

## ADVANCE QUESTIONS TO NICARAGUA

### **DENMARK**

- CAT has expressed concern about the occurrence of femicide and other gender related violence. How does Nicaragua intend to remedy the situation?
- The revised Penal Code is gender-discriminatory denying women the rights established in Art. 46 of the Nicaraguan Constitution.
- What is being done to revise the Penal Code and review its legislation on abortion?
- What is being done to avoid penalizing medical professionals in the exercise of their professional responsibilities and adopt measures to assist women in potentially life threatening situations, as unsafe abortions, rapes, incest?
- What is the Nicaraguan state doing to ensure that all members of society are allowed to exercise their right to freedom of expression in accordance with international conventions and the Nicaraguan Constitution?

### **NORWAY**

- How did the Nicaraguan State include civil society organizations in the elaboration of its national report?
- What steps will the Nicaraguan government take to follow up and implement the recommendations of the Human Rights Council? How will the independent human rights organizations and the UN be involved in the process?
- Does Nicaragua have any plans to abolish the prohibition of the therapeutic abortion in general and specifically in cases where the woman's life is at risk or where the pregnancy is a result of rape?
- Norway takes note of the national report where Nicaragua states its determination in addressing remaining problems such as discrimination, abuse and violence against women. What steps will be taken to bring about changes in traditional attitudes and in gender stereotyping?
- Does the Government of Nicaragua have plans to ratify the Additional Protocols to the Convention on the Elimination of All Forms of Discrimination against Women and the Agreement No. 169 of the International Labor Organization about the protection of indigenous and tribal peoples?

- Does Nicaragua contemplate, in the short term, the realization of an electoral reform according to the sentence from the Inter-American Court of Human Rights in the case Yatama against Nicaragua from 2005?

## SWEDEN

- The Committee on the Elimination of All Forms of Discrimination against Women and The Committee on Economic, Social and Cultural Rights have expressed concern over the inadequate recognition and protection of the reproductive health rights of women and the high levels of maternal and infant mortality, especially among poor, rural, indigenous and Afro-descendent women, as well as the high rates of teenage pregnancies. Both committees were also concerned about the removal of therapeutic abortion resulting in illegal and unsafe abortions. There have also been reports that women's rights activists protesting the removal of therapeutic abortion risk criminal charges of conspiracy to commit a crime, incitement to commit a crime and o public defence of a crime.
- Could the Government of Nicaragua elaborate on the measures it is taking to prevent maternal mortality resulting mainly from illegal and unsafe abortions?
- Reports indicate that indigenous people in Nicaragua often face discrimination in several areas of society such as education, health services, election participation and land rights. The Committee on Economic, Social and Cultural Rights and the Human Rights Committee have recommended effective guarantees for the right to education of members of indigenous groups. Several UN committees have also expressed concern over indigenous persons' poor access to health services. There are also reports of violation of land rights of indigenous persons in Nicaragua.
- What further efforts is the Government of Nicaragua taking to ensure indigenous persons their equal rights to education, health services and land?

## SWITZERLAND

- Domestic violence constitutes an important problem in Nicaragua. How do the authorities intend to fight this scourge? Aside from putting in place the "*Comisaría de la Mujer*" and assistance centres, are there any other prevention programmes? Are there plans to develop an appropriate legislation condemning people exercising violence against women and punishing domestic violence?
- Are there plans to soften the legislation prohibiting abortion, in order to allow therapeutic abortion in case of rape or risk for the pregnant woman's health; or to reintroduce the law on therapeutic abortion that was abrogated in 2006?

- Are there new and concrete measures to guarantee freedom of expression and assembly? Are there inquiries currently under process or planned to be made in order to judge and, if necessary, to punish people implicated in acts of intimidation and violence against journalists or human rights defenders?
- La violence domestique constitue un problème important au Nicaragua. Comment les autorités entendent-elles lutter contre ce fléau ? Outre la mise en place des « *Comisaría de la Mujer* » et des maisons d'accueil, y a-t-il d'autres programmes de prévention qui sont mis en place ? Est-il prévu d'élaborer une législation adéquate condamnant les personnes exerçant la violence contre les femmes, et punissant la violence domestique ?
- Est-ce que les autorités du Nicaragua envisagent d'assouplir la législation interdisant l'avortement, voire de réintroduire la loi sur l'avortement thérapeutique abrogée en 2006, afin de permettre l'avortement thérapeutique en cas de viol ou de mise en danger de la santé de la femme ?
- Est-ce que ces dernières ont adopté de nouvelles mesures concrètes garantissant la liberté d'expression et de rassemblement ? Est-ce des enquêtes sont en cours, et seront menées dans le futur le cas échéant, afin de juger et le cas échéant sanctionner les personnes impliquées dans des actes de violence et d'intimidation contre des journalistes et des défenseurs des droits humains ?

#### **UNITED KINGDOM OF GREAT BRITAIN & NORTHERN IRELAND**

- We would be grateful for information on steps the Nicaraguan government is taking to ensure greater transparency, independence and impartiality in the country's electoral processes, particularly in respect to the Supreme Electoral Council (CSE) and electoral observation by national bodies?
- Could you please inform us what steps Nicaragua is taking to provide protection for women at risk of violence, and in particular to reduce the prevalence of rape and incest against girls below the age of 18?
- What action is Nicaragua taking to comply with its international obligations regarding freedom of expression and information, in particular to prevent physical attacks on journalists and radio stations; to establish an independent body to regulate broadcasting in the public interest; and to allocate official advertising on the basis of fair and objective criteria, rather than the editorial line of media outlets?
- Could you please tell us what the Nicaraguan government is doing to positively respond to calls from the United Nations Committee against Torture, the United Nations Committee on Economic, Social and Cultural Rights, the United Nations Human Rights Committee and the United Nations Committee on the Elimination of Discrimination against Women to repeal the ban on, and criminalisation of, all forms of abortion?

- Could you please explain what steps the Nicaraguan government is taking to combat the illegal trafficking and commercial sexual exploitation of children in Nicaragua, and to apply the sanctions provided for in the country's Penal Code?
- Could you please elaborate on the steps Nicaragua is taking to increase the autonomy, independence and impartiality, as well as funding for its national human rights institution, the Procuraduria para la Defensa de los Derechos Humanos (PDDH)? Is this body in compliance with the Paris principles?
- Could you please elaborate further on the role civil society in Nicaragua played in the preparation of your national report for this process?

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