

## Nicaragua

Nicaragua ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1981. Nicaragua's last CEDAW report was in 2007. The Constitution of the Republic of Nicaragua establishes equality between men and women (Art. 48). The Law of Equal Rights and Opportunities (Law 648) is aimed at promoting gender equality to ensure the full development and advancement of Nicaraguan women in all spheres of life.

### 1. Discrimination in the family

#### a) Overarching legal framework for marriage

In 2014, the Family Code (Law 870) was enacted in Nicaragua, granting women the same rights as men to enter into marriage (Art. 53). Under the Family Code, family relations should be based on mutual respect and solidarity (Art. 53). Additionally, under article 53 of the code, the concept of marriage was redefined. Marriage is currently considered as a voluntary union of one man and one woman based on the free and mutual consent of both partners to share a common life and establish a family.

Forced marriage has been banned and penalized in Nicaragua under article 182 of the 2015 Law against Trafficking in Persons (Law 896). This Law defines forced marriage as the practice whereby persons are given or promised in marriage or de facto unions on payment of a consideration in money, kind, or any other type of remuneration given to parents, legal guardian, family members or any other person or group of persons (Art 6. para. 9). Penalties range from 19 to 20 years of imprisonment and a fine corresponding to 1,000 days in cases where the victim of forced marriage is a child or an adolescent.

Nicaraguan law provides for official registration of civil marriages. Under article 62 of the Family Code, the territorial and communal authorities of the indigenous and Afro-descendant peoples in the Autonomous Regions of the Caribbean Coast are authorized to perform civil marriages and register the de-facto unions. The Family Code also recognizes that de-facto unions have the same legal status as civil marriages (Art 72). De-facto union is as a voluntary agreement between a man and a woman who, without legal impediment to marriage, freely cohabit for at least two consecutive years (Art. 82).

#### b) Child marriage

The minimum legal age of marriage for both women and men in Nicaragua is 18 years old (Law 870 Art. 54). Nevertheless, adolescents between 16 years old and 18 years old are allowed to marry with the consent of their parents or legal guardian (Law 870. Art 54).

Child marriage is considered void in Nicaragua. Article 57 of the Family Code establishes that anyone younger than 16 years cannot enter into marriage or register a de facto union. A 2016 UNICEF report estimated that 24% of Nicaraguan girls marry or cohabit in de-facto unions before the legal age of marriage. Furthermore, Nicaragua has the highest rate of adolescent pregnancy in Latin America.

According to a recent UNFPA study, 28% of women aged between 20 years old and 24 years old have reported a live birth before reaching the age of 18. FUNIDES report highlights that girls who become pregnant before the age of 18 are more likely to live in rural areas and have little or no access to school, specifically on the Caribbean Coast and in the Central North region of the country (FUNIDES, 2016a).

### **c) Household responsibilities**

Articles 80 and 81 of the Family Code establish that spouses have equal rights and responsibilities. Therefore, this provision guarantees women's legal right to receive an education and choose a profession or occupation. The Family Code also states that women enjoy the right to freedom of movement which entails travelling outside the country. In respect to household responsibilities, the same legislation guarantees women to be recognized as the head of the household. It stipulates that families headed by single mothers, widows, divorcees, grandmothers and other family members who exercise the parental authority enjoy the same legal rights and have the same responsibilities. (Art. 37, Law 870).

The shared rights and responsibilities enunciated in the Family Code grant women's right to be guardian of their children during marriage and de-facto unions (Family Code, Art. 270 and 90). Under article 270 of the Family Code, both parents are equally responsible for the guardianship of their children. Nevertheless, if the father or mother is missing, not only when s(he) has died, but also when s(he) is absent or is judicially declared incapable of exercising parental authority, a guardian will be assigned to exercise the legal custody of the children.

Article 93 of the Family Code provides married women with the same right as men to choose where to live. In addition, the family dwelling must be explicitly declared and legally registered by the spouses, cohabitating partners or those who exercise the parental authority.

In practice, traditional attitudes and beliefs about gender relations lead to gender inequality and keep women at subordinate roles in the family. In Nicaragua, 43% of women of reproductive age believe that a wife should obey her husband, even if she does not agree with him (INIDES, 2007).

In Nicaragua, women are seen as primarily caregivers within the family and they are more likely than men to be responsible of household chores. Unpaid care work and household responsibilities limits women's economic empowerment and reinforces broader gender inequalities. Nicaraguan women undertake 4 hours more per day than Nicaraguan men to do in domestic work (Encuesta SISMO; UNDP, 2014).

