission, which includes representatives from trade union confederations and employer associations, has the duty of reviewing and adjusting minimum wage levels every six months.<sup>292</sup>

In January 2016, monthly minimum wages were adopted for all ten sectors of the economy ranging from NIO 3,330 (US\$80) for the agriculture sector, and up to NIO 7,454 (US\$261) for the construction sector and financial services. The new scale reported a 4,5 percent increase from 2015 figures and salaries in the Free Trade Zone were increased by 8 percent.<sup>293</sup> According to the Nicaraguan Centre for Human Rights in 2015, the classification of the minimum wage by ten sector proved unfair towards workers in the agriculture sector who had to survive with less than US\$80 a month, and that workers in the sector were given less power to negotiate, ignoring the nature and difficulty of the job.<sup>294</sup> Minimum wages were reportedly below average minimum wages in other Central-American countries.<sup>295</sup>

The Danish Trade Union Council for International Development Cooperation (LO-FTF Council) reported that the median wage accounted for NIO 2.851 (US\$100) as of 2015.<sup>296</sup>

The government concluded that the value of a basic family basket for 2015 was NIO 12,355 (US\$432) a month.<sup>297</sup> In that line, the Nicaraguan Centre for Human Rights stated in 2015 that paid workers could only cover on average 33 percent of the basic family basket.<sup>298</sup>

In practice, in terms of women workers in Free Trade Zones for the manufacturing of textiles, their salaries were reportedly equivalent to US\$160 a month.<sup>299</sup>

The Nicaraguan Centre for Human Rights further reported that the Labour Tribunal established a negative precedent in August 2014 by allowing a reduction of a worker's salary based on a mutual agreement with the employer.<sup>300</sup> According to the Centre, the ruling violated fundamental rights of workers as it placed worker and employee at the same level, ignoring the unequal subordinate relationship that exists between them.<sup>301</sup>

## Working Hours

As stipulated by the constitution, working time is generally not to exceed eight hours per day, with at least a half-hour lunch break as part of a paid day's work. The maximum legal workweek is 48 hours, with one day of rest,<sup>302</sup> in accordance with international standards.

The Supreme Court has authorised flexible working days that exceeded eight hours a day provided that they did not total more than 48 hours in a week, taking also into account economic and social realities. The International Labour Organization's Committee of Experts on the Application of Conventions and Recommendations stated in 2014 that the limitations set out in ILO Convention N1 of a maximum of 8

hours a day and 48 hours a week should be viewed as strict maximum limits, which cannot be waived or changed at the free will of the parties.<sup>303</sup>

The LO-FTF Council noted in 2014 that most employees worked more than 40 hours per week, and over a third worked more than 50 hours a week.<sup>304</sup> According to a 2013 ILO report, workers were obliged to work hours above the maximum legally allowed, without overtime pay.<sup>305</sup>

Women at export apparel factories were reportedly working more than 9 hours a day in order to meet target productions.<sup>306</sup> A 2015 Better Work Nicaragua survey on the textile industry at Free Trade Zones found that 53 percent of factories did not comply with the payment of overtime hours while 28 percent were not complying with regular working hours.<sup>307</sup>

## Social Security

A Presidential Decree mandates employers to contribute with 16 percent of an employee's payroll to social security, including medical care, disability payments and retirement benefits.<sup>308</sup> In 2007, the social security health insurance programme was extended to informal workers for a monthly fee (optional insurance).<sup>309</sup>

According to the Central Bank of Nicaragua, of the working age population of 6.1 million people, 2.9 million were employed in 2014.<sup>310</sup>

The Nicaraguan Social Security Institute reported in 2014 that 725, 014 workers were contributing to the system as of 2014, a 5.1 percent increase according to 2013 figures.<sup>311</sup> This figure represented 22 percent of all paid workers.<sup>312</sup> Only 24 percent of companies were registered within the social security system.<sup>313</sup>

Men represented 57.6 percent while women 42.4 of all insured. Most of them were working in Managua, followed by Chinandega and Leon. 21 percent of workers were public employees, 20 percent workers at Free Trade Zone factories and 16 percent worked in the commerce sector.<sup>314</sup> Historically, the government noted that the number of workers covered by the social security system has been increasing since 2006.<sup>315</sup>

In terms of the garment sector, a 2015 Better Work Nicaragua survey on the industry found that 24 percent of factories did not pay into the social security system with the correct calculation.<sup>316</sup>

## Informal Sector

A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that 70 percent of the estimated paid workers were employed in the informal sector, with no access to social security benefits.<sup>317</sup>

According to the newspaper El Nuevo Diario, the size of the informal sector was one of the highest in the region as of 2013.<sup>318</sup>

75.6 percent of women were employed in the informal jobs, as compared to 65.6 percent for men.<sup>319</sup> Most informal jobs were reported in the agriculture sector, followed by commerce, hotels and restaurants, and 50 percent of workers at Free Trade Zone factories reportedly belong to the informal sector, according to a 2015 Confidencial report.<sup>320</sup>

A 2015 Inter-American Development Bank study found that the creation of a formal job in Nicaragua was the second most expensive within the Latin American region, only after Honduras.<sup>321</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *May 2015, Diario Co Latino:* Artisanal miners that provided gold to the mining company HEMCO in the Caribbean region blocked access to the company's facilities in order to demand better rates for their products.<sup>322</sup>

## Company Initiatives

*Private-sector programmes that aim to ensure respect for human rights or contribute to development*

### Company Due Diligence Initiatives

**Coffee Producers Certification:** More than 40 coffee producers in Nicaragua have been certified by UTZ, including Nicafrance, CISA Exports, Santa Cecilia and Buenos Aires. The organisation established a code of conduct containing social criteria for responsible coffee growing practices and efficient farm management, including protection of labour rights.<sup>323</sup>

### Stakeholder Recommendations

**The Global Fairness Initiative:** The project, funded by the U.S. Department of State, recommends that the private sector play a role in improving working conditions in the informal sector. The private sector should engage in and promote the development of policies that enable workers from the informal sector to move into formal jobs, including improving education and skills development.<sup>324</sup>

## Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

### Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

#### Working hours

*Does the company ensure that the workweek is limited to 48 hours; that overtime is infrequent and limited; and that workers are given reasonable breaks and rest periods?*

- Normal company working hours are limited to 48 per week by both company policy and practice, or fewer if provided by national law, collective agreement or industry standards.
- Overtime is infrequent, remunerated at premium rate, and does not exceed 12 hours in any one week, or 36 hours per month.

- The company has a system to plan, record and monitor hours worked by each employee, and regularly evaluates whether the number of workers is sufficient to meet production targets without resorting to overtime.
- Where overtime per worker systematically exceeds 12 hours per week, the company increases its workforce to correspond to production targets, or puts in place measures to increase worker productivity and reduce overtime.
- Workers are allowed at least 24 consecutive hours of rest (or more if provided by national law or industry standards) in every seven day period.
- The company ensures that workers have no less than a 30-minute break for every 4 hours of work (or more if provided by national law or industry standards) and that workers are allowed to use toilet facilities whenever necessary and not just during designated breaks.

## Wages

*Does the company provide a living wage that enables workers to meet the basic needs of themselves and their dependents?*

- It is company policy to provide workers with a living wage sufficient to meet basic food, clothing and housing needs and provide some discretionary income for themselves and their dependents.
- The company is aware of whether the legal minimum wage in the country of operation meets the requirement for a living wage.
- If no national minimum wage is established, or if national minimum wage standards are insufficient to meet the basic needs of workers and their dependents, the company calculates a living wage based on the cost of living in its area of operation.
- Part-time workers receive wages and benefits that are proportionate to those of full-time workers, and receive overtime compensation at a minimum of 1.25 times their hourly salary.
- The company pays wages at regular intervals and does not take deductions from wages for disciplinary measures or other deductions not authorised by national law.
- Bonus and piece-rate payment systems are monitored to ensure that the total salary paid meets living wage requirements without resort to overtime.

## Leave

*Does the company ensure that workers are paid holiday leave, sick leave and parental leave in accordance with international minimum standards?*

- Workers are granted at least three weeks of paid holiday leave per year or more if required by national law or collective agreements. Part-time and short-term workers are provided with paid holiday leave proportionate to the number of hours worked, at a rate equal to that of permanent full time employees.
- Workers are entitled to paid sick leave in accordance with the applicable national law. If sick leave is not provided for in national law, the company consults with union or worker representatives to establish alternative means of protection in case of illness or injury.
- The company ensures that sick leave is not deducted from workers' vacation time.
- Female workers are entitled to no less than fourteen weeks of paid maternity leave per child.

- The company grants compassionate or parental leave to workers who have recently adopted a child or children, or have taken on the responsibility to care for foster children or other dependent children.

### Employment status

*Does the company ensure that all workers have an official employment status?*

- The company ensures that all employees receive employment contracts prior to starting work for the company, and that contracts are understood by each employee.
- Contracts detail each employee's rights and obligations of employment, including clear job description, bonus and salary systems, and reasonable notice periods.
- Reference to company handbooks or other relevant documents on employment terms are integrated into the contract.
- The company ensures that contractors provide workers operating within company premises with an official employment status in line with company standards.

## Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- Ethical Trading Initiative Base Code (2012) and ETI Principles of Implementation (2009): The Ethical Trading Initiative is an alliance of different business stakeholders promoting the implementation of corporate codes of practice that cover supply chain working conditions. The alliance consists of companies, NGOs and trade union organisations. The ETI Base Code has been developed as a code of labour practice, targeted generally for supply chains, and is in line with the international labour standards. The accompanying ETI Principles of Implementation outline the requirements needed by corporate members to implement the ETI Base Code in their supply chains, including the necessary commitments, management practices and behaviours.
- Institute for Human Rights and Business and Global Business Initiative on Human Rights, State of Play: The Corporate Responsibility to Respect Human Rights in Business Relationships (2012): The Report examines how the UN Guiding Principles can contribute and guide the complex network of business relationships that now exist in a global economy. It explores how companies of all sizes are now beginning to implement human rights considerations and the UN Guiding Principles into both traditional and contemporary business relationships.
- Portal for Responsible Supply Chain Management (est. 2008): The Portal is designed to support companies in improving the social and environmental conditions within their supply chain. The Portal offers tools and guidance on a number of supply chain issues, such as child labour, corruption and discrimination. In addition, the Portal also details sector specific resource material and pertaining legislation.
- IFC Performance Standard 2: Labour and Working Conditions (2012): IFC PS2 is guided by the international labour standards as outlined by the ILO and covers a range of aspects, including: terms and conditions of employment, non-discrimination, health and safety, and forced labour. The Standard addresses employees, contracted workers and supply chain workers.
- International Labour Organization: The International Labour Organization (ILO) is the UN agency responsible for preparing and overseeing international labour standards. The mission and objectives

of the ILO are to promote rights at work, encourage decent employment opportunities, enhance social protection and strengthen dialogue on work-related issues.

- OECD Guidelines for Multinational Enterprises (2011): The OECD Guidelines are recommendations addressed by governments to multinational enterprises operating in or from adhering countries. Chapter 5 is on employment and industrial relations, aligning with the international labour standards of the ILO.

## Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

### Public Sector Initiatives

**Better Work Programme (2011-present):** The Programme is an agreement between the Nicaraguan Association of Textile Manufacturing and the government, through the National Free Trade Zone Commission. The programme has the objective to foster compliance with labour laws and international labour standards, particularly in relation to wages and social benefits. As of 2014, the Programme covered 27 factories, representing 51 percent of total factories in the garment sector, comprising more than 41 thousand workers.<sup>325</sup>

# Environment

*Company impacts on the environment that affect the health or livelihoods of local communities*

Operating Environment	
Percentage of population with access to improved water sources	87
Environmental Performance Index rank	115 (2015)
Food Security Index rank	70 (2015)
Relevant laws	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• The Special Law of Crimes Against the Environment and Natural Resources (2005)</li> <li>• Logging Moratorium Law (2006)</li> <li>• Decree 76 on Environmental Impact Assessments, 2006</li> <li>• Criminal Code, 2008</li> <li>• Water Law, 2010</li> </ul>
Responsible agencies	<ul style="list-style-type: none"> <li>• Ministry of Environment and Natural Resources</li> <li>• The Directorate General of Environmental Quality -</li> </ul>
Local NGOs addressing this issue	<ul style="list-style-type: none"> <li>• ONGAWA</li> <li>• Centro Humboldt</li> </ul>

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The constitution guarantees the right to live in a healthy environment and establishes the duty of the State to protect natural resources.<sup>326</sup> It also defines any act that severely impacts the environment as a national threat.<sup>327</sup> The Criminal Code includes provisions on environmental and natural resources crimes. Criminal acts that pollute soil, subsoil, waters and atmosphere or damage forest areas may result in financial sanctions or prison sentences.<sup>328</sup>

The Special Law of Crimes Against the Environment and Natural Resources criminalises acts that undermine conservation, protection, management, defence and improvement of natural resources, and

provides for fines up to US\$20,000,<sup>329</sup> while the Logging Moratorium Law adopted in 2006 seeks to reduce illegal logging by banning new permits for cutting mahogany, cedar, pochote and mangrove trees for a 10-year period.<sup>330</sup>

## Participation & Access to Information

The right to access environmental information by request is guaranteed and the government must make environmental information proactively available to the public.<sup>331</sup> The General Law of Environment and Natural Resources mandates the use of environmental impact assessments (EIAs) if projects or businesses have potential negative environmental impacts.<sup>332</sup> In 2006 Decree 76 was adopted to regulate Environmental Impact Assessments. It guarantees the principle of properly informed public participation and establishes that in the case of the Autonomous Regions, participation should be done in line with traditional practices.<sup>333</sup>

According to a 2012 study from the Faculty of Geosciences at Utrecht University and published by the Netherlands Commission on Environmental Assessments, public participation was not sufficiently regulated. The study also found that communities were not informed about the planning and assessment process of a project until it had already been decided and its location determined; consultations took place too late into the process; methods to involve public participation were not suitable given the widespread illiteracy; poverty and other restraining factors, and the time given of 5 days to review a projects, which was considered too short. Moreover, public participation had a purely consultative nature.<sup>334</sup>

A submission by civil society organisations to Nicaragua's Universal Periodic Review process reported in 2014 that information on the environmental impacts of private companies and joint venture activities were not publicly available.<sup>335</sup> The Environmental Democracy Index 2015 noted that EIAs were not publicly available, and that the law did not provide for public participation at an early stage of an environmental decision making process.<sup>336</sup>

## Food & Livelihoods

The World Food Programme (WFP) placed Nicaragua as a low- income, food-deficit country.<sup>337</sup> Food insecurity in Nicaragua was reportedly as a result of poverty, recurring natural disaster and effects of climate change, according to the WFP in 2015.<sup>338</sup> Areas more vulnerable to food insecurity were located in the Autonomous Regions and areas prone to natural disasters, according to the UN in 2012.<sup>339</sup>

SIMAS noted in 2010 that extensive mono-cropping of export commodities has reduced small-scale diversified food production, impacting on food availability in poor communities. The report further noted that as a result of poor harvesting and cultivation practices, the possibility of natural disasters increased, endangering food supply to local communities.<sup>340</sup>

The news service Indigenous Peoples Issues and Resources reported in 2011 that due to leases on pasture to Honduran livestock companies, the protected forest on the Autonomous North Atlantic Region (RAAN) has been reduced by 20 percent in the core zone and 60 percent in the buffer zone, threatening the livelihoods of indigenous and Afro-Caribbean communities in the area, including in relation to managing the forests with their ancestral practices.<sup>341</sup> A 2012 newspaper Costa Rica Star article reported that development projects, such as the Juan Rafael Mora highway, had adverse environmental impacts on the habitat of indigenous communities living in the Bosawas Biosphere Reserve,<sup>342</sup> located in the RAAN.

In 2014, the BCC reported that drug trafficking fuelled deforestation in Nicaragua's remote forests in the east, putting indigenous peoples and advocates at risk. Drug dealers reportedly convert the forests into agricultural land to launder profits.<sup>343</sup>



A 2014 joint report conducted by the Nicaraguan Centre for Human Rights, the World's Organisation against Torture and the International Federation of Human Rights noted that there was no known, coordinated, consensus-based strategy on food sovereignty implemented by the public and private sectors.<sup>344</sup> Water

The national legislation recognises water as a human right.<sup>345</sup>

The government has decentralised to local authorities responsibilities over water and sanitation services, however, according to AWA in 2015, lack of resources and proper training to those authorities impacted in the efficiency on the provision of the services.<sup>346</sup>

From 2007-2010, access to drinking water increased from 72 to 84 percent and access to sanitation services from 33 to 39 percent, according to the government.<sup>347</sup>

However, access to drinking water was reportedly scarce. According to the Nicaraguan Centre for Human Rights in 2015, the government did not maintain water distribution nets which impacted in water provision.<sup>348</sup> The Bertelsmann Foundation added in 2014 that it was estimated that by 2025 the number of people in Nicaragua having difficulties accessing potable water would increase up to 70 percent, and the demand for water over the next 50 years would increase by 300 percent.<sup>349</sup>

The quality of water for human consumption was reportedly deteriorated in areas with mining activities such as Santo Domingo and Limon due to the presence of high levels of heavy metals and aluminium in the water resources, according to a 2015 Humboldt Centre report.<sup>350</sup> Open pit gold mines in the Mining Triangle were also polluting surface and underground water resources.<sup>351</sup>

Leon, Chinandega, El Realejo and El Viejo in the Pacific region reported the presence of high levels of agrochemicals.<sup>352</sup> Coffee was water-intensive, and its intense and expanding cultivation has strained water resources.<sup>353</sup>

The Nicaraguan Centre for Human Rights reported in 2015 that pollution has resulted in cases of communities forced to buy water from private providers at very high cost.<sup>354</sup>

According to a 2013 World Bank study, more than 1 million cases of diarrhoea, of children below 5 years of age were reported in Nicaragua due to poor quality of drinking water. Of the cases reported, 240 died annually in urban areas while 320 in rural areas.<sup>355</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *December 2015, Estrategia y Negocios:* In the framework of the Conference of State Parties to the Climate Change Convention COP21 in Paris, various organisations warned on the devastating effects to the environment of the Nicaragua Gran Canal project, while at the same time the government presented it as a green initiative.<sup>356</sup>
- *November 2015, La Nacion:* The government approved the environmental and social impact assessment of the Nicaragua Grand Canal project to the Chinese contractor HKND Group. The company committed to implement 48 environmental, social and economic requirements. The project seeks to build a Canal that will connect the Pacific and the Atlantic Oceans via the Caribbean Sea through a 276 km length of a wet path. The project includes as well the construction of roads, one airport, two ports, a Free Trade Zone and a touristic complex. The government expects the project to double its GDP and create 50,000 direct employments.<sup>357</sup>

- *November 2015, W Radio:* The mining company B2Gold was reportedly polluting water resources in the proximities of its operations in Santo Domingo.<sup>358</sup>
- *September 2015, El Espectador:* The government called for a public consultation on the environmental and social impact assessment of the Nicaragua Gran Canal. However, media as well as stakeholders who oppose the project were not invited to the consultations.<sup>359</sup>
- *August 2015, Sci Dev Net:* An independent international panel of experts warned that the Nicaragua Grand Canal could kill life in the vast lake Nicaragua and produce other serious effects to the environment. The project would likely release contaminants and nutrients from the lake sediment into the water, which will reduce water quality and affect its biodiversity.<sup>360</sup> The government, however, praised that the canal would improve the well-being of its population and provide a model for sustainable growth.<sup>361</sup>
- *June 2015, Yale Environment 360:* Scientists stated that the Gran Canal Project poses threats to the environment. The excavation of hundreds of kilometres from coast to coast would destroy around 400,000 hectares of rainforest and wetland. The greatest concern was over Lake Nicaragua, as it currently provided drinking water for some towns. The company reportedly did not present an in-depth, independent EIA that could enable the public to see the possible impacts and mitigation measures that would be adopted.<sup>362</sup>
- *June 2015, Rel-UITA:* The bottling plant Aje Nicaragua S.A. who produces Big Cola reportedly discarded liquid pollutants to the Nicaragua Lake.<sup>363</sup>
- *October 2014, Beacon Reader:* The government stated that B2Gold mining project in Rancho Grande, Matagalpa was non-viable due to its negative impact in the proximities of the project, including to the environment and on people's livelihoods.<sup>364</sup>
- *June 2014, Business and Human Rights Resource Centre:* Local communities in Kukra Hill denounced that Cruka Development Corporation, the only palm oil industry in the area, polluted the air and water resources which resulted in negative impact on the health of the community.<sup>365</sup>
- *June 2013, Kepa Organisation:* The concession for the construction of a channel aimed at connecting the Atlantic Ocean with the Pacific through the great Nicaragua lake has been approved by Nicaragua's National Assembly. The process reportedly did not include consultations with local communities that will be affected by the project.<sup>366</sup>

## Company Initiatives

*Private-sector programmes that aim to ensure respect for human rights or contribute to development*

### Company Due Diligence Initiatives

**Nicaragua Sugar States Limited:** The company implements a variety of actions in order to preserve the environment including the following: re-utilisation of 20,000 gallons of water annually, production of clean energy, reforestation programmes and a recycling programme.<sup>367</sup>

**Holcim Nicaragua:** The construction company has an Environmental Policy, which sets its commitment to continuously improve its environmental performance and provide positive contributions to the business and society. It is committed to sustainable development and its based on four pillars: Management System; Resources utilisation, promoting eco-efficiency, conservation of non-renewable natural resources and recycling of secondary materials over their entire value chain; Environmental

impacts, by assessing and measuring their impacts, continuously improving processes, tools and capabilities to promote best practice in the industry; and Stakeholders relations.<sup>368</sup>

**Compañía Licorera de Nicaragua:** The liqueur producer company is committed to protecting the environment. In that line, it has been certified by ISO -14001, which assures that all waste materials are handled responsibly. The company also recycles most waste materials and upgraded its distillation system into a vacuum and multiple-effect system, which allows cutting its fuel oil consumption by 50 percent.<sup>369</sup>

**Mercon Coffee Nicaragua:** The coffee producer implements a project to obtain energy from coffee by-products. Honey water from the mills is efficiently treated, thus reducing the organic content and preventing groundwater contamination.<sup>370</sup> **CASUR:** The company in the sugarcane industry is committed to the sustainable production of sugar and its derivatives. Accordingly, the company implements and develops a Gradual Comprehensive Plan to Reduce Industrial Pollution, investment on programmes aimed at protecting water and soil in relation to sugarcane production, among others.<sup>371</sup>

## Company Development Initiatives

**Ritter Sport (2012-present):** The candy company purchased 2,500 hectares of land in the eastern part of Nicaragua with the aim of actively being involved in the sustainable cultivation of cocoa in an ecological and social manner. The land is cultivated based on the principles of integrated agriculture, which includes energy efficiency, preventing climate-relevant emissions, sustainable soil fertilisation and biodiversity. The first harvest is expected in 2017.<sup>372</sup>

**Polaris Energy Nicaragua:** The company implemented a project on water and sanitation in San Jacinto community, Leon, which allowed families to have access to water and sanitation services between 18 to 22 hours a day, compared to only 2 hours before the starting of the project.<sup>373</sup>

## Stakeholder Recommendations

**ILO and the Ministry of Labour of Nicaragua (2010):** The two institutions recommended that companies, when engaging with informal enterprises, promote and lead programmes with positive environmental impacts, including the improvement of productivity through waste reduction.<sup>374</sup>

**Humboldt Centre (2014):** The organisation recommends that mining companies in Nicaragua:

- Comply with all local legislation;
- Provide local authorities and members of local communities with copies of the assessments presented to the Ministry of Environment in relation to water quality control, in order to foster accountability. Those assessments should be commissioned to independent experts, and with the participation of members of local communities, local authorities and civil society organisations;
- Make public all EIAs for exploration projects in San Lorenzo and Rancho Grande, as well as for exploitation projects in Santo Domingo.<sup>375</sup>

# Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

## Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

### Precautionary Approach

*Does the company support a precautionary approach to environmental issues?*

- The company provides information to stakeholders about uncertainties and potential risks to workers, consumers, the public and the environment of the company's products and processes.
- The company identifies any soil and water contamination at its site or sites, assesses the environmental impacts and remedies any significant contamination.
- The company tries to avoid environmental damage by regular maintenance of production processes and environmental protection systems (air pollution control, waste water treatment systems etc.).
- The company conducts systematic risk assessments of materials used, products and processes to apply the precautionary approach.
- The company ensures transparency and engages in regular stakeholder dialogue with neighbours, civil society organisations and others with an interest in the company on critical environmental issues.
- If relevant, the company supports scientific research on environmental issues relating to the company's products and processes.

