



NICARAGUA

Historical and Political Context

Nicaragua has had a history marked by constant confrontations between conservatives and liberals, with the participation of the British, Americans and Costa Ricans. In 1936, following the withdrawal of the U.S., the Director of the National Guard (a security force created by the U.S.) came to power, which then continued in the hands of his family until 1979. The upper-class conservative and liberal sectors had a relationship with the Somoza family and their followers that alternated between tolerance and confrontation. "Tacho" Somoza García, the initiator of the family power, was killed by a liberal journalist in 1956, but the family retained control.

In 1961, the Sandinista National Liberation Front (FSLN), inspired by the Cuban revolution, was formed. Its three tendencies were late in uniting, but upon doing so, and with the tolerance of the old political sectors - especially the liberals, they finally managed to defeat the National Guard and take power in 1979. The defeat of Somoza Debayle signified the end of the National Guard, which was replaced by the Sandinista Popular Army and the Sandinista Police.

Soon after the triumph, an armed confrontation began with the so-called "Contras", the RN (Nicaraguan Resistance) supported by the U.S., basing its armed actions in Honduras. The war continued until 1990, when the

election called by the Sandinistas led to their defeat. The lack of support for the socialist bloc, in a process of dissolution, coupled with the weariness of war to lead to unexpected result for the Sandinistas.

The peace agreement, in which other Central American countries and the UN also participated, favored political stability. Land was given to "Contra" commanders and its fighters were disarmed, but some of its personnel were incorporated into the Police to monitor these areas. The Army (EPS) was drastically reduced and military conscription was ended.

Between 1990 and 1994, however, armed activity was maintained by "re-compas" (EPS veterans), "recontras" (former resistance) and bands of "revueltos", consisting of former members of the two sectors. After constant military operations and talks with the rebels, peace was agreed.

The Sandinista Police was then transformed into the National Police and began, with international support, a process of professionalization. The EPS became the National Army but retained its autonomy, responding only to the Presidency of the Republic.

Following a pact between Arnoldo Alemán and Daniel Ortega Saavedra, which allowed the latter to return to the presidency in 2006, the "new" *sandinismo* consistently won elections and have maintained itself in power.

Country Information

Political System:	Presidential / Unitary Republic
Administrative Organization:	15 departments, 2 autonomous regions and 153 municipalities.
Population:	6,071,045*
Territorial Extension:	130,373 km ²
GDP 2012 (current US\$):	10,506,000
Minimum salary (US\$):	192**
Illiteracy:	22 %***

* estimated as of June 30th, 2012.

** retail business.

***15 years or above, 2005-2010

Basic Security Indicators (2012)

National Police:	11,732 personnel.
Homicides:	673 homicides. Rate of 11 per 100,000 inhabitants.
Drug Trafficking:	7,751.4 kilograms of cocaine and 1,323.3 kilograms of marijuana seized by the police.
Traffic Deaths:	679 deaths.
Border Flows:	Annual flow of 4,290,207 people.
Private Security:	145 private security firms.
Estimated Number of Gangs:	42 groups identified.
Penal Centers:	8 penal centers with a population of 13,495 inmates.
Femicide:	65 cases.
The Perception of Security:	50% of the population has little or no trust in the Police.
Military Personnel dedicated to public security:	2,200

Sandinista Revolution up until 1989	Period of transitional agreements 1989-1990	Institutional Development 1990-1999	Current Stage 2000-2013
End of the Somoza dictatorship. Dissolution of the National Guard and formation of the Sandinista Army and Police. Armed conflict; "contras" based in Honduras with support from the USA.	Agreements promoting political stability. Elections in 1990.	Greater institutional development. The police becomes the National Police. Constitutional reform in 1995.	Police modernization program and development of the police model based on a community-police relationship. Legislation on organized crime and related themes.

1936 Beginning of a dictatorial period dominated by the Somoza family.	1979 Sandinista Revolution Formation of the Sandinista Army and Police	1990-92 Sandinista Police is transformed into the National Police	1996 National Police Law	1998 Law outlining the competences of the Executive Branch	2000 Police modernization program
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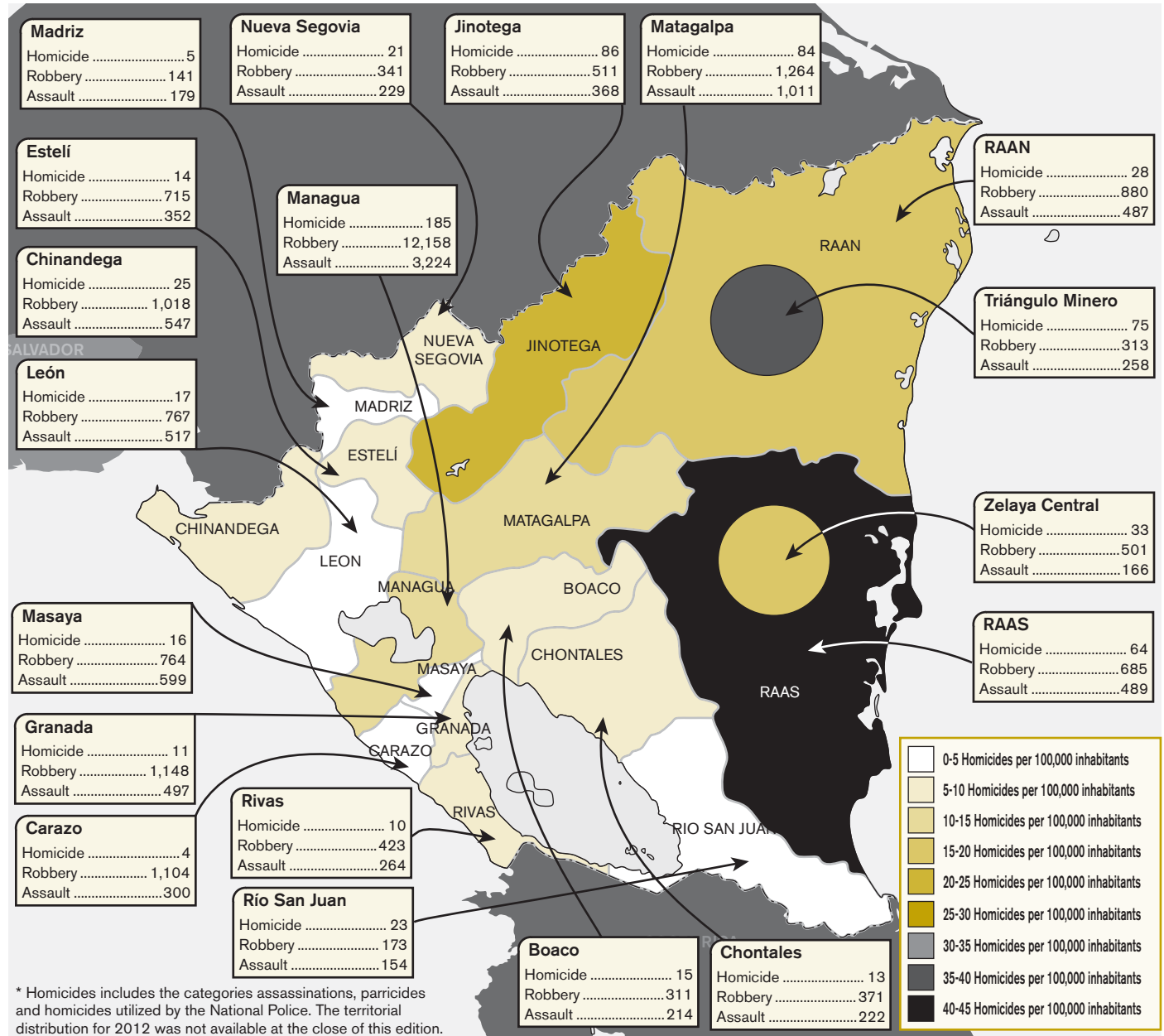
Sources: Data elaborated on the basis of: Population and territory: National Institute of Development Information. GDP: IMF, *World Economic Outlook Database*. Minimum salary: Ministry of Labor, *Acuerdo Ministerial ALTB 08-04-2013*. Illiteracy: UNDP, *Human Development Report 2013*. National Police: *Anuario Estadístico 2011* of the National Police. Homicides, Drug Trafficking and Traffic Deaths: *Visión Policial, revista de la Policía Nacional*, Año XIV N° 104 (May 2013). Femicides, homicides and traffic deaths: Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2012*. Cross-border people flows: General Directorate of Migration and Foreign Persons, *Flujo migratorio 2012*. Private Security: Association of Nicaraguan Private Security Firms (ASEGPRIN). Penal Centers: Ministry of Interior. Gangs: Directorate of Juvenile Affairs of the National Police. The security perception: CID-Gallup Latinoamérica, *Encuesta de Opinión Pública Centro América y República Dominicana, Febrero 2013*, available at cidgallup.com/documentos.

Security Challenges: An Overview

Despite having socio-economic conditions and a history of conflicts more akin to the northern-triangle countries, with a national level of 11 homicides per 100,000 inhabitants, in terms of crime more parallels can be drawn with its southern neighbours. The territorial distribution of insecurity is marked, with a major concentration in the eastern and northern part of the country (especially the autonomous regions), where extremely high homicide rates per 100,000

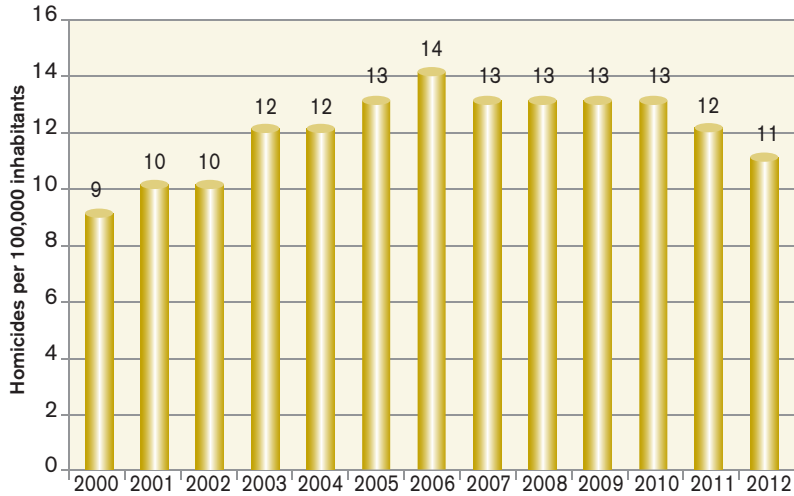
inhabitants were recorded in 2011: 43 (South Atlantic Autonomous Region -RAAS), 35 (Triángulo Minero), 21 (Jinotega), and 19 (North Atlantic Autonomous Region-RAAN). This is in stark contrast to the northwest and southwest of the country, with the only exceptions being the capital Managua and Matalgalpa, where a rate of 14 per 100,000 inhabitants was recorded in 2011.