### **d) Divorce**

The provisions of the Family Code safeguard women's legal right to initiate divorce (Art. 137) and establishes that women have the same requirement to finalise a divorce or annulment as men (Family Code, Art. 150 and 151). After divorce, both parents share the rights to be the legal guardian of their children. However, the court may, upon application, order exclusive guardianship due to the suspension or limitation of parental guardianship of the other parent in order to safeguard children's best interests and wellbeing. Article 274 of the Family Code provides women with the same rights and

responsibilities as men to their children after divorce. There are no customary, religious or traditional practices or laws that discriminate against women's legal right to initiate divorce or that restrict women's legal right to exercise parental guardianship after divorce.

### **e) Inheritance**

In the matter of inheritance, daughters are free to inherit land and non-land assets in the same way as sons (Family Code, Art. 189). Sons and daughters are entitled to the same rights and responsibilities. Further, discriminatory classifications or qualifications that diminish or deny the equality of sons and daughters are explicitly prohibited (Family Code, Art. 189). Moreover, the law take precedence over customary, traditional or religious laws that promote discriminatory practices towards women and girls. In addition, the Civil Code of the Republic of Nicaragua states that women have equal rights to execute or administer a will (Civil Code, Art. 945). In Nicaragua, there is no evidence of discriminatory practices or law that discriminate against daughters and female surviving spouses' legal rights to inherit property.

## **2. Restricted Physical integrity**

### **a) Violence against women**

Nicaragua ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women in 1995. The Comprehensive Violence against Women Law (Law 779) was enacted in 2012 and it is based on the principle of equality and non-discrimination. The Law 779 is aimed at protecting women's human rights and guaranteeing a life free of all forms of violence. It establishes a comprehensive legal framework to prevent, punish and eliminate all forms of violence against women. Furthermore, it also stipulates measures to protect assist and support victims and survivors of gender-based violence. The Law 779 aims to change social norms and patriarchal attitudes that sustain unequal power relations between men and women in Nicaragua.

Law 779 establishes the protection and support services for the survivors of gender-based violence. This includes the provision of comprehensive and free healthcare services for women, in particular to address the injuries, diseases and traumas caused by gender-based violence. It also ensures that public and private healthcare centres provide survivors with safe services in an atmosphere of privacy and trust which takes into account the situation of physical and emotional vulnerability of the survivors (Law 779, Arts. 19, 20, 21). Articles 24 and 25 of the Law 779 provide provisions related to the investigation, prosecution and punishment of perpetrators.

Implementation of Nicaragua's Comprehensive Law on Violence against Women is supported by the Decree (42-2014), which established the National Policy to strengthen the Nicaraguan Family and Prevention of Violence (Decree 43-2014). At the national level, the article 7 of the Decree 42 introduces two strategic prevention provisions 1) the creation of family counselling services and 2) an education based on values. In addition, the Family Counselling provides women, families, or couples with psychological assistance to restore any type of alteration regarding the interpersonal relationships.

Nevertheless, there are loopholes between the legal framework and the implementation of the law. Although *femicide* is defined as a crime committed by a man who murders a woman in the public or private sphere (Law 779, Art. 9), the Decree 42 limits its definition to interpersonal relationships (Art. 2).

Community Family counselling services conduct home visits and training on family values (Art. 9). In addition, when at the community level, the situation provoking conflicts between couples or family members are not resolved, women will have the option of going to the Women's and Children's Police Stations (Art. 10). Civil society including women's movements have claimed that these complementary steps could increase the legal procedures for women victims of violence to access the justice system; violating the principles of celerity and non-secondary victimization established in the Law 779 (Red de Mujeres, 2014).

### **b) Domestic violence**

In Nicaragua, the Penal Code (Law 641) was amended in 2014 in order to incorporate a new provision regarding domestic violence. Thereupon, domestic violence is defined as any type of force, violence, physical or psychological intimidation to anyone inflicted by one's current or former spouse, partner, relative or any other person living in the shared household. However, economic abuse is not specifically mentioned in the Penal Code. Domestic violence is criminalized in Nicaragua (Art. 155, Penal Code). According to provisions of the Penal Code, someone can be sentenced from one up to twelve years of imprisonment depending on the level of aggression perpetrated to the person (from minor to serious injuries). Coupled with the penalties, perpetrators of domestic violence are subject to specific disqualifications in regard to their rights as fathers or mothers, and their relationship with their children. The Comprehensive Violence against Women Law (Law 779) covers physical, sexual, physiological and economic abuse.

Mediation and conciliation in cases of domestic violence is addressed under the article 46 of the Comprehensive Violence against Women Law. In 2013, the National Assembly of Nicaragua approved the reform of the Law 779. Throughout this reform, conciliation is allowed in offenses and minor injuries with penalties of less than 5 years. According to the law, intimidation or threat against women and child abduction will not merit jail time (Art 46, Law 779). According to CLADEM's alternative report on the evaluation of the second hemispheric of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI), this reform diminishes Nicaraguan's government efforts to guarantee the right of women to enjoy a life free from all forms of violence (CLADEM, 2016).