### Emergency Response

*Does the company have emergency procedures in place to prevent and address accidents affecting the environment and human health?*

- The company has identified the hazardous operations and the potential consequences on human health and the environment if an accident occurs.
- The company has detailed procedures, plans, equipment and training programmes to prevent accidents and emergencies.
- The company has detailed procedures, plans and equipment to effectively respond to accidents and emergencies if they occur.
- The company trains workers to respond to accidents and emergencies, including carrying out emergency drills at least once a year involving all workers.
- Where there is significant risk of impacts on local communities, the company has a procedure that enables it to immediately notify affected local communities about industrial emergencies, and informs about emergency response, evacuation plans and medical response.

### Energy Consumption and Climate Change

*Does the company take measures to reduce energy consumption and emissions of greenhouse gases?*

- The company complies with regulation regarding use of energy resources and emissions of greenhouse gases.

- The company has a climate strategy that identifies opportunities to reduce the company's energy consumption and/or emissions of greenhouse gases.
- The company has initiated practical activities to reduce energy consumption and/or greenhouse gas emissions.
- The company provides information and trains employees to implement energy reduction measures.
- The company monitors its energy consumption and/or emissions of greenhouse gases.
- The company has defined a baseline for its greenhouse gas emissions, which includes a definition of the business operations and activities, and the greenhouse gases that are accounted for e.g. as described in the Greenhouse Gas Protocol.
- The company has targets for reducing its energy consumption and/or emissions of greenhouse gases.
- The company engages with the government and civil society organisations to develop policies and measures that provide a framework for the business sector to contribute to building a low carbon economy.

### Water and Waste Water

*Does the company take measures to reduce water consumption and treat waste water?*

- The company has the necessary permits to extract water or obtain water from the public water supply and for any waste water discharges.
- The company treats waste water before discharge to reduce adverse environmental impacts. If waste water treatment takes place outside the company's premises, the company is aware of the effectiveness of the treatment.
- The company monitors waste water discharges, including types, limit values and quantities of pollutants in the waste water.
- The company has targets for reducing water consumption and/or increasing the amount of water reused or recycled in different business operations and activities.
- The company provides information and trains workers to implement measures to reduce water consumption and reduce the need for waste water treatment.
- The company's use of water and its waste water discharges do not negatively affect the sustainability of water resources, the natural environment or the availability of water for drinking and sanitation purposes.
- The company engages with national, regional and local public authorities, and civil society organisations to address water sustainability issues related to affected water resources.

### Waste Management

*Does the company take measures to prevent and reduce the production of waste and ensure responsible waste management?*

- The company has the necessary permits for the handling, storage, recycling and disposal of waste, and, if relevant, complies with requirements for transporting hazardous waste across borders.
- The company has a strategy to manage waste responsibly and continuously attempts to prevent and reduce the production of waste.
- The company ensures that waste relevant for recycling is sorted and handed over to a recycling company.
- The company monitors the types and quantities of waste produced, including where and how waste is recycled, treated or disposed of.

- The company has targets for reducing waste production and/or increasing waste reused/recycled and measures its progress against these targets.
- The company provides information and trains workers on the safe handling, storage, transport and disposal of hazardous and special waste types.
- The company marks areas used for storage of waste, and properly labels all containers for storing waste, including a relevant symbol of danger for hazardous waste.
- The company requests recycling/treatment/disposal receipts from transport contractors.
- The company uses licensed contractors for the transport, recycling, treatment and disposal of hazardous waste.

### Air Emissions

*Does the company prevent, reduce and treat air emissions?*

- The company has the necessary permits for emissions to air, and complies with legal requirements (e.g. air pollution standards and limit values).
- The company provides information and trains workers on how to manage air emissions.
- The company monitors the types and quantities of relevant emissions to air.
- The company treats relevant pollutants before they are emitted to the atmosphere (e.g. by using filters).
- The company continuously attempts to prevent and reduce air emissions.

### Noise, Odour, Light and Vibrations

*Does the company prevent and reduce impacts on the surrounding environment from noise, odour, light and vibrations?*

- The company has the necessary permits for levels of noise, odour, light and vibrations, and complies with legal requirements (e.g. standards or procedures).
- The company provides information and trains workers to manage noise, odour, light and vibrations.
- The company monitors levels of noise, odour, light and vibrations on the surrounding environment.
- The company treats/minimises impacts to ensure that there are no significant levels of noise, odour, light and vibrations.
- The company continuously attempts to prevent and minimise the levels of noise, odour and light (e.g. enclosed production, shielding, etc.).
- Chemicals and Other Dangerous Substances
- Does the company minimise the use and ensure safe handling and storage of chemicals and other dangerous substances?
- The company has the necessary permits and complies with legal requirements for the handling, use and storage of chemicals and other dangerous substances.
- The company does not manufacture, trade and/or use chemicals and other dangerous substances subject to national or international bans or phase-outs.
- The company provides information and trains workers on the safe handling and use of chemicals and other dangerous substances.
- The company monitors the quantities of all chemicals and other dangerous substances used in production and maintenance.
- The company marks areas used for storage of chemical substances and products.
- The company properly labels all chemical substances and products including name of the chemical and a relevant symbol of danger.

- The company considers substitution important and continuously tries to use less harmful chemicals and substances.

## Biodiversity

*Does the company prevent, minimise and remedy significant impacts on biodiversity?*

- The company has the necessary permits to operate in or alter the natural environment, and complies with legal requirements.
- The company is committed to operating within the framework of international conventions addressing biodiversity (e.g. the Convention on Biological Diversity, Cartagena Protocol on Bio-safety and the CITES Convention).
- The company has assessed important positive and negative impacts of its operations and activities on the natural environment and biodiversity (e.g. IUCN's Red List of Threatened Species and no alien invasive species).
- The company has previously and/or is currently taking measures to prevent and reduce the impacts of its operations and activities on biodiversity.
- The company clearly labels products containing GMOs and indicates if GMOs have been used in the production process.
- The company ensures that it has not had any unintended releases of GMOs.
- The company documents that workers have been adequately trained to handle GMOs.

## Natural Resources

*Does the company ensure that natural resources are used in a sustainable manner?*

- The company has the necessary permits and complies with legal requirements regarding the cultivation, harvest, extraction and/or use of natural resources (e.g. wood, fish, metals, oil, coal).
- The company complies with legal requirements regarding the cultivation, harvest, extraction and/or use of natural resources (e.g. wood, fish, metals, oil, coal etc.).
- The company ensures that workers are trained in the sustainable cultivation, harvesting, extraction and/or use of natural resources.
- The company continuously attempts to prevent, minimise and remedy significant impacts on natural resources through environmentally friendly methods and alternative resource use.
- The company ensures that its use of renewable resources does not negatively affect the sustainability of the resource (i.e. the resource's ability to regenerate).
- The company demonstrates efforts to substitute non-renewable resources used in production with renewable resources.
- The company works with local and national public authorities as well as with international institutions to address sustainability issues related to natural resources (e.g. wood, water, fish, metals, oil etc.).

## Environmentally Friendly Technologies

*Does the company encourage the development and use of environmentally friendly technologies?*

- The company uses environmentally friendly technology.
- The company regularly evaluates its processes and technologies to see if there are more environmentally friendly alternatives.
- When developing new technologies and products, the company focuses on developing environmentally friendly technology e.g. by using life cycle assessments (LCA), design for sustainability or a cradle-to-cradle approach.

- When planning new investments in technology, the company considers the best available technology and stipulates minimum environmental criteria.
- When investing in new buildings, the company implements environmentally responsible and resource-efficient materials and/or technologies.
- The company makes information describing the environmental performance and benefits of using environmentally friendly technologies available to stakeholders.

## Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- CEO Water Mandate (2011): Launched as a collaborative initiative of the UN, UN Global Compact, the Government of Sweden and a dedicated group of companies, the CEO Water Mandate is a public-private initiative designed to assist companies with the development, implementation and disclosure of policies and practices relating to water sustainability. It covers six core elements: direct operations, supply chain and watershed management, collective action, public policy, community engagement and transparency.
- IFC Performance Standards on Environmental and Social Sustainability (2012): The IFC Performance Standards provide directions to businesses on due diligence on environmental and social matters. Several of the standards are pertinent to environment, including: Assessment and Management of Environmental and Social Risks and Impacts (PS1), Resource Efficiency and Pollution Prevention (PS3), Community Health, Safety, and Security (PS4), and Biodiversity Conservation and Sustainable Management of Living Natural Resources (PS6).
- Institute for Human Rights and Business, Business, Human Rights & the Right to Water—Challenges, Dilemmas and Opportunities: This report summarises the views of various stakeholders on issues pertaining to the right to water, including consideration of the scope of a company's responsibility to respect the human right to water; the applicability of the human rights-based approach to management of water-related issues; and the business case for engaging with water-related issues.
- ISO 14000 Standards on Environmental Management Systems: Developed by the International Organisation for Standardisation, the ISO 14000 Standards provide businesses and organisations with a number of tools to assist in their environmental management systems. The objective of the standards is to encourage different actors to reduce the negative impact that their activities may have on natural resources such as air, water or land.
- United Nations Special Rapporteur on the Human Right To Safe Drinking Water and Sanitation (est. 2008): Amongst a range of issues, the mandate of the Special Rapporteur includes consideration of the regulation of the private sector in the context of private provision of safe drinking water and sanitation.
- Global Water Tool (2007): Developed by the World Business Council for Sustainable Development, this tool is designed for companies and organisations to map their water use, including risks associated with water use in global supply chains.



# Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

## Public Sector Initiatives

**National Reforestation Crusade:** The government, in collaboration with local communities, promotes the reforestation of hectares in degraded watershed and dry areas.<sup>376</sup> In 2015 alone, 29 hectares of land were reforested.<sup>377</sup>

**Food Security Strategy (2012-2016):** The strategy aims at guaranteeing families in the poorest communities, access to nutritious and healthy food. In order to achieve the goal, the government supports small-scale producers with access to credit and technical assistance as well as with the contribution of food supplies to families that are affected by climate change.<sup>378</sup>

**Ecological Battalion (2011-present):** The government has established a military unit consisting of 580 environmental soldiers designed to address the problem of illegal logging and activities that lead to deforestation or forest degradation.<sup>379</sup> The battalion works in conjunction with state prosecutors and forestry officials to identify cases of illegal environmental activity.<sup>380</sup>

## NGO Initiatives

**Humboldt Centre:** The Centre works with communities, including indigenous, in order to promote territorial development and environmental management. Its action is based on human rights; gender equality; humanitarian approach; and territoriality.<sup>381</sup>

# Land & Property

*Human rights impacts related to company acquisition, use and management of land*

Operating Environment	
International Property Rights Index rank	105 (2015)
Heritage Foundation: Economic Freedom Index Property Rights score	10 (2015)
Relevant law	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Civil Code, 1904</li> <li>• Law 445 on the right of indigenous people and ethnic communities to own, use, develop, benefit from and control traditional lands, 1987</li> </ul>
Responsible ministries	<ul style="list-style-type: none"> <li>• Ministry of Agriculture, Livestock and Forestry</li> <li>• Ministry of Development, Industry and Trade</li> <li>• Ministry of Environment and Natural Resources</li> <li>• Nicaraguan Territorial Studies Institute</li> <li>• Office of Property and Rural Titling</li> </ul>
Local NGOs addressing this issue	<ul style="list-style-type: none"> <li>• Centro de Asistencia Legal a Pueblos Indigenas</li> <li>• Centro por la Justicia y Derechos Humanos de la Costa Atlantica de Nicaragua</li> <li>• AMTIERRA</li> </ul>

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

### Land Administration

The constitution recognises the right to private property.<sup>382</sup> The Civil Code provides the legal framework for the classification of land tenure regimes. There are five legally recognised land classifications: national or state land; private land; communal land; protected areas; and *ejidal* land (collectively owned land by members of a peasant community).<sup>383</sup> Law 455 regulates communal property regimes of the indigenous lands in the autonomous regions of the Atlantic Coast and of the rivers Bocay, Coco and Indio Maiz rivers.<sup>384</sup> The Civil Code also governs real property in Nicaragua and all land that is not officially titled becomes state land.<sup>385</sup>

The latest USAID's Land Tenure and Property Rights Portal report, from 2011, noted that 56 percent of all farmland was held by 9 percent of landowners, 9 percent of land was held by 61 percent of the small-scale farmers and 38 percent of rural population was landless.<sup>386</sup> Mining concessions reportedly comprised 9 percent of total territory, accounting for 80,000 hectares of land as of 2014.<sup>387</sup> Most of those concessions were granted in protected areas, reportedly violating the national law that prohibits any concession in those territories, according to the Nicaraguan Centre for Human Rights in 2015.<sup>388</sup>

In terms of access to ancestral land, the government reported in 2014 that 21 territories were granted to indigenous communities<sup>389</sup>: 16 in the North Atlantic Autonomous Region (RAAN), 3 in the South Atlantic Autonomous Region (RAAS) and 2 in the Special Status Zone,<sup>390</sup> comprising an area of 36, 128.78 km, accounting for 30 percent of the country's total territory and 52 percent of the Caribbean Coast, which benefited 284 communities, of whom 52 percent were women.<sup>391</sup>

The Nicaraguan Centre for Human Rights also stated that during 2014, the government did not adopt any policy to continue with the process of land titling.<sup>392</sup>

According to the World Economic Forum's Global Competitiveness Report 2014-2015, the level of property rights protection in Nicaragua was one of the weakest in the world.<sup>393</sup> Freedom House noted in 2015 that property rights were not guaranteed, and when land disputes occurred, individuals with connections to the ruling party had advantages in the processes.<sup>394</sup> The USAID's Portal also stated that property rights were generally difficult to enforce and land registration was costly and time-consuming, deterring low-income families from registering their property.<sup>395</sup> The U.S. Embassy in Managua added that years of poor record keeping, as well as prior land reforms, further complicated titling, making it difficult to establish a title history.<sup>396</sup>

## Land Acquisition

The constitution preserves the government's right to restrict property rights for the purpose of putting the property to social use.<sup>397</sup> Law 445 adopted in 1987 provides for the right of indigenous people and ethnic communities to own, use, develop, benefit from and control traditional lands. It also prohibits the forced removal of indigenous groups and ethnic communities from their traditional lands.<sup>398</sup> However, according to a 2014 joint report conducted by the Nicaraguan Centre for Human Rights, the World's Organization against Torture and the International Federation of Human Rights, there was no law guaranteeing the eviction of settlers who invaded indigenous land, negatively impacting on securing their land tenure.<sup>399</sup>

The U.S. Department of State noted in 2015 that indigenous people's rights to land were violated by private firms and government-affiliated businesses that have been granted concessions in violation of national autonomy laws.<sup>400</sup>

According to a 2013 IPS News article, more than 96,500 hectares of land have already been destroyed at the Bosawas Biosphere Reserve as a result of invading settlers, including farmers from eastern and central Nicaragua, and illegal logging, resulting in the lost of livelihood of indigenous communities depended on it. Farmers have reportedly cleared land to sell timber, create pastures for cattle grazing and to grow crops for commercial purposes.<sup>401</sup> The Centro por la Justicia y Derechos Humanos de la Costa Atlantica de Nicaragua added that most territories granted to indigenous peoples were occupied by settlers through that advancement of the agriculture frontier and cattle ranching.<sup>402</sup>

Indigenous people in an attempt to defend their ancestral territories reportedly engaged in violent clashes with settlers, which resulted in episodes of indigenous peoples been killed.<sup>403</sup> In that regards, claims over members of Citizen Power Councils (Poder Ciudadano), type of local governments established to ensure the participation of communities in decision making processes and reportedly closely affiliated with the ruling party, involved in those seizures were reported by local organizations, according to the Nicaraguan Centre for Human Rights.<sup>404</sup>

Conflicts between indigenous communities and settlers reportedly exacerbated during 2014 as a result of the government's inefficiency in implementing policies to reorganise land and property. The Caribbean coast was particularly vulnerable to those conflicts.<sup>405</sup>

The Bertelsmann Foundation added in 2014 that large firms were putting pressure to acquire land in the Pacific coast in order to develop tourism projects.<sup>406</sup>

The U.S. Embassy in Managua reported in 2013 that rising property prices and poor development of the judicial system had led to widespread land theft. The cottage industry reportedly supply with false titles to those engaged with land theft.<sup>407</sup> Judges and local authorities reportedly colluded with individuals who engage in land theft.<sup>408</sup>

## Free, Prior & Informed Consent

Nicaragua has ratified ILO Convention 169 on Indigenous and Tribal Peoples, which requires consultation with indigenous and tribal peoples, and requires that they be consulted in order to obtain their free, prior and informed consent in matters that affect them.<sup>409</sup> Regional councils have veto power over exploration of natural resources in autonomous regions by the national government.<sup>410</sup>

According to the Nicaraguan Centre for Human Rights in 2014, the national legislation did not have a mechanism to implement consultation according to the habits and customs of indigenous peoples based on free, prior and informed consent.<sup>411</sup>

A submission by civil society organisations to Nicaragua's Universal Periodic Review process noted in 2014 that free, prior and informed consent was not guaranteed in numerous metal mining concessions granted in the RAAN, oil exploration and exploitation concessions granted for the Caribbean marine platform, licenses issues for the establishment of monoculture African oil palm plantation in RAAS, and the Interoceanic Nicaragua Gran Canal, a channel connecting the Atlantic Ocean and the Pacific Ocean.<sup>412</sup>

Indigenous and Afro-Caribbean Peoples at the RAAS denounced that the government pressured them in order to sign papers to consent on the proposed Gran Nicaragua Canal that would pass through their ancestral territory, instead of conducting a proper consultation to obtain their free, prior and informed consent, according to a 2016 Confidential report.<sup>413</sup>

Consultations in relation to the exploitation of natural resources were reportedly reduced to informative sessions, with limited participation from local communities, giving priority to those communities close to the ruling party, and using audio-visual material to convince under false premises on company operations. Those consultations did not comply with the principles of free, prior and informed consent, and did not include leaders of the communities most affected by the projects, according to the Humboldt Centre in 2014.<sup>414</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *2015, Freedom House:* Property owners in the proposed Nicaragua Gran Canal zone complained that they felt intimidated, including with violence, by surveyors accompanied by army and police, in connection to the project.<sup>415</sup>
- *June 2015, Yale Environment 360:* Experts reported that the Nicaragua Gran Canal would displace tens of thousands of Nicaraguans, including indigenous people whose territories the canal would

cross.<sup>416</sup> Local populations consulted by the Nicaraguan Centre for Human Rights expressed concerned about their displacement as no relocation plan was ever consulted with them.<sup>417</sup>

- *2014, Nicaraguan Centre for Human Right, World's Organization against Torture, International Federation of Human Rights:* The government granted the company Noble Energy concessions for gas exploration on the Tyra and Isabel reefs that were done without free, prior and informed consent of local communities. The company conducted consultations though they did not involve all relevant stakeholders and were merely to notify of the positive aspects of the project.<sup>418</sup>

## Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

### Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

*Before buying, renting, acquiring or otherwise accessing land or property, does the company ensure that all affected owners and users of the land or property, have been adequately consulted and compensated?*

- Prior to buying, renting, acquiring or otherwise accessing land or property, whether directly or through a third party, the company identifies all existing owners and users of the land or property, including information land users and customary owners.
- The company investigates the past usage and ownership of the land or property to ensure that past users and owners have not been wrongfully removed, and that any expropriations by the authorities have been conducted in accordance with international law.
- The company consults with affected users and owners of the land or property (including women, tenants, settlers, minorities and other vulnerable groups including indigenous peoples) and seeks their free, prior and informed consent before continuing to acquire or access the land or property.
- The company ensures that its lease or purchase of residential property and sourcing of food commodities does not considerably make housing and food scarce or too expensive for the local people.
- The company ensures that affected owners and users of the land or property are adequately compensated to help them restore their standards of living or livelihoods to the same or higher than before, and that the compensation standards are transparent and applied consistently to all communities and persons affected.

### Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- **FAO Voluntary Guidelines on the Responsible Governance of Tenure (2012):** Developed by the Food and Agriculture Organisation of the UN (FAO), the Guidelines promote responsible governance of tenure of land, fisheries and forests by outlining the principles and internationally accepted

standards for the responsible governance of tenure. The Guidelines inform States and non-government actors on relevant policies, strategies and activities.

- IFC Performance Standard 5: Land Acquisition and Involuntary Resettlement, and IFC Handbook for Preparing a Resettlement Action Plan (2002): The IFC Performance Standards are contractually binding on certain projects receiving IFC finance. PS5 is accompanied by a Guidance Note and a Resettlement Handbook that gives detailed guidance on managing resettlement and associated impacts.
- Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources (2010): A joint initiative of UNCTAD, FAO, IFAD and the World Bank, these seven principles cover all types of investment in agriculture, including between principal investors and contract farmers. The Principles provide a framework for national regulations, international investment agreements, global corporate social responsibility initiatives and individual investor contracts.

## Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

### Public Sector Initiatives

**Second Land Administration Project PRODEP II (2015-present):** The government, in cooperation with the World Bank, is implementing the project with the objective to scale up cadastral and land regularization activities in Chinandega, Esteli, Madriz, Leon, Jinotega, Matagalpa and Nueva Segovia. The project aims to strengthen local institutions and consolidating the information systems. As of 2015, more than 50 thousand documents were approved in connection to land regularisation in those regions.<sup>419</sup>

### NGO Initiatives

**Centre to Assist Indigenous People:** The Centre provides legal assistance to indigenous people's communities in their access to ancestral lands.<sup>420</sup>

# Revenue Transparency & Management

*Human rights impacts related to transparency of government revenues received from business and the distribution of such revenues*

Operating Environment	
World Economic Forum Global Competitiveness Ranking	108 (2015-2016)
Ease of Doing Business Index <i>(where 1 indicates greatest ease for doing business)</i>	125 (2015)
Transparency International: Corruption Perceptions Index rank <i>(where 1 indicates the lowest level of corruption)</i>	130 (2015)
<b>World Bank Good Governance Indicators</b>	
Voice and Accountability	35.5
Political Stability	44.2
Government Effectiveness	19.2
Regulatory Quality	38.5
Rule of Law	28.8
Control of Corruption	19.2 (2014)
EITI Country	No
Relevant law	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Penal Code, 2008</li> <li>• Law against bribery and crimes against international trade and investment, 2006</li> <li>• Access to Public Information Law, 2007</li> <li>• Government Procurement Law, 2010</li> <li>• Tax Concertation Law, 2012</li> </ul>

Responsible ministries	<ul style="list-style-type: none"> <li>• The General Directorate of Revenue</li> <li>• The Public Ethics Office</li> <li>•</li> </ul>
Local NGOs addressing this issue	<ul style="list-style-type: none"> <li>• Etica y Transparencia</li> </ul>

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

### Corruption

Nicaragua criminalises acts of corruption. The Criminal Code and Law No. 581 cover all relevant aspects of corruption, including bribery, embezzlement, extortion and money laundering.<sup>421</sup> Fraud or illegal acts committed through a corporate structure—whether toward another company or third parties—are punished though the Criminal Code.<sup>422</sup>

Shareholders, partners, directors, representatives, comptrollers, managers and others who commit corporate crimes, including white collar crimes, face pecuniary penalties and prison sentences of up to three years.<sup>423</sup>

In practice, according to the Business-Anti Corruption Portal in 2015, the law was not effectively implemented.<sup>424</sup>

A submission by civil society organisations to Nicaragua’s Universal Periodic Review process noted in 2014 that the executive branch interfered in various public institutions.<sup>425</sup> Tax and customs officials were reportedly susceptible to bribery.<sup>426</sup>

### Public Procurement

The Government Procurement Law states that public providers should comply with ethical norms and avoid corrupt practices in public procurement.<sup>427</sup> The law also requires that government contracts be advertised in national newspapers and on the Internet, and criminalises discrimination among suppliers.<sup>428</sup>

The government has established an online System for Public Procurement where investors can register and obtain information and bid on public tenders.<sup>429</sup> Public procurement accounted to 9,7 percent of Nicaragua’s GDP as of 2014.<sup>430</sup>

The U.S. Department of State’s Investment Climate Statement noted in 2014 that in practice, political connections and nepotism affected procurement decisions.<sup>431</sup> The newspaper Nicaragua Hoy noted in 2013 that many private companies were reportedly owned by government officials and when participating in public tenders, reportedly awarded the contracts in most of the cases.<sup>432</sup>

A 2014 Institute of Strategic Studies and Public Policy (ISSPP) study found that only 68 percent of the national institutions provided on their websites with information about public procurement, and when the information was available, most of the time it was incomplete and inaccurate.<sup>433</sup>

The Bertelsmann Foundation reported in 2014 that excessive exemptions were given to procedures and requirements in state contracts.<sup>434</sup>



## Revenue Transparency

The 2007 Access to Public Information Law establishes that public institutions and all private companies that manage or receive public funds, fiscal benefits, concessions or any other type of benefits must provide access to certain information.<sup>435</sup> The government has also created Citizen Power Councils (Poder Ciudadano) at the community level in order to ensure participation off all citizens in the follow-up of programmes and projects, including their implementation.<sup>436</sup>

According to a 2014 Bertelsmann Foundation report, corruption was a fundamental problem, and resulted from, among other things, a lack of transparency in budget management and the non-enforcement of the Law on Access to Public Information and other transparency mechanisms.<sup>437</sup> The World Bank reported in 2012 that no regulations existed to effectively guarantee unrestricted access to public information.<sup>438</sup>

According to a 2015 Humboldt Centre study, laws that apply to the oil and gas, and mining sectors contained gaps in terms of access to information and public accountability, specially the lack of penalties for not disclosing information.<sup>439</sup>

A joint report by the Nicaraguan Centre for Human Rights, International Organization Against Torture and the International Federation of Human Rights noted in 2014 that implementation of the Law on Access to Public Information was limited.<sup>440</sup> The report also referred to a 2012 Survey that found that although 72 percent of requests for information were responded, the quality of the answers were insufficient, and in some cases, the person requesting the information was interrogated, and considered some of those questions intimidating or restrictive.<sup>441</sup>

Freedom House noted in 2015 that the Communications and Citizenry Council, with the mandate of overseeing the governments press relations and whose head was the First Lady, was accused of limiting access to information.<sup>442</sup>

## Revenue Sharing

Tax Concertation Law 822 was adopted in 2012 and established a new tax system, including income tax from economic activities.<sup>443</sup> Corporate income tax is levied on gross income, and was established at 30 percent.<sup>444</sup>

The ISSPP reported in 2013 that a culture of avoiding taxes was present in Nicaragua and that there was a need to build a social awareness by which taxes could be seen as a mechanism to finance the country's development.<sup>445</sup>

According to a 2015 report published in the magazine Estrategias y Negocios, the estimated tax evasion in Nicaragua exceeded 10 percent of GDP, and the country lost more than US\$2,200 annually as a result of tax evasion and tax incentives to companies.<sup>446</sup> ISSPP added in 2013 that tax evasion was higher than in other Latin American countries.<sup>447</sup>

Mining companies are mandated to contribute with royalties that account to 3 percent of their income. The national law also provides that mining royalties be distributed as follows: In the Autonomous Regions in the Atlantic Coast, 35 percent to the municipality in which the concession was granted, 20 percent to the Region's General Council, 30 percent to the National Treasury, and 15 percent to the Fund for Mining Development; In all other regions, 35 percent to the municipality in which the concession was granted, 50 percent to the National Treasury, and 50 percent to the Fund for Mining Development.<sup>448</sup>

The Humboldt Centre noted in 2015 that royalties obtained through mining was minimal, and that it did not contribute to development. In addition to that, mining companies used mechanisms such as tax

incentives and 'temporal admission' that contributed to the reduction of their operational costs in the country.<sup>449</sup>

According to a 2014 joint report by the Nicaraguan Centre for Human Rights, Torture and the International Federation of Human Rights, in practice indigenous people did not participate in the sharing of benefits due to the exploitation of natural resources.<sup>450</sup>

The World Bank reported in 2013 that the government lacked professionally trained tax officials.<sup>451</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *June 2015, Yale Environment 360:* According to the Humboldt Centre, information around Nicaragua Gran Canal was incomplete and partial.<sup>452</sup> The 50-year concession stipulates that all documents, materials and other info associated to the project, whether technical, commercial or of any other nature, shall be treated as confidential.<sup>453</sup>
- *2015, Nicaraguan Centre for Human Rights:* 4 licenses to operate were granted to the Chinese company Xinwei without a legally mandated public tender process.<sup>454</sup>

## Human Rights Guidance for Businesses

*Actions and priorities suggested by local and international stakeholders as well as company initiatives to ensure company respect for human rights and contribute to human development in the local context*

### Due Diligence Library

*The following recommendations have been developed by The Danish Institute for Human Rights through research and engagement with companies*

#### Signalling a Non-Corrupt Environment

*Does the company take a clear stand against corruption?*

- The company's CEO, director or president has declared that the company will not engage in corruption at any time or in any form.
- The company has a policy rejecting corruption and requiring all directors, managers and workers worldwide to behave ethically and in conformity with the law.
- The company anti-corruption policy includes how to handle requests for facilitation payments, giving and receiving gifts, engaging in sponsorships, giving political contributions, and how to conduct responsible lobbying.
- The company has defined benchmarks and indicators regarding its anti-corruption initiatives and reports these to the public (e.g. in its annual CSR report)

## Anti-Corruption Risk Assessment

*Does the company assess the risk of corruption when doing business?*

- The company evaluates the potential areas of corruption including factors such as type of transaction, countries of operation, industries, and customers or business partners involved.
- The company evaluates the risk of corruption when workers, agents, intermediaries or consultants deal with public officials (including workers of state owned companies).
- The company evaluates the risk of internal and external conflicts of interest in relation to business partners.
- The company has developed an action plan to address the risk of corruption, and has defined responsibilities for each task, as a minimum for high-risk areas.
- The company has identified internal functions with the highest risk of corruption within the company and seeks to address these weaknesses.

## Awareness Raising

*Does the company ensure that relevant workers are properly trained?*

- The company informs all workers about its anti-corruption commitment.
- The company provides regular anti-corruption training for all relevant workers within the organisation e.g. procurement and sales staff.
- Information on disciplinary procedures for violations of company anti-corruption policies is available to workers.
- The company actively seeks worker feedback and dialogue on its anti-corruption initiatives.
- The company has and promotes a function by which workers can safely report suspicion of corruption related cases (e.g. hotline or mailbox) and allocates resources to systematically address the issues that are identified.

## Anti-Corruption Procedures

*Do the company's internal procedures support its anti-corruption commitment?*

- The company has assigned different individuals or departments to be responsible for handling contracts, placing orders, receiving goods, processing invoices and making payments.
- The company mentions 'anti-corruption' and/or 'ethical behaviour' in its contracts with business partners.
- The company prohibits informal employment and any 'off the books' record-keeping
- The company performs internal audits and has checks in place in connection with all anti-corruption commitments.
- The company's procurement, financial and internal audit personnel have clear instructions to look for and to identify alarms, report them to management, and follow-up counter measures.
- The company requests external auditors to maintain a critical eye and follow all alarms and irregularities.
- Any alarm or irregularity reported by external auditors is systematically addressed by management.
- The company monitors compliance and continuously identifies strengths and weaknesses in the anti-corruption initiatives to remain effective and up-to-date in addressing changing risks.

## Agents and Other Associates

*Does the company's anti-corruption initiative cover agents, intermediaries and consultants?*

- The company conducts an inquiry and/or attentiveness (e.g. financial, legal, labour, tax, IT, environment, market/commercial) on all agents, intermediaries and consultants.
- All agreements with agents, intermediaries and consultants are fully documented in written, signed contracts.
- The selection and terms of reference of agents, intermediaries or consultants are approved at the senior management level or at a level above that of the management involved in the operations for which the intermediary is hired.
- Contracts with agents, intermediaries and consultants include a section on anti-corruption and that the contract-holder must comply with all applicable laws and regulations.
- Agents, intermediaries and consultants are provided with information on the company's anti-corruption commitment, anti-corruption policies, training material on anti-corrupt behaviour and information on disciplinary procedures for violations of company anti-corruption policies.
- The company ensures that payment to agents, intermediaries and consultants are in line with standard payments for other service providers of similar ranking.
- The company only makes payments by bank transfer or check – never in cash – in the country of the agent, intermediary and consultant and never to a third party without prior examination.

## Communicate

*Does the company communicate progress on the Global Compact principles with stakeholders?*

- The company identifies stakeholders who affect or can be affected by the company's activities, products and services e.g. a person, group, organisation, authority.
- The company communicates progress openly about how issues covered by the Global Compact principles are managed, including performance results as well as forward-looking information on strategy and management approach, challenges, and dilemmas.
- The company regularly engages in dialogue with stakeholders to keep up-to-date with stakeholder expectations.
- The company communicates openly about how issues covered by the Global Compact principles are managed including challenges, dilemmas, success and failures.
- The company's communication on progress and other performance reporting on issues covered by the Global Compact principles is publically available and communicated to external stakeholders e.g. via the company's and Global Compact website.

## Joint Actions

*Does the company take joint actions with others to engage in and promote anti-corruption initiatives?*

- The company shares experience, procedures and challenges of corruption with other organizations i.e. the local business community, sector initiatives, networks etc.
- The company has initiated or joined initiatives with other companies in the same sector for the purpose of promoting a fair business environment.
- The company stimulates multi-stakeholder dialogue on challenges of corruption.

- The company encourages the local business community and business partners to initiate cooperation to fight corruption.

## Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- Transparency International Business Principles for Countering Bribery provide a checklist for companies to identify and reduce bribes and facilitation payments in their operations.
- The OECD Guidelines for Multinational Enterprises, applicable to enterprises in OECD Member States (and some others), require companies to respect human rights, including through due diligence. The OECD Guidelines constitute recommendations by OECD member states to multinational enterprises operating in or from adhering countries. The OECD Guidelines include competition, fiscal systems and anti-corruption.

## Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

### Public Sector Initiatives

**Workshop on the Use of Various Tax Systems (2014):** The General Directorate of Revenue conducted the workshop aimed at training 80 workers from the country's tax agencies in all new tax collection systems available.<sup>455</sup> The workshop fell under the framework of the project 'Support for the National Fiscal Policy' implemented by the European Union and the Inter-American Development Bank.<sup>456</sup>

# Security & Conflict

*Human rights impacts related to company interaction with public and private security providers and related to the impact of business on societal conflict.*

Operating Environment	
Fragile States Index	72 (2015)
Freedom House: Map of Freedom - Political Rights (On a scale of 1 through 7, where 1 indicates the highest level of freedom)	4 (2015)
Freedom House: Map of Freedom - Civil Liberties (On a scale of 1 through 7, where 1 indicates the highest level of freedom)	3 (2015)
Relevant law	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Law 228 on National Police, 1996</li> <li>• Law 510 to regulate firearms, ammunitions, explosives and other related material, 2004</li> <li>• Criminal Code, 2008</li> </ul>
Responsible agencies	<ul style="list-style-type: none"> <li>• Ministry of Governance</li> </ul>
Local NGOs addressing this issue	<ul style="list-style-type: none"> <li>• Centro Nicaraguense de Derechos Humanos</li> </ul>

## Country Context

*Human rights issues of relevance to businesses. The information in this section is gathered from publicly available sources and stakeholder consultations.*

The constitution prohibits torture and inhumane, cruel or degrading treatment.<sup>457</sup> The definition of torture in the Criminal Code was not in line with the terms of the UN Convention against Torture, according to a submission by civil society organisations to Nicaragua's Universal Periodic Review process in 2014.<sup>458</sup>

The constitution also states that no person may be arbitrarily detained, imprisoned or otherwise deprived of liberty. Under criminal law, forced disappearance is a crime against humanity.<sup>459</sup>

## Public Security Forces

The president is commander in chief of the Nicaraguan National Police, which is administered by the Ministry of Governance.<sup>460</sup> The government noted in 2014 that the National Police contributes to social harmony and public safety effectively and efficiently, based on the respect for human rights.<sup>461</sup> However, according to the Nicaraguan Centre for Human Rights in 2015, the police was the authority most accused of human rights violations with a high level of impunity. Out of 3,232 officers in 2013, only 530 were disciplined administratively, and only 37 cases were submitted to the judiciary.<sup>462</sup>

Amendments to the Military Code in 2014 gave the army a role in internal security at the discretion of the President; change that according to Freedom House, further concentrated power in the executive branch.<sup>463</sup>

According to a 2015 report by the Nicaraguan Centre for Human Rights, security forces used harsh practices during arrest and investigation, including violence, excessive use of force and torture.<sup>464</sup> The police was also reportedly supporting demonstrations of groups that were aligned to the ruling party while hindering any demonstration convened by civil society organizations.<sup>465</sup> This situation proved its lack of independent to suppress social protests.<sup>466</sup>

As of 2014, 10,378 people were incarcerated when the capacity was for 4,605, representing a 125 percent of overcrowding.<sup>467</sup> Cases of women having been raped by prison officers or by their cellmates and abuses suffered by the LGBTI community were reported by non-governmental organizations in 2014.<sup>468</sup> Detention Centres in the Caribbean region also reported high levels of overcrowding with inappropriate infrastructure.<sup>469</sup>

## Private Security Forces

Law 228 adopted in 1996 gives the National Police the mandate to authorise, regulate, inspect, monitor or suspend private security providers, as well as to monitor its personnel and their means of actions. Decree 26 adopted the same year establishes that private security could be provided by Private Security Companies, Public Security Institutions and Residential Guards.<sup>470</sup> In 2004, Law 510 was passed and regulates the use of firearms and ammunitions including by private security providers.<sup>471</sup>

The President of the Association of Private Security Providers in Nicaragua noted that as of 2012, 145 private security companies existed employing 16,000 people.<sup>472</sup> However, the real figure of private guards was estimated to be around 80,000, according to a 2014 Confidential report.<sup>473</sup>

The methodology used in the elaboration of this Guide did not find any information in relation to private security provider's impact to human rights.

## Social Conflict

According to the 2015 Environmental Justice Atlas, there were a number of conflicts in Nicaragua as a result of mining projects, hydroelectric powers and African palm cultivation.<sup>474</sup>

Police repression and criminalisation of social protest was common, according to the Nicaraguan Centre for Human Rights in 2015, particularly against extractive projects and the Interoceanic Nicaragua Gran Canal project.<sup>475</sup>

## Cases

*Reports of business-related human rights issues from NGOs, multilateral institutions and the media.*

- *November 2015, La Prensa:* One person was brutally assaulted as a result of clashes with the police in connection to a demonstration against the Nicaragua Gran Canal in Bello Horizonte. The person will reportedly suffer from a permanent disability as a consequence of the beatings.<sup>476</sup>
- *October 2015, La Informacion:* Workers demonstrating in front of the mining company B2Gold facilities were subjected to violence from the police, which resulted in the arrest of some of the demonstrators.<sup>477</sup>
- *January, 2014, Nicaragua Dispatch:* Police officers reportedly killed an employee in a demonstration near the Ingenio San Antonio in Chichigalpa demanding better medical attention.<sup>478</sup>
- *January 2013, Excelsior Noticias:* Three policemen were sentenced to 10-15 years in prison after the Court of Managua found them guilty of sexual abuse against a 12-year-old girl with disabilities. The policemen, who were part of President's Ortega Special Operations Department, reportedly wore their uniforms while performing the violation.<sup>479</sup>

## Human Rights Guidance for Businesses

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### Due Diligence Library

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*Does the company take steps to ensure that company security arrangements are in accordance with international principles for law enforcement and the use of force?*

- The company regularly conducts security risk assessments, and ensures that company security arrangements, including the deployment of private guards or public security personnel, are proportionate to the security risk.
- Company security risk assessments include the risk of human rights abuses by private and public security personnel.
- The company selects private security firms based on information about professional ability, level of staff training, quality of equipment, past involvement in human rights abuses, links with political factions or organisations and other relevant criteria.
- Contracts with private security firms include requirements related to international human rights standards for law enforcement and use of force; require the investigation and discipline of any unlawful or abusive conduct by security guards; and allow for termination of the contract in case of such conduct.



- There is a manual defining the duties of security personnel, and all security personnel receive training on rules of conduct based on international human rights standards for law enforcement and the use of force.
- Where public security personnel are assigned to company facilities, the company seeks to ensure transparency concerning its interactions with public security agencies, and the company communicates to the relevant public security agencies its desire that security functions be conducted in accordance with international human rights standards for law enforcement and the use of force.
- The company has a procedure for recording security-related incidents, including a mechanism for handling complaints from staff or local communities related to the conduct of security personnel, and forwards credible allegations of human rights abuses to the relevant authorities.
- The company has a procedure for monitoring and evaluating its security arrangements, including the proportionality of the security arrangement; impact on local communities; impact on existing local tensions or conflicts; security incidents recorded; and credible allegations of human rights abuses by company security personnel. Representatives from the local community are consulted as part of the monitoring.

## Standards & Guidance

*NGO and institutional resources to enhance human rights due diligence efforts by businesses. These resources are drawn from the Business & Human Rights Resource Centre*

- International Alert, Conflict Sensitive Business Practices: Guidance for Extractive Industries (2005): International Alert is a peace-building NGO working with civilians and other affected stakeholders in conflict areas. This Guidance is intended for companies in the extractive industries sector, providing advice on conflict-sensitive business practices and the ways in which they can contribute to peace-building.
- International Alert and Fafo Institute, Red Flags: Liability Risks for Companies Operating in High-Risk Zones (2008): The Red Flags address illicit business activities under international and national law. The initiative's objective is to clearly define what types of activities, when committed or aided by businesses, represent breaches of international humanitarian law and international criminal law.
- International Commission of Jurists, Report of the Expert Legal Panel on Corporate Complicity in International Crimes (2008): This three volume report outlines the ICJ Expert Legal Panel's findings and recommendations with regard to corporate legal responsibility for complicity in international crimes, under both civil and criminal law.
- The Dodd-Frank Wall Street Reform and Consumer Protection Act (2010): Section 1502 of the Act requires public and private companies to disclose the use of any conflict minerals in their products. This promotes greater transparency and dissuades companies from engaging in trade that may support regional conflicts.
- International Committee of the Red Cross, Business and International Humanitarian Law (2006): The Guidance explains the obligations of businesses under international humanitarian law, including noting relevant distinctions between international human rights law and international humanitarian law.

# Engagement Opportunities

*Development initiatives by public and private actors that provide opportunities for companies to contribute to human development*

## Public Sector Initiatives

**Human Rights Training (2014):** The government made mandatory human rights training for new police and prison officers, and required existing officers to include the training into their continuing professional development programs.<sup>480</sup> The prison training system had also broadened the study programs, examining in depth the areas of adolescents, women, human rights and the standard minimum rules for the treatment of prisoners, and including the subjects of the Code on Children and Young Persons, the UN Rules for the protection of juveniles deprived of their liberty, and the UN standards minimum rules for the administration of juvenile justice.<sup>481</sup>

# Access to Remedy

*Bodies to which victims of corporate human rights abuses can file grievances and seek redress.*

## Judicial Mechanisms

Freedom House noted in 2015 that the judiciary was dominated by affiliates from the ruling party FSLN and PLC, and the Supreme Court was controlled by judges from the ruling party.<sup>482</sup> The UN Special Rapporteur in the Independence of Judges and Lawyers added in 2013 that the appointment of Supreme Court Justices was heavily influenced by politics.<sup>483</sup>

A 2014 joint report by the Nicaraguan Centre for Human Right, International Organization against Torture and the International Federation of Human Rights expressed concern about the administration of justice as it was common that political parties and the private sector used the system for clientele's purposes and influence peddling.<sup>484</sup>

The government reported in 2014 that full coverage of judges and defence lawyers was achieved in all areas of the country.<sup>485</sup> However, according to Freedom House in 2015, access to justice was limited in rural areas and on the Caribbean Coast.<sup>486</sup>

Freedom House further added in 2015 that the court system suffered from corruption, delays, backlog and severe shortage of public defenders.<sup>487</sup>

From 2012-2014, an average of 130,000 cases were submitted to the judiciary, of which on average 116,000 reached a decision.<sup>488</sup>

A 2011 Inter-American Commission on Human Rights report noted that officials responsible for receiving complaints and investigating them did not take the victim's circumstances into account, as in the case of indigenous women, migrant women or Afro-descendant women.<sup>489</sup>

## Labour Courts

Labour courts are responsible for resolving labour disputes.<sup>490</sup> A new Labour and Social Security Code adopted in 2013 allows labour trials to be conducted orally and workers are permitted to present their complaints before a judge verbally. The changes were aimed at reducing the duration of labour suits to six months, compared to up to six years under the former code.<sup>491</sup> The new regulation created also the figure of a judicial mediator with the mandate to mediate labour disputes orally in the first instance.<sup>492</sup> The latest official data reported that during 2013, 11,548 cases were submitted to the Labour Courts, of which 5,917 reached a decision.<sup>493</sup> Most cases were submitted to the Labour Court of Managua, followed by Matagalpa, Leon and Chinandega, and those locations where housing most companies in Nicaragua.<sup>494</sup>

## Civil and Criminal Courts

Civil courts hear cases regarding human rights violations.<sup>495</sup>

The latest official data reported that during 2013, 23,611 cases were submitted to Civil Courts, of which 6,474 reached a decision.<sup>496</sup> In terms of cases submitted to criminal courts, 58,470 were reported, of which 31,900 reached a decision.<sup>497</sup>

Civil and criminal courts hear cases on violations against environmental laws. According to the United Nations Development Programme, the judiciary reportedly lacked technical knowledge on how to apply and interpret environmental laws, including the Special Law of Crimes Against the Environment and Natural Resources, and was not full capable of identifying violations, assess damages and sanction accordingly.<sup>498</sup>

## Family Courts

Family Courts were established and include Specialized Women Units.<sup>499</sup> According to the Movimiento Autónomo de Mujeres, women failed to report abuses to authorities because they feared retribution, loss of economic security and social stigma.<sup>500</sup> A 2011 Inter-American Commission on Human Rights report noted that lengthy and complicated procedures were in many cases factors that deterred women from pursuing their complaints within the judicial system.<sup>501</sup>

The latest official data reported that during 2013, 43,148 cases were submitted to Family Courts, of which 18,363 reached a decision.<sup>502</sup> Non-Judicial Mechanisms

## National Human Rights Institution

The Ombudsman for the Defence of Human Rights has been appointed as Nicaragua's NHRI. The Office has designed a system for filing complaints related to human rights abuses, including in relation to women, indigenous people, sexual minorities and persons living with HIV/AIDS. According to the NHRI, 3,242 complaints were received during 2014, an increase of 4 percent compared to 2013 figures. The great majority of cases corresponded to violations of women's rights.<sup>503</sup> The National Police was the institution with most complaints in relation to violations of human rights, including in connection to due process and individual liberty.<sup>504</sup>

