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Nicaragua: Candidates must prioritize human rights in government plans

Amnesty International today called on candidates standing for the Nicaraguan presidency to develop a government policy for combatting sexual violence against women and girls and to commit themselves to drawing up, during their first year of government and in collaboration with civil society, a national human rights plan.

Amnesty International also called on candidates to make human rights an overarching core policy of the new government and to extend a standing invitation to experts from the United Nations and the inter-American system responsible for monitoring human rights.

The appeal was made public as an Amnesty International delegation concluded a visit to the country during which it held meetings with all the presidential candidates except Daniel Ortega, who did not receive them.

Violence against women and girls

In a report published last November, Amnesty International denounced the alarming number of cases of sexual violence against women and girls under 17 that are recorded every year in Nicaragua.

The report highlighted the lack of political will on the part of the authorities to ensure that those responsible for such abuses are punished.

According to data from the *Comisaría de la Mujer y la Niñez*, Commissioner for Women and Children, 1,259 cases of rape were reported between January and August 2010. In two thirds of them, the victims were under 17.

According to official figures, in 2010 a total of 3,778 complaints relating to sexual offences were filed and 39 women and girls were murdered.

“When we examine the existing lack of justice for many women and girls who have been subject to sexual violence in Nicaragua, what we see is a limited and sometimes disheartening response from the State”, Guadalupe Marengo, Deputy Director of Amnesty International’s Americas Programme, said.

The lack of justice is particularly worrying in cases such as that of Fátima Hernández. In her case, the Supreme Court recently published a perverse ruling in which her rapist had his sentence reduced on the grounds that he could not “control himself” because he had consumed alcohol.

“The figures we have seen are all the more alarming if we bear in mind that rape and sexual abuse are offences for which few complaints are filed, especially when they are committed against girls or if the perpetrators are their own relatives.”

During the visit, Amnesty International acknowledged that the number of Police Stations for Women had increased, there now being 59 throughout the country, which it saw as a step in the right direction.

“The official response from the government and judiciary to cases of violence against women and girls has left a lot to be desired”, said Guadalupe Marengo. “The message that still has not been sent out is that rape is never the fault of the victim.”

The human rights organization said that to stop these abuses there needs to be a commitment to ensure that all government bodies have the resources and training required to prevent, deal with and provide redress for acts of violence against women and girls.

This includes resources and training for the police, prosecution service and administrators of justice, as well as information campaigns and awareness-raising programmes for educators and health care personnel and the passing of a comprehensive law against gender-based violence by the National Assembly.

Every possible effort should be made to help eradicate gender-based violence in Nicaragua, including accepting all the recommendations made by the international and inter-American human rights systems and removing articles from the Penal Code that prohibits abortion in rape cases or if the life of the mother is at risk.

International scrutiny and human rights defenders

Amnesty International also urged the presidential candidates, once in government, to issue a standing invitation to international human rights mechanisms from the United Nations and the inter-American systems to visit the country whenever they wish, as other governments in the region have already done.

To date, the authorities have failed to respond to a request from the Inter-American Commission on Human Rights, made last March, to visit the country in order to assess the issue of violence against women and girls.

Amnesty International also asked them to recognize the legitimacy of, and support and promote, the work of human rights defenders as they have been urged in declarations issued by the United Nations and inter-American systems.

“There is nothing to fear from scrutiny and international and national collaboration to defend and promote human rights. Human rights defenders play a crucial role in society because they help to ensure that the authorities are held properly accountable”, Guadalupe Marengo said.

Amnesty International has submitted several cases in which human rights defenders have been subjected to threats and intimidation to the authorities and requested official information about each of them.

The National Police told Amnesty International that it ensures and will continue to ensure the right to hold public demonstrations in Nicaragua.

“Nicaragua has ratified important international human rights treaties and therefore has a duty and obligation to abide by them”, Guadalupe Marengo said.

A national human rights plan for Nicaragua

Amnesty International asked the candidates to commit themselves to drawing up a national human rights plan during their first year of government.

Such a national plan should cover every government body and should start with an analysis of the extent to which human rights are violated or observed in the country. In order to ensure informed discussion the plan should be endorsed by law and should also include specific indicators for measuring both civil and political rights and economic, social and cultural rights.

Note for journalists

The Amnesty International delegates visited Nicaragua between 24 and 29 July.

They held meetings with representatives of civil society, human rights activists, women and girls who have survived sexual violence in Managua and León, presidential and parliamentary candidates, members of the Supreme Court, the Chief of Police and representatives of the Ministry of Health.

Among the presidential candidates, meetings were held with:

Enrique Quiñónez Tuckler and Diana Urbina – *Partido Alianza Liberal*, Liberal Alliance Party.

Fabeo Gadea and Edmundo Jarquin – *Unidad Nicaragüense por la Esperanza*, Nicaraguan Union for Hope.

Arnoldo Alemán and Francisco Aguirre – *Partido Liberal Constitucionalista*, Constitutionalist Liberal Party.

Roger Guevara and Elizabeth Rojas – *Alianza por la República*, Alliance for the Republic.

They also had talks with members of Parliament José Pallais and María Dolores Alemán.

The delegation consisted of: Guadalupe Marengo, Deputy Director of the Americas Programme; Esteban Beltrán, Director of AI Spain; Patricia Kaatee, policy advisor at AI Norway; Marcos Gómez, Director of AI Venezuela; Esther Major, researcher on Central America; Jeremy Bloom, campaigner on Central America, and Vittorio Infante, Central America research and campaign assistant.

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