Nicaragua's Comprehensive Law on Violence against Women integrates services for survivors of all forms of violence. This includes the creation of emergency shelters and support of self-help groups to protect survivors of violence (Art. 21, para. h). However, the legal framework is not always effectively implemented. A 2012 report undertaken by the CENIDH and Alianza Centro de las Mujeres found that the National Police has only established one shelter for victims of human trafficking and violence, which has a reduced capacity since it can host a maximum of 20 women in 2011. The majority of emergency shelters in Nicaragua have been set up by civil society organizations.

Furthermore, the Law 779 aims at opening a free and accessible hotline connected to the police and the Public Prosecutor's Office. The goal is not only to provide information and advice on existing resources regarding the prevention of violence, but also provide assistance to the survivors of all forms of violence (Art. 3. Para (h), Law 779). In 2014, the hotline 133 was launched at the national level and statistics provided by the Ministry of the Family, Adolescence and Childhood indicated that only 3% of the calls received were related to gender-based violence cases.

Findings of a 2008 report on domestic and sexual violence raised concerns over the lack of gender awareness and legal training on issues of women's rights among police officers in Nicaragua (Policia Nacional, PNUD 2009; CIDH 2011; SI MUJER, 2012). According to the Nicaraguan Centre of Human Rights (CENIDH), there is no data available at the national level on the number of trainings on gender-based violence received by police officers and personnel working at the Women's Police Stations (*Comisariás de la Mujer*). In 2011, a total of 291 police officers in the Pacific region of Nicaragua have been trained on domestic violence, human rights and anti-trafficking (CENIDH, 2012). Moreover, the government has committed to strengthen and promote training and education campaigns to raise awareness about violence against women in order to prevent and eliminate all forms of violence against women in Nicaragua (Law 779, Article 3 para b.)

In Nicaragua, approximately 14% of surveyed women believed that it was appropriate for men to beat their wives in certain circumstances, including disagreeing with their husband (11.3%), neglecting children or housework (3.4%), and leaving the home without telling their husband (1.8%) (INIDES, 2007; PAHO 2014).

Furthermore, Nicaragua's 2006-2007 Reproductive Health Survey revealed that 27% of ever married or in-union women aged 15 years to 49 years reported having experienced physical violence by their partner. In Nicaragua, the proportion of physical or sexual intimate partner violence is higher among urban women (32%) compared to rural women (25%) (INIDES, 2007; PAHO 2014).

### c) Rape

The Comprehensive Law on Violence against Women addresses the question of sexual violence including rape. In Nicaragua, rape is a statutory offense under the Penal Code (Art. 167, Law 641). Rape is defined as any carnal access (vaginal, oral, and anal) that is inflicted with violence, intimidation or any other means that deprives the victim of will. Rape is criminalised, with penalties ranging from 8 years to 12 years of imprisonment (Art. 167, Law 641). Similarly, marital rape is covered under the Penal Code.

In the case of certain aggravating circumstances punishment is increased from 12 to 15 years (Art. 169, Law 641). Sexual relations with a child under the age of 14 involve aggravating circumstances and carry a prison sentence of between 12 to 15 years. (Art. 168, Law 641). Aggravating circumstances are not limited to, but can include: marital rape, rape of vulnerable victims due to illness, physical or physiological disability, pregnant women and elderly people (Art. 169, Law 641).

According to the National Demographic and Health Survey (ENDESA, 2011-2012), the prevalence of rape in women aged between 15 years old and 49 years old is 8%. Furthermore, up to 8 out of 10 women reported having being raped before the age of 18 and half of those rapes occurred before

reaching 14 years old. Moreover, among the women who reported having being raped before the age of 15, the vast majority, 7 out of 10 women, did not seek help from the criminal justice system (IPAS Centroamérica, 2016).

#### **d) Sexual harassment**

Article 174 of the Penal Code prohibits sexual harassment. Sexual harassment is defined as any order, threat or offer intended to obtain favours of sexual nature, made by a person in authority towards a subordinate. The definition of sexual harassment does not specifically cover educational establishments, sporting establishments, public places or cyber harassment/cyber stalking. Penalties range from one year to three years of imprisonment. The maximum penalty is applied against perpetrators in cases where the victim or survivor is under 18 years old (Penal Code, Art. 174).

The Labour Code also prohibits sexual harassment in the workplace. In addition, the Law 779 stipulates that companies and educational establishments have a legal obligation to file sexual harassment complaints to the National Police or the Public Prosecutor's Office (Law 779, Art. 18).