A submission by civil society organisations to Nicaragua's Universal periodic Review process stated in 2014 that the Ombudsman remained in his place even though his terms of office expired, and that the office lacked independence and impartiality.<sup>505</sup>

Since November 2009, victims of discrimination on the basis of sexual orientation can file complaints to a Special Ombudsman for the Defence of Sexual Diversity Rights within the NHRI. The office investigates allegations and fines companies, institutions or persons, including public officials, if violations are found.<sup>506</sup> The Special Ombudsman received 53 complaints during 2014.<sup>507</sup>

## Procurator General

The office has established a National Property Procurator whose mission is to protect the right to property of individuals, as well as to intervene in claims over property.<sup>508</sup> The Procurator also assists in the investigation of corruption cases as the State's representative.<sup>509</sup>

## Attorney General

A special unit on environmental protection at the Attorney General's Office is responsible for investigating and prosecuting crimes of illegal logging and pollution of soil, waters and air, and submit cases to civil or criminal courts in order to protect the environment.<sup>510</sup> During the first semester of 2014, the Unit received 84 cases related to environmental crimes.<sup>511</sup>

The Office has also established a citizens' complaint mechanism (*denuncia ciudadana*) to report any unlawful act that harms state property or that involves misuse of public funds to the detriment of transparency in the public administration.<sup>512</sup> The Office has the mandate to receive and investigate complaints of cases related to corruption.<sup>513</sup>

## Conciliation-Based Mechanisms

The U.S. Department of State noted in 2015 that in practice, the government sought to foster the resolution of labour disputes through informal negotiations rather than formal administrative or judicial processes.<sup>514</sup>

A labour dispute is first submitted to the Ministry of Labour who tries to solve it under direct settlement between employers and workers, with the participation of a conciliator. If an agreement is not reached, a strike can be initiated or, if the parties agree, be submitted to arbitration.<sup>515</sup> The Department of State noted however that processes were lengthy and complicated. The latest available data, from 2012, reported that the Ministry of Labour submitted 1.060 labour disputes to the judiciary.<sup>516</sup>

The Supreme Court's Office for Alternative Dispute Resolution provides mediation and arbitration before and during litigation on matters including family, commercial, agrarian, civil, land and property.<sup>517</sup>

In 2014 amendments to the Comprehensive Law on Violence Against Women were introduced and included the creation of a Family Council and mandates that disputes in the context of an interpersonal relationship be presented to that forum before any judicial action is interposed. According to the Nicaraguan Human Rights Centre in 2015, such a mandate will hide the problem of violence against women in the country, and the fact that such a step is mandatory, limits victims' access to justice.<sup>518</sup> Amnesty International stated in 2014 that as a result of the amendment, women may have to face their attackers in the mediation process, while those accused of committing abuses may avoid being held to account for their crimes.<sup>519</sup>

A conflict resolution mechanism has been set up by the Environmental Unit at the Procurator's General Office to resolve environmental cases. The mechanism includes compensation *in natura*, whenever possible, as a result of the environmental damages that have occurred. Companies have reportedly used the mechanism as an alternative to the judiciary.<sup>520</sup>

## Police-Based Mechanisms

The Police Intelligence Unit investigates cases of child labour and human trafficking.<sup>521</sup> On each of Nicaragua's 16 departments and the capital's 10 districts, an officer is appointed to receive anti-trafficking training and work with the Anti-Trafficking Unit to investigate trafficking cases.<sup>522</sup>

The police have also established a hotline number to receive reports on the welfare of children, including those in danger of exploitation.<sup>523</sup> According to official figures, 30 cases of trafficking were under investigation during 2013.<sup>524</sup>

160 Police Units for Women and Children were in operation as of 2013, which facilitated access to justice and legal protection.<sup>525</sup>

The National Police has a Unit on Judicial Assistance that could contribute to the investigation of corruption cases.<sup>526</sup>

## Administrative Mechanisms

The Ministry of the Family, Adolescence and Childhood has a hotline number to receive reports on human trafficking and commercial sexual exploitation.<sup>527</sup>

The Ministry of Labour has established Mobile Offices to actively reach rural populations. Since the implementation of these mobile offices, rights-related complaints by employees have increased significantly.<sup>528</sup>

## Civil Society Organizations

Local organisations such as Fundación Grupo Cívico Ética y Transparencia have been offering training to local communities such as in the Autonomous Region on how to file complaints in relation to practices of corruption in their communities.<sup>529</sup>

The Nicaraguan Centre for Human Rights handles complaints in relation to human rights violations. During 2014, 1,577 claims cases were received. The majority of them (749 cases) related to the National Police, including mistreatment and physical violence during detentions, and repressions of demonstrators. The Centre also received 112 cases in connection to companies in Free Trade Zones.<sup>530</sup>

The NGO Casa Alianza also receives claims in relation to children's rights. During 2013 50 cases of sexual exploitation and 45 of labour exploitation were submitted to the organisation.<sup>531</sup>

## Informal Justice Mechanisms

The government has been implementing means of improving access to justice to communities that are excluded from the formal system due to practical barriers such as lack of judiciary personnel or infrastructure to reach remote rural areas, such as judicial facilitators. These facilitators are a network of voluntary leaders of communities or districts that aimed at improving their access to justice. The facilitators help mediate cases, advise individuals on legal topics and help resolve cases within their competence. This system has been benefiting indigenous communities, as it facilitates the connection between formal justice and indigenous laws.<sup>532</sup> As of 2016, approximately 2,500 judicial facilitators existed, including 16 members of indigenous communities, and around 90,000 services were provided that benefited 269,247 people.<sup>533</sup>

The government also established a Working Group presided by a Cardinal, and composed of the Property Intendancy, General Prosecutor, Judiciary and the Nicaraguan Territorial Studies Institute, open to the participation of citizen power councils, community leaders and the Justice and Peace Commission in order to hear cases related to land disputes. The mechanism, according to government officials, proved to be successful.<sup>534</sup>

## International Mechanisms

### UN Human Rights Council

The Human Rights Council has established Special Procedures that are independent human rights experts with the mandate to report on human rights from a thematic or country-specific perspective. They can act upon information received on alleged violations of human rights and send communications to States and non-State actors asking for clarification and action.<sup>535</sup> One of those Special Procedures is the Working Group on the issue of human rights and transnational corporations and other business enterprises.<sup>536</sup>

### Inter-American Commission on Human Rights

The Inter-American Commission on Human Rights is a principal and autonomous organ of the Organization of American States whose mission is to promote and protect human rights. In that line, it has established an individual petition system,<sup>537</sup> by which the Commission investigates a human rights violation and makes recommendations to the State responsible to restore the enjoyment of rights whenever possible, to prevent a recurrence of similar events, to investigate the facts and make reparations.<sup>538</sup>

The Inter-American System for the Promotion and the Protection of Human Rights has been used while seeking remedies. In that regards, complaints were filed to the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights has ruled in favour of indigenous peoples rights.<sup>539</sup> Other cases included the effects of a strike and the following dismissed of workers;<sup>540</sup> and the confiscation of private property from individuals.<sup>541</sup>

## Central-American Court of Justice

The Court is a tribunal of general jurisdiction to promote peace and regional unity. The Court has jurisdiction to hear complaints in relation to lack of implementation of judicial decisions. The Court has no jurisdiction on human rights violation of the American Convention on Human Rights, which are the solely responsibility of the IACHR.<sup>542</sup>

During 2012, four cases were admitted in relation to the lack of implementation of judgements in favour of five state workers who had not been paid severance. The Court also ruled in relation to 10 NHRI former workers fired in 2009 due to union affiliation.<sup>543</sup>

## The International Finance Corporation Compliance Advisor Ombudsman

Adverse impacts related to projects financed by the International Finance Corporation or Multilateral Investment Guarantee Agency of the World Bank can be mediated and/or investigated by the Compliance Advisor Ombudsman (CAO). CAO's mission is to address complaints by people affected by IFC/MIGA projects, and to enhance the social and environmental accountability of both institutions. The CAO has a dispute resolution function and an investigatory one.<sup>544</sup>

Two cases were presented to the CAO, the first one in 2008 in relation to health impacts on local communities including Chronic Kidney Disease and respiratory problems as a result of sugarcane burning, labour and working conditions such as right of association and restrictions to forming a union, inappropriate land acquisition in relation to indigenous communities and offsite environmental impacts including water, contamination, air pollution and pesticides effluence, all of these in connection to the operations of a sugarcane mill in Leon and Chinandega; and a second case presented in 2015 in relation to community health and safety, environmental pollution, land tenure and information disclosure in connection with the operations of four sugar mills in Montelimar.<sup>545</sup>

## The World Bank Inspection Panel

The Panel that has the mandate to receive complaints from communities who have been or are likely to be affected by a World Bank-financed project.<sup>546</sup> The mechanism has not been used as of 2016.<sup>547</sup>

The Inter-American Development Bank Independent Consultation and Investigation Mechanisms

The ICIM is an independent accountability mechanism that investigates allegations by groups or persons of communities that believe have been harmed by Bank-financed projects due to non-compliance with the IDB's operational policies.<sup>548</sup> The mechanism has not been used as of 2015.<sup>549</sup>

## International Labour Organization

Trade unions and employers' organisations can submit complaints to the International Labour Organization's Committee on Freedom of Association.<sup>550</sup> As of 2015, one case was active and one was under follow-up.<sup>551</sup>



# Sources

<b>Laws and Policies</b>	<ul style="list-style-type: none"> <li>• Constitution, 1948</li> <li>• Law 445 on the right of indigenous people and ethnic communities to own, use, develop, benefit from and control traditional lands, 1987</li> <li>• Law 28 for an autonomous government and a system of communal ownership of territories in the Atlantic Coast region, 1987</li> <li>• Law 228 on National Police, 1996</li> <li>• Law No. 238, Law for the Promotion, Protection and Defence of Human Rights of People Living with HIV/AIDS, 1996</li> <li>• Trade Union Law, 1997</li> <li>• Law 392 for the Promotion of Nicaraguan Youth's Comprehensive Development, 2001</li> <li>• Law 510 to regulate firearms, ammunitions, explosives and other related material, 2004</li> <li>• The Special Law of Crimes Against the Environment and Natural Resources, 2005</li> <li>• Law against bribery and crimes against international trade and investment, 2006</li> <li>• Logging Moratorium Law, 2006</li> <li>• Decree 76 on Environmental Impact Assessments, 2006</li> <li>• Law against bribery and crimes against international trade and investment, 2006</li> <li>• Law on social protection of children and adolescents, 2006</li> <li>• Access to Public Information Law, 2007</li> <li>• General law on Occupational Hygiene and Health, 2007</li> <li>• Law 648 on Equal Rights and Opportunities guarantees equal pay for equal work, 2008</li> <li>• General law on Work Inspection, 2008</li> <li>• Penal Code, 2008</li> <li>• Government Procurement Law, 2010</li> <li>• Water Law, 2010</li> <li>• Law 763 on the Rights of Persons with Disabilities, 2011</li> <li>• Law 757 on Dignified and Fair Treatment for Indigenous and Afro-Descendants, 2011</li> <li>• Tax Concertation Law, 2012</li> <li>• The Comprehensive Act Against Violence Towards Women was adopted, 2012</li> <li>• Law on the Application of a Minimum Wage, 2012</li> <li>• Labour and Social Security Code, 2013</li> <li>• Law Against Trafficking in Persons, 2015</li> </ul>
<b>National Institutions</b>	<ul style="list-style-type: none"> <li>• Ministry of Agriculture, Livestock and Forestry</li> </ul>

	<ul style="list-style-type: none"> <li>• Ministry of Development, Industry and Trade</li> <li>• Ministry of Family, Adolescence and Childhood</li> <li>• Ministry of Governance</li> <li>• Ministry of Labour</li> <li>• Ministry of Environment and Natural Resources</li> <li>• Ministry of Youth</li> <li>• National AIDS Commission (CONISIDA)</li> <li>• National Commission to Fight Violence Against Women</li> <li>• National Commission for the Elimination of Racial Discrimination</li> <li>• National Council for the Promotion and Implementation of the Rights of Persons with Disabilities</li> <li>• National Institute for Development Data</li> <li>• Nicaraguan Social Security Institute</li> <li>• National Coalition against Trafficking in Persons</li> <li>• National Council on Occupational Health and Safety</li> <li>• National Minimum Wage Commission</li> <li>• Nicaraguan Territorial Studies Institute</li> <li>• Nicaraguan Women's Institute</li> <li>• Office of Nicaraguan National Police of the Superintendent of Women</li> <li>• Office of Property and Rural Titling</li> <li>• Parliamentary Commission on Ethnic Affairs</li> <li>• Secretariat of Indigenous and Afro-Descendant Affairs</li> <li>• Secretariat for the Promotion and Implementation of the Rights of Persons with Disabilities</li> <li>• The Public Ethics Office</li> <li>• The General Directorate of Revenue</li> </ul>
<b>National Human Rights Institution</b>	<ul style="list-style-type: none"> <li>• National Advocate for Human Rights</li> </ul>
<b>Local Organisations</b>	<ul style="list-style-type: none"> <li>• Better Work Nicaragua</li> <li>• Centre for Human Rights, Citizens and Autonomous</li> <li>• Centro Humboldt</li> <li>• Centro de Asistencia a Pueblos Indigenas</li> <li>• Centro de Investigacion de la Comunicacion</li> <li>• FUNIDES</li> <li>• Instituto de Estudios Estrategicos y Politicas Publicas</li> <li>• Movimiento Autonomo de Mujeres</li> <li>• Nicaraguan Centre for Human Rights</li> <li>• Organizacion AWA</li> <li>• Organizacion SIMAS</li> </ul>
<b>International Organisations</b>	<ul style="list-style-type: none"> <li>• Central-American Bank for Economic Integration</li> <li>• Inter-American Development Bank</li> <li>• Inter-American Commission on Human Rights</li> <li>• Inter-American Institute for Agriculture Cooperation</li> <li>• International Labour Organization</li> </ul>

	<ul style="list-style-type: none"> <li>• International Finance Corporation</li> <li>• International Fund for Agricultural Development</li> <li>• International Monetary Fund</li> <li>• ILO Committee of Experts on the Application of Conventions and Recommendations</li> <li>• International Organisation for Migration</li> <li>• OECD</li> <li>• Organization of American States</li> <li>• Office for the High Commissioner of Human Rights</li> <li>• UNAIDS</li> <li>• UN Committee on Economic, Social and Cultural Rights</li> <li>• UN Economic Commission for Latin-America and the Caribbean</li> <li>• UN Human Rights Council</li> <li>• UNDP</li> <li>• World Bank</li> <li>• World Food Programme</li> </ul>
International Sources	<ul style="list-style-type: none"> <li>• Amnesty International</li> <li>• Bertelsmann Foundation</li> <li>• Business and Human Rights Resource Centre</li> <li>• Business Anti-Corruption Portal</li> <li>• BSR</li> <li>• Central America Women's Network</li> <li>• Central America Data</li> <li>• Danish Trade Union Council for International Development Cooperation</li> <li>• Deloitte</li> <li>• Demotix</li> <li>• Estrategia y Negocios</li> <li>• Eurasia Review</li> <li>• Environmental Democracy Index</li> <li>• Environmental Justice Atlas</li> <li>• Freedom House</li> <li>• Fox News</li> <li>• FSD foundation for Sustainable Development</li> <li>• Global Development Network</li> <li>• Global Fairness Initiative</li> <li>• Global Rights</li> <li>• Global Slavery Index</li> <li>• Human Rights Without Borders</li> <li>• ILGALAC</li> <li>• KPMG</li> <li>• Kepa Organization</li> <li>• Law Firm Alvarado y Asociados</li> <li>• Indigenous People's Issues and Resources</li> <li>• International Federation for Human Rights</li> <li>• International Trade Union Federation</li> <li>• International Working Group for Indigenous Affairs</li> <li>• Minority Rights Group International</li> <li>• Oxfam</li> </ul>

	<ul style="list-style-type: none"> <li>• PriceWaterhouse Coopers</li> <li>• Rural Poverty Portal</li> <li>• SCI DEV Net</li> <li>• Social Watch</li> <li>• Tu Salario</li> <li>• The Centre for Public Integrity</li> <li>• The Global Fairness Initiative</li> <li>• University of Utrich</li> <li>• USAID</li> <li>• U.S. Department of State</li> <li>• U.S. Department of Labor</li> <li>• US Central Intelligence Agency</li> <li>• US Embassy in Managua</li> <li>• UTZ Certified</li> <li>• World Council of Churches</li> <li>• World Economic Forum</li> <li>• Yale Environment 360</li> </ul>
Media Reports	<ul style="list-style-type: none"> <li>• BBC News</li> <li>• Beacon Reader</li> <li>• Confidencial</li> <li>• CNN</li> <li>• Costa Rica Star</li> <li>• Diario Hoy</li> <li>• Diario Rotativo</li> <li>• Excelsior Noticias</li> <li>• El Espectador</li> <li>• El Nuevo Diario</li> <li>• El Pais</li> <li>• El 19 Digital</li> <li>• Hispan TV</li> <li>• IPS News</li> <li>• La Gran Epoca</li> <li>• La Informacion</li> <li>• La Prensa</li> <li>• NBC News</li> <li>• Nicaragua Dispatch</li> <li>• Nicaragua Hoy</li> <li>• Nuevaya</li> <li>• Radio La Primerisima</li> <li>• Rel-UITA</li> <li>• W Radio</li> <li>• 100 Noticias</li> </ul>
Companies	<ul style="list-style-type: none"> <li>• Cargill</li> <li>• CASUR</li> <li>• CEMEX</li> <li>• Compania Licorera de Nicaragua</li> <li>• Empresa Nicaraguense de Alimentos Basicos</li> <li>• Telefonica</li> <li>• Grupo Coen</li> </ul>

- HOLCIM
- Mercon Coffee Nicaragua
- Nicaragua Sugar Estates Limited
- Nuevo Carnic
- Ritter Sport

# Endnotes

---

<sup>1</sup> Organizacion de Estados Americanos, Ficha Tecnica, Mision de Acompañamiento Electoral en Nicaragua, 2011: <http://www.oas.org/es/sap/deco/moe/nicaragua2011/ficha.asp>

<sup>2</sup> Organizacion de Estados Americanos, Ficha Tecnica, Mision de Acompañamiento Electoral en Nicaragua, 2011: <http://www.oas.org/es/sap/deco/moe/nicaragua2011/ficha.asp>

<sup>3</sup> International Working Group for Indigenous Affairs, Nicaragua Update 2011, 2012: <http://www.iwgia.org/regions/latin-america/nicaragua/883-update-2011-nicaragua>

<sup>4</sup> Centro Nicaraguense de Derechos Humanos, informe alternativo al proceso UPR Nicaragua, 2014: [http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)

<sup>5</sup> International Working Group for Indigenous Affairs, Nicaragua Profile, 2013: <http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2013/Nicaragua.pdf>

<sup>6</sup> Bertelsmann Foundation, Nicaragua Country Report, 2016: [http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Nicaragua.pdf](http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Nicaragua.pdf)

<sup>7</sup> Eurasia Review, Nicaragua: Ortega Headed To Landslide Victory In Elections, November 4, 2011: <http://www.eurasiareview.com/04112011-nicaragua-ortega-headed-to-landslide-victory-in-elections/>

<sup>8</sup> International Working Group for Indigenous Affairs, Nicaragua Update 2011, 2012: <http://www.iwgia.org/regions/latin-america/nicaragua/883-update-2011-nicaragua>

<sup>9</sup> International Federation for Human Rights, Situation of Human Rights Defenders, Nicaragua, May 2011: [http://www.fidh.org/-Nicaragua,672-?id\\_mot=813](http://www.fidh.org/-Nicaragua,672-?id_mot=813)

<sup>10</sup> Confidencial, Bautizan las Reformas violando la Constitucion, 2014: <http://www.confidencial.com.ni/articulo/15845/bautizan-las-reformas-violando-la-constitucion>

BBC News, Nicaragua's new constitution becomes law, 2014: <http://www.bbc.co.uk/news/world-latin-america-26146038>

<sup>11</sup> Nicaragua Dispatch, Sandinistas approve constitutional reform in second vote, 2014: <http://www.nicaraguadispatch.com/news/2014/01/sandinistas-approve-constitutional-reforms-in-second-vote/8581>

<sup>12</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015: <https://freedomhouse.org/report/freedom-world/2015/nicaragua>

- 
- <sup>13</sup> Freedom House, Freedom in the Word Report, Nicaragua, 2015: <https://freedomhouse.org/report/freedom-world/2015/nicaragua>
- <sup>14</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>
- <sup>15</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>
- <sup>16</sup> World Bank, Country at a Glance, Nicaragua, 2014: <http://www.worldbank.org/en/country/nicaragua>
- <sup>17</sup> UNDP, Human Development Report 2015, Nicaragua: [http://hdr.undp.org/sites/all/themes/hdr\\_theme/country-notes/NIC.pdf](http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/NIC.pdf)
- <sup>18</sup> CIA The World Factbook, Country Comparison: Distribution of family income - Gini index, NO DATE: <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2172rank.html?countryName=Nicaragua&countryCode=nu&regionCode=cam&rank=58#nu>
- World Bank, GINI Index, 2012: [http://data.worldbank.org/indicator/SI.POV.GINI?order=wbapi\\_data\\_value\\_2009+wbapi\\_data\\_value+wbapi\\_data\\_value-first&sort=desc](http://data.worldbank.org/indicator/SI.POV.GINI?order=wbapi_data_value_2009+wbapi_data_value+wbapi_data_value-first&sort=desc)
- <sup>19</sup> Rural Poverty Portal, Rural Poverty in Nicaragua, 2012: <http://www.ruralpovertyportal.org/country/home/tags/nicaragua>
- <sup>20</sup> UNDP, Human Development Report 2015, Nicaragua: [http://hdr.undp.org/sites/all/themes/hdr\\_theme/country-notes/NIC.pdf](http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/NIC.pdf)
- <sup>21</sup> World Bank, Country Partnership Strategy for the Republic of Nicaragua, 2012: <http://www.worldbank.org/en/news/press-release/2012/11/13/nicaragua-wb-new-2013-2017-strategy-promotes-social-well-being-greater-productivity>
- <sup>22</sup> UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/070/68/PDF/G1407068.pdf?OpenElement>
- <sup>23</sup> UNDAF 2013-2017: <http://undg.org/home/country-teams/latin-america-the-caribbean/nicaragua/>
- <sup>24</sup> Plan Nacional de Desarrollo Humano, 2012-2016: <http://www.pndh.gob.ni/documentos/pndhActualizado/pndh.pdf>
- <sup>25</sup> Plan Nacional de Desarrollo Humano, 2012-2016: <http://www.pndh.gob.ni/documentos/pndhActualizado/pndh.pdf>
- <sup>26</sup> Inter-American Development Bank Country Strategy with Nicaragua, 2012-2017: <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=37303954>
- <sup>27</sup> Inter-American Development Bank Country Strategy with Nicaragua, 2012-2017: <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=37303954>
- <sup>28</sup> Banco Centro Americano de Integración Económica, Estrategia para Nicaragua, 2013-2017: <http://www.bcie.org/uploaded/content/category/1473197249.pdf>