Territorial Comparison of Crime (2011)*:

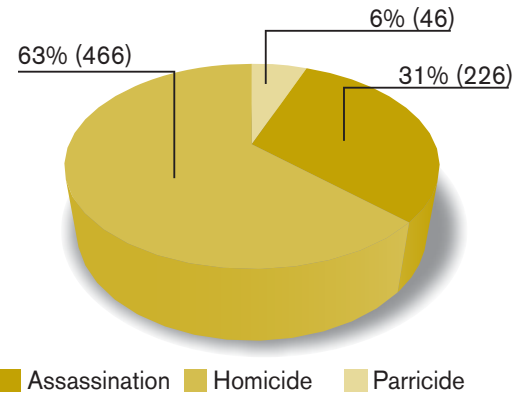


Every day there are **1.8** homicides, **16.4** reports of sexual violence, **1.8** traffic deaths, and **28** reports of domestic violence.

Evolution of Homicides: 2000-2012

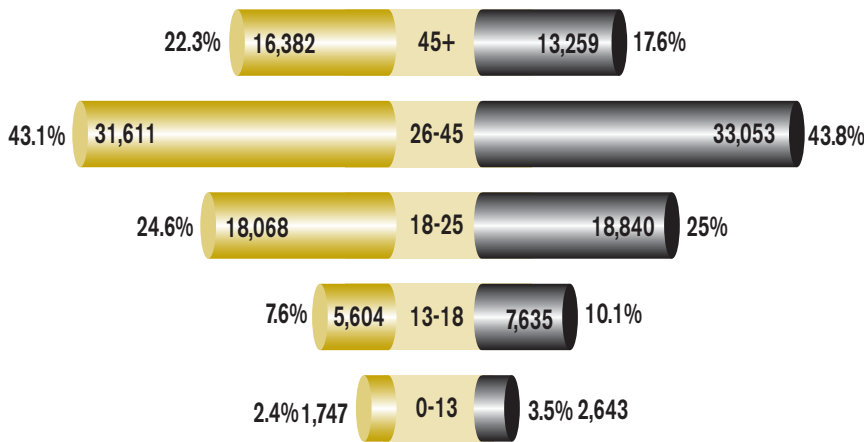


Composition of the Homicide Category (2011)

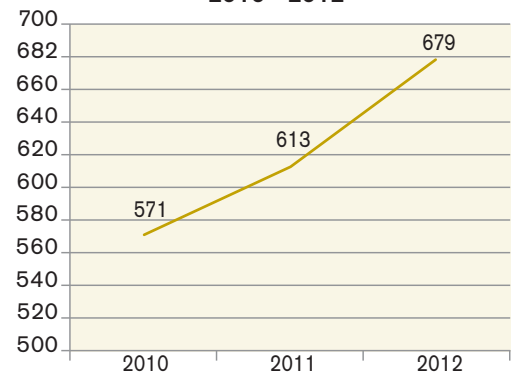


Assassination: to deprive another of their life in circumstances of premeditation, cruelty, for a price, or for the reward or promise of remuneration.
Homicide: deprive another of their life.
Parricide: deprive a parent, child, sibling, spouse or partner of their life with awareness of the relationship.

Victims of Crime according to Age Group (2011)

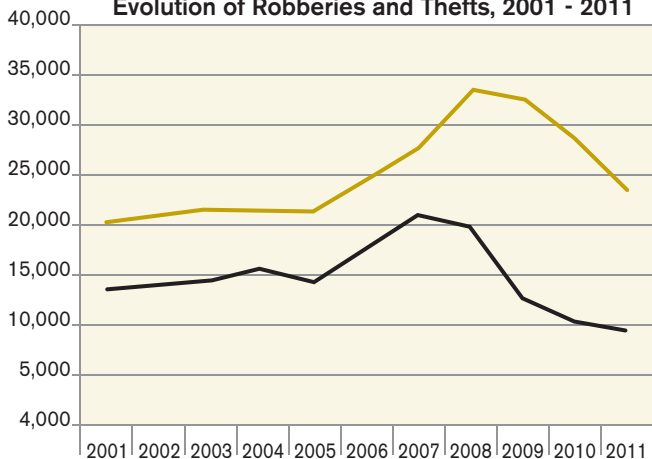


Traffic Deaths* 2010 - 2012



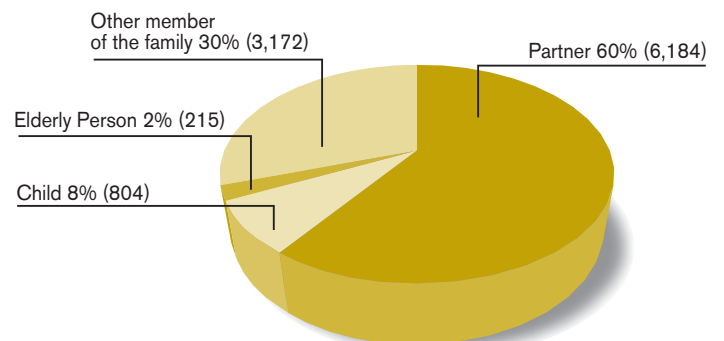
*Statistics from the National Police. The Institute of Legal Medicine, a body within the Supreme Court of Justice, presents the following statistics for traffic deaths: 2010:452, 2011: 503 and 2012: 548.

Evolution of Robberies and Thefts, 2001 - 2011



The category of robbery includes: robbery with violence, robbery with intimidation, aggravated robbery and robbery using force. Theft includes: theft and aggravated theft.

Domestic Violence according to Victim



Violence Against Women	2010	2011
Homicides	64	48
Assassinations	25	24
Rape	1,748	1,821
Greivous bodily harm	714	812

The National Police have released a "intra-family violence and incest" brochure covering different forms of domestic violence in an attempt to increase reporting rates.

Sources: National Police, *Anuario Estadístico 2001/02/03/04/05/06/07/08/09/10 and 2011*; *Visión Policial, revista de la Policía Nacional*, Year XIV N° 104 (May 2013). Website of the National Police. Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2007/08/09/10/11 and 2012*.

Institutions linked to Security

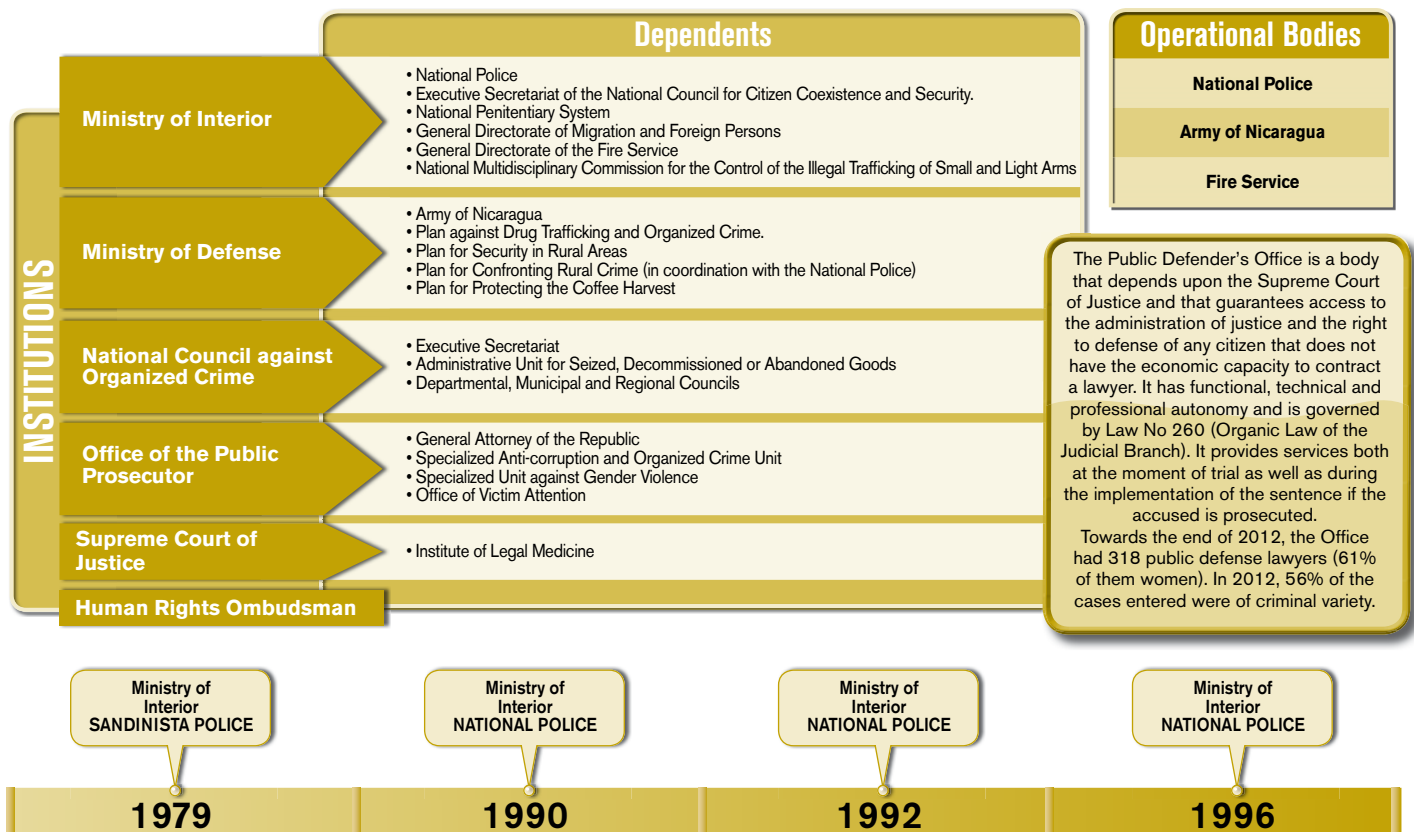
Public security in Nicaragua is presided over by a centralized Police action, with a preventive and community character. The repression of crime is divided between police functions and those that correspond to the Office of the Public Prosecutor.

