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COMMITTEE ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Third periodic reports submitted by States parties under articles
16 and 17 of the Covenant**

NICARAGUA*, **

[20 June 2007]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

** Annexes may be consulted in the files of the Secretariat.

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D. Scientific progress

1. Measures to ensure application of scientific advances

1335. Through the Central American Regional Public Libraries project funded by Swedish cooperation, measures have been taken to preserve the nation's documentary heritage, greatly facilitating the systematic training of library personnel in techniques of preventive conservation and restoration of paper documentary material belonging to the nation's documentary heritage.

1336. The INC, through the Rubén Darío National Library, is also a participant in the Nicaraguan Committee for an Information Society for All (CONIPROSIT), which promotes the dissemination, use and management of new information and communications technologies (ICT).

2. Measures to promote the dissemination of information on scientific advances

1337. In the last five years, with support from Sweden, we have equipped the Document Conservation Laboratory of the Rubén Darío National Library. Swedish cooperation has

also supported the creation of 142 municipal public libraries. Finally, INC and CONAPINA signed an agreement by which computer equipment has been provided to 40 libraries to constitute a Network of Information Centres on Children and Adolescents in order to disseminate rights and legislation relating to these issues.

3. Measures to prevent the use of scientific advances for other purposes

1338. Since 1997, INC has created an inter-agency task force including the Office of the State Prosecutor (*Procuraduría General de la República*), the National Police and Customs in order to establish measures to deal with illicit trafficking in cultural property. The task force has been training national police officers, customs agents, prosecutors and judges of different localities to detect how often such offences are committed. The training is provided by the Directorate of the National Heritage (*Dirección de Patrimonio Nacional*), the Legal Office of INC and the National Museum, and deals with the contents of the Law on the Protection of the National Heritage, Decree No. 1142, published in the Official Journal, No. 282, of 2 December 1982.

1339. It may be noted that since 1997 the authorities have been bringing before the courts various individuals who engage in illicit trafficking in cultural property, as there has been an increase in such offences during the years 2000 to 2004. At present, we are working in close cooperation with the Economic Crimes Unit of the National Police, as an official has been designated to deal specifically with offences against the national heritage. There has been very good coordination with Customs officers, who have detected and recovered a sizeable number of heritage archaeological artefacts which foreign tourists were attempting to export.

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J. Conservation of natural heritage

1369. The Ministry for Environment and Natural Resources (MARENA) is the agency entrusted with conservation, protection and sustainable use of natural resources and the environment. To achieve its objectives, MARENA formulates, proposes, directs and monitors compliance with national environmental policies such as standards of environmental quality and sustainable use of natural resources.

1370. Jointly with the National System for Disaster Prevention, Mitigation and Response (SINAPRED), work proceeds for the prevention and control of disasters, emergencies and environmental contingencies. Coordination is performed by the National System of Environmental Information (SINIA), which systematizes and disseminates all environmental information produced in the country, with the valuable support of all State institutions.

1371. In light of worldwide concern about growing deterioration of the environment, MARENA oversees compliance with the country's international conventional undertakings and commitments in the environmental domain. The international

conventions signed pertain to the protection of the ozone layer, biodiversity, inland and marine wetlands, and the regulation of many chemical substances that affect environmental quality.

1372. Nicaragua possesses geographical areas which still preserve valuable natural resources in flora and fauna, areas that generate water resources vital to human consumption, and areas containing natural and historical sites of value which need to be preserved. These areas are Protected Areas, which constitute the National System of Protected Areas (SINAP).

1373. There are at present 76 protected areas of different management categories that seek to ensure the conservation, protection and sustainable management of their natural resources. The protected areas contain central zones in which intensive use resources is prohibited and buffer zones where controlled use of resources is permitted and activities such as livestock breeding and controlled agriculture may take place.

1374. Administration of protected areas is conducted through territorial delegations of MARENA in the departments and through participation by municipalities and NGOs, following the co-management model.

1375. The basic tool used to ensure optimal management of our protected areas is the Management Plan. These legal instruments are prepared jointly with local actors in the areas and contain all the necessary actions that we must carry out in order to conserve and protect natural resources through comprehensive management.

1376. Nowadays, protected areas are a valuable tourism destination promoted jointly with the Tourism Institute and contribute as a whole to the improvement of the local and national economy. Many tourism routes promoted by tour operators encompass protected areas of the North-Central and Pacific parts of the country.

1377. The legal framework covering protected areas is both broad and specialized, seeking to conserve valuable resources within those areas. Environmental legislation is composed of a series of management instruments such as general laws, specific laws, executive decrees, ministerial decrees, binding national technical standards, and municipal ordinances that regulate one or more aspects of the environment or ensure sustainable use of natural resources.

1378. Specialized personnel attend to protected areas and park rangers work daily in the protection of many protected areas. Training for this personnel encompasses: issues pertaining to environmental interpretation, specialization as guides for tour trails, broad experience in environmental legislation, and monitoring of activities which could negatively affect the balance of protected areas.

1379. Nicaragua has been a party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) since 4 November 1977 when the convention entered into force in the country. Also known as the Washington D.C. Convention, this is

a powerful instrument for effectively and continuously regulating international trade in wild species and ensuring their conservation and sustainable use.

1380. CITES is an international agreement among governments which ensures that no species of wild fauna and flora is sustainably [*sic*] exploited for international trade. It also lays down an international legal framework and mechanisms to prevent international trade in endangered species and for effective international regulation of other species. This is indicative of Nicaragua's interest in protecting the country's flora and fauna.

1381. In November 1999 a Central American workshop was held on co-management of protected areas, with the aim of contributing to exchange of experiences for the development of the concept of co-management and its application in the region in order to achieve improved management of protected areas.

1. Decree No. 14-99, Regulations on Nicaraguan Protected Areas

1382. The purpose of the Regulations on Nicaraguan Protected Areas is to provide regulatory application of the section on protected areas of Law 217, the General Law on Environment and Natural Resources.

1383. With regard to violations, any act or omission contravening the provisions of the regulations is considered a violation punishable administratively in accordance with the provisions contained in the regulations, without prejudice to criminal offence or infractions that may be contemplated in the penal code and other laws. MARENA is the competent authority to take cognizance of, decide upon, and apply appropriate administrative penalties when provisions of the regulations are violated.

1384. Offences under the regulations are characterized as minor, serious or very serious, as per the definitions set out in Articles 102 to 105 of Decree No. 9-96, the regulations pursuant to the General Law on Environment and Natural Resources, published in the Official Journal, No. 163, of 29 August 1996.

1385. The National Police and the Nicaraguan Army have the obligation to assist MARENA officials in carrying out the rules established under these regulations.

1386. Any person who has knowledge of acts against protected areas can request MARENA to seek investigation of the facts and to proceed according to the regulations. If the locality where the acts occurred does not have a MARENA representative, the matter may be reported to the National Police, which will forward it to the appropriate authority.

1387. The categories of protected areas according to Decree No. 14-99, Regulations on Nicaraguan Protected Areas (adopted in January 1999) are as follows:

- (a) Nature Preserve
- (b) National Park

- (c) Biological Reserve
- (d) National Monument
- (e) Historic Monument
- (f) Wildlife Refuge
- (g) Biosphere Reserve
- (h) Genetic Resources Reserve
- (i) Protected Land and Marine Area