- 
- <sup>29</sup> United Nations Development Assistance Framework (UNDAF) 2013-2017:  
<http://undg.org/home/country-teams/latin-america-the-caribbean/nicaragua/>
- <sup>30</sup> World Bank, Country Assistance Strategy Nicaragua, 2013-2017: [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2012/10/24/000386194\\_20121024011712/Rendered/PDF/692310CASOP1280Official0Use0Only090.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2012/10/24/000386194_20121024011712/Rendered/PDF/692310CASOP1280Official0Use0Only090.pdf)
- <sup>31</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>32</sup> OHCHR, Universal Periodic Review, 2010:  
<http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CNI%5CSession7.aspx>
- <sup>33</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>34</sup> International Labour Organization, Código de Trabajo de Nicaragua, 1996:  
[Nicaraguahttp://www.ilo.org/dyn/natlex/docs/WEBTEXT/45784/65050/S96NIC01.htm#l1t1c2](http://www.ilo.org/dyn/natlex/docs/WEBTEXT/45784/65050/S96NIC01.htm#l1t1c2)
- <sup>35</sup> Committee on Economic, Social and Cultural Rights, Concluding Observations 2008 on Nicaragua, 2009: <http://tb.ohchr.org/default.aspx?country=ni>
- <sup>36</sup> Center for Human Rights, Citizens and Autonomous, UN Resolution 64/169 2011 Year for People of African Descendants, Analysis of Resolutions's Implementation in Nicaragua, 2011:  
[http://cedehcanicaragua.com/documentos/Analysis\\_of\\_the\\_Implementation\\_of\\_UN\\_Res\\_64169\\_in\\_Nicaragua.pdf](http://cedehcanicaragua.com/documentos/Analysis_of_the_Implementation_of_UN_Res_64169_in_Nicaragua.pdf)
- <sup>37</sup> Comisión Económica de la ONU para América Latina y el Caribe (CEPAL), Indigenous Peoples and Afro – descendants, Basic Demographic Profiles, 2011:  
[http://www.eclac.cl/celade/noticias/paginas/5/45125/FDPopolo\\_2.pdf](http://www.eclac.cl/celade/noticias/paginas/5/45125/FDPopolo_2.pdf)
- <sup>38</sup> Comisión Económica de la ONU para América Latina y el Caribe (CEPAL), Indigenous Peoples and Afro – descendants, Basic Demographic Profiles, 2011:  
[http://www.eclac.cl/celade/noticias/paginas/5/45125/FDPopolo\\_2.pdf](http://www.eclac.cl/celade/noticias/paginas/5/45125/FDPopolo_2.pdf)
- <sup>39</sup> Center for Human Rights, Citizens and Autonomous, UN Resolution 64/169 2011 Year for People of African Descendants, Analysis of Resolutions's Implementation in Nicaragua, 2011:  
[http://cedehcanicaragua.com/documentos/Analysis\\_of\\_the\\_Implementation\\_of\\_UN\\_Res\\_64169\\_in\\_Nicaragua.pdf](http://cedehcanicaragua.com/documentos/Analysis_of_the_Implementation_of_UN_Res_64169_in_Nicaragua.pdf)
- <sup>40</sup> Instituto Nacional de Información de Desarrollo, IV CENAGRO, 2011:  
<http://www.inide.gob.ni/Cenagro/INFIVCENAGRO/index.html>
- <sup>41</sup> World Council of Churches, Afro-descendent minorities in Latin America, June 2011:  
<http://www.oikoumene.org/en/news/events/ev/se/browse/1/article/1634/Afro-descendent-minorities.html>
- <sup>42</sup> UN Committee on Economic, Social and Cultural Rights, Concluding Observations on Nicaragua, 2008:  
<http://tb.ohchr.org/default.aspx?country=ni>
- <sup>43</sup> US Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>



- 
- <sup>44</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>45</sup> Organization Internacional para las Migraciones, Perfil Migratorio de Nicaragua, 2013:  
[http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)
- <sup>46</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>47</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>48</sup> OIM, Perfil Migratorio de Nicaragua, 2013:  
[http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)
- <sup>49</sup> OIM, Perfil Migratorio de Nicaragua, 2013:  
[http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)
- <sup>50</sup> Central America Women's Network, La Discapacidad en Nicaragua—una realidad,' FEMUCADI, January 6, 2011: [http://www.cawn.org/assets/toolkit\\_FEMUCADI%20doc.pdf](http://www.cawn.org/assets/toolkit_FEMUCADI%20doc.pdf)
- <sup>51</sup> U.S. Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236704#wrapper>
- <sup>52</sup> Ministerio del Trabajo, Ley de los Derechos de las Personas con Discapacidad, 2011:  
<http://www.mitrab.gob.ni/documentos/leyes/Ley%20No.%20763%20Nic.pdf/view>
- <sup>53</sup> U.S. Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236704#wrapper>
- <sup>54</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>55</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>56</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>57</sup> El Nuevo Diario, Personas con Discapacidad con barreras laborales, 2013:  
<http://www.elnuevodiario.com.ni/economia/282898>
- <sup>58</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>59</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>60</sup> U.S. Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236704#wrapper>
- <sup>61</sup> Comision Economica de la ONU para America Latina y el Caribe, (CEPAL) Disability in Nicaragua, 2012:  
<http://dds.cepal.org/discapacidad/publicaciones/ficha/?id=2130>

<sup>62</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>63</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>64</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>65</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>66</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

Law No. 238, Law for the Promotion, Protection and Defence of Human Rights of People Living with HIV/AIDS: <http://www.mcp.org.ni/conisida/pdf/ley238English.pdf>

<sup>67</sup> Law No. 238, Law for the Promotion, Protection and Defence of Human Rights of People Living with HIV/AIDS: <http://www.mcp.org.ni/conisida/pdf/ley238English.pdf>

<sup>68</sup> Law No. 238, Law for the Promotion, Protection and Defence of Human Rights of People Living with HIV/AIDS: <http://www.mcp.org.ni/conisida/pdf/ley238English.pdf>

<sup>69</sup> Law No. 238, Law for the Promotion, Protection and Defence of Human Rights of People Living with HIV/AIDS: <http://www.mcp.org.ni/conisida/pdf/ley238English.pdf>

<sup>70</sup> UNAIDS, Nicaragua profile, 2014: <http://www.unaids.org/en/regionscountries/countries/nicaragua/>  
UN Development Group, Development Assistance Framework for Nicaragua (2013-2017), 2012: [http://www.undg.org/docs/13119/MANUD-2013-2017-\(Firmado-15-mayo-2013\).pdf](http://www.undg.org/docs/13119/MANUD-2013-2017-(Firmado-15-mayo-2013).pdf)

<sup>71</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>72</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>73</sup> UNAIDS, Informe Global sobre la Epidemia del SIDA, Nicaragua, 2014: [http://www.unaids.org/sites/default/files/country/documents/NIC\\_narrative\\_report\\_2015.pdf](http://www.unaids.org/sites/default/files/country/documents/NIC_narrative_report_2015.pdf)

<sup>74</sup> U.S. Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dld=236704#wrapper>

<sup>75</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

<sup>76</sup> International Working Group for Indigenous Affaris (IWGIA), 2015 Yearbook Article, Nicaragua:  
[http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Nicaragua\\_IW2015\\_web.pdf](http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Nicaragua_IW2015_web.pdf)

<sup>77</sup> International Labour Organisation, Committee of Experts for the Aplpication and Conventin and Recommendations, Observations, Discrimination (Employment and Occupation), Nicaragua, 2013:  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3082116](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3082116)

<sup>78</sup> CIA The World fact Book, Nicaragua, 2015: <https://www.cia.gov/library/publications/the-world-factbook/geos/nu.html>

<sup>79</sup> International Working Group for Indigenous Affairs, Nicaragua Profile, 2015:  
[http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Nicaragua\\_IW2015\\_web.pdf](http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Nicaragua_IW2015_web.pdf)

<sup>80</sup> Minority Rights Group International, World Directory of Minorities and Indigenous Peoples, Nicaragua Overview, 3 June 2008: <http://www.unhcr.org/refworld/publisher,MRGI,,NIC,4954ce1bc,0.html>.

<sup>81</sup> National Institute for Development Data, IV CENAGRO.2011  
<http://www.inide.gob.ni/Cenagro/INFIVCENAGRO/index.html>

<sup>82</sup> Centro de Derechos Humanos, Ciudadanos y Autonomos, Conociendo la Costa Caribe de Nicaragua, NO DATE: [http://cedehcanicaragua.com/f\\_publicaciones.html](http://cedehcanicaragua.com/f_publicaciones.html)

<sup>83</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with parragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>84</sup> Centro Nicaraguense de Derechos Humanos, Organizacion Mundial contra la Tortura y la Federacion International de Derechos Humanos, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)

<sup>85</sup> Oficina del Alto Comisionado para los Derechos Humanos, Diagnostico sobre la Situación de los Derechos Humanos de los Pueblos Indigenas de America Central,2011: <http://www.oacnudh.org/wp-content/uploads/2012/10/TOMO-2.pdf>

<sup>86</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>87</sup> International Fund for Agricultural Development, Country Strategy Nicaragua, 2012:  
<https://webapps.ifad.org/members/eb/107/docs/EB-2012-107-R-11.pdf>

<sup>88</sup> Rural Poverty Portal, Poverty in Nicaragua, 2014:  
<http://www.ruralpovertyportal.org/country/home/tags/nicaragua>

<sup>89</sup> Rural Poverty Portal, Poverty in Nicaragua, 2014:  
<http://www.ruralpovertyportal.org/country/home/tags/nicaragua>

<sup>90</sup> International Fund for Agricultural Development, Country Strategy Nicaragua, 2012:  
<https://webapps.ifad.org/members/eb/107/docs/EB-2012-107-R-11.pdf>

---

<sup>91</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>92</sup> Global Rights, The Violations of the Rights of Lesbian, Gay, Bisexual and Transgender Persons in Nicaragua, October 2008:  
[http://www2.ohchr.org/english/bodies/hrc/docs/ngos/GlobalRights\\_Nicaragua94.doc](http://www2.ohchr.org/english/bodies/hrc/docs/ngos/GlobalRights_Nicaragua94.doc).

Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

<sup>93</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>94</sup> Procuraduría para la Defensa de los Derechos Humanos, Obervatorio de la Diversidad Sexual, 2012:  
[http://ods.pddh.gob.ni/?page\\_id=34](http://ods.pddh.gob.ni/?page_id=34)

<sup>95</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/070/68/PDF/G1407068.pdf?OpenElement>

<sup>96</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>97</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>98</sup> U.S. Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>

<sup>99</sup> Diario Rotativo, Discrimina Nicaragua a homosexuales, transexuales y lesbianas, 2014:  
<https://rotativo.com.mx/noticias/internacionales/295172-discrimina-nicaragua-homosexuales-transexuales-y-lesbianas/>

<sup>100</sup> Diario Rotativo, Discrimina Nicaragua a homosexuales, transexuales y lesbianas, 2014:  
<https://rotativo.com.mx/noticias/internacionales/295172-discrimina-nicaragua-homosexuales-transexuales-y-lesbianas/>

<sup>101</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>102</sup> La Prensa, Diversidad sexual de Nicaragua demanda acceso a justicia, 2013:  
<http://www.laprensa.com.ni/2013/05/10/nacionales/146112-diversidad-sexual-de-nicaragua-demanda-acceso-a-justicia>

<sup>103</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and

---

parragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>104</sup> U.S. Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>

<sup>105</sup> ILO CEACR Observations 2012, Equal Remuneration Convention, Nicaragua, 2013: [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3082112](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3082112)

<sup>106</sup> ILO Committee of Experts for the Application of Conventions and Recommendations Direct Request, Equal Remuneration Convention (100), Nicaragua, 2014: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3145169](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145169)

<sup>107</sup> Tu Salario, Maternidad en Nicaragua, NO DATE: <http://www.tusalario.org/nicaragua/portada/derecho-laboral/maternidad-2/maternidad>

<sup>108</sup> OECD Development Centre, Social Institutions and Gender Index, Nicaragua, 2012: <http://genderindex.org/country/nicaragua>.

<sup>109</sup> PNUD, El mercado laboral en Nicaragua desde un enfoque de genero, 2014: [http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_1LaborallImpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_1LaborallImpreso140715.pdf)

<sup>110</sup> El Nuevo Diario, Mujeres con dos trabajos y mas ansiedad, 2015: <http://www.elnuevodiario.com.ni/nacionales/367056-mujeres-doble-jornada-laboral-padecen-mas-ansiedad/>

<sup>111</sup> PNUD, El mercado laboral en Nicaragua desde un enfoque de genero, 2014: [http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_1LaborallImpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_1LaborallImpreso140715.pdf)

<sup>112</sup> PNUD, El mercado laboral en Nicaragua desde un enfoque de genero, 2014: [http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_1LaborallImpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_1LaborallImpreso140715.pdf)

<sup>114</sup> PNUD, El mercado laboral en Nicaragua desde un enfoque de genero, 2014: [http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_1LaborallImpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_1LaborallImpreso140715.pdf)

<sup>115</sup> PNUD, El mercado laboral en Nicaragua desde un enfoque de genero, 2014: [http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_1LaborallImpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_1LaborallImpreso140715.pdf)

<sup>116</sup> National Institute for Development Data, IV CENAGRO, 2011: <http://www.inide.gob.ni/Cenagro/INFIVCENAGRO/index.html>

<sup>117</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>118</sup> Oxfam, Intermon, Derechos que penden de un hilo, Zonas francas textiles frente a cooperativas de comercio justo, 2015:

<https://oxfamintermon.s3.amazonaws.com/sites/default/files/documentos/files/DerechoQuePendenDeUnHilo.pdf>

<sup>119</sup> PNUD, El mercado laboral en Nicaragua desde un enfoque de genero, 2014:  
[http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_1LaborallImpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_1LaborallImpreso140715.pdf)

<sup>120</sup> PNUD, El mercado laboral en Nicaragua desde un enfoque de genero, 2014:  
[http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_1LaborallImpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_1LaborallImpreso140715.pdf)

<sup>121</sup> UN Economic Commission for Latin-America and the Caribbean  
, CEPALSTAT, Database and Statistics. National Profiles. MDG, Nicaragua, 2012:  
[http://interwp.cepal.org/perfil\\_ODM/perfil\\_Pais.asp?Pais=NIC&Id\\_idioma=1](http://interwp.cepal.org/perfil_ODM/perfil_Pais.asp?Pais=NIC&Id_idioma=1)

<sup>122</sup> U.S. Department of State, Country Report on Human Rights Practice for 2014, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>

<sup>123</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/070/68/PDF/G1407068.pdf?OpenElement>

<sup>124</sup> OECD Development Centre, Social Institutions and Gender Index, Nicaragua, 2012:  
<http://genderindex.org/country/nicaragua>.

<sup>125</sup> ILO, CEACR Direct Reques, Discrimination -Employment and Occupation- Convention (111) 2014, Nicaragua, 2015:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3183251](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3183251)

<sup>126</sup> ILO, CEACR Observations 2012, Equal Remuneration Convention, Nicaragua, 2013:  
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3082112](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3082112)

<sup>127</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>128</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>129</sup> CNN, CNN Health, Nicaragua abortion ban 'cruel and inhuman disgrace', July 28 2009:  
[http://articles.cnn.com/2009-07-28/health/nicaragua.abortion.ban\\_1\\_therapeutic-abortion-amnesty-report-nicaragua?\\_s=PM:HEALTH](http://articles.cnn.com/2009-07-28/health/nicaragua.abortion.ban_1_therapeutic-abortion-amnesty-report-nicaragua?_s=PM:HEALTH).

<sup>130</sup> Social Watch, 'Poverty Eradiction and Gender Justice,' 2012, available at:  
<http://www.socialwatch.org/node/10700>

<sup>131</sup> Asamblea Nacional de Nicaragua, Ley 392 Promocion del Desarrollo Integral de la Juventud, 2001:  
<http://legislacion.asamblea.gob.ni/normaweb.nsf/b92aaea87dac762406257265005d21f7/10fa0619155a2e2a062570a1005811fc?OpenDocument>

<sup>132</sup> UN Development Group, Development Assistance Framework for Nicaragua (2013-2017), 2012:  
[http://www.undg.org/docs/13119/MANUD-2013-2017-\(Firmado-15-mayo-2013\).pdf](http://www.undg.org/docs/13119/MANUD-2013-2017-(Firmado-15-mayo-2013).pdf)

<sup>133</sup> El Nuevo Diario, Desempleo juvenil afecta a 400,000, 2014:  
<http://www.elnuevodiario.com.ni/economia/316342-desempleo-juvenil-afecta-400-mil/>

- 
- <sup>134</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>135</sup> La Prensa, La inexperiencia aisla a los jóvenes, 2013: <http://www.laprensa.com.ni/2013/05/24/activos/147895>
- <sup>136</sup> Programa de las Naciones Unidas para el Desarrollo, Informe Nacional sobre Desarrollo Humano, Las juventudes construyendo Nicaragua, 2011: [http://www.undp.org.ni/files/doc/1322678034\\_Informe%20Completo.pdf](http://www.undp.org.ni/files/doc/1322678034_Informe%20Completo.pdf)
- <sup>137</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>138</sup> HispanTV Nexa Latino, Nicaragua tiene el tercer índice de desempleo juvenil en la región, 2015: <http://www.hispantv.com/newsdetail/Reportajes/38394/Nicaragua-tiene-el-tercer-indice-de-desempleo-juvenil-en-la-region>
- <sup>139</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>140</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>141</sup> ILGALAC, Periodista de Nicaragua, los homosexuales son una desviación de la naturaleza, 2014: <http://ilga-lac.org/periodista-de-nicaragua-los-homosexuales-son-una-desviacion-de-la-naturaleza/>
- <sup>142</sup> Inter-American Development Bank, IDB partners with IFC, Exportadora Atlantic and Starbucks to help Nicaragua farmers combat coffee rust disease, 2015: <http://www.iadb.org/en/news/news-releases/2015-06-24/nicaraguan-farmers-defeat-coffee-blight,11190.html>
- <sup>143</sup> Grupo Coen, Becas Fundacion Coen, no date: [http://www.grupocoen.com/?page\\_id=1802](http://www.grupocoen.com/?page_id=1802)
- <sup>144</sup> PNUD, El mercado laboral de Nicaragua, desde un enfoque de género, 2014: [http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC\\_ILaborallmpreso140715.pdf](http://www.ni.undp.org/content/dam/nicaragua/docs/Publicaciones/2015/NIC_ILaborallmpreso140715.pdf)
- <sup>145</sup> U.S. Embassy in Nicaragua, 'Speech of the Ambassador—Company Forum Regarding HIV in Nicaragua,' November 4, 2010: [http://spanish.nicaragua.usembassy.gov/foro\\_empresarial\\_vih\\_nicaragua.html](http://spanish.nicaragua.usembassy.gov/foro_empresarial_vih_nicaragua.html)
- <sup>146</sup> Procuraduría para la Defensa de los Derechos Humanos, Informe Anual, 2014: <http://www.pddh.gob.ni/wp-content/uploads/2013/01/INFORME-ANUAL-2014-.pdf>
- <sup>147</sup> ILO Committee of Experts for the Application of Conventions and Recommendations Direct Request, Discrimination (Employment and Occupation Convention) (n 111), Nicaragua, 2015: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3183251](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3183251)
- <sup>148</sup> ILO Committee of Experts for the Application of Conventions and Recommendations , Direct Request, Employment Policy Convention (n 122), Nicaragua, 2015: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3142173](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3142173)
- <sup>149</sup> Ministerio del Trabajo, MITRAB edita Código del Trabajo en Miskito, 2010: <http://www.mitrab.gob.ni/news/2010/mitrab-edita-codigo-del-trabajo-en-miskito/?searchterm=codigo%20en%20miskito>

---

<sup>150</sup> The Government of Nicaragua, Technical Progress Report on National Human Development Plan as of 2010, September 2011:

[http://planipolis.iiep.unesco.org/upload/Nicaragua/Nicaragua\\_Progress\\_report\\_human\\_development\\_plan\\_2010.pdf](http://planipolis.iiep.unesco.org/upload/Nicaragua/Nicaragua_Progress_report_human_development_plan_2010.pdf)

<sup>151</sup> Radio la Primerísima, Usura Cero Llegara a 100 mil nuevas protagonistas en 2016, 2015:

<http://www.radiolaprimerisima.com/noticias/general/193021/usura-cero-llegara-a-100-mil-nuevas-protagonistas-en-2016>

<sup>152</sup> UNDP Nicaragua, Debate on the new law for the creation of a fund to purchase land to rural female workers 2012: <http://www.undp.org.ni/noticias/725>

<sup>153</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:

<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

<sup>154</sup> OAS, Ley 287/1998 Código de la Niñez y Adolescencia de Nicaragua, Art. 131, 73:

[http://www.oas.org/dil/esp/Codigo\\_de\\_la\\_Ninez\\_y\\_la\\_Adolescencia\\_Nicaragua.pdf](http://www.oas.org/dil/esp/Codigo_de_la_Ninez_y_la_Adolescencia_Nicaragua.pdf)

<sup>155</sup> OAS, Ley 287/1998 Código de la Niñez y Adolescencia de Nicaragua:

[http://www.oas.org/dil/esp/Codigo\\_de\\_la\\_Ninez\\_y\\_la\\_Adolescencia\\_Nicaragua.pdf](http://www.oas.org/dil/esp/Codigo_de_la_Ninez_y_la_Adolescencia_Nicaragua.pdf)

<sup>158</sup> Ministerio del Trabajo, Censo sobre Trabajo Infantil, 2005:

<http://www.mitrab.gob.ni/documentos/informes-estadisticos/infantil.pdf/view>

<sup>159</sup> ILO, Committee of Experts for the Application of Conventions and Recommendations, Observation, Minimun Age Convention (128), Nicaragua, 2014:

[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112762](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112762)

<sup>160</sup> Ministerio del Trabajo, Censo sobre Trabajo Infantil, 2005:

<http://www.mitrab.gob.ni/documentos/informes-estadisticos/infantil.pdf/view>

<sup>161</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:

<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>162</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>

<sup>163</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>

<sup>164</sup> ILO, Committee of Experts for the Application of Conventions and Recommendations, Observation, Worst Forms of Child Labour Convention (182), Nicaragua, 2014:

[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112804](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112804)

<sup>165</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>

<sup>166</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and



parragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>167</sup> Ministerio del Trabajo, Censo sobre Trabajo Infantil, 2005:  
<http://www.mitrab.gob.ni/documentos/informes-estadisticos/infantil.pdf/view>

<sup>168</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>169</sup> Organization Internacional par alas Migraciones, Perfil Migratorio de Nicaragua, 2013:  
[http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)

United States Department of Labor, *2013 Findings on the Worst Forms of Child Labor - Nicaragua*, 3 October 2013: <http://www.dol.gov/ilab/programmes/ocft/2011TDA/nicaragua.pdf>

<sup>170</sup> El Nuevo Diario, Trabajo Infantil sigue creciendo en Nicaragua, 2013:  
<http://www.elnuevodiario.com.ni/nacionales/298474-infantil-sigue-creciendo-nicaragua>

<sup>171</sup> BSR, Child Labor Eradication in Nicaragua's Coffee Zones, August 2012:  
[http://drctafta.bsr.org/images/partners/NI\\_Ramacafe\\_English\\_2010.pdf](http://drctafta.bsr.org/images/partners/NI_Ramacafe_English_2010.pdf).