- **National Police:** its origins are linked to the 1979 Sandinista Revolution. In 1992, following a period of transition in which it was officially renamed as the National Police, it was organized as such, reaffirming its civilian and apolitical nature.
- **Ministry of Interior:** since its creation in 1990 the National Police has been within its authority, as well as being charged with migratory and penitentiary affairs, among other questions. It presides and coordinates the National Multidisciplinary Commission for the Control of the Illegal Trafficking of Small and Light Arms.
- **Nicaraguan Army:** coordinates actions with the National Police, as well as implementing specific plans in the area, principally in the fight against drug trafficking and security in rural areas.
- **National Council against Organized Crime:** it is the State body governing the development of policies and programs for preventing and combating drug trafficking, money laundering and organized crime. Created in 2010, it replaces the National Council for Combating Drugs. With an autonomous and inter-institutional

character, and with its own Executive Secretariat, it also has representation in the country's interior.

- **National Council for Citizen Coexistence and Security:** it is the President's advisory and coordinating body on policies and programs to promote coexistence and citizen security. It has an inter-institutional character as well as civil society representation. It promotes citizen participation through Social Crime Prevention Committees and Local Security Councils. Since 2007, the National Police holds the position of Executive Secretary.
- **Office of the Public Prosecutor:** since 2000, it carries out the surveillance and protection of society and victims of crime, promoting the investigation of criminal acts and the corresponding prosecution of those that violate the law, or that threaten public order or public security.
- **Institute of Legal Medicine:** attached to the Supreme Court, it was established in 1999 as the body responsible for forensic, medical and forensic laboratory services.
- **Human Rights Ombudsman:** since 1996, it is an independent and autonomous body that oversees State institutions in relation to respect for human rights.

Principal Actors



Sources: Constitution. *Ley de la Policía Nacional* (Nº 228 – 08/28/1996). *Ley de reforma y adición a la Ley 290 de organización, competencia y procedimientos del Poder Ejecutivo* (Nº 612 – 07/17/2012). *Decreto que crea la Comisión nacional multidisciplinaria para el control de tráfico ilícito de armas pequeñas y ligeras* (Nº 111 – 10/11/2004). *Ley de prevención, investigación y persecución del crimen organizado y de la administración de bienes incautados, decomisados y abandonados* (Ley Nº 735 – 10/19/2010). Decree that reforms decree Nº 83-2004 creating the National Commission for Citizen Coexistence and Security. Websites of the institutions mentioned.

Policy Guidelines

In 2010 the National Assembly passed the **Democratic Security Law** which aims to “anticipate and respond comprehensively, systematically, efficiently and effectively, to risks and threats, regulating the activity of the State, society, institutions and authorities re-

sponsible”. The law specified that its provisions are an integral part of the national defense and security policy.

The spirit of the law is based on the need for inter-institutional coordination and in the following security definitions:

A Democratic Security that seeks to create a secure environment among other things through the elimination of poverty and extreme poverty, the promotion of sustainable human development, protection of the environment, eradication of violence, and the fight against corruption, impunity, terrorism, drug activity, organized crime, arms trafficking, and human smuggling and trafficking.

Human Security

As the situation and processes that seek to create a secure environment for people based on principles of economic, political, food, health, environmental, and community security.

Internal Security

As a condition that requires mechanisms to prevent and combat threats that are generated within the country and that threaten the lives and property of citizens and their enjoyment of liberties, rights and guarantees.

National Security

As a permanent condition of sovereignty, independence, territorial integrity, and peace and social justice aimed at preserving the integrity, stability and permanence of the State, its institutions, democratic order, the rule of law, the common good, and the protection of persons and their property.

The formation of a **National System of Democratic Security** is planted on the basis of these concepts. It includes the National Police, Army, Attorney General, Directorate of Immigration, Customs Services, the prison system, and specialized units in various institutions involved in the prosecution and investigation of money laundering, and organized crime and corruption.

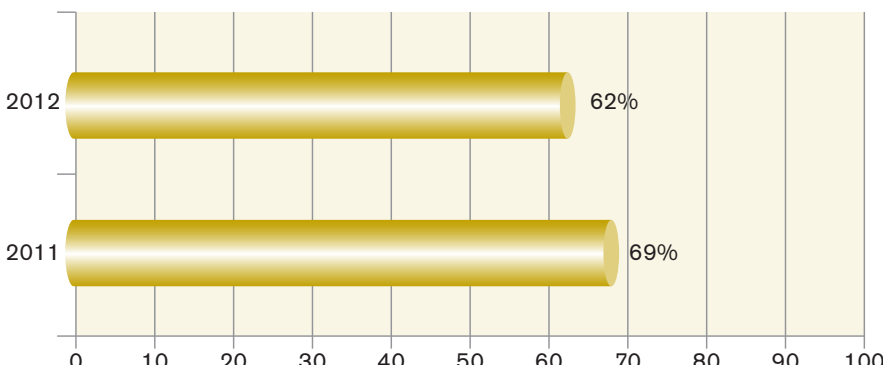
Policy and Actions against Human Trafficking

A **National Coalition against Human Trafficking** has existed since 2006, which brings together ministries, units of the judiciary and the Office of the Public Prosecutor, and social and religious organizations to coordinate activities, develop plans and identify and prosecute the perpetrators of this crime.

The National Police has a section devoted to the subject, which in

turn is related to the working table that functions within the Commission of Police Chiefs of Central America. From this section they observe that the cases investigated include both men and women, and that the purpose varies: traffickers recruit both for sexual and labor exploitation, organ removal, and even forced marriage.

% of Sentences in Cases Investigated



The country has gained international recognition for its work in the field, especially in the effective prosecution of cases. This can be seen in the high percentage of the cases that result in a sentence being imposed.

Article 182 of the Penal Code punishes the crime with sentences ranging from seven to ten years in prison. If the victim is a minor or a disabled person, or if it is the parents, guardians or “spiritual guides” that committed the crime, the penalty increases to twelve years.

Sources: *Ley de seguridad democrática de la República de Nicaragua* (N° 750 – 12/13/2010). Ministry of Interior, bulletins. National Coalition against Human Trafficking, *Acuerdo de Colaboración*, February 2004.

The Criminal Justice System

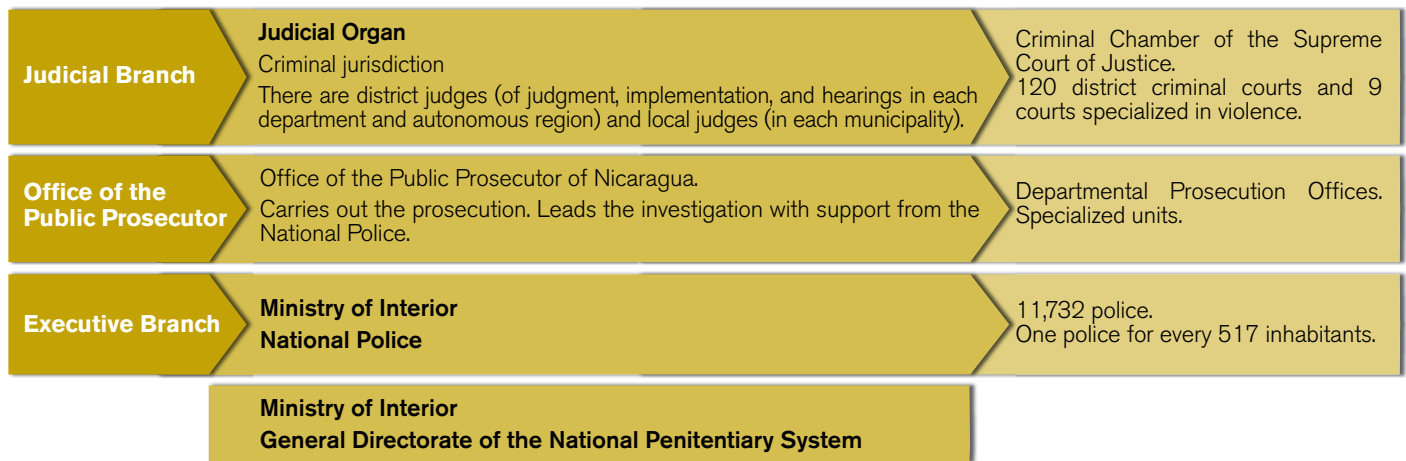
Criminal justice reform in Nicaragua occurred with the enactment of a new Criminal Procedure Code (Law N° 406 - 12/21/2001), which created and implemented the adversarial, oral, public and transparent system, which define and separate the functions of investigation, accusation and trial.

Prior to this reform, a Code of Criminal Instruction dating from 1879 was in place, a descendent of the French procedural system with Napoleonic character. It is currently only in effect for processes that began prior to the entrance into force of the

new Code of Criminal Procedure. An inquisitorial system governed under the Code in which investigation and prosecution were associated with the role of the judge.

The new system defines a preponderant role for the prosecutor, who coordinates and directs the criminal investigation and drives the accusatory actions. The National Police acts under the order of the Prosecutor, which can provide guidance. When deemed appropriate it may participate in the development of research and securing evidence.

The State and Criminal Cases



The Office of the Public Prosecutor of Nicaragua was created through Law No 346 (October 17th, 2000) as an independent institution with functional, organizational and administrative autonomy. It is responsible for prosecutions and representing the interests of society and victims of crime in criminal proceedings. It was created before the reforms to the procedure code of 2001; this reform increased the role of the prosecutor in the process. It has specialized units. In addition to those dedicated to the environment, real estate, appeals, and offenses against intellectual property, the following stand out:

Anti-corruption and Organized Crime

Created in 2007 through the merging of previous units dedicated to the area. Formed by 7 Specialized Prosecutors and 15 Auxiliary Prosecutors distributed across the country.