Sexual harassment in the workplace is widely underreported in Nicaragua due to victims' fear over losing their jobs and the failure of authorities to consider abuse seriously (USDS, 2015). Results of the first Central American Working Conditions and Health Survey (I ECCTS) revealed that 2.4% of female workers reported having experienced sexual harassment in the workplace compared to 0.5% of male workers (I ECCTS, 2012).

#### **e) Female genital mutilation**

There is no evidence that Nicaragua is a country of concern with regards to female genital mutilation (UNICEF, 2016).

#### **f) Abortion**

The new Penal Code criminalises abortion with no exceptions (Penal Code, Art. 143). The new legal framework imposes penalties for abortion and medical practitioners and health workers can be held criminally liable. Article 143 of the Penal Code stipulates that anyone who induces an abortion with a woman's consent will face between one year and three years of prison. Health practitioners or medical professionals who induce an abortion will be sanctioned and banned between two years and five years from working in the health sector. Under the same article, self-induced abortion is also illegal and any woman who practices it will face between one year and two years of imprisonment.

The Penal code also stipulates that "anyone who intentionally causes a woman to abort without her consent will be punished with imprisonment of three years to six years" (Penal Code, Art. 145). If the offender is a medical professional, he or she will be sentenced and banned between five years and seven years from holding a medical position (Penal Code, Art. 145).

In Nicaragua, maternal mortality has been slightly reduced from 166 deaths per 100,000 live births in 2010 to 150 deaths per 100,000 live births in 2015 (World Bank, 2015). Nevertheless, the proportion of maternal indirect obstetric death has increased from 18% in 2006 to 22% in 2011 (World Bank, 2015).



### 3. Restricted Access to productive and financial resources

#### a) Secure access to land and assets

Nicaragua ratified the Indigenous and Tribal Peoples Convention in 2010.

Article 108 of the Constitution of the Republic of Nicaragua guarantees equal rights to married and unmarried women over the ownership, use, decision-making power and use as collateral over land. Article 616 of the Civil Code provides unmarried women with the same rights as unmarried men to own, use and make decisions over property and non-land assets. The Family Code establishes that the default marital regime is the separation of property and both partners must agree to the administration of marital property (Family Code, Art. 106-110). In addition, Article 79 of the Family Code states that both partners have the same rights and responsibilities over the ownership of properties and assets.

The Law on Urban and Agrarian Property Reform allows married couples to own joint property (Article 49). Moreover, the Constitution of Nicaragua ensures women's participation in cooperatives, producer organizations and rural committees (Arts 109,110 and 11). Article 109 of the Constitution promotes the creation of farmers' groups and cooperatives and prohibits any discrimination against individuals on the grounds of sex. The Constitution also guarantees the right to participate on land policy formulation and the design of land reform (Art. 111).

Despite the existence of laws protecting women's rights to access land (2010 Bill on Gender Equality for Land Purchase); rural women continue to face greater challenges to own land. A 2015 OXFAM report found that rural women in Nicaragua are less likely to own land than rural men. Only 23% of farms are owned by women and women's plots are significantly smaller than those owned by men. Findings of a survey among female cooperative leaders suggest that approximately 20% of surveyed women own land. The vast majority of women farmers rent small plots where they cultivate, at prices ranging from 200 USD to 400 USD per year (two to four times the monthly minimum wage in the agriculture sector) (OXFAM, 2015).

Indigenous women also encounter greater barriers to access land. Nicaraguan indigenous women face the triple burden of discrimination because of their gender, ethnicity and socioeconomic situation (FAO, 2017).

#### b) Secure access to formal financial resources

The Law on Equality of Rights and Opportunities establishes that women and men have the same rights to open a bank account at a formal institution and to obtain credit. The law also stipulates that the Government will promote women's access to credit and microcredit through the incorporation of gender dimensions into the formulation and design of national programmes and projects aimed at enhancing women's economic empowerment (Law 648, Art. 13). Article 16 of the Law on Equality establishes that the national and local government should set sectoral and global strategies which allow women to access not only goods and services, but also productive and financial resources.

In terms of women's access to formal financial services, only 14% of women and 23% of men borrowed money from a financial institution (Findex, 2014). Barriers to women's ability to access credit services include the lack of collaterals and financial literacy. According to 2016 FUNIDES study, women are involved in the ownership of 28% of Nicaraguan business compared to 60% of men. In addition, Nicaraguan women are more likely to engage in entrepreneurship activities in the service sector than men (FUNIDES, 2016b).

### c) Workplace rights

Nicaragua has ratified ILO Conventions 110 and 111 and the Labour Code mandates non-discrimination on the basis of sex in employment (Labour Code, Fundamental Principles XII). The Law on Equality of Rights and Opportunities explicitly covers job-advertisements, selection criteria, promotions and training (Art. 19 para. 5, 3, 4, 3 correspondingly). However, it does not specifically cover recruitment, hiring, terms and conditions, assignments and termination. Article 134 of the Labour Code mandates equal remuneration for work of equal value. In addition, the Constitution of the Republic of Nicaragua guarantees women's right to freely choose their profession or occupation (Art. 86). The Labour Code prohibits pregnant women from working night shifts.