<sup>172</sup> ILO, Committee of Experts for the Application of Conventions and Recommendations, Observation, Minimun Age Convention (128), Nicaragua, 2014:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112762](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112762)

<sup>173</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>

<sup>174</sup> United States Department of State, 2014 Trafficking in Persons Report - Nicaragua, 2015:  
<http://www.state.gov/documents/organization/243561.pdf>

<sup>175</sup> Organizacion Internacional del Trabajo, Hoja de Ruta para Hacer de Nicaragua un pais libre de trabajo infantil y sus peores formas, Situacion de Nicaragua, 2010:<http://white.oit.org.pe/ipecc/busqueda.php>

<sup>176</sup> Asamblea Nacional de Nicaragua, Constitución Política de Nicaragua, article 121:  
<http://www.asamblea.gob.ni>

<sup>177</sup> ILO, Committee of Experts on the Application of Conventions and Recommendations, Observation, Minimun Age Convention (128), Nicaragua, 2014:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112762](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112762)

<sup>178</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>

<sup>179</sup> El 19 Digital, OIT destaca avances de Nicaragua en la lucha contra el trabajo infantil, 2014:  
<http://www.el19digital.com/articulos/ver/titulo:19740-oit-destaca-avances-de-nicaragua-en-la-lucha-contra-el-trabajo-infantil>

<sup>180</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>181</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

---

<sup>182</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>183</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>184</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>185</sup> World Bank, Country Partnership Strategy for the Republic of Nicaragua, 2012: <http://www.worldbank.org/en/news/press-release/2012/11/13/nicaragua-wb-new-2013-2017-strategy-promotes-social-well-being-greater-productivity>

<sup>186</sup> El Espectador, Los niños trabajadores de Nicaragua, 2015: <http://www.elespectador.com/noticias/elmundo/los-ninos-trabajadores-de-nicaragua-articulo-561479>

<sup>187</sup> Fundación Telefonía, Programa Pronino contribuyó a la calidad educativa de los niños y niñas en Nicaragua, 2016: <http://www.fundaciontelefonica.com.ni/2016/01/05/programa-pronino-contribuyo-a-la-calidad-educativa-de-los-ninos-y-ninas-en-nicaragua/>

<sup>188</sup> Nuevo Carnic, Community Support, 2012: <http://www.nuevocarnic.com.ni/index.php/en/la-empresa/rse/apoyo-a-la-comunidad>

<sup>189</sup> HR Without Borders and International Initiative to End Child Labour, ENTERATE Project, Corporate Social Responsibility Review: Risks of Child Labor on Select Coffee Farms in Nicaragua, August 2011: [http://www.hrwithoutborders.org/home/attachments/080\\_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf](http://www.hrwithoutborders.org/home/attachments/080_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf)

<sup>190</sup> Nuevaya, Nicaragua lanza campaña en contra del trabajo infantil peligroso, 2014: <http://nuevaya.com.ni/nicaragua-lanza-campana-en-contra-del-trabajo-infantil-peligroso/>

<sup>191</sup> ILO, CEACR, Direct Request, Worst Forms of Child Labour Convention (182), Nicaragua, 2014: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112808](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112808)

<sup>192</sup> OHCHR, Universal Periodic Review, 2010: <http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CNIISession7.aspx>

<sup>193</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>195</sup> ILO Committee of Experts for the Application of Conventions and Recommendations, Observation, Worst Forms of Child Labour Convention (182), Nicaragua, 2014: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3112804](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112804)

<sup>196</sup> Gobierno de Reconciliación y Unidad Nacional, Plan Nacional de Desarrollo Humano 2012-2016, 2012: <http://www.pndh.gob.ni/>

<sup>197</sup> HR Without Borders and International Initiative to End Child Labour, ENTERATE Project, Corporate Social Responsibility Review: Risks of Child Labor on Select Coffee Farms in Nicaragua, August 2011: [http://www.hrwithoutborders.org/attachments/080\\_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf](http://www.hrwithoutborders.org/attachments/080_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf).

<sup>198</sup> Organización Internacional para las Migraciones, Perfil Migratorio de Nicaragua, 2013: [http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)

<sup>199</sup> Global Slavery Index, Nicaragua, 2014: <http://www.globalslaveryindex.org/country/nicaragua/>

<sup>200</sup> United States Department of State, 2014 Trafficking in Persons Report - Nicaragua, 2015: <http://www.state.gov/documents/organization/243561.pdf>

<sup>201</sup> OIM, Perfil Migratorio de Nicaragua, 2013: [http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)

<sup>202</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>

<sup>203</sup> Centro Nicaraguense de Derechos Humanos, *Derechos Humanos en Nicaragua 2014*, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>204</sup> Organizacion INternacional para las Migraciones, Perfil Migratorio de Nicaragua, 2013: [http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)

<sup>206</sup> United States Department of State, 2014 Trafficking in Persons Report - Nicaragua, 2015: <http://www.state.gov/documents/organization/243561.pdf>

<sup>207</sup> United States Department of State, 2014 Trafficking in Persons Report - Nicaragua, 2015: <http://www.state.gov/documents/organization/243561.pdf>

<sup>208</sup> Fox News, Nicaragua juzga seis casos bajo nueva ley contra la trata de personas, 2015: <http://latino.foxnews.com/latino/espanol/2015/09/10/nicaragua-juzga-seis-casos-bajo-nueva-ley-contra-la-trata-de-personas/>

<sup>209</sup> Centro Nicaraguense de Derechos Humanos, *Derechos Humanos en Nicaragua 2014*, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>210</sup> Centro Nicaraguense de Derechos Humanos, *Derechos Humanos en Nicaragua 2014*, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>211</sup> Cargill, Corporate Responsibility Report, 2015: <http://www.cargill.com/wcm/groups/public/@ccom/documents/document/na31881260.pdf>

<sup>212</sup> Gobierno de Reconciliación y Unidad Nacional, Plan Nacional de Desarrollo Humano 2012-2016, 2012: <http://www.pndh.gob.ni/>

<sup>213</sup> Alvarado y Asociados, 'Guide to Doing Business in Nicaragua, 2011: [www.lexmundi.com/Document.asp?DocID=3158](http://www.lexmundi.com/Document.asp?DocID=3158)

<sup>214</sup> PriceWaterhouse Coopers, *Worldwide Tax Summaries, Corporate Taxes 2014-2015*: <https://www.pwc.com/gx/en/tax/corporate-tax/worldwide-tax-summaries/assets/pwc-worldwide-tax-summaries-corporate-2014-15.pdf>

- 
- <sup>215</sup> Instituto Nicaraguense de Seguridad Social, Anuario Estadístico 2014, 2015:  
[https://www.inss.gob.ni/images/anuario\\_estdistico\\_2014.pdf](https://www.inss.gob.ni/images/anuario_estdistico_2014.pdf)
- <sup>216</sup> Alvarado y Asociados, 'Guide to Doing Business in Nicaragua: 2011', LexiMundo,  
[www.lexmundi.com/Document.asp?DocID=3158](http://www.lexmundi.com/Document.asp?DocID=3158)
- <sup>217</sup> Us Department of State, 2014 Country Reports on Human Rights Practices, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dld=236704#wrapper>
- <sup>218</sup> Instituto Nicaraguense de Seguridad Social, Anuario Estadístico 2014, 2015:  
[https://www.inss.gob.ni/images/anuario\\_estdistico\\_2014.pdf](https://www.inss.gob.ni/images/anuario_estdistico_2014.pdf)
- <sup>219</sup> Instituto Nicaraguense de Seguridad Social, Anuario Estadístico 2014, 2015:  
[https://www.inss.gob.ni/images/anuario\\_estdistico\\_2014.pdf](https://www.inss.gob.ni/images/anuario_estdistico_2014.pdf)
- <sup>220</sup> Instituto Nicaraguense de Seguridad Social, Anuario Estadístico 2014, 2015:  
[https://www.inss.gob.ni/images/anuario\\_estdistico\\_2014.pdf](https://www.inss.gob.ni/images/anuario_estdistico_2014.pdf)
- <sup>221</sup> NBC News, Epidemic devastates Central American region, published in Associated Press, February 12, 2012, [http://www.msnbc.msn.com/id/46352358/ns/world\\_news-americas/t/mystery-epidemic-devastates-central-american-region/#.UBUa7s0pZht](http://www.msnbc.msn.com/id/46352358/ns/world_news-americas/t/mystery-epidemic-devastates-central-american-region/#.UBUa7s0pZht)
- <sup>222</sup> La Gran Epoca, Enfermedad Renal Crónica mata miles de hombres en los canaverales de Nicaragua, 2014: <http://www.lagranepoca.com/archivo/31792-enfermedad-renal-cronica-mata-miles-hombres-canaverales-nicaragua.html>
- <sup>223</sup> The Center for Public Integrity, Thousands of sugar cane workers die as wealthy nations stall on solutions, December 2011: <http://www.publicintegrity.org/2011/12/12/7578/thousands-sugar-cane-workers-die-wealthy-nations-stall-solutions>
- <sup>224</sup> La Gran Epoca, Enfermedad Renal Crónica mata miles de hombres en los canaverales de Nicaragua, 2014: <http://www.lagranepoca.com/archivo/31792-enfermedad-renal-cronica-mata-miles-hombres-canaverales-nicaragua.html>
- <sup>225</sup> Confidencial, Epidemia IRC ligada a factores ocupacionales, 2015:  
<http://www.confidencial.com.ni/archivos/articulo/20903/epidemia-irc-ligada-a-039-factores-ocupacionales-039>
- <sup>226</sup> Nicaragua Sugar y la IRC, Empezando juntos para un mejor futuro, 2015:  
<https://nicaraguasugarirc.wordpress.com>
- El País, Epidemia Mortal en los Canaverales, 2015:  
[http://internacional.elpais.com/internacional/2015/02/26/actualidad/1424988812\\_763512.html](http://internacional.elpais.com/internacional/2015/02/26/actualidad/1424988812_763512.html)
- La Gran Epoca, Enfermedad Renal Crónica mata miles de hombres en los canaverales de Nicaragua, 2014: <http://www.lagranepoca.com/archivo/31792-enfermedad-renal-cronica-mata-miles-hombres-canaverales-nicaragua.html>
- <sup>227</sup> DEMOTIX, Chronic Kidney Disease Epidemic in Nicaragua, 2012:  
<http://www.demotix.com/news/731938/chronic-kidney-disease-epidemic-nicaragua-chichigalpa#media-731935>
- <sup>228</sup> HR Without Borders and International Initiative to End Child Labor, Corporate Social Responsibility Review: Risks of Child Labor on Select Coffee Farms in Nicaragua, August 2011:

[http://www.hrwwithoutborders.org/attachments/080\\_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf](http://www.hrwwithoutborders.org/attachments/080_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf)

<sup>229</sup> HR Without Borders and International Initiative to End Child Labor, Corporate Social Responsibility Review: Risks of Child Labor on Select Coffee Farms in Nicaragua, August 2011: [http://www.hrwwithoutborders.org/attachments/080\\_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf](http://www.hrwwithoutborders.org/attachments/080_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf)

<sup>230</sup> BSR, Occupational Health on Nicaraguan Farms, September 2010: [http://drctafta.bsr.org/images/partners/NI\\_Anifoda\\_English\\_2010.pdf](http://drctafta.bsr.org/images/partners/NI_Anifoda_English_2010.pdf)

<sup>231</sup> Better Work Nicaragua, Garment Industry, Second Compliance Synthesis Report, Nicaragua, 2015: <http://betterwork.org/global/wp-content/uploads/2015/05/BWN-Synthesis-Report-March-2015.pdf>

<sup>232</sup> Better Work Nicaragua, Garment Industry, Second Compliance Synthesis Report, Nicaragua, 2015: <http://betterwork.org/global/wp-content/uploads/2015/05/BWN-Synthesis-Report-March-2015.pdf>

<sup>233</sup> Better Work Nicaragua, Thematic synthesis report: Fire Safety, 2014: [http://betterwork.org/global/wp-content/uploads/2014/12/BWN\\_Thematic-Report-FINAL-Oct-13.pdf](http://betterwork.org/global/wp-content/uploads/2014/12/BWN_Thematic-Report-FINAL-Oct-13.pdf)

<sup>234</sup> U.S. Department of State, 2014 Country Reports on Human Rights Practices, Nicaragua, 2015: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236704#wrapper>

<sup>235</sup> La Informacion, Un muerto y tres sobrevivientes en derrumbe de mina en Nicaragua, 2015: [http://noticias.lainformacion.com/economia-negocios-y-finanzas/mineria/un-muerto-y-tres-sobrevivientes-en-derrumbe-de-mina-en-nicaragua\\_Od5EAkf0bogzxL3G8pEPI/](http://noticias.lainformacion.com/economia-negocios-y-finanzas/mineria/un-muerto-y-tres-sobrevivientes-en-derrumbe-de-mina-en-nicaragua_Od5EAkf0bogzxL3G8pEPI/)

<sup>236</sup> El Mundo, La dura realidad de las esclavas de la moda, 2015: <http://www.elmundo.es/yodona/2015/04/13/552b8e3522601d2b3c8b4585.html>

<sup>237</sup> El Pais, Un alud deja soterrados a 20 mineros artesanales en Nicaragua, 2015: [http://internacional.elpais.com/internacional/2014/08/30/actualidad/1409350482\\_087791.html](http://internacional.elpais.com/internacional/2014/08/30/actualidad/1409350482_087791.html)

<sup>238</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>239</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>240</sup> El Nuevo diario, Nicaragua exporta hasta 50 toneladas en desechos toxicos, 2013: <http://www.elnuevodiario.com.ni/nacionales/274825-nicaragua-exporta-hasta-50-toneladas-desechos-toxicos>

<sup>241</sup> Empresa Nicaraguense de Alimentos Basicos, Higiene y Seguridad Industrial parte del modelo de cambios de ENABAS, no date: <http://www.enabas.gob.ni/noticias/15>

<sup>242</sup> Porter Novelli, Unilever Nicaragua, Empresa Excelencia en Seguridad Laboral, 2014: <http://porternovelli.com.ni/unilever-nicaragua-galardonada-como-empresa-excelencia-en-seguridad-laboral/>

<sup>243</sup> Nicaragua Sugar Estates Limited, Comunidad, 2014: [http://nicaraguasugar.com/index.php?option=com\\_content&view=article&id=20&Itemid=144](http://nicaraguasugar.com/index.php?option=com_content&view=article&id=20&Itemid=144)

- 
- <sup>244</sup> HR Without Borders and International Initiative to End Child Labor, Corporate Social Responsibility Review: Risks of Child Labor on Select Coffee Farms in Nicaragua, August 2011: [http://www.hrwithoutborders.org/attachments/080\\_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf](http://www.hrwithoutborders.org/attachments/080_nicaragua%20corporate%20social%20responsibility%20review%20report-8-25-11-2.pdf)
- <sup>245</sup> Better Work Nicaragua, Thematic synthesis report: Fire Safety, 2014: [http://betterwork.org/global/wp-content/uploads/2014/12/BWN\\_Thematic-Report-FINAL-Oct-13.pdf](http://betterwork.org/global/wp-content/uploads/2014/12/BWN_Thematic-Report-FINAL-Oct-13.pdf)
- <sup>246</sup> Ministerio del Trabajo, MITRAB da a conocer resultados del concurso Empresa modelo en material de higiene y seguridad en el trabajo, 2014: <http://www.mitrab.gob.ni/news/2014/agosto-2014/mitrab-da-a-conocer-resultados-del-concurso-201cempresa-modelo-en-materia-de-higiene-y-seguridad-del-trabajo201d>
- <sup>247</sup> Instituto Nicaraguense de Seguridad Social, Anuario Estadístico 2014: [https://www.inss.gob.ni/images/anuario\\_estdistico\\_2014.pdf](https://www.inss.gob.ni/images/anuario_estdistico_2014.pdf)
- <sup>248</sup> Ministerio del Trabajo, Acuerdo Ministerial sobre la alimentacion de las personas del campo, 2011: <http://www.mitrab.gob.ni/documentos/acuerdos/ACUERDO%20MINISTERIAL%20081111.pdf/view>
- <sup>249</sup> Plan Nacional de Desarrollo Humano, 2012-2016: <http://www.pndh.gob.ni/documentos/pndhActualizado/pndh.pdf>
- <sup>250</sup> Plan Nacional de Desarrollo Humano, 2012-2016: <http://www.pndh.gob.ni/documentos/pndhActualizado/pndh.pdf>
- <sup>251</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>
- <sup>252</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014: [http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>253</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014: [http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>254</sup> ILO, Committee of Experts on the Application of Conventions and Recommendations, Right to Organize and Collective Bargaining Convention (98), Nicaragua, 2015: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3188259](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188259)
- <sup>255</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>
- <sup>256</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014: [http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)

- 
- <sup>257</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>258</sup> Freedom House, Freedom in the Word Report, Nicaragua, 2015:  
<https://freedomhouse.org/report/freedom-world/2015/nicaragua>
- <sup>259</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>
- <sup>260</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>261</sup> Freedom House, Freedom in the Word Report, Nicaragua, 2015:  
<https://freedomhouse.org/report/freedom-world/2015/nicaragua>
- <sup>262</sup> International Trade Union Federation, 2012 Annual Survey of Violation of Trade Unions: Nicaragua, 2012: <http://survey.ituc-csi.org/Nicaragua.html#>
- <sup>263</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>
- <sup>264</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>265</sup> ILO, Committee of Experts on the Application of Conventions and Recommendations, Right to Organize and Collective Bargaining Convention (98), Nicaragua, 2015:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:318825](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:318825)
- <sup>266</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>267</sup> Better Work Nicaragua, Garment Industry, Second Compliance Syntesis Report, Nicaragua, 2015:  
<http://betterwork.org/global/wp-content/uploads/2015/05/BWN-Synthesis-Report-March-2015.pdf>
- <sup>268</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>
- <sup>269</sup> International Trade Union Confederation, Annual Survey of violations of trade union rights - Nicaragua, 2014: <http://survey.ituc-csi.org/Nicaragua.html?lang=en#tabs-2>
- <sup>270</sup> ILO, Committe of Experts on the Application of Conventions and Recommendations, Observation, Freedom of Association and Protection of the Right to Organise Convention (87), Nicaragua,  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:31885912015:](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:31885912015:)
- <sup>271</sup> International Trade Union Confederation, Annual Survey of violations of trade union rights - Nicaragua, 2014: <http://survey.ituc-csi.org/Nicaragua.html?lang=en#tabs-2>

- 
- <sup>272</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236704#wrapper>
- <sup>273</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>274</sup> International Trade Union Confederation, Annual Survey of violations of trade union rights - Nicaragua, 2014: <http://survey.ituc-csi.org/Nicaragua.html?lang=en#tabs-2>
- <sup>275</sup> Asamblea Nacional Legislativa, Código Penal, 2008:  
[http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/1F5B59264A8F00F906257540005EF77E?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/1F5B59264A8F00F906257540005EF77E?OpenDocument)
- <sup>276</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>277</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>278</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>
- <sup>279</sup> Better Work Nicaragua, Garment Industry, Second Compliance Syntesis Report, Nicaragua, 2015:  
<http://betterwork.org/global/wp-content/uploads/2015/05/BWN-Synthesis-Report-March-2015.pdf>
- <sup>280</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236704#wrapper>
- <sup>281</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dlid=236704#wrapper>
- <sup>282</sup> International Trade Union Confederation, Survey of violations of Trade Union Rights, Nicaragua, 2015: <http://survey.ituc-csi.org/Nicaragua.html?lang=en#tabs-3>
- <sup>283</sup> Centro Nicaraguense de Derechos Humanos, Organización Mundial contra la Tortura y la Federación Internacional de Derechos Humanos, Nicaragua ante la segunda revisión del Examen Periódico Universal, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)
- <sup>284</sup> ILO, Committee of Experts on the Application of Conventions and Recommendations, Observation, Right to Organise and Collective Bargaining Convention (N 98), Nicaragua, 2015:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3188259:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188259:NO)
- <sup>285</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>



- 
- <sup>286</sup> Alvarado y Asociados, 'Guide to Doing Business in Nicaragua: 2011: [www.lexmundi.com/Document.asp?DocID=3158](http://www.lexmundi.com/Document.asp?DocID=3158)
- <sup>287</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>
- <sup>288</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>289</sup> UNDP, Human Development Report 2015, Work for human development, briefing note for countries on the 2015 Human Development Report, Nicaragua: [http://hdr.undp.org/sites/all/themes/hdr\\_theme/country-notes/NIC.pdf](http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/NIC.pdf)
- <sup>290</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>291</sup> Asamblea Nacional Legislativa, Ley 625 de Salario Minimo, 2007: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/D4A4AB6A3935BB7906257331005B6D2C?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/D4A4AB6A3935BB7906257331005B6D2C?OpenDocument)
- <sup>292</sup> ILO, Committee of Experts on the Application of Conventions and Recommendations Observations, Minimum Wage Fixing Convention, Nicaragua, 2013: [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3079356](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3079356)
- <sup>293</sup> Ministerio del Trabajo, Acta Numero 1 Salario Minimo 2016: <http://www.mitrab.gob.ni/documentos/salario-minimo/Acta%20No.%201%20CNSM%20del%2021.01.2016.pdf/view>
- <sup>294</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>295</sup> Danish Trade Union Council for International Development Cooperation, Nicaragua Labour Market Profile, 2014: [http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>296</sup> Danish Trade Union Council for International Development Cooperation, Nicaragua Labour Market Profile, 2014: [http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>297</sup> Ministerio del Trabajo, Valor de la Canasta Basica Noviembre 2015: <http://www.mitrab.gob.ni/documentos/canasta-basica/CBNov2015.pdf/view>
- <sup>298</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>299</sup> Oxfam, Intermon, Derechos que penden de un hilo, Zonas francas textiles frente a cooperativas de comercio justo, 2015: <https://oxfamintermon.s3.amazonaws.com/sites/default/files/documentos/files/DerechoQuePendenDeUnHilo.pdf>

- 
- <sup>300</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>301</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>302</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>303</sup> ILO, CEARC Direct Request, Hours of Work (Industry) Convention (1), Nicaragua, 2014:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3145407](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145407)
- <sup>304</sup> Danish Trade Union Council for International Development Cooperation, Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>305</sup> ILO, Observations CEACR, Hours of work Convention , Nicaragua, 2013:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3058246](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3058246)
- <sup>306</sup> Oxfam, Intermon, Derechos que penden de un hilo, Zonas francas textiles frente a cooperativas de comercio justo, 2015:  
<https://oxfamintermon.s3.amazonaws.com/sites/default/files/documentos/files/DerechoQuePendenDeUnHilo.pdf>
- <sup>307</sup> Better Work Nicaragua, Garment Industry, Second Compliance Syntesis Report, Nicaragua, 2015:  
<http://betterwork.org/global/wp-content/uploads/2015/05/BWN-Synthesis-Report-March-2015.pdf>
- <sup>308</sup> Instituto Nicaraguense de Seguridad Social, Decreto 95/2009:  
[http://www.inss.gob.ni/images/stories/file/decreto\\_95-2009.pdf](http://www.inss.gob.ni/images/stories/file/decreto_95-2009.pdf)
- <sup>309</sup> Global Development Network, Social Security Health Insurance for the Informal Sector in Nicaragua, a randomized evaluation, 2011:  
[http://www.gdnet.org/~research\\_papers/Social%20Security%20Health%20Insurance%20for%20the%20Informal%20Sector%20in%20Nicaragua:%20A%20Randomized%20Evaluation](http://www.gdnet.org/~research_papers/Social%20Security%20Health%20Insurance%20for%20the%20Informal%20Sector%20in%20Nicaragua:%20A%20Randomized%20Evaluation)
- <sup>310</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>311</sup> Centro Nicaraguense de Derechos Humanos, Nicaragua ante la Segunda Revision del Examen Periodico Universal, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES_web.pdf)
- <sup>312</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>313</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>314</sup> Instituto Nicaraguense de Seguridad Social, Anuario Estadístico 2014:  
[https://www.inss.gob.ni/images/anuario\\_estdistico\\_2014.pdf](https://www.inss.gob.ni/images/anuario_estdistico_2014.pdf)

<sup>315</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>316</sup> Better Work Nicaragua, Garment Industry, Second Compliance Syntesis Report, Nicaragua, 2015: <http://betterwork.org/global/wp-content/uploads/2015/05/BWN-Synthesis-Report-March-2015.pdf>

<sup>317</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with parragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and parragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>318</sup> El Nuevo Diario, Empleo Informal sigue imparale, 2013: <http://www.elnuevodiario.com.ni/economia/301967-informal-sigue-imparale>

<sup>319</sup> La Prensa, Mas Desempleo e Informalidad, 2015: <http://www.laprensa.com.ni/2015/05/02/economia/1824795-mas-desempleo-e-informalidad-en-nicaragua>