Youth and Adolescents

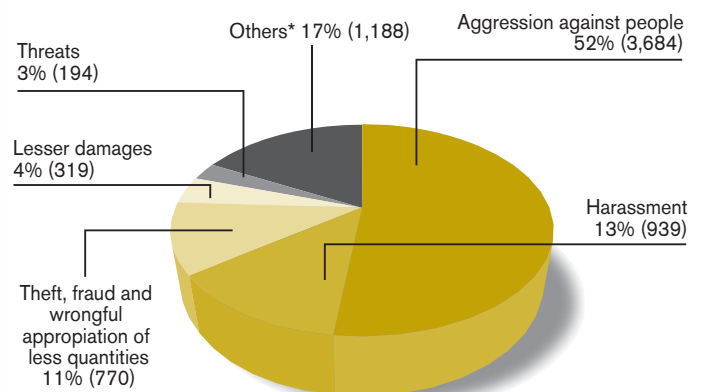
Created in 2006, it exercises criminal prosecution for crimes committed by adolescents. Formed by 7 Specialized Prosecutors and 15 Auxiliary Prosecutors.

Gender Violence

Created in 2006, it is formed by 4 Specialized Prosecutors and 15 Auxiliary Prosecutors distributed across the country.

An **Office of Victim Attention** was created in 2007 to provide comprehensive and urgent assistance to victims of crime.

Criminal Mediation Cases according to Crime, first semester 2013



*Others: threats, insults, actual bodily harm, wrongful appropriation, threats with a weapon, disorderly conduct, theft, possession of drugs, reckless injury, property break-ins, fraud, disobedience or defiance of authority, grievous bodily harm, minor fraud.

Mediation in criminal conflicts

Within the Supreme Court there is a **Directorate for Alternative Dispute Resolution** which was created to facilitate the resolution of property, civil, family, commercial, and criminal disputes. It was launched with support from the Inter-American Development Bank and its activity is increasing, including in criminal cases. It works closely with the police in these cases, to which it provides training in mediation.

Sources: Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2012*. Technical Office for Monitoring the Juvenile Criminal Justice System, *Informe Anual 2012 and Justicia Penal Especial del Adolescente; Sistema Penal de Adolescentes, Seguimiento Técnico a los y las Adolescentes Responsabilizados Penalmente en ejecución y control de Medidas y Sanciones. Desde el año 2005 al 31 de Marzo de 2013* (2013). *Código de la Niñez y la Adolescencia* (N° 287- 03/24/1998).

Juvenile Criminal Justice

The **Technical Office for Monitoring the Juvenile Criminal Justice System** was created in September 2001 by the Criminal Chamber of the Supreme Court of Justice as a subsidiary body. Its main objective is to ensure the access of children and adolescents to justice in accordance with the Children and Adolescents Code (N° 287- 03/24/1998). It has **Specialized Interdisciplinary Teams** that perform psycho-social tests on adolescents who are

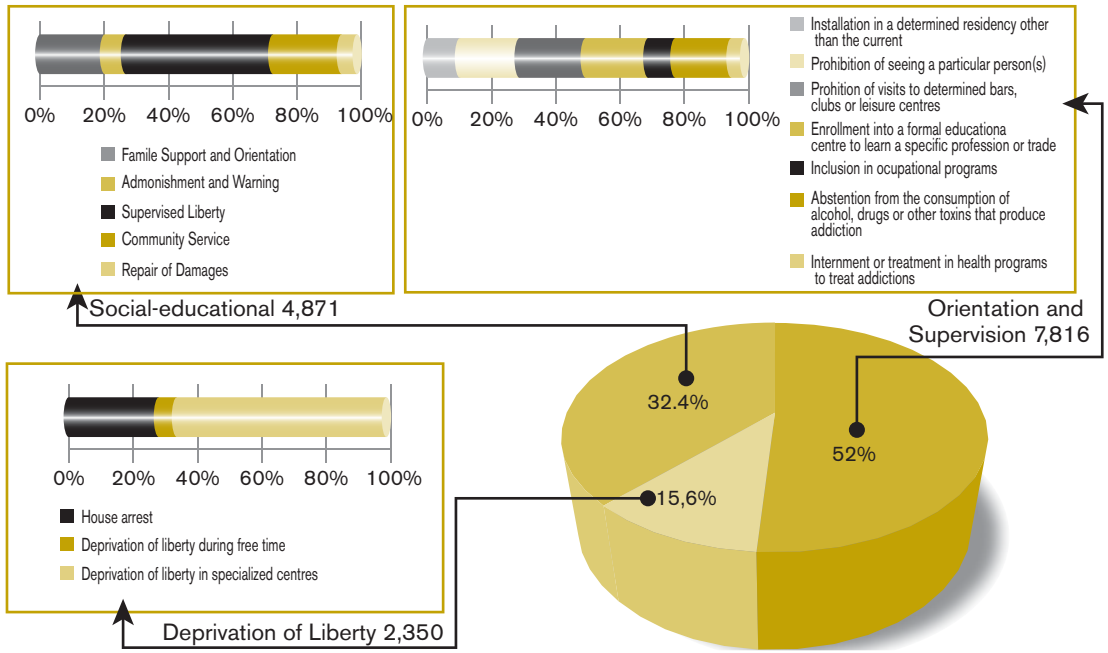
presumed to have broken the law, and **Implementation and Surveillance Offices for Juvenile Criminal Sanctions**, whose role is to provide technical assistance for the implementation and application of custodial and non-custodial sentences.

Special Juvenile Criminal Justice Code (Law 287-1998)

The *Children and Adolescents Code* creates **district juvenile criminal courts**, responsible for administering justice in the case of criminal acts committed by adolescents aged between 13 and 18 years of age.

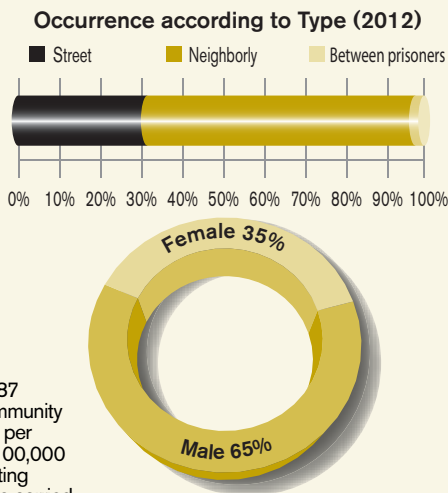
In some cases, in addition to the measures imposed by the judges, adolescents are ordered to take physical, psychological and social tests. Of the 1,110 adolescents who were treated in 2012, 36.6% had not completed primary school, while 34.4% had not finished high school. 77.4% lived in urban areas, 71% used drugs, and 72.7 reported absence of a father, mother or both.

Measure or sanction implemented within the Criminal Sanctions and Monitoring of Adolescents System (Jan 2005 – March 2013):



Community Violence

The Institute of Legal Medicine has defined and collects statistics for what they call community violence. It is classified according to (1) street, (2) neighborly, and (3) that between prisoners.



In 2012, there were 24,087 clinical reports due to community violence, equivalent to 66 per day, at a rate of 397 per 100,000 inhabitants, and representing 37.4% of all clinical reports carried out in 2012.

Circumstance	Number of Clinical Reports	
	2012	%
Aggression	20,643	85.6%
Brawl	1,530	6.3
Assault with intent to steal	1,442	6
Legal retention	117	0.5
Political activity	105	0.4
Mass brawl	87	0.4
Social activity	46	0.2
Self-harm	14	0.1
Student activity	6	0
Human trafficking	1	0
N/A / No data	115	0.5

Sources: Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2012*. Technical Office for Monitoring the Juvenile Criminal Justice System, *Informe Anual 2012 and Justicia Penal Especial del Adolescente; Sistema Penal de Adolescentes, Seguimiento Técnico a los y las Adolescentes Responsabilizados Penalmente en ejecución y control de Medidas y Sanciones. Desde el año 2005 al 31 de Marzo de 2013* (2013). *Código de la Niñez y la Adolescencia* (N° 287- 03/24/1998).

The Legal Framework

- Frente Sandinista de Liberación Nacional (FSLN).
- Liberal Constitucionalista (PLC).
- Partido Liberal Independiente (PLI).
- Partido Alianza Liberal Nicaragüense (ALN).
- Unión Nacional Opositora (UNO).
- Partido Conservador de Nicaragua (PCN).
- Others

