

PRELIMINARY OBSERVATIONS

STATUS OF IMPLEMENTATION – NICARAGUA

COMMITTEE ON VICTIM ASSISTANCE
(Algeria, Ecuador, Sweden and Thailand)
Intersessional Meetings
22-24 June 2021

1. The Committee welcomes the submission by Nicaragua of updated information on its victim assistance activities. Based on the information provided, the Committee presents the following preliminary observations.

Mine casualties

2. The Committee observed that Nicaragua reported a total of 1,276 mine victims and no casualty since April 2010. The reports also stated that in 2009 the Ministry of Health (MINSa) conducted a survey and registered 126,316 persons with disabilities, of which 51% were female and 49% male.
3. The Committee would welcome further disaggregated information on age, gender, and disability of the mine victims.

VICTIM ASSISTANCE ACTIONS:

Strengthen partnerships and integrate victim assistance into broader national policies, plans and legal frameworks and designation of a government entity to oversee the integration (Action #33 and also Actions #1 and #6)

4. The Committee observed that Nicaragua reported that the National Council for the Promotion and Enforcement of the Rights of Persons with Disabilities (the National Council), led by the MINSa, is the national body responsible for the implementation of Law 763 on the Rights of Persons with Disabilities. The report also stated that the National Human Development Plan has been promoting access to services, including healthcare services.
5. The Committee appreciates the information and would welcome further details on the roles and responsibilities of the National Council with regards to ensuring the integration of victim assistance into broader national policies and programmes.

Develop and implement measurable, realistic and time-bound national action plan (Action#33 and also Action #2)

6. The Committee would welcome information on the implementation or development of a national action plan or other similar frameworks that include the needs and rights of mine victims.

Removing barriers including physical, social, cultural, political, attitudinal and communication barriers to access such services (Action #33)

7. The Committee observed that Nicaragua reported on availability of comprehensive rehabilitation, economic support and social protection for persons with disabilities including war victims and on efforts to eliminate all kinds of physical, social, cultural, economic, and political barriers to guarantee persons with disabilities inclusion into society. The report also stated that houses of persons with special needs have been adapted/equipped at the municipal level.

Applying multi-sectoral efforts to ensure that the needs and rights of mine victims are effectively addressed in line with the Convention on the Rights of Persons with Disabilities (Action #34)

8. The Committee observed that Nicaragua reported progress in applying multi-sectoral efforts including through the National Council which is composed of 17 public institutions, federations of associations of persons with disabilities and representatives of parents of children with disabilities, in accordance with Law 763.
9. The Committee would welcome information on alignment of national victim assistance efforts with the Convention on the Rights of Persons with Disabilities (CRPD).

Establish or strengthen of a centralised database / national information management system (Action #35 and also Action #9)

10. The Committee would welcome information on availability of, or plan to establish a centralised database or national information management system with capacity to include, maintain and make the data available to relevant national stakeholders.

Access to first aid and ongoing emergency medical care (Action #36)

11. The Committee would welcome information on progress made in relation to ensuring mine victims' access to emergency and ongoing medical care.

Developing national referral mechanism (Action #37)

12. The Committee would welcome information on availability of, or plan to create a national referral mechanism and a comprehensive directory of services to facilitate mine victims' access to services for mine victims.

Access to rehabilitation services including physiotherapy, assistive devices and occupational therapy (Action #38)

13. The Committee observed that Nicaragua reported the availability of increased rehabilitation services that have produced 4,500 prostheses and 6,700 orthoses and other assistive devices benefiting the 4,500 persons, and have been made available through the followings:
 - rehabilitation services in the capitals of departments;
 - physiotherapy units in the Municipal Health Centres;
 - the Aldo Chavarría National School of Rehabilitation Hospital;
 - the Antonio Lenin Fonseca School Hospital;
 - eight audiological units in Managua, León, Matagalpa, Estelí, Chontales, Jinotega, Bluefields and Masaya that have provided 9,000 audiometry and tympanometry and 5,000 hearing aids; and
 - three production workshops of prosthetic, orthotic and other assistive devices in Managua, Estelí and Puerto.

Access to psychological and psychosocial services including peer-to-peer support (Action #38)

14. The Committee observed that Nicaragua reported the availability of psychosocial support through the José Dolores Fletes Psychosocial Hospital in the departmental hospitals and through specialized psychiatry care.

15. The Committee would welcome further information on the efforts made in this regard as well as the availability of peer to peer support in the country.

Access to social and economic inclusion services, including in rural and remote areas (Action #39)

16. The Committee observed that Nicaragua reported that social and economic services continued to be made available including through a 2020 programme entitled “Everyone with a Voice”. The Committee would welcome further information concerning the integration of mine victims into broader social and economic opportunities and policies in the country including in rural and remote areas, and information on progress made in increasing mine victims’ access to livelihood, education and other social, economic and cultural activities in Nicaragua.

Taking measure for safety and protection of mine survivors in situations of risks and emergencies (Action #40)

17. The Committee would welcome information on measures in place to ensure the integration of the needs and rights of mine survivors into national humanitarian response and/or other relevant mainstream frameworks to ensure their protection and safety in situations of risks and humanitarian emergencies.

Strengthening inclusion and participation of mine victims and their representative organisations in all matters that affect them (Action #41 and also Action #4)

18. The Committee observed that Nicaragua reported that persons with disabilities and their representative federation are included in the National Council, and that other measures have been developed in the framework of the National Law 763 ensuring the inclusion of persons with disabilities, including victims.

CROSS-CUTTING ACTIONS:

Demonstrate high levels of national ownership, including [...] by making financial and other commitments to implementation (Action #1)

19. The Committee would welcome information on allocation of financial resources and other commitments made by the Government of Nicaragua in meeting the needs and rights of mine victims.

Ensure that the different needs and perspectives of women, girls, boys and men are considered (Action #3)

20. The Committee would welcome information on Nicaragua’s efforts to ensure gender equality and diversity in its victim assistance activities.

Challenges in implementation of Victim Assistance Commitments (Action #8)

21. The Committee would welcome information on challenges faced by Nicaragua in meeting the needs and rights of mine victims, and any support it may require, including from the international community, to fulfil its victim assistance commitments under the Convention and the OAP.