The Labour Code mandates paid maternity leave of 12 weeks (four weeks prior to childbirth and eight weeks after childbirth). Two additional weeks are granted in the event of multiple births. (Labour Code, Art. 141). During this period, female employees receive 100% of their salary as a maternity benefit. Article 95 of the Social Security Law establishes that 60% of wages is paid by the INSS and the remaining 40% of wages is paid by the employers. The Family code establishes that male employees are entitled to 5 days of paid paternity leave (Art. 79 para. 3). Benefits are covered by the employer at a rate of 100% of previous earnings (Art. 79 para. 3). In Nicaragua, there is no statutory parental leave.

Under the Labour Code, dismissal of pregnant employees is prohibited (Labour Code, Art. 144) and female workers are permitted 15 minutes every 3 hours per day for breastfeeding duties (Labour Code, Art. 143). Workplaces with more than 30 female workers are required to set up a nursing room for female employers (Labour Code, Art. 143). The Law on Equality of Rights and Opportunities states that the requirement of pregnancy tests are strictly forbidden in order to apply for a job (Law 648, Art. 19 para 3).

There is a high female labour force participation rate in Nicaragua (62%) which is above the average of Latin America and the Caribbean region (53%) (ECLAC et al. 2013). There is a substantial degree of gender segregation in the Nicaraguan labour market. For example, the community, social and personal services sector accounts for 31% of female employment, but only 11% of male employment (ILO n.d.). Similarly, the construction sector employs 6.7% of working men, compared to 0.1% of women. In addition, 32% of Nicaraguan firms employ women as top managers (WEF, 2016).

Furthermore, female labour participation is concentrated in the informal sector (73%), in micro-enterprises and in the services sector (UNDP, 2014). Moreover, data collected from the Continuous Household Survey (Encuesta Continua de Hogares, 2009-2012) indicates a 30% gender pay gap in favour of men (ECH, 2012).



## 4. Restricted Civil liberties

### a) Citizenship rights

The Law on Nationality provides married and unmarried women with the same rights as men to acquire (Art. 3), change (Art. 6), retain their nationality (Art. 16), as well as confer their nationality to their children (Art. 3). Married women also have the same rights as men to confer nationality to their spouse (Law 149, Art. 8 para b). Moreover, there are no legal differences between men and women when it comes to register the birth of their children. The Constitution of Nicaragua establishes that women and men are equal before the law and prohibits discrimination on the grounds of nationality, political belief, race, sex, language, religion, opinion, origin, social-economic status (Art. 27). Article 91 of the Constitution stipulates that the Government has the legal obligation to issue laws designed to promote actions to ensure that no Nicaraguan citizen is discriminated on the grounds of language, culture and origin. There is no evidence to suggest the existence of customary, traditional or religious practices or laws that discriminate against a woman's right to citizenship in Nicaragua.

The Law of Citizenry Identity provides women with the same rights as men to apply for identity cards (Law 152, Art. 3). Similarly, the General Law on Immigration guarantees women's legal right to apply for passports (Law 761, Art. 71). Women have the same rights as men to acquire passports and other travel documents for their minor children and both unmarried and married women have the same rights as men to travel outside the country (Law 761, Art. 82). In order to apply for a national identity card, Nicaraguans must fill out the appropriate form indicating basic personal information (Law 152, Art. 17).

In Nicaragua, the national birth registration rate of children under 6 years old is approximately 85%. However, the proportion of registered children falls below the national average (58%) when looking at indigenous and afro-descendant communities living in remote areas. In 2007, UNICEF launched the national campaign "I Exist" (Yo Existo). This initiative is aimed at guaranteeing children's right to preserve a name and a nationality. In 2015, more than 7,000 children from the Caribbean Coast were registered (UNICEF, 2015). Moreover, the law on Reposition and Rectification of Birth Certificates allows delayed registration for unregistered adults or children (Art. 2).

### b) Voting

In Nicaragua, women have the same rights as men to vote (Constitution, Art. 34). There is no evidence of customary, religious or traditional practices or laws that discriminate against women's legal right to vote.

### c) Political voice

Women in Nicaragua have equal rights to men to hold public and political office in the legislature, executive and judiciary (Law on Equality of Rights and Opportunities, Art. 7). Nicaragua has also taken various measures in order to achieve gender balance in politics. Under Article 82 (4) of the 2000 Electoral Law, political parties or the coalition of political parties which participate in the Central-American Parliament, the National Assembly, regional and municipal elections must include in their electoral lists 50% men and 50% women candidates.