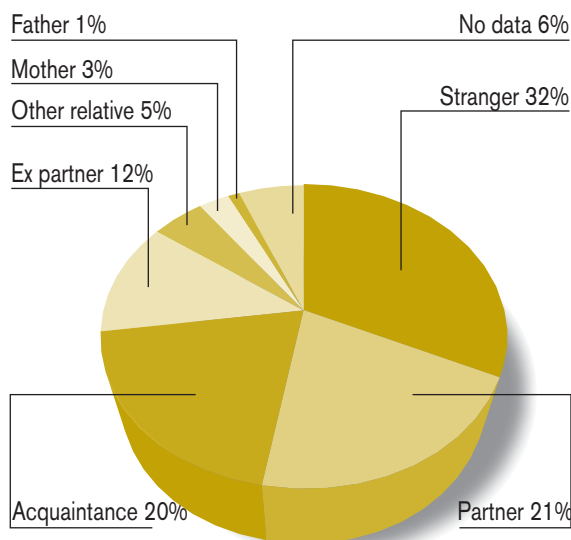
Composition of the Assembly	Laws	President, period and government party
	April 1990 – January 1997 - Code of Organization, Jurisdiction and Military Social Benefits (N° 181 – 08/23/1994) - National Police Law (N° 228 - 08/28/1996). - Human Rights Ombudsman Law (N° 212 – 01/10/1996)	Violeta Barrios de Chamorro (April 1990 – January 1997) UNO
	January 1997 – January 2002 - Children and Adolescents Code (N° 287- 05/27/1998). - Organization, Competencies and Procedures of the Executive Branch Law (N° 290 – 06/03/1998). - Organic Law of the Judicial Branch (N° 260 - 07/23/1998). - Law Prohibiting Anti-personnel Landmines (N° 321 – 01/12/2000). - Law establishing the National System for Addressing, Preventing and Mitigating Disasters (N° 337 – 04/07/2000). - Organic Law of the Office of the Public Prosecutor (N° 346 – 10/17/2000). - Criminal Procedure Code (N° 406 – 12/21/2001).	Arnoldo Alemán (January 1997 – January 2002) ALN
	January 2002 – January 2007 - Law for the Regime of Vehicle Movement and Traffic Violations (N° 431 - 01/22/2003). - Penitentiary Regime Law (N° 473 - 11/21/2003). - Special Law for the Control and Regulation of Firearms, Ammunitions, Explosives and other Related Materials (N° 510 -02/25/2005).	Enrique Bolaños (January 2002 – January 2007) PLC
	January 2007 – January 2012 - Law for Reforms and Additions to Law N° 290, Organization, Competencies and Procedures of the Executive Branch Law (N° 612, 01/29/2007). - Penal Code (N° 641 – 12/03/2007) - Law for the Prevention, Investigation and Prosecution of Organized Crime (N° 735 - 10/19/2010). - National Defense Law (N° 748 – 12/22/2010). - Law of the Legal Border Regime (N° 749 – 12/22/2010). - Democratic Security Law (N° 750 – 12/23/2010). - General Law of Migration and Foreign Persons (N° 761 - 07/06/2011).	Daniel Ortega Saavedra (January 2007 – January 2012) FSLN
	January 2012 – September 2013 - Comprehensive Law against Violence against Women (N° 779 - 02/22/2012). - Law establishing the Financial Analysis Unit (N° 793 – 06/22/2012).	Daniel Ortega Saavedra (January 2012 – January 2017) FSLN

Law on Violence against Women

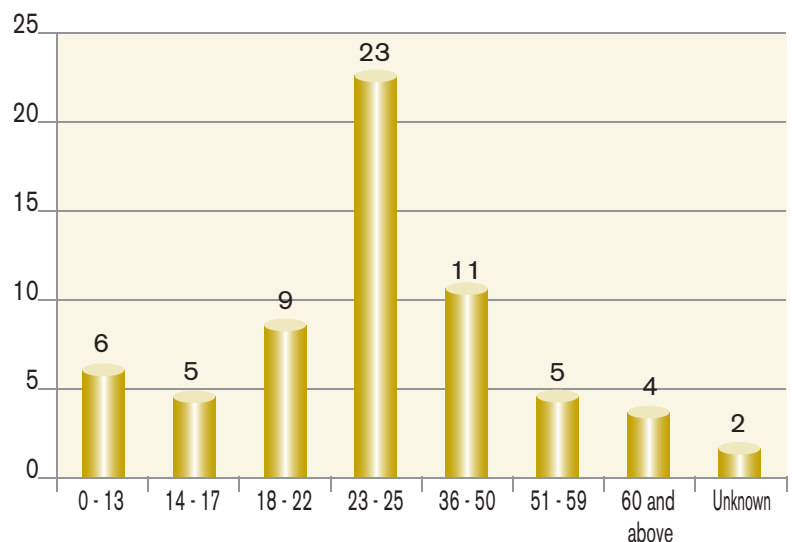
Since 2012 Nicaragua has a specific legal framework covering **violence against women**. The Law on Violence against Women (N° 779 - 02/22/2012) typifies, among others, femicide and physical, economical and property violence.

Total Femicides 2012: 65

Femicides, according to aggressor - 2012



Femicides, according to age - 2012



Sources: National Assembly of Nicaragua. *Ley integral contra la violencia hacia las mujeres* (N° 779 - 02/22/2012). *Ley creadora de la Unidad de Análisis Financiero* (N° 793 06/22/2012). *Ley de prevención, investigación y persecución del crimen organizado* (N° 735 - 10/19/2010). Ministry of Interior, press releases.

The Security Budget

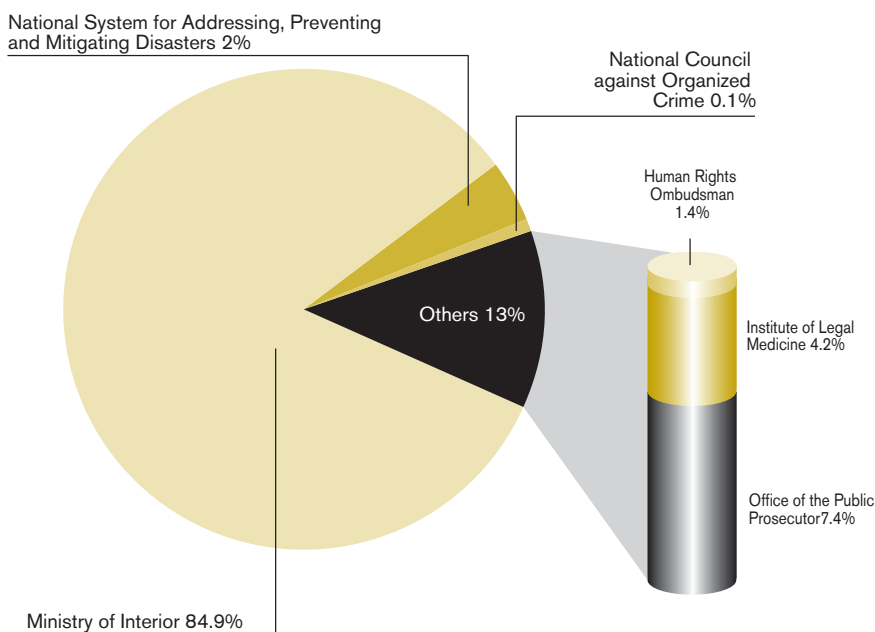
The sum of the items in the state budget for security programs in 2013 reached one hundred and seven million dollars, which represents 1% of the country's gross domestic product.

The Nicaraguan budget presents in its functional classification the objective of "defense and public order", which incorporates the entire resources of the Ministry of Defense and the administration of justice in general in addition to specific security resources.

The largest portion of the budget falls institutionally within the Ministry of Interior, which accounts for 85% of total resources, with the majority assigned to the National Police. Other items related to the crime problematic, such as resources assigned to the defense sector for activities in support of domestic order, are not discernible from the current levels of public budget disaggregation.

SECURITY BUDGET, 2013 (in current US\$)

Ministry of Interior		%
National Police	68,505,135	63.6
Penitentiary System	10,995,196	10.2
Migration	5,240,231	4.9
Fire Service	2,740,017	2.6
Others	3,871,582	3.6
Office of the Public Prosecutor		
	8,003,963	7.4
Supreme Court of Justice		
Institute of Legal Medicine	4,514,732	4.2
National System for Addressing, Preventing and Mitigating Disasters		
	2,168,985	2
Human Rights Ombudsman		
	1,536,838	1.4
National Council against Organized Crime		
	108,451	0.1
TOTAL SECURITY BUDGET (2013)*		
	US\$107,685,131	



In current US\$ at the exchange rate of 24.73 Cordobas per dollar, in accordance with the World Economic Outlook Database, IMF, 2013.

The 2013 security budget is equivalent to 1% of GDP or 5.6% of the overall State budget.

Distribution of Tax Revenue

Tax revenue for 2012 was **US\$1,576,399,704**



On average, each economically active member of the population (EAP) contributes **497** dollars each year

139 dollars of this total is assigned to **Education**

110 dollars of this total is assigned to **Health**

34 dollars of this total is assigned to **Security**



22 dollars is assigned to the **National Police**

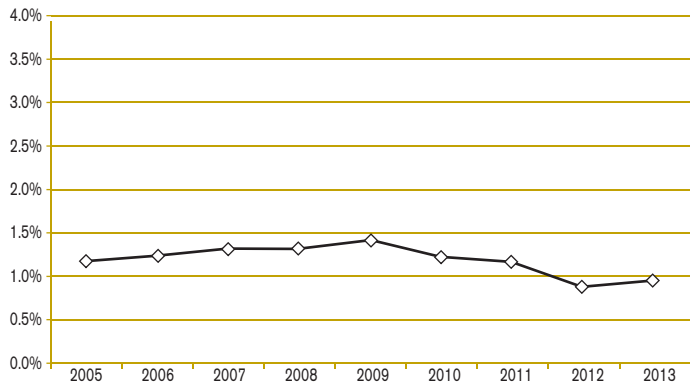
Sources: Ley anual de presupuesto general de la República 2013. GDP and exchange rate: IMF, World Economic Outlook Database. EAP: Nicaragua en cifras, 2012, Central Bank of Nicaragua. Tax Revenue: Informe de la liquidación del presupuesto general de la República 2012, Ministry of Finance and Public Credit. All figures are stated in current US dollars.

Evolution of the Security Budget

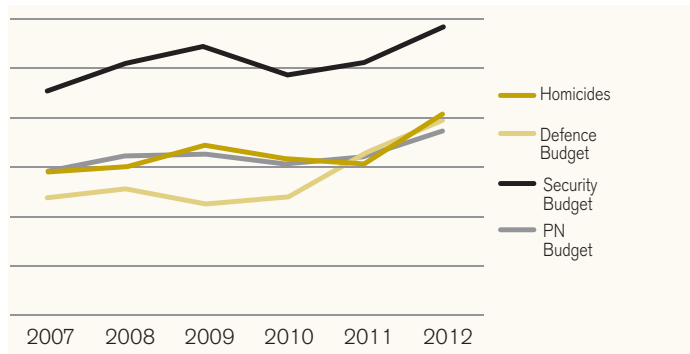
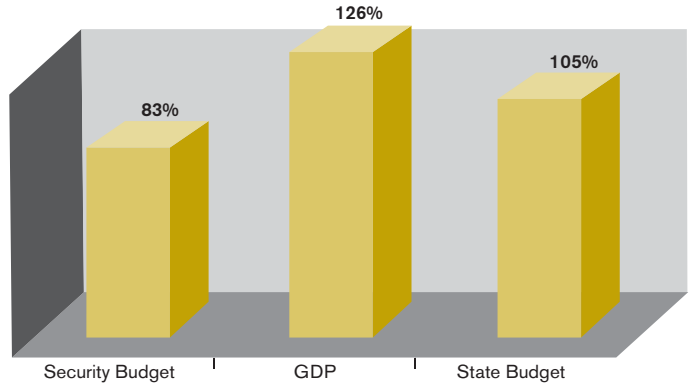
The relationship between the security budget and GDP displays a stable relationship, representing an average of 1.2% between 2005 and 2013, although there has been a decline in recent years in the proportion of GDP assigned to the area. In absolute terms the amount increased, but the security budget grew at a lesser rate than the growth in entire State resources (and,

significantly, less than the increase in the area of defense). The growth in the security budget is mainly reflected in the increased amount of resources allocated to the National Police: in the past eight years it grew by 64%, far more than other institutions in the area, such as the Office of the Public Prosecutor or the Human Rights Ombudsman.