<sup>320</sup> Confidencial, el 70 por ciento de la poblacion en edad laboral trabaja en el sector informal, 2015: <http://www.confidencial.com.ni/archivos/articulo/21354/el-lsquo-boom-039-de-los-informales>

<sup>321</sup> Banco Interamericano de Desarrollo, Empleos para Crecer, 2015: <http://www.confidencial.com.ni/archivos/articulo/21354/el-lsquo-boom-039-de-los-informales>

<sup>322</sup> Diario Co Latino, Minera colombiana suspende sus operaciones en Nicaragua por protestas, 2016: <http://www.diariocolatino.com/minera-colombiana-suspende-temporalmente-operaciones-en-nicaragua-por-protestas/>

<sup>323</sup> UTZ Certified, Companies, Coffee Producers, 2016: <https://www.utz.org/wp-content/uploads/2016/01/UTZ-Registered-Coffee-Producers.pdf>

<sup>324</sup> The Global Fairness Initiative, 'Roadmap to Economic Formalization', NO DATE: [http://www.globalfairness.org/downloads/PILAR\\_Roadmap\\_Eng.pdf](http://www.globalfairness.org/downloads/PILAR_Roadmap_Eng.pdf)

<sup>325</sup> ILO, Better Work Programme, Better Work Nicaragua, 2014: [http://betterwork.org/global/?page\\_id=324](http://betterwork.org/global/?page_id=324)

<sup>326</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

<sup>327</sup> BBC, Tim Rogers, 'Nicaragua bids to stem deforestation with eco-soldiers,' BCC, March 3, 2012, <http://www.bbc.co.uk/news/world-latin-america-17062806>

<sup>328</sup> Alvarado y Asociados, 'Guide to Doing Business in Nicaragua: 2011', LexiMundo, [www.lexmundi.com/Document.asp?DocID=3158](http://www.lexmundi.com/Document.asp?DocID=3158)

<sup>329</sup> Procuraduria Nacional para la Defensa del Medio Ambiente y los Recursos Naturales, Mision, NO DATE: <http://www.pgr.gob.ni/index.php/areas-de-la-pgr/procuraduria-nacional-para-la-defensa-del-medio-ambiente-y-de-los-recursos-naturales>

<sup>330</sup> Asamblea Nacional, Ley 585 de veda para el corte, aprovechamiento y comercializacion del recurso forestal, 2006:

<http://legislacion.asamblea.gob.ni/normaweb.nsf/b34f77cd9d23625e06257265005d21fa/7af3d5a2687b48940625755b0076a8dd?OpenDocument>

<sup>331</sup> Environmental Democracy Index 2015, Nicaragua:  
<http://www.environmentaldemocracyindex.org/country/nic>

<sup>332</sup> Asamblea Nacional Legislativa, Ley 217 General del Medio Ambiente y los Recursos Naturales, 1996:  
[http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/1B5EFB1E58D7618A0625711600561572?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/1B5EFB1E58D7618A0625711600561572?OpenDocument)

<sup>333</sup> Decreto 76 Sistema de Evaluacion Ambiental, 2006:  
[http://www.ine.gob.ni/DCA/leyes/decreto/Decreto\\_76-2006\\_SistemaEvaluacionAmbiental.pdf](http://www.ine.gob.ni/DCA/leyes/decreto/Decreto_76-2006_SistemaEvaluacionAmbiental.pdf)

<sup>334</sup> University of Utrich, Netherlands Commission for Environmental Assesments, Anne Glucker, 'Public participation in Environmental Impact Assessment (EIA) – An investigation into theory and practice in Costa Rica and Nicaragua,' January 2012: [http://igitur-archive.library.uu.nl/student-theses/2012-0330-200800/Anne%20Glucker\\_Master%20Thesis.pdf](http://igitur-archive.library.uu.nl/student-theses/2012-0330-200800/Anne%20Glucker_Master%20Thesis.pdf)

<sup>335</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>336</sup> Environmental Democracy Index 2015, Nicaragua:  
<http://www.environmentaldemocracyindex.org/country/nic>

<sup>337</sup> World Food Programme, Nicaragua Overview, NO DATE:  
<https://www.wfp.org/countries/nicaragua/overview>

<sup>338</sup> World Food Programme Nicaragua, Reporting period 1 October – 31 December 2015:  
<http://documents.wfp.org/stellent/groups/public/documents/ep/wfp272221.pdf>

<sup>339</sup> UN Development Group, Development Assistance Framework for Nicaragua (2013-2017), 2012:  
[http://www.undg.org/docs/13119/MANUD-2013-2017-\(Firmado-15-mayo-2013\).pdf](http://www.undg.org/docs/13119/MANUD-2013-2017-(Firmado-15-mayo-2013).pdf)

<sup>340</sup> Organizacion SIMAS, Soberania y Seguridad Alimentaria en Nicaragua, Causas y Efectos, 2010:  
[http://www.simas.org.ni/files/publicacion/1310582613\\_soberania%20y%20seguridad...%20causas%20y%20efectos.pdf](http://www.simas.org.ni/files/publicacion/1310582613_soberania%20y%20seguridad...%20causas%20y%20efectos.pdf)

<sup>341</sup> Indigenous People's Issues and Resources, Nicaragua: Indigenous People Vow To Preserve Their Lands, September 16, 2011:  
[http://indigenouspeoplesissues.com/index.php?option=com\\_content&view=article&id=12309:nicaragua-indigenous-people-vow-to-preserve-their-lands&catid=30&Itemid=63](http://indigenouspeoplesissues.com/index.php?option=com_content&view=article&id=12309:nicaragua-indigenous-people-vow-to-preserve-their-lands&catid=30&Itemid=63)

<sup>342</sup> Costa Rica Star, Indigenous Groups and the United Nations Decry Environmental Damage in Nicaragua, April 14, 2012: <http://news.co.cr/INDIGENOUS-GROUPS-UNITED-NATIONS-DECRY-ENVIRONMENTAL-DAMAGE-NICARAGUA/5153/>

<sup>343</sup> BBC News, Drug trafficking is speeding deforestation in Central America, January 30, 2014:  
<http://www.bbc.co.uk/news/science-environment-25960481>

<sup>344</sup> Centro Nicaraguense de Derechos Humanos, Organizacion Mundial contra la Tortura y la Federacion Internacional de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico

---

Universal, 2014:

[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)

<sup>345</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

Organizacion AWA, Segundo informe especial sobre el Derecho Humano al Agua Potable y Saneamiento en el ambito rural de Nicaragua, 2015: <http://www.ongawa.org/wp-content/uploads/2015/10/Agua-y-saneamiento-Nicaragua-resumido.pdf>

<sup>346</sup> Organizacion AWA, Segundo informe especial sobre el Derecho Humano al Agua Potable y Saneamiento en el ambito rural de Nicaragua, 2015: <http://www.ongawa.org/wp-content/uploads/2015/10/Agua-y-saneamiento-Nicaragua-resumido.pdf>

<sup>347</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>348</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>349</sup> Bertelsmann Foundation, BTI 2014, Nicaragua Country Report, 2014: <http://www.bti-project.org/reports/country-reports/lac/nic/index.nc>

<sup>350</sup> Centro Humboldt, Valoracion de Riesgos e Impactos Socio-Ambientales de la Minería Metalica en Nicaragua, 2013-2015, 2015: <http://www.humboldt.org.ni/sites/default/files//Estudio%20nacional%20de%20miner%C3%ADa.pdf>

W Radio, Ambientalistas piden en Nicaragua una mayor regulacion de la minería, 2015: <http://www.wradio.com.co/noticias/economia/ambientalistas-piden-en-nicaragua-una-mayor-regulacion-de-la-mineria/20151130/nota/3010011.aspx>

<sup>351</sup> Centro Humboldt, Valoracion de Riesgos e Impactos Socio-Ambientales de la Minería Metalica en Nicaragua, 2013-2015, 2015: <http://www.humboldt.org.ni/sites/default/files//Estudio%20nacional%20de%20miner%C3%ADa.pdf>

W Radio, Ambientalistas piden en Nicaragua una mayor regulacion de la minería, 2015: <http://www.wradio.com.co/noticias/economia/ambientalistas-piden-en-nicaragua-una-mayor-regulacion-de-la-mineria/20151130/nota/3010011.aspx>

<sup>352</sup> 100 Noticias, Rios de Nicaragua contaminados, 2015: <http://100noticias.com.ni/rios-de-nicaragua-contaminados/>

<sup>353</sup> Social Watch, Country Report on Nicaragua, 2012: [http://www.socialwatch.org/sites/default/files/nicaragua2012\\_eng.pdf](http://www.socialwatch.org/sites/default/files/nicaragua2012_eng.pdf).

<sup>354</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>355</sup> Banco Mundial, Salud Ambiental en Nicaragua, Los principales desafios ambientales, 2013: [http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2013/04/23/000442464\\_20130423124225/Rendered/PDF/768940WP0SPANI00Health0in0Nicaragua.pdf](http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2013/04/23/000442464_20130423124225/Rendered/PDF/768940WP0SPANI00Health0in0Nicaragua.pdf)

- 
- <sup>356</sup> Estrategia y Negocios, La Guerra del Canal de Nicaragua se traslada a Paris, Un proyecto verde?, 2015: <http://www.estrategiaynegocios.net/lasclavesdeldia/909125-330/la-guerra-del-canal-de-nicaragua-se-traslada-a-par%C3%ADs-un-proyecto>
- <sup>357</sup> La Nacion, Nicaragua aprueba estudios de impacto ambiental para la construccion del canal, 2015: [http://www.nacion.com/mundo/centroamerica/Nicaragua-estudios-impacto-ambiental-construccion\\_0\\_1522447824.html](http://www.nacion.com/mundo/centroamerica/Nicaragua-estudios-impacto-ambiental-construccion_0_1522447824.html)
- <sup>358</sup> W Radio, Ambientalistas piden en Nicaragua una mayor regulacion de la mineria, 2015: <http://www.wradio.com.co/noticias/economia/ambientalistas-piden-en-nicaragua-una-mayor-regulacion-de-la-mineria/20151130/nota/3010011.aspx>
- <sup>359</sup> El Espectador, Nicaragua analiza impacto ambiental de canal interoceanico, 2015: <http://www.elespectador.com/noticias/elmundo/nicaragua-analiza-impacto-ambiental-de-canal-interocean-articulo-588515>
- <sup>360</sup> Sci Dev Net, Canal could turn Lake Nicaragua into dead zone, 2015: <http://www.scidev.net/global/water/news/canal-dredging-lake-nicaragua-dead-zone.html>
- <sup>361</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>
- <sup>362</sup> Yale Environment 360, Nicaragua Canal, a Giant project with huge environmental costs, 2015: <http://business-humanrights.org/en/nicaragua-inter-ocean-canal-could-cause-major-social-environmental-harm-says-expert—previous-response-by-hknd-provided>
- <sup>363</sup> Rel-UITA, Aje Nicaragua acusada de contaminacion ambiental, 2015: <http://informes.rel-uita.org/index.php/sociedad/item/aje-nicaragua-acusada-de-contaminacion-ambiental>
- <sup>364</sup> Beacon Reader, Community resistance defeats Canadian mining project in Nicaragua, 2015: <https://www.beaconreader.com/sandra-cuffe/community-resistance-defeats-canadian-mining-project-in-nicaragua>
- <sup>365</sup> Business and Human Rights Resource Center, Nicaragua, Plantaciones de palma de Cukra Development Corporation generan impactos negativos en la alimentacion, el medio ambiente, el acceso al agua y la salud, segun documental, incluye respuesta de la empresa, 2014: <http://business-humanrights.org/es/nicaragua-plantaciones-de-palma-de-cukra-development-corporation-generan-impactos-negativos-en-la-alimentación-el-medio-ambiente-el-acceso-al-agua-y-la-salud-según-documental>
- <sup>366</sup> Kepa Organization, A Chinese rival to Panama Canal to be built in Nicaragua, 2013: <http://www.kepa.fi/teemat/kehitysta-ja-politiikkaa-blogi/13011>
- <sup>367</sup> Nicaragua Sugar States Limited, Responsabilidad Social y Ambiental, 2014: [http://nicaraguasugar.com/index.php?option=com\\_content&view=article&id=21&Itemid=137](http://nicaraguasugar.com/index.php?option=com_content&view=article&id=21&Itemid=137)
- <sup>368</sup> Holcim, Environmental Policy, 2013: <http://www.holcim.com.ni/uploads/NI/Politicaambiental.pdf>
- <sup>369</sup> Compañía Licorera de Nicaragua, Quality, no date: <http://www.clnsa.com.ni/quality.html>
- <sup>370</sup> Mercon Coffee Nicaragua, Water Treatment Plant, 2014: <http://www.merconcoffeegroup.com/sustainability/certifications/water-treatment-plant/>

- 
- <sup>371</sup> CASUR, Compañía Azucarera del Sur, La Responsabilidad Social Empresarial, NO DATE:  
<http://www.casur.com.ni/responsabilidadsocial/>
- <sup>372</sup> Ritter Sport, Product Responsibility, El Cacao, Ritter Sport's road to its own sustainable cocoa, 2016:  
<http://www.ritter-sport.de/en/Family-business-values/sustainability/el-cacao-00002/>
- <sup>373</sup> La Prensa, Invierten en RSE, Unos US\$600 millones se destinan a ese fin, 2015:  
<http://www.laprensa.com.ni/2015/05/30/economia/1841109-invierten-en-rse>
- <sup>374</sup> Global Fairness Initiative, 'Roadmap to Economic Formalization 2010, 2011:  
[http://www.globalfairness.org/downloads/PILAR\\_Roadmap\\_Eng.pdf](http://www.globalfairness.org/downloads/PILAR_Roadmap_Eng.pdf)
- <sup>375</sup> Centro Humboldt, Valoracion de riesgos e impactos socio-ambientales de la mineria metalica en Nicaragua, 2013-2015:  
<http://www.humboldt.org.ni/sites/default/files//Estudio%20nacional%20de%20miner%C3%ADa.pdf>
- <sup>376</sup> International Monetary Fund, 'Nicaragua: Poverty Reduction Strategy Paper— Progress Report on National Human Development Plan as of 2010, November 2011:  
<http://www.imf.org/external/pubs/ft/scr/2011/cr11323.pdf>
- <sup>377</sup> Diario El 19, Inicia Cruzada Nacional de Reforestacion 2015, 2015:  
<http://www.el19digital.com/articulos/ver/titulo:30050-inicia-cruzada-nacional-de-reforestacion-2015>
- <sup>378</sup> Gobierno de Reconciliacion y Unidad Nacional, Plan Nacional de Desarrollo Humano 2012-2016, 2012: <http://www.pndh.gob.ni/>
- <sup>379</sup> Ejercito de Nicaragua, Batallon Ecologico desarrolla operacion Oro Verde, no date:  
<http://www.ejercito.mil.ni/contenido/noticias/2012-01/batallon-ecologico-oov.html>
- <sup>380</sup> BBC News, Nicaragua bids to stem deforestation with eco-soldiers, March 3, 2012:  
<http://www.bbc.co.uk/news/world-latin-america-17062806>
- <sup>381</sup> Centro Humboldt, Informe Anual 2014:  
<http://www.humboldt.org.ni/sites/default/files//informe%20anual%202014%20%281%29.pdf>
- <sup>382</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>
- <sup>383</sup> USAID, 'USAID Country Profile; Property Rights and Resource Governance, Nicaragua,' May 2011,  
[http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/Nicaragua\\_Country\\_Profile.pdf](http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/Nicaragua_Country_Profile.pdf)
- <sup>384</sup> International Working Group for Indigenous Affairs  
 IWGIA, 2015 Yearbook Article, Nicaragua, 2015:  
[http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Nicaragua\\_IW2015\\_web.pdf](http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Nicaragua_IW2015_web.pdf)
- <sup>385</sup> FSD foundation for Sustainable Development, Nicaragua, NO DATE:  
<http://www.fsdinternational.org/country/nicaragua/envissues>
- <sup>386</sup> USAID, 'USAID Country Profile; Property Rights and Resource Governance, Nicaragua,' May 2011,  
[http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/Nicaragua\\_Country\\_Profile.pdf](http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/Nicaragua_Country_Profile.pdf)

<sup>387</sup> Centro Humboldt, Valoración de Riesgos e Impactos Socio-Ambientales de la Minería Metálica en Nicaragua, 2013-2015, 2015:

<http://www.humboldt.org.ni/sites/default/files//Estudio%20nacional%20de%20miner%C3%ADa.pdf>

W Radio, Ambientalistas piden en Nicaragua una mayor regulación de la minería, 2015:

<http://www.wradio.com.co/noticias/economia/ambientalistas-piden-en-nicaragua-una-mayor-regulacion-de-la-mineria/20151130/nota/3010011.aspx>

<sup>388</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:

<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>389</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>390</sup> Centro Nicaraguense de Derechos Humanos, Nicaragua ante la segunda revisión del Examen Periódico Universal, 2014:

[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)

<sup>391</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>392</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:

<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>393</sup> World Economic Forum, 'The Global Competitiveness Report 2014-2015:

[http://www3.weforum.org/docs/WEF\\_GlobalCompetitivenessReport\\_2014-15.pdf](http://www3.weforum.org/docs/WEF_GlobalCompetitivenessReport_2014-15.pdf)

<sup>394</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015:

<https://freedomhouse.org/report/freedom-world/2015/nicaragua>

<sup>395</sup> USAID, 'Land and Tenure-Nicaragua Report 2011,' May 2011,

[http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/USAID\\_Land\\_Tenure\\_Nicaragua\\_Profile.pdf](http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/USAID_Land_Tenure_Nicaragua_Profile.pdf)

<sup>396</sup> Embassy of the United States in Managua, Property Office, no date:

[http://nicaragua.usembassy.gov/econ\\_property\\_office.html](http://nicaragua.usembassy.gov/econ_property_office.html).

<sup>397</sup> Asamblea Nacional de Nicaragua, Constitución Política, 1948:

<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

El Nuevo Diario, La garantía jurídica del derecho de propiedad en Nicaragua, 2012:

<http://www.elnuevodiario.com.ni/opinion/248531>

<sup>398</sup> Cancillería Nacional, Ley 445 del Régimen de Propiedad Comunal de los Pueblos Indígenas y Comunidades Étnicas de las Regiones Autónomas de la Costa Atlántica de Nicaragua y de los Ríos Bocay, Coco, Indio y Maíz, 2003: <http://www.cancilleria.gob.ni/garifuna/documentos/ley445.pdf>

<sup>399</sup> Centro Nicaraguense de Derechos Humanos, Organización Mundial contra la Tortura y la Federación Internacional de Derechos Humanos, Nicaragua ante la segunda revisión del Examen Periódico Universal, 2014:

[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)



- 
- <sup>400</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dld=236704#wrapper>
- <sup>401</sup> IPS News, Indigenous Nicaraguans fight to the death for their last forest, 2013:  
<http://www.ipsnews.net/2013/05/indigenous-nicaraguans-fight-to-the-death-for-their-last-forest/>
- <sup>402</sup> La Prensa, Demandan saneamiento, 2013: <http://www.laprensa.com.ni/2013/11/28/politica/172105-demandan-saneamiento>
- <sup>403</sup> IPS News, Indigenous Nicaraguans fight to the death for their last forest, 2013:  
<http://www.ipsnews.net/2013/05/indigenous-nicaraguans-fight-to-the-death-for-their-last-forest/>
- <sup>404</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>405</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>406</sup> Bertelsmann Foundation, Nicaragua Country Report, 2016: [http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Nicaragua.pdf](http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Nicaragua.pdf)
- <sup>407</sup> Embassy of the United States in Managua, Property Office, no date:  
[http://nicaragua.usembassy.gov/econ\\_property\\_office.html](http://nicaragua.usembassy.gov/econ_property_office.html)
- <sup>408</sup> U.S. Embassy in Managua Nicaragua, Property Office, no date:  
[http://nicaragua.usembassy.gov/econ\\_property\\_office.html](http://nicaragua.usembassy.gov/econ_property_office.html)
- <sup>409</sup> OIT, Ratifications for Nicaragua, NO DATE:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200\\_COUNTRY\\_ID:102780](http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102780)
- <sup>410</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua, Informe 2012, 2013:  
[http://www.cenidh.org/media/documents/docfile/Informe\\_Anual\\_2012.pdf](http://www.cenidh.org/media/documents/docfile/Informe_Anual_2012.pdf)
- <sup>411</sup> Centro Nicaraguense de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)
- <sup>412</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>
- <sup>413</sup> Confidencial, Indigenas denuncian presiones para firmar aval del Canal, 2016:  
<http://confidencial.com.ni/indigenas-son-presionados-para-firmar-aval-del-canal/>
- <sup>414</sup> Humboldt Center, Diagnostico y propuestas para mejorar la transparencia y rendicion de cuentas en las industrias extractivas de Nicaragua, 2014:  
<http://www.humboldt.org.ni/sites/default/files//Diagnostico%20de%20Industrias.pdf>
- <sup>415</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015:  
<https://freedomhouse.org/report/freedom-world/2015/nicaragua>
- <sup>416</sup> Yale Environment 360, Nicaragua Canal, a Giant project with huge environmental costs, 2015:  
<http://business-humanrights.org/en/nicaragua-inter-ocean-canal-could-cause-major-social-environmental-harm-says-expert—previous-response-by-hknd-provided>

- 
- <sup>417</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>418</sup> Centro Nicaraguense de Derechos Humanos, Organizacion Mundial contra la Tortura y la Federacion Internacional de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014: [http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)
- <sup>419</sup> World Bank, Nicaragua, Second Land Administration Project PRODEP, 2015: <http://documents.worldbank.org/curated/pt/2015/03/25065469/nicaragua-second-land-administration-project-prodep-ii-implementation-support-mission-february-22-march-3-2015-nicaragua-segundo-proyecto-de-ordenamiento-de-la-propiedad-prodep-ii-misión-eran-apoyar-la-ejecución-22-de-febrero-al-3-de-marzo-de-2015>
- <sup>420</sup> Centro de Asistencia a Pueblos Indigenas, Quienes Somos, no date: <http://calpi.nativeweb.org/quien-somos.htm>
- <sup>421</sup> Asamblea Nacional Legislativa, Ley 641 Código Penal, 2008: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/1F5B59264A8F00F906257540005EF77E?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/1F5B59264A8F00F906257540005EF77E?OpenDocument)
- Organizacion de Estados Americanos, Ley 581 Especial del Delito de Cohecho y Delitos contra el Comercio Internacional e Inversion Internacional, 2006: [http://www.oas.org/juridico/spanish/mesicic2\\_nic\\_anexo20.pdf](http://www.oas.org/juridico/spanish/mesicic2_nic_anexo20.pdf)
- <sup>422</sup> Asamblea Nacional Legislativa, Ley 641 Código Penal, 2008: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/1F5B59264A8F00F906257540005EF77E?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/1F5B59264A8F00F906257540005EF77E?OpenDocument)
- <sup>423</sup> Asamblea Nacional Legislativa, Ley 641 Código Penal, 2008: [http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/1F5B59264A8F00F906257540005EF77E?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/1F5B59264A8F00F906257540005EF77E?OpenDocument)
- <sup>424</sup> Business Anti-Corruption Portal, Nicaragua, 2015: <http://www.business-anti-corruption.dk/country-profiles/the-americas/nicaragua/snapshot.aspx>
- <sup>425</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>
- <sup>426</sup> Business Anti-Corruption Portal, Nicaragua, 2015: <http://www.business-anti-corruption.dk/country-profiles/the-americas/nicaragua/snapshot.aspx>
- <sup>427</sup> Instituto de Estudios Estrategicos y Politicas Publicas, Oportunidades y Desafios del Accountability Social en las compras publicas nicaragüenses, 2014: <http://www.ieepp.org/wp-content/uploads/downloads/2014/09/oportunidadesydesafios.pdf>
- <sup>428</sup> Business Anti-Corruption Portal, 'Nicaragua Profile: Procurement and Contracting, 2011: <http://www.business-anti-corruption.com/country-profiles/latin-america-the-caribbean/nicaragua/corruption-levels/public-procurement-and-contracting/>
- <sup>429</sup> Business Anti-Corruption Portal, Nicaragua, 2015: <http://www.business-anti-corruption.dk/country-profiles/the-americas/nicaragua/snapshot.aspx>