Nicaraguan government has made significant efforts to increase women's political participation. As a result, the proportion of women in ministerial cabinet positions has increased from 25% in 2004 to 57.1% in 2012 (ECLAC, 2015). Moreover, Nicaragua is currently considered as the Latin-American country with the highest proportion of female mayors. Since the implementation of the Electoral Law, the percentage of elected female mayors has considerably increased from 8.6% in 2008 to 40.1% in 2012 (ECLAC, 2015).

Nevertheless, women tend to be excluded from traditionally male-dominated public decision-making spaces at the community level. Social norms and gender stereotypes relegates Nicaraguan women to be in leadership positions in traditional female-dominated areas such as education and health (USAID, 2012). Women's participation in municipal bodies is restricted by the burden of child care and household duties, unpaid care work activities limit women's available time to participate in civic duties and leadership positions (USAID, 2012). In addition, women from ethnic and linguistic minority groups and persons from the LGBT community often lack the confidence and knowledge to participate and advance in the political sphere (USAID, 2012).

#### **d) Access to justice**

The Law Regulating Administrative Disputes stipulates that married and unmarried women have the same legal capacity to be sued (Law 350, Art. 29 para 2). Article 26 of Law 350 provides women with the same rights as men to sue (Law 350, Art. 26). Married and unmarried woman's testimony carries the same weight as that of a man in all types of court cases (WBL, 2016).

The national legislation includes elements to strengthen women's access to justice. One of the main objectives of the Judiciary Gender Equality Policy 2016-2020 is to improve women's conditions to access justice services. The Gender Policy aims at promoting awareness campaigns to ensure that women are able to exercise their legal right to sue. It also states that educational materials related to gender and human rights should be translated into indigenous languages. The Strategy establishes the creation of new family courts in isolated municipalities and districts.

The Ministry of Women is in charge of the promotion, formulation and execution of policies aimed at achieving gender equality in education, employment and public life (Decree 293, Art. 4). Furthermore, the Law 648 encourages the national Government, the authorities of the Autonomous Regions of the Atlantic Coast and all the municipalities to incorporate into their monitoring and evaluations frameworks gender-disaggregated statistics in order to measure, analyse and evaluate women's progress in all spheres and at all levels (Law 648, Art. 6 para 4).

In Nicaragua, women's participation in the justice system has substantially improved. The proportion of female judges of the Supreme Court has increased from 21% in 2008 to 31% in 2015. In addition, 52% of civil servants are women. In the managerial ranks at the national level (194), 59% are held by women and 65% of women hold positions at the executive level (Judiciary Gender Policy 2016-2020).

## Sources

### Legal framework

#### Discrimination in the Family

- [Political Constitution of the Republic of Nicaragua](#)
- [Civil Code of the Republic of Nicaragua](#)
- [Law 717: Law Creating the Fund for Access to Land with Gender Equity for Rural Women](#)
- [Law 623: Law Paternal and Maternal Responsibility within the family](#)
- [Law 287: Code of Children and Adolescents](#)
- [Law 870: Family Code](#)
- [Law 896: Law against trafficking in persons](#)
- [Law 648: Law on Equality of Rights and Opportunities](#)

#### Restricted Physical Integrity

- [Law 779: Comprehensive Violence against Women Law](#)
- [Política de estado para el fortalecimiento de la familia nicaragüense y prevención de la violencia](#)
- [Law 641: Penal Code](#)

#### Restricted access to productive and financial resources

- [Law 717: Law Creating the Fund for Access to Land with Gender Equity for Rural Women](#)
- [Law 648: Law on Equality of Rights and Opportunities](#)
- [Civil Code 1904](#)
- [LEY SOBRE propiedad REFORMADA URBANA Y AGRARIA. LEY No. 278](#)
- [Proyecto de Ordenamiento de la Propiedad. Estrategia de Género y Equidad](#)
- [Labour Code](#)
- [Social Security Law Decree No. 974](#)
- [http://www.ilo.org/dyn/travail/travmain.sectionReport1?p\\_lang=en&p\\_countries=NI&p\\_sc\\_id=2000&p\\_year=2011&p\\_structure=3](http://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=NI&p_sc_id=2000&p_year=2011&p_structure=3)

#### Civil Liberties:

- [Law 790: Law on the reform of the electoral Law 331](#)
- [Law 908 : Law on reposition and rectification of birth certificates](#)
- [Law 152: Law of Citizenry Identity](#)
- [Law 149: Law on nationality](#)
- [Ley general de migración y extranjería ley no. 761](#)
- [Ley de regulación de la jurisdicción de lo contencioso-administrativo](#)
- [Decree 293: Ley Creadora del Instituto Nicaragüense de la Mujer](#)
- [Política de Igualdad de Género del Poder Judicial 2016-2020](#)  
[http://www.poderjudicial.gob.ni/genero/pdf/Politica\\_igualdad\\_octubre2016.pdf](http://www.poderjudicial.gob.ni/genero/pdf/Politica_igualdad_octubre2016.pdf)