Security Budget as a Percentage of GDP, 2005 – 2013



Comparative Growth (2005 – 2013, in current US\$)



Year	Homicides	Defence Budget	Security Budget	Police Budget
2007	486	39,336,274	75,126,213	47,562,379
2008	512	42,191,833	84,394,423	52,978,971
2009	564	37,293,776	89,786,377	54,436,204
2010	526	39,644,293	81,058,113	51,707,043
2011	512	53,774,224	84,567,534	52,768,422
2012	673	65,756,103	96,099,848	61,717,197

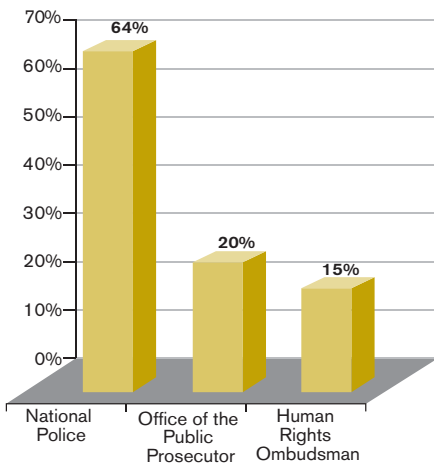


10,404 military personnel

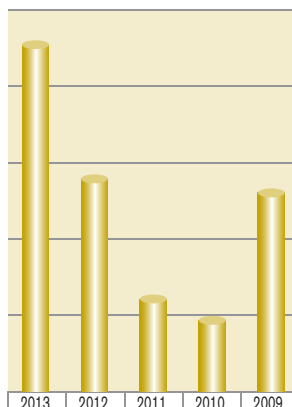


11,732 police personnel

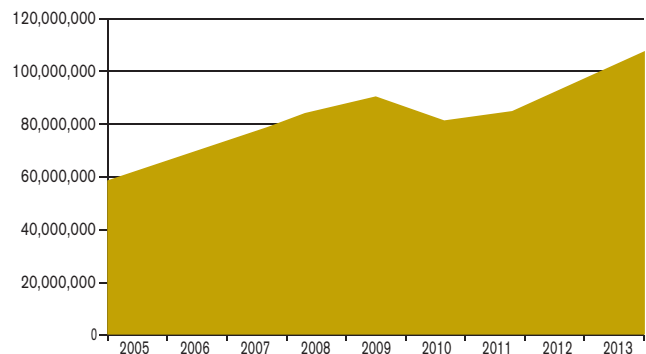
Variation in the Budget Assignment, 2005-2013 (%)



Growth in the Budget of the Institute of Legal Medicine



Security Budget (current US\$), 2005 – 2013



Sources: Ley anual de presupuesto general de la República from 2005 to 2013. The Institute of Legal Medicine is not considered between the years 2005 and 2008 due to not presenting discriminated information within the budget. GDP and exchange rate: IMF, World Economic Outlook Database, for each year considered. Homicides and police personnel: National Police, Anuario Estadístico, 2011. Military Personnel: Comparative Atlas of Defence in Latin America and Caribbean. 2012 edition, RESDAL. All figures are stated in current US dollars.

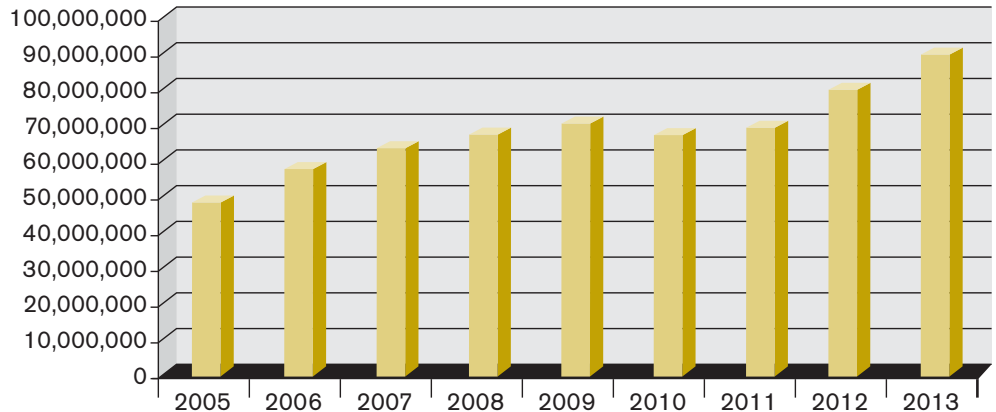
Budget Assignments within the Ministry of Interior

The Ministry of Interior, as well as addressing the issue of public security, carries out policies and activities relating to departmental governments. However, these represent a small proportion of the resources available to it, with 75% of total resources corresponding to the National Police.

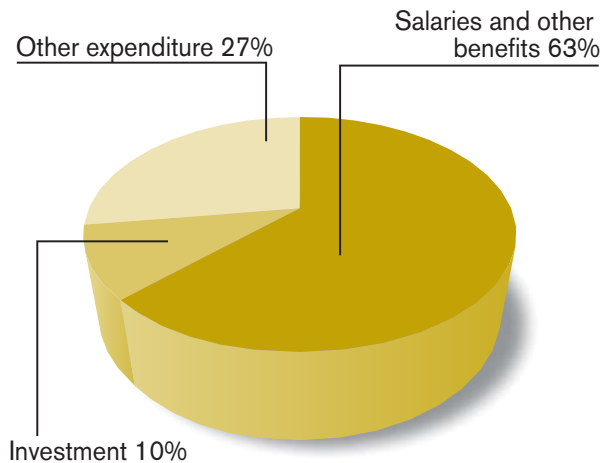
On average, 75% of the Ministry's budget corresponds to the National Police.

Investment capacity is repeatedly relegated when budget cuts are produced. However, with the growth of the past two years, the resources destined to capital expenditure in 2013 increased, reaching 10% in 2013 if the distribution of the National Police's budget is analyzed. The growth in resources allocated to the prison system also stands out.

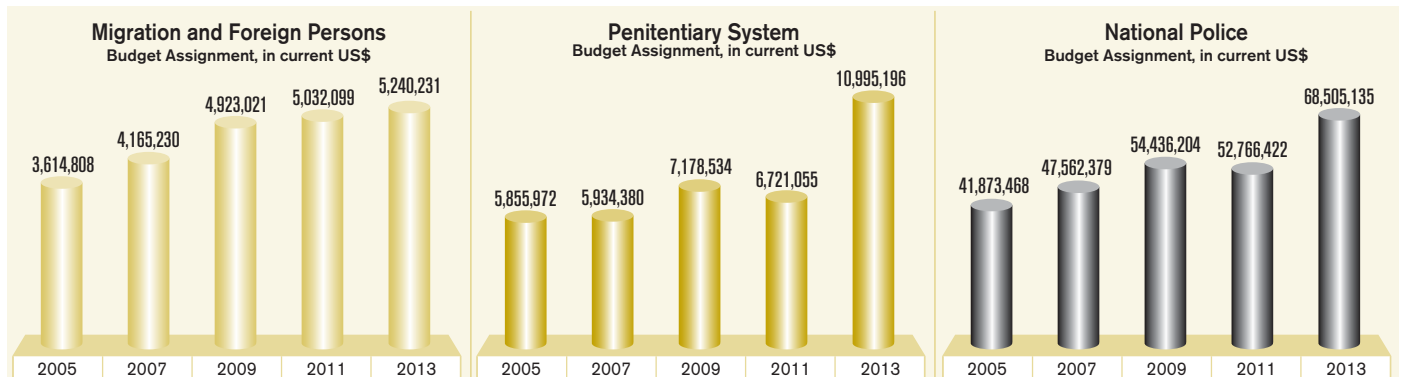
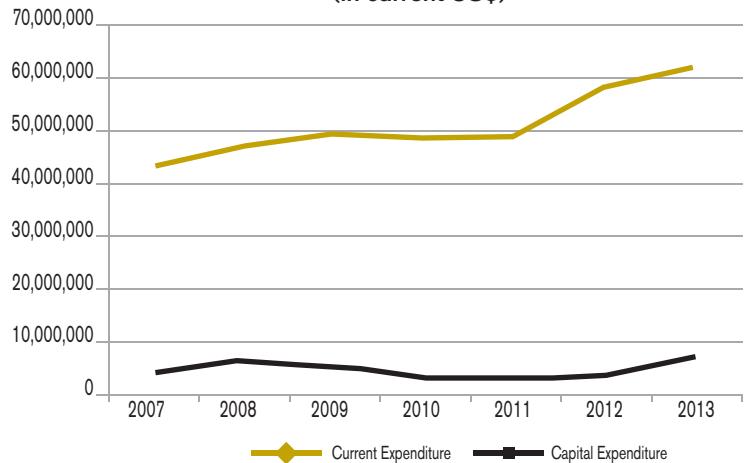
Evolution of the Budget Assigned to the Ministry (in current US\$)



Distribution of the Police Budget, 2013



Current and Capital Expenditure within the Police Budget (in current US\$)



Sources: Ley anual de presupuesto general de la República from 2007 to 2013. The value of the dollar taken corresponds to the exchange rate according to the World Economic Outlook Database, IMF, for each year considered. All figures are stated in current US dollars