- 
- <sup>430</sup> Instituto de Estudios Estrategicos y Politicas Publicas, Oportunidades y Desafios del Accountability Social en las compras publicas nicaragüenses, 2014: <http://www.ieepp.org/wp-content/uploads/downloads/2014/09/oportunidadesydesafios.pdf>
- <sup>431</sup> U.S. Department of State, '2014 Investment Climate Statement- Nicaragua, 2014: <http://www.state.gov/e/eb/rls/othr/ics/2014/227216.htm>
- <sup>432</sup> Nicaragua Hoy, Reformas Constutionales son expresion de un estado fascista, 2013: [http://www.nicaraguahoy.info/dir\\_cgi/topics.cgi?op=print\\_topic;cat=NoticiasGenerales;id=1384701194](http://www.nicaraguahoy.info/dir_cgi/topics.cgi?op=print_topic;cat=NoticiasGenerales;id=1384701194)
- <sup>433</sup> Instituto de Estudios Estrategicos y Politicas Publicas, Oportunidades y Desafios del Accountability Social en las compras publicas nicaragüenses, 2014: <http://www.ieepp.org/wp-content/uploads/downloads/2014/09/oportunidadesydesafios.pdf>
- <sup>434</sup> Bertelsmann Foundation, Nicaragua Country Report, 2016: [http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Nicaragua.pdf](http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Nicaragua.pdf)
- <sup>435</sup> Inter-American Commission on Human Rights, The Right to Access to Information in the Americas Inter-American Standards and Comparison of Legal Frameworks, 2011: <http://www.oas.org/en/iachr/expression/docs/publications/access%20to%20information%20in%20the%20Americas%202012%2005%2015.pdf>
- <sup>436</sup> Gobierno de Reconciliacion y Unidad Nacional, Plan Nacional de Desarrollo Humano 2012-2016, 2012: <http://www.pndh.gob.ni/>
- <sup>437</sup> Bertelsmann Foundation, Nicaragua Country Report 2014 <http://www.bti-project.org/fileadmin/Inhalte/reports/2014/pdf/BTI%202014%20Nicaragua.pdf>:
- <sup>438</sup> World Bank, Country Partnership Strategy for the Republic of Nicaragua, 2012: <http://www.worldbank.org/en/news/press-release/2012/11/13/nicaragua-wb-new-2013-2017-strategy-promotes-social-well-being-greater-productivity>
- <sup>439</sup> Centro Humboldt, Diagnostico y Propuesta para mejorar la transparencia y rendición de cuentas en las industrias extractivas de Nicaragua, 2015: <http://www.humboldt.org.ni/sites/default/files//Diagnostico%20de%20Industrias.pdf>
- <sup>440</sup> Centro Nicaraguense de Derechos Humanos, Organizacion Mundial contra la Tortura y la Federacion Internacional de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014: [http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)
- <sup>441</sup> Centro Nicaraguense de Derechos Humanos, Organizacion Mundial contra la Tortura y la Federacion Internacional de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014: [http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)
- <sup>442</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015: <https://freedomhouse.org/report/freedom-world/2015/nicaragua>
- <sup>443</sup> KPMG, Significant Impacts of the Tax Concertation Law, 2012: <https://www.kpmg.com/Global/en/IssuesAndInsights/ArticlesPublications/taxnewsflash/Documents/nicarag-apr17-2013english.pdf>

- 
- <sup>444</sup> Deloitte, Corporate Tax Rates 2015:  
<https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dttl-tax-corporate-tax-rates-2015.pdf>
- <sup>445</sup> Institute de Estudios Estrategicos y Politicas Publicas (IEEPP), Cultura Tributaria en Nicaragua, Conocimientos, percepciones y valores de los nicaraguenses sobre los impuestos, 2011-2012, 2013:  
<http://www.ieepp.org/wp-content/uploads/downloads/2013/04/Cultura-Tributaria-GIRO-WEBSITE.pdf>
- <sup>446</sup> Revista Estrategias y Negocios, Piden controlar incentivos fiscales en Centroamerica, 2015:  
<http://www.estrategiaynegocios.net/lasclavesdeldia/853171-330/piden-controlar-incentivos-fiscales-en-centroamérica>
- <sup>447</sup> Institute de Estudios Estrategicos y Politicas Publicas (IEEPP), Cultura Tributaria en Nicaragua, Conocimientos, percepciones y valores de los nicaraguenses sobre los impuestos, 2011-2012, 2013:  
<http://www.ieepp.org/wp-content/uploads/downloads/2013/04/Cultura-Tributaria-GIRO-WEBSITE.pdf>
- <sup>448</sup> Centro Humboldt, Diagnostico y Propuesta para mejorar la transparencia y rendición de cuentas en las industrias extractivas de Nicaragua, 2015:  
<http://www.humboldt.org.ni/sites/default/files//Diagnostico%20de%20Industrias.pdf>
- <sup>449</sup> Centro Humboldt, Valoracion de riesgos e impactos socio-ambientales de la mineria metalica en Nicaragua, 2013-2015:  
<http://www.humboldt.org.ni/sites/default/files//Estudio%20nacional%20de%20miner%C3%ADa.pdf>
- <sup>450</sup> Centro Nicaraguense de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)
- <sup>451</sup> World Bank, Country Partnership Strategy for the Republic of Nicaragua, 2012:  
<http://www.worldbank.org/en/news/press-release/2012/11/13/nicaragua-wb-new-2013-2017-strategy-promotes-social-well-being-greater-productivity>
- <sup>452</sup> Yale Environment 360, Nicaragua Canal, a Giant project with huge environmental costs, 2015:  
<http://business-humanrights.org/en/nicaragua-inter-ocean-canal-could-cause-major-social-environmental-harm-says-expert—previous-response-by-hknd-provided>
- <sup>453</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>
- <sup>454</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>455</sup> Direccion General de ingresos, Inicia implementacion de proyecto entre DGI y la UE, 2015:  
<http://www.dgi.gob.ni/interna.php?sec=86&id=478>
- <sup>456</sup> Direccion General de ingresos, Inicia implementacion de proyecto entre DGI y la UE, 2015:  
<http://www.dgi.gob.ni/interna.php?sec=86&id=478>
- <sup>457</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

---

<sup>458</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>459</sup> Asamblea Nacional de Nicaragua, Consitución Política, 1948:  
<http://legislacion.asamblea.gob.ni/Normaweb.nsf/3133c0d121ea3897062568a1005e0f89/06c0db3b7bcfc75706257307006f6c6d?OpenDocument>

<sup>460</sup> Ministerio de Gobernacion, Funciones, NO DATE: <http://www.migob.gob.ni/?o=seccion&a=ver&i=5>

<sup>461</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>462</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>463</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015:  
<https://freedomhouse.org/report/freedom-world/2015/nicaragua>

<sup>464</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>465</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>466</sup> Centro Nicaraguense de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)

<sup>467</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>468</sup> UN Human Rights Council, Summary prepared by the Office of the UN High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/104/22/PDF/G1410422.pdf?OpenElement>

<sup>469</sup> Centro Nicaraguense de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)

<sup>470</sup> Asamblea Nacional Legislativa, Ley 228 de la Policia Nacional, 1996:  
[http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/88992F7FAA40EFAC06257116005D3CFF?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/88992F7FAA40EFAC06257116005D3CFF?OpenDocument)

Decreto 26 que reglamenta la Ley 228 de la Policia Nacional, 1006:  
[http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/7601426CD51DB3DF0625755F007C70BE?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/7601426CD51DB3DF0625755F007C70BE?OpenDocument)

---

<sup>471</sup> UN, Ley 510 Especial para el control y regulacion de armas de fuego, municiones, explosivos y otros materiales relacionados, 2004:

<http://www.un.org/disarmament/convarms/NLDU/docs/NLDU/NicaraguaS%20Ley%20Especial.pdf>

<sup>472</sup> El Nuevo Diario, Buscan fusion de seguridad privada con policia nacional, 2012:

<http://www.elnuevodiario.com.ni/nacionales/242455>

<sup>473</sup> Confidencial, El pastel de la seguridad privada, 2014:

<http://confidencial.com.ni/archivos/articulo/20318/el-pastel-de-la-seguridad-privada>

<sup>474</sup> Environmental Justice Atlas, Nicaragua, 2015: <https://ejatlas.org/conflict/palma-africana-kukra-hill-nicaragua>

<sup>475</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:

<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>

<sup>476</sup> La Prensa, Agredido en marcha recurrira a la CIDH, 2015:

<http://www.laprensa.com.ni/2015/11/04/politica/1930458-agredido-en-marcha-recurrira-a-la-cidh>

<sup>477</sup> La Informacion, Pobladores denuncian presencia policial contra mineros en noroeste de Nicaragua, 2015: [http://noticias.lainformacion.com/economia-negocios-y-finanzas/mineria/pobladores-denuncian-violencia-policial-contr-mineros-en-noroeste-de-nicaragua\\_gGZ9fTxD2I7tZjHZ6Ya713/](http://noticias.lainformacion.com/economia-negocios-y-finanzas/mineria/pobladores-denuncian-violencia-policial-contr-mineros-en-noroeste-de-nicaragua_gGZ9fTxD2I7tZjHZ6Ya713/)

<sup>478</sup> Nicaragua Dispatch, Police kills protesters in Chichigalpa, 2014:

<http://www.nicaraguadispatch.com/news/2014/01/police-kill-protester-in-chichigalpa/8566>

<sup>479</sup> Excelsior Noticias, Condenan a escoltas de presidente nicarguense por violacion a una nina discapacitada, 2013: <http://www.excelsior.com.mx/2013/01/29/global/881712>

<sup>480</sup> OHCHR, Universal Periodic Review, 2010:

<http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CNI%5CSession7.aspx>

<sup>481</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

<sup>482</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015:

<https://freedomhouse.org/report/freedom-world/2015/nicaragua>

<sup>483</sup> Human Rights Council, Report of the Special Rapporteur in the Independence of Judges and Lawyers, Subregional consultation on the independence of the judiciary in Central America, 2013: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/126/14/PDF/G1312614.pdf?OpenElement>

<sup>484</sup> Centro Nicaraguense de Derechos Humanos, Organizacion Mundial contra la Tortura y la Federacion Internacional de Derechos Humanos, Nicaragua ante la segunda revision del Examen Periodico Universal, 2014:

[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)

<sup>485</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>

- <sup>486</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015:  
<https://freedomhouse.org/report/freedom-world/2015/nicaragua>
- <sup>487</sup> Freedom House, Freedom in the World Report, Nicaragua, 2015:  
<https://freedomhouse.org/report/freedom-world/2015/nicaragua>
- <sup>488</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>489</sup> Inter-American Commission on Human Rights, Report on the Situation of People of Afro descendants in Latin America, 2011: <http://www.oas.org/en/iachr/reports/thematic.asp>
- <sup>490</sup> Tribunal Nacional Laboral de Apelaciones, Marco Juridico, 2014:  
<http://www.poderjudicial.gob.ni/tnla/>
- <sup>491</sup> Central America Data, Labour Lawsuit Accelerated in Nicaragua, 2013:  
[http://www.centralamericadata.com/en/article/home/Labor\\_Lawsuits\\_Accelerated\\_in\\_Nicaragua](http://www.centralamericadata.com/en/article/home/Labor_Lawsuits_Accelerated_in_Nicaragua)
- <sup>492</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>493</sup> Poder Judicial, Anuario Estadístico 2013:  
[http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO\\_2013.pdf](http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO_2013.pdf)
- <sup>494</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>495</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>
- <sup>496</sup> Poder Judicial, Anuario Estadístico 2013:  
[http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO\\_2013.pdf](http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO_2013.pdf)
- <sup>497</sup> Poder Judicial, Anuario Estadístico 2013:  
[http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO\\_2013.pdf](http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO_2013.pdf)
- <sup>498</sup> UNDP, Adaptation Learning Mechanism, Mainstreaming Multilateral Environmental Agreements into Environmental Legislation in Nicaragua, NO DATE: <http://www.undp-alm.org/projects/mainstreaming-multilateral-environmental-agreements-environmental-legislation-nicaragua/about>.
- <sup>499</sup> Gobierno de Reconciliación y Unidad Nacional, Plan Nacional de Desarrollo Humano 2012-2016, 2012: <http://www.pndh.gob.ni/>
- <sup>500</sup> Movimiento Autonomo de Mujeres, Nota de Prensa sobre Audiencia CIDH-OEA, 2013:  
<http://www.movimientoautonomodemujeres.org/noticia/171>
- <sup>501</sup> Inter-American Commission on Human Rights, Report on the Situation of People of Afro descendants in Latin America, 2011: <http://www.oas.org/en/iachr/reports/thematic.asp>
- <sup>502</sup> Poder Judicial, Anuario Estadístico 2013:  
[http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO\\_2013.pdf](http://www.poderjudicial.gob.ni/pjupload/die/pdf/ANUARIO_2013.pdf)
- <sup>503</sup> Procuraduría para la Defensa de los Derechos Humanos, Informe Anual, 2014:  
<http://www.pddh.gob.ni/wp-content/uploads/2013/01/INFORME-ANUAL-2014-.pdf>

- 
- <sup>504</sup> Procuraduría para la Defensa de los Derechos Humanos, Informe Anual, 2014:  
<http://www.pddh.gob.ni/wp-content/uploads/2013/01/INFORME-ANUAL-2014-.pdf>
- <sup>505</sup> Centro Nicaraguense de Derechos Humanos, informe alternativo al proceso UPR Nicaragua, 2014:  
[http://www.cenidh.org/media/documents/docfile/INFORMES\\_EPU\\_ESPAÑOL\\_E\\_INGLES\\_\\_web.pdf](http://www.cenidh.org/media/documents/docfile/INFORMES_EPU_ESPAÑOL_E_INGLES__web.pdf)
- <sup>506</sup> Procuraduría para la Defensa de los Derechos Humanos, Observatorio de la Diversidad Sexual, 2012:  
[http://ods.pddh.gob.ni/?page\\_id=34](http://ods.pddh.gob.ni/?page_id=34)
- <sup>507</sup> Procuraduría para la Defensa de los Derechos Humanos, Informe Anual, 2014:  
<http://www.pddh.gob.ni/wp-content/uploads/2013/01/INFORME-ANUAL-2014-.pdf>
- <sup>508</sup> Procuraduría General de la República, Procuraduría General de la Propiedad, no date:  
<http://www.pgr.gob.ni/index.php/areas-de-la-pgr/procuraduria-nacional-de-la-propiedad>
- <sup>509</sup> Centro de Investigación de la Comunicación (CINCO), Mapas de Corrupción en Nicaragua, 2012:  
<http://www.cinco.org.ni/archive/415.pdf>
- <sup>510</sup> Procuraduría Nacional para la Defensa del Medio Ambiente y los Recursos Naturales, Misión, NO DATE: <http://www.pgr.gob.ni/index.php/areas-de-la-pgr/procuraduria-nacional-para-la-defensa-del-medio-ambiente-y-de-los-recursos-naturales>
- <sup>511</sup> El Nuevo Diario, Nicas callan los delitos ambientales, 2014:  
<http://www.elnuevodiario.com.ni/nacionales/321699-nicas-callan-delitos-ambientales/>
- <sup>512</sup> International Monetary Fund, 'Nicaragua: Poverty Reduction Strategy Paper— Progress Report on National Human Development Plan as of 2010,' November 2011,  
<http://www.imf.org/external/pubs/ft/scr/2011/cr11323.pdf>
- <sup>513</sup> Centro de Investigación de la Comunicación (CINCO), Mapas de Corrupción en Nicaragua, 2012:  
<http://www.cinco.org.ni/archive/415.pdf>
- <sup>514</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>
- <sup>515</sup> Danish Trade Union Council for International Development Cooperation (LO/FTF Council), Nicaragua Labour Market Profile, 2014:  
[http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp\\_nicaragua\\_2014\\_final\\_version\\_revised.pdf](http://www.ulandssekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_nicaragua_2014_final_version_revised.pdf)
- <sup>516</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236704#wrapper>
- <sup>517</sup> Poder Judicial de Nicaragua, Dirección de Solución Alternativa de Conflictos, Marco Jurídico, 2013:  
<http://www.poderjudicial.gob.ni/dirac/mlegal.asp>
- <sup>518</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015:  
<http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>519</sup> Amnesty International, Annual Report, Nicaragua, 2014-2015:  
<https://www.amnesty.org/en/documents/pol10/0001/2015/en/>
- <sup>520</sup> Procuraduría Nacional para la Defensa del Medio Ambiente y los Recursos Naturales, Misión, NO DATE: <http://www.pgr.gob.ni/index.php/areas-de-la-pgr/procuraduria-nacional-para-la-defensa-del-medio-ambiente-y-de-los-recursos-naturales>



- 
- <sup>521</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>
- <sup>522</sup> Organización Internacional para las Migraciones, Perfil Migratorio de Nicaragua, 2013: [http://migracionesnicaragua.files.wordpress.com/2011/05/perfil\\_migratorio\\_de\\_nicaragua.pdf](http://migracionesnicaragua.files.wordpress.com/2011/05/perfil_migratorio_de_nicaragua.pdf)
- <sup>523</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>
- <sup>524</sup> Diario Hoy, Trata de Personas en Nicaragua, 2014: <http://www.hoy.com.ni/2014/10/23/trata-de-personas-en-nicaragua/>
- <sup>525</sup> UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21, Nicaragua, 2014: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/110/10/PDF/G1411010.pdf?OpenElement>
- <sup>526</sup> Centro de Investigacion de la Comunicacion (CINCO), Mapas de Corrupcion en Nicaragua, 2012: <http://www.cinco.org.ni/archive/415.pdf>
- <sup>527</sup> United States Department of Labor, *2014 Findings on the Worst Forms of Child Labor - Nicaragua*, 2015: <http://www.dol.gov/ilab/reports/child-labor/findings/2014TDA/nicaragua.pdf>
- <sup>528</sup> Ministerio del Trabajo, Boletín, 2011: <http://www.mitrab.gob.ni/news/2012/enero-2012/restitucion-de-los-derechos-laborales-es-el-eje-principal-de-la-politica-del-mitrab/?searchterm=inspecciones>
- <sup>529</sup> La Prensa, E y T insta a denunciar corrupción en el Caribe, 2013: <http://www.laprensa.com.ni/2013/02/06/poderes/133594-eyt-insta-a-denunciar>
- <sup>530</sup> Centro Nicaraguense de Derechos Humanos, Derechos Humanos en Nicaragua 2014, 2015: <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- <sup>531</sup> Diario Hoy, Trata de Personas en Nicaragua, 2014: <http://www.hoy.com.ni/2014/10/23/trata-de-personas-en-nicaragua/>
- <sup>532</sup> Organization of American States, Programa de Facilitadores Judiciales, 2016: [http://www.oas.org/es/sla/facilitadores\\_judiciales\\_participantes\\_nicaragua.asp](http://www.oas.org/es/sla/facilitadores_judiciales_participantes_nicaragua.asp)
- <sup>533</sup> Organization of American States, Programa de Facilitadores Judiciales, Resultados en Nicaragua, 2012: [http://www.oas.org/es/sla/docs/facilitadores\\_judiciales\\_nicaragua\\_resultados\\_feb-2012.pdf](http://www.oas.org/es/sla/docs/facilitadores_judiciales_nicaragua_resultados_feb-2012.pdf)
- <sup>534</sup> Gobierno de Reconciliación y Unidad Nacional, Plan Nacional de Desarrollo Humano 2012-2016, 2012: <http://www.pndh.gob.ni/>
- <sup>535</sup> United Nations Human Rights Council, Special Procedures, 2015: <http://www.ohchr.org/EN/HRBodies/SP/Pages/Introduction.aspx>
- <sup>536</sup> Working Group on the issue of human rights and transnational corporations and other business enterprises, Mandate, 2015: <http://www.ohchr.org/EN/Issues/Business/Pages/WGHRandtransnationalcorporationsandotherbusiness.aspx>
- <sup>537</sup> Inter-American Commission on Human Rights, What is the IACHR, 2011: <http://www.oas.org/en/iachr/mandate/what.asp>
- <sup>538</sup> Petition and Case System, Informational Brochure, 2010: <http://www.oas.org/en/iachr/docs/pdf/HowTo.pdf>

- 
- <sup>539</sup> Inter-American Commission on Human Rights, Rapporteurship on the Rights of Indigenous Peoples, Judgments of the Inter-American Court, NO DATE:  
[http://www.oas.org/en/iachr/indigenous/decisions/ia\\_court\\_hr.asp](http://www.oas.org/en/iachr/indigenous/decisions/ia_court_hr.asp)
- <sup>540</sup> Comision Interamericana de Derechos Humanos, Informe N 100/01, Milton Garcia Fijado y Otros, Nicaragua, 2001: <http://www.cidh.oas.org/annualrep/2001sp/Nicaragua11381.htm>
- <sup>541</sup> Comision Interamericana de Derechos Humanos, Informe N 12/94, Caso 10.770, Nicaragua, 2014: <http://www.cidh.oas.org/annualrep/93span/cap.III.nicaragua10.770.htm>
- <sup>542</sup> Corte Interamericana de Justicia, Mision: <http://portal.ccej.org.ni/ccj2/LaCorte/tabid/56/Default.aspx>
- <sup>543</sup> U.S. Department of State, 2014 Human Rights Report, Nicaragua, 2015:  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236704#wrapper>
- <sup>544</sup> Compliance Advisor Ombudsman: <http://www.cao-ombudsman.org/about/>
- <sup>545</sup> CAO, Compliance Advisor Ombudsman, Nicaragua, Nicaragua Sugar States Limited 01/Leon and Chinandega, 2012: [http://www.cao-ombudsman.org/cases/case\\_detail.aspx?id=82](http://www.cao-ombudsman.org/cases/case_detail.aspx?id=82)
- CAO, Compliance Advisor Ombudsman, Nicaragua, Ingenio Montelimar – 01/Montelimar Environs:  
[http://www.cao-ombudsman.org/cases/case\\_detail.aspx?id=242](http://www.cao-ombudsman.org/cases/case_detail.aspx?id=242)
- <sup>546</sup> World Bank, Inspection Panel, About us:  
<http://ewebapps.worldbank.org/apps/ip/Pages/AboutUs.aspx>
- <sup>547</sup> The World Bank Inspection Panel, All Panel Cases, 2015:  
<http://ewebapps.worldbank.org/apps/ip/Pages/AllPanelCases.aspx>
- Itaparica Resettlement and Irrigation Project, 1997:  
<http://ewebapps.worldbank.org/apps/ip/Pages/ViewCase.aspx?CaseId=39><http://ewebapps.worldbank.org/apps/ip/Pages/ViewCase.aspx?CaseId=39>
- <sup>548</sup> Inter-American Development Bank, Independent Consultation and Investigation Mechanism, 2015:  
<http://www.iadb.org/en/mici/home,1752.html>
- <sup>549</sup> Inter-American Development Bank, Independent Consultant and Investigation Mechanism, Requests by countries, 2015: <http://www.iadb.org/en/mici/requests-by-country,7631.html>
- <sup>550</sup> ILO, Committee on Freedom of Association: <http://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-on-freedom-of-association/lang--en/index.htm>
- <sup>551</sup> ILO, NORMLEX, Nicaragua, 2015:  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:11110:0::NO:11110:P11110\\_COUNTRY\\_ID:102780](http://www.ilo.org/dyn/normlex/en/f?p=1000:11110:0::NO:11110:P11110_COUNTRY_ID:102780)