- Amnesty International (2009), the total abortion ban in Nicaragua: women's lives and health endangered, medical professional criminalized. <http://www.amnestyusa.org/pdfs/amr430012009en.pdf>
- CEDAW (2007), Concluding observations. CEDAW/C/NIC/CO/6 [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fNIC%2fCO%2f6&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fNIC%2fCO%2f6&Lang=en)
- CENIDH (2015), Derechos Humanos en Nicaragua 2014. <http://www.cenidh.org/media/documents/docfile/Informe-2014-22may.pdf>
- CENIDH (2012), Informe de seguimiento presentando al Comité contra la Tortura. Nicaragua. [http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/NIC/INT\\_CAT\\_NGS\\_NIC\\_12\\_317\\_S.pdf](http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/NIC/INT_CAT_NGS_NIC_12_317_S.pdf)
- CIDH (2011), Acceso a la justicia para las mujeres víctimas de violencia sexual en Mesoamérica. <http://www.oas.org/es/cidh/mujeres/docs/pdf/MESOAMERICA%202011%20ESP%20FINAL.pdf>
- CEPAL, FAO, ONU Mujeres, PNUD, OIT Informe Regional. Trabajo decente e igualdad de género. Políticas para mejorar el acceso y la calidad del empleo de las mujeres en América Latina y el Caribe [http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-santiago/documents/publication/wcms\\_233161.pdf](http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-santiago/documents/publication/wcms_233161.pdf) CLADEM (2016), Informe Regional Alterno al Comité de Expertas (CEVI). Tercera Ronda de Evaluación Multilateral del Mecanismo de Seguimiento de la Convención de Belém do Pará (MESECVI). Acceso a la justicia, niñas madres y situación de defensoras de derechos humanos. <http://www.oas.org/es/mesecvi/docs/round3-cladem-regional.pdf>
- ILO (n.d.), List of ILO Conventions ratified by Nicaragua [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200\\_COUNTRY\\_ID:102780](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102780)
- FAO (2017), Improving livelihoods of indigenous women in Nicaragua. <http://www.fao.org/in-action/improving-livelihoods-of-indigenous-women-in-nicaragua/pt/>
- FUNIDES (2016a), Embarazo Adolescente en Nicaragua: Causas y consecuencias económicas y sociales del embarazo adolescente en Nicaragua. [http://funides.com/wp-content/uploads/2016/10/Causas\\_y\\_consecuencias\\_del\\_embarazo\\_adolescente\\_en\\_Nicaragua\\_Octubre\\_2016.pdf](http://funides.com/wp-content/uploads/2016/10/Causas_y_consecuencias_del_embarazo_adolescente_en_Nicaragua_Octubre_2016.pdf)
- FUNIDES (2016b), La ruta al crédito para las mujeres. [http://funides.com/wp-content/uploads/2016/03/FUNIDES\\_Presentacion\\_para\\_REN.pdf](http://funides.com/wp-content/uploads/2016/03/FUNIDES_Presentacion_para_REN.pdf)
- Girls Not Brides (n.d.): Country Profile Nicaragua. <http://www.girlsnotbrides.org/child-marriage/nicaragua/>
- Girls Not Brides: Child marriage in Latin America and the Caribbean: <http://www.girlsnotbrides.org/wp-content/uploads/2017/01/Child-marriage-in-LAC-01.2017.pdf> (Published 19 January 2017)
- INIDE (2007) Nicaragua: Encuesta Nicaraguense de Demografía y Salud (ENDESA) 2006-07, Informe Final [Nicaraguan Demographic and Health Survey 2006-7, Final Report]. Instituto Nacional de Información de Desarrollo (INIDE). <http://www.inide.gob.ni/>
- ILO (n.d.) ILOSTAT (database), International Labour Office, Geneva