The Ministry of Interior

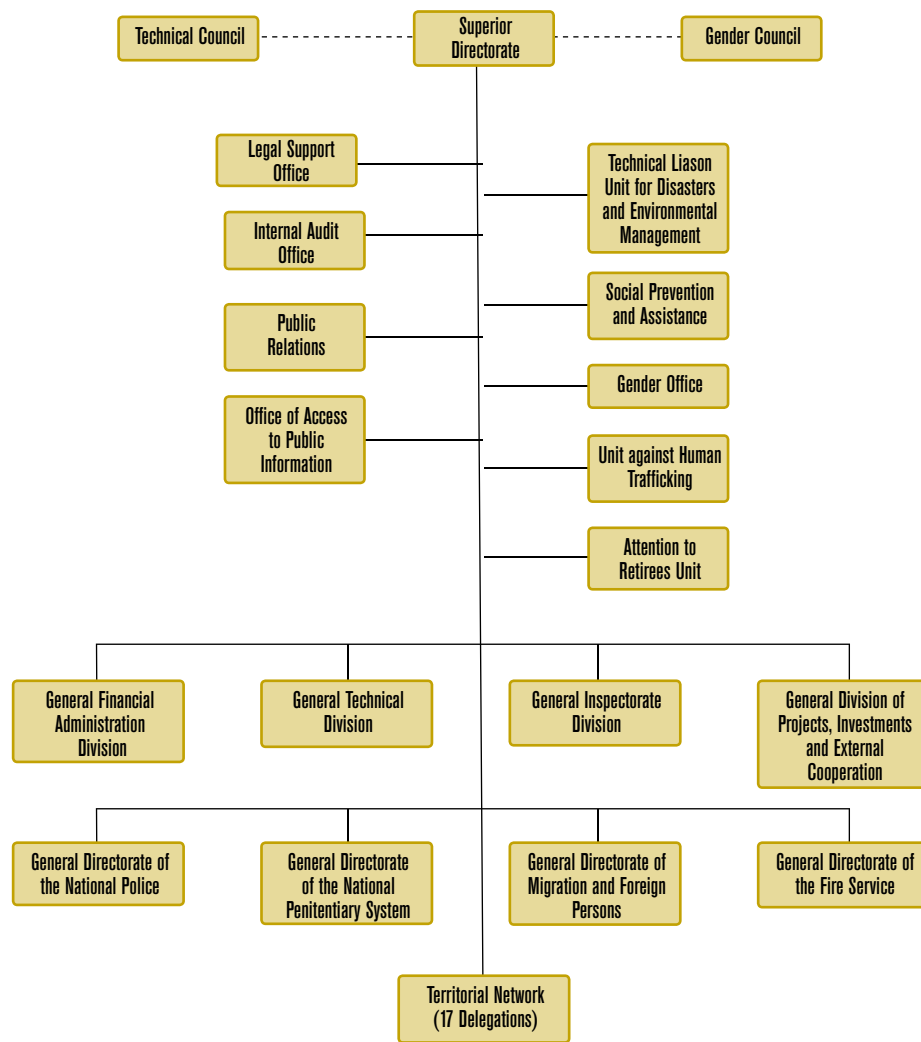
The Ministry of Interior is the organ of the Executive power whose mission is the development and implementation of public policy, both in terms of public order, public security and crime prevention, and in relation to migration, human rights, prevention, care and attention to people and their property in the case of

natural or human disasters.

It coordinates the Directorate of Migration and Foreign Persons, as well as the Directorate of the Fire Service, and is responsible for the National Penitentiary System and the National Police.

The Ministry has 17 territorial delegations, one for each of the country's administrative divisions, in order to coordinate its actions across the territory.

National Council Against Organized Crime
 In terms of legislation, Nicaragua has developed laws unique in the region in relation to organized crime. The law for the prevention, investigation and prosecution of organized crime, enacted in 2010, created a **National Council against Organized Crime**, which by 2013 has formed fourteen Councils in various parts of the country. It is chaired by the Ministry of Interior and also conducts prevention activities. It is comprised of more than ten institutions, including the Office of the Public Prosecutor, Ministry of Education, National Assembly, National Police, Supreme Court of Justice and the Army of Nicaragua. In 2012, this legislative framework was completed with the creation of the **Financial Analysis Unit**, an organization whose function is specifically directed towards money laundering.



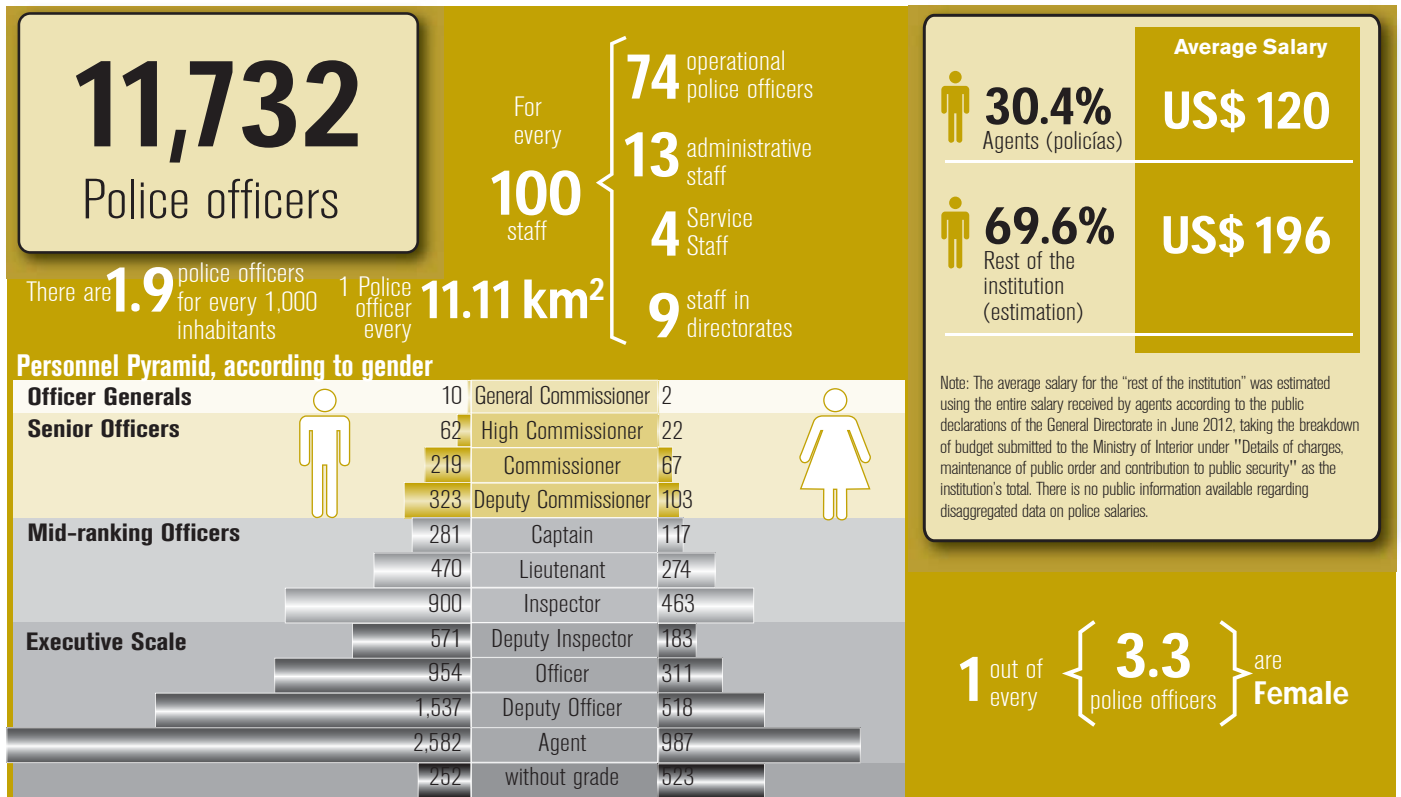
Sources: Ministry of Interior. *Ley de prevención, investigación y persecución del crimen organizado* (N° 735 - 10/19/2010). *Ley creadora de la Unidad de Análisis Financiero* (N°793 06-22-2012).

National Police: 34 Years as the Country's Sole Police Force

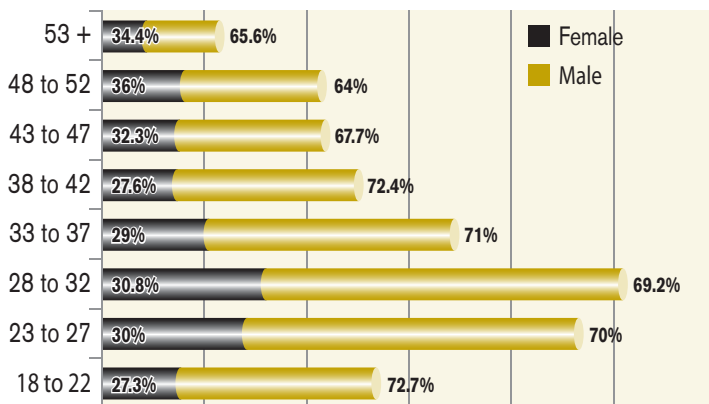
Prior to the fall of Somoza's dictatorship in 1979, the National Guard received military training and held the functions of both national security and internal order. Their dissolution following the Revolución Sandinista was accompanied by the creation of the Sandinista Police, which initially received support from the Panamanian government. Given the domestic context, which prioritized national defense against the Contras, operational and administrative forces were established to support the troops of the Interior Ministry, but during a period of transition from 1990 to 1992, the institution assumed the official name of the National Police, its uniform was changed and its functions defined.

This was followed by a period of institutional strengthening, and the 1996 Law of the National Police confirmed the National Police's status as the country's sole police body. The years passed, the sole exercise of police functions, and the territorial-community form of police work exercised since its creation have surely collaborated in the strengthening of this police force.