- IPAS, SRI and Grupo Estratégico por la despenalización del aborto terapéutico. Informe de Nicaragua sobre Derechos Humanos referentes a la Salud Sexual y Reproductiva y el Aborto. [www.sexualrightsinitiative.com/wp.../Nicaragua-UPR-19.doc](http://www.sexualrightsinitiative.com/wp.../Nicaragua-UPR-19.doc)
- OISS, INSHT (2012), I Encuesta Centroamericana de Condiciones de Trabajo y Salud (ECCTS, 2011). [http://www.oiss.org/estrategia/encuestas/lib/iecct/ENCUESTA\\_DEFINITIVA\\_IECTS.pdf](http://www.oiss.org/estrategia/encuestas/lib/iecct/ENCUESTA_DEFINITIVA_IECTS.pdf)
- OXFAM (2015), Propuestas políticas de las mujeres rurales centroamericanas para el acceso a la tierra. [https://oxfamintermon.s3.amazonaws.com/sites/default/files/documentos/files/informeTerraMujer.pdf](https://oxfamintermon.s3.amazonaws.com/sites/default/files/documentos/files/informeTierraMujer.pdf)
- Plan International (2015), Informe Por Ser Niña 2015: "Los asuntos pendientes de los derechos de las niñas" <https://plan-international.es/informe-por-ser-ni%C3%B1a-2015#download-options>
- Planned Parenthood, Stolen Lives: A Multi-Country Study on the Health Effects of Forced Motherhood on Girls 9–14 Years Old. [https://www.plannedparenthoodaction.org/uploads/filer\\_public/db/6d/db6d56cb-e854-44bb-9ab7-15bb7fc147c5/ppfa-stolen-lives-english.pdf](https://www.plannedparenthoodaction.org/uploads/filer_public/db/6d/db6d56cb-e854-44bb-9ab7-15bb7fc147c5/ppfa-stolen-lives-english.pdf)
- PAHO (2012), Violence against Women in Latin America and the Caribbean: A comparative analysis of population-based data from 12 countries. Washington, DC: PAHO, 2012.
- Policía Nacional, PNUD (2009), Dirección Comisaría de la Mujer y la Niñez Diagnóstico de la violencia intrafamiliar y sexual en Nicaragua / Policía nacional Dirección Comisaría de la Mujer y la Niñez. -- 1a ed. -- Managua: Policía Nacional; PNUD, 2009. [http://www.policia.gob.ni/cedoc/sector/dgt/Diagnostico\\_Violencia\\_Intrafamiliar.pdf](http://www.policia.gob.ni/cedoc/sector/dgt/Diagnostico_Violencia_Intrafamiliar.pdf)
- UNICEF (2016), Registro de nacimiento en América Latina y el Caribe: Cerrando las brechas. <http://unicef.org.ni/publicacion/186/registro-de-nacimiento-en/>
- UNICEF (2013), Documento del programa del país 2013-2017. [https://www.unicef.org/about/execboard/files/2012-PL31\\_Nicaragua\\_CPD-final\\_approved-Spanish.pdf](https://www.unicef.org/about/execboard/files/2012-PL31_Nicaragua_CPD-final_approved-Spanish.pdf)
- UNDP (2014), El mercado laboral de Nicaragua desde un enfoque de género. [http://www.cosep.org.ni/rokdownloads/main/cosep/mercado\\_laboralenfoque\\_genero.pdf](http://www.cosep.org.ni/rokdownloads/main/cosep/mercado_laboralenfoque_genero.pdf)
- USAID (2012). USAID/Nicaragua Gender Analysis. Final Analysis. [http://pdf.usaid.gov/pdf\\_docs/pnaec498.pdf](http://pdf.usaid.gov/pdf_docs/pnaec498.pdf)
- USDS (2015), Nicaragua 2015 Human Rights Report. <https://www.state.gov/documents/organization/253241.pdf>
- SI Mujer (2012), Cairo + 20 - NICARAGUA. Diagnóstico Nacional 1994 -2012 Conferencia Internacional sobre la Población y el Desarrollo, CIPD/ [http://www.clacaidigital.info:8080/xmlui/bitstream/handle/123456789/439/Nicaragua\\_Diagnostico%20Nacional%20Cairo20.pdf?sequence=1&isAllowed=y](http://www.clacaidigital.info:8080/xmlui/bitstream/handle/123456789/439/Nicaragua_Diagnostico%20Nacional%20Cairo20.pdf?sequence=1&isAllowed=y)
- Vijil, A. (2015) Nicaragua: Avances y Desafíos del Empoderamiento de las Mujeres en Nicaragua. [http://fideg.org/wp-content/uploads/2017/02/Nicaragua\\_-\\_Informe\\_Cuali\\_FINAL.pdf](http://fideg.org/wp-content/uploads/2017/02/Nicaragua_-_Informe_Cuali_FINAL.pdf)
- Women, Business and the Law (2016), Nicaragua Country Profile. <http://databank.worldbank.org/data/reports.aspx?source=1228>

- World Bank (2014), Global and Financial Inclusion.  
<http://databank.worldbank.org/data/reports.aspx?source=1228>
- World Economic Forum (2016). The Global Gender Gap Report 2016.  
[http://www3.weforum.org/docs/GGGR16/WEF Global Gender Gap Report 2016.pdf](http://www3.weforum.org/docs/GGGR16/WEF%20Global%20Gender%20Gap%20Report%202016.pdf)