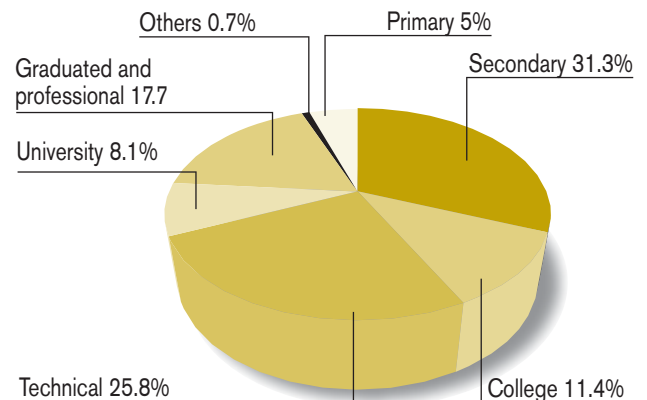
The institution has received the assistance of the international community in order to develop and modernize its capabilities to meet the challenges of citizen security and to further develop its community policing model.



Police personnel according to age and gender, 2011



Police personnel according to level of education, 2011



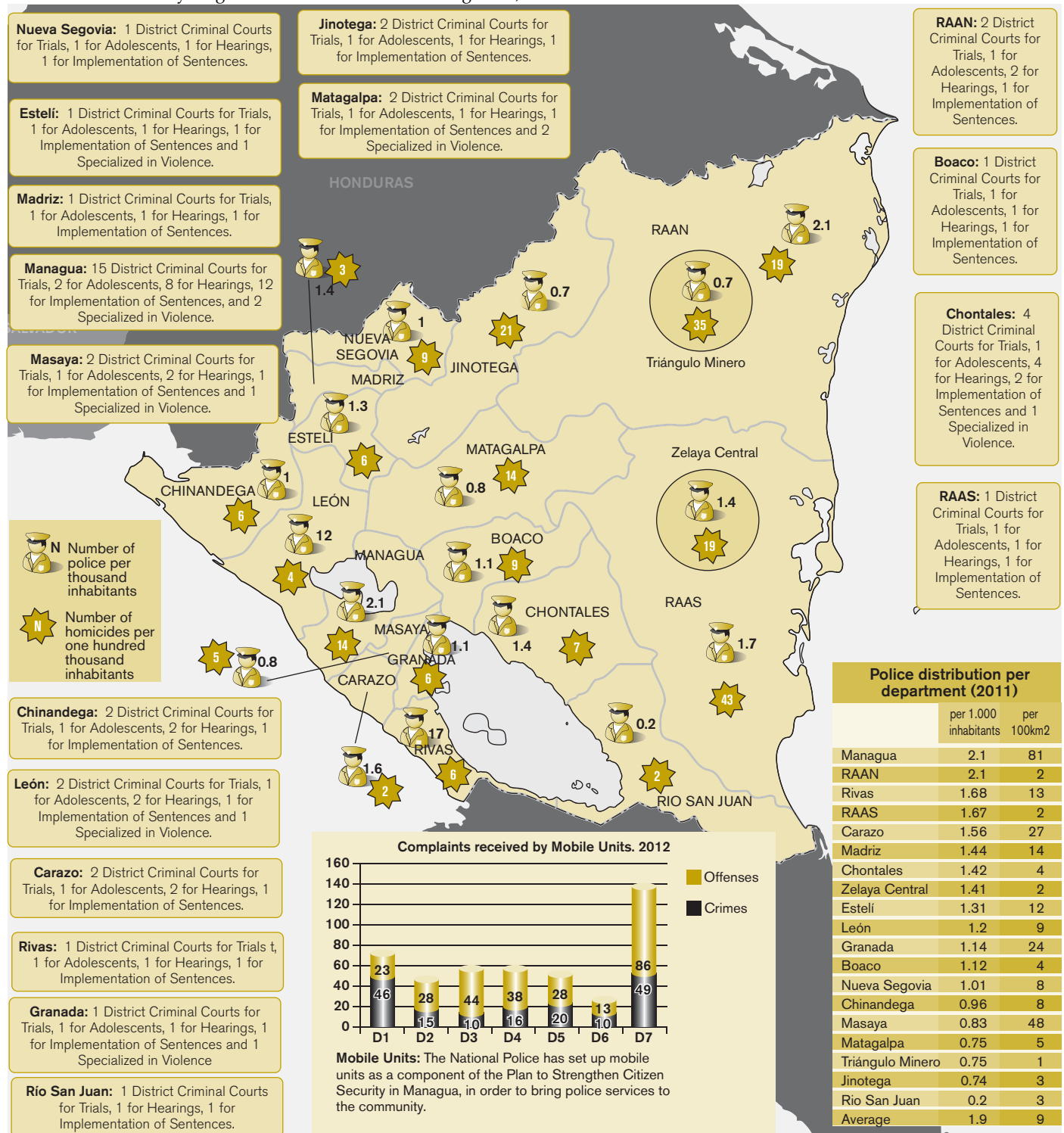
Sources: National Police, Anuario Estadístico 2011. Ley anual de presupuesto general de la República 2013.

The Density of the State: Public Security Across the Territory

The largest concentration of police is found in Managua, where 26% of the entire police force is located, thus responding both to the high population density and to its relatively high incidence of homicides and other crimes. The autonomous regions of RAAN and RAAS, which record some of the country's highest homicide and crime rates in general,

also maintain a significant police presence in terms of their population size, with 2.1 and 1.7 police officers per 1000 inhabitants respectively.

The Judicial Branch, for its part, establishes criminal courts in all districts, with Managua again having the greatest concentration.



Sources: National Police, Anuario Estadístico 2011 and Visión Policial, revista de la Policía Nacional, Year XIII N° 100 (January 2013). Judiciary, District Courts.

Organization of the National Police

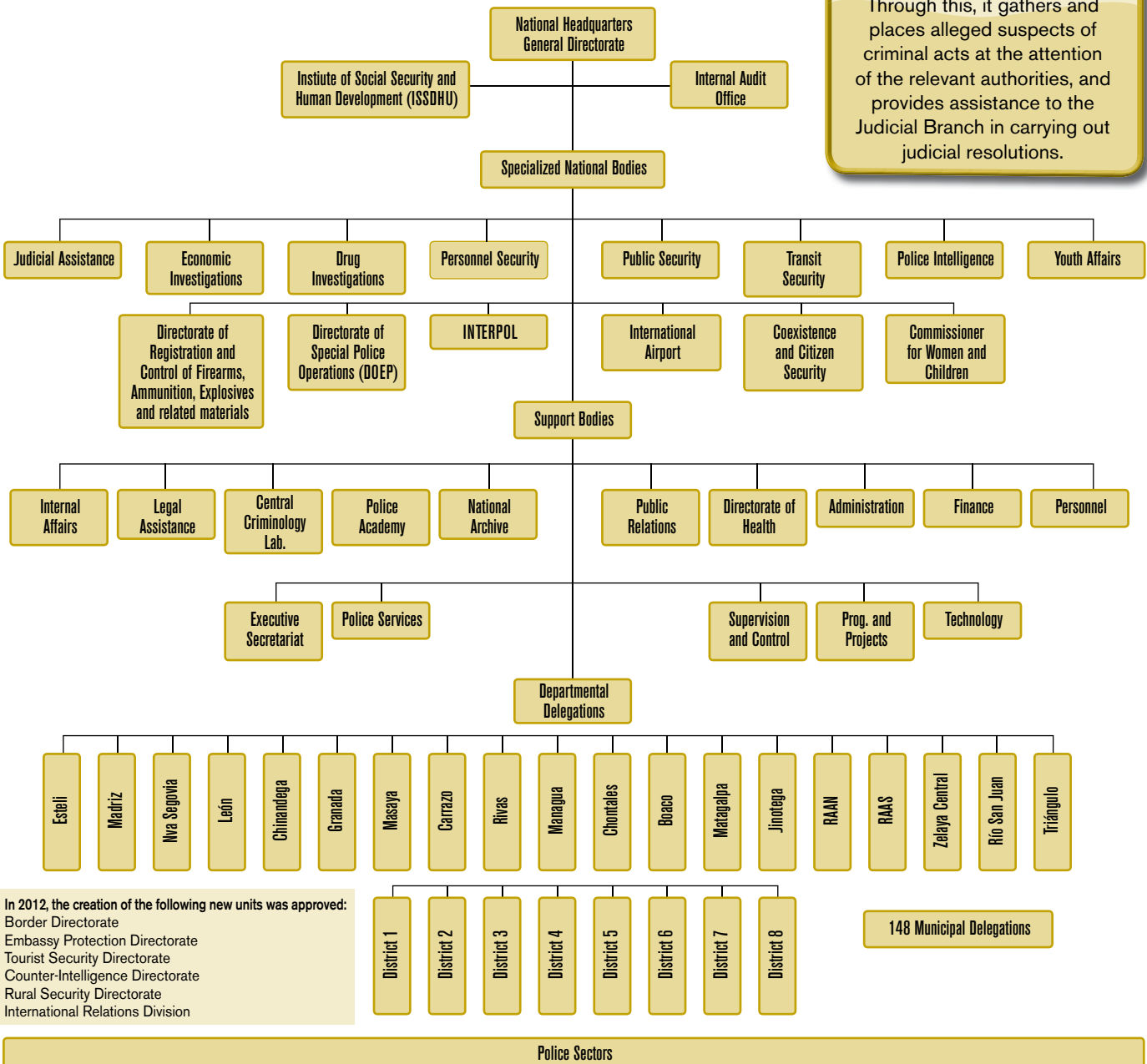
The National Police of Nicaragua is the institution that exercises all police activity in the country, and has as its fundamental mission the prevention and prosecution of crime, the provision of public security, protection of the free exercise of the rights and freedoms of

citizens, the preservation of public order, and ensuring the respect for, and preservation of, the property owned by the State of Nicaragua and its citizens, in addition to providing necessary assistance to the Judiciary and other authorities as required by Law.

Since its creation, there have been 8 General Directors of Police, with an average duration of 4.2 years. Since 2006, a woman - the First Commissioner Aminta Granera Sacasa - has held the position of General Director of the National Police of Nicaragua.

Judicial Assistance Directorate:
It is the office responsible for investigating and documenting crime reports, which it presents to the Office of the Public Prosecutor for their processing. Through this, it gathers and places alleged suspects of criminal acts at the attention of the relevant authorities, and provides assistance to the Judicial Branch in carrying out judicial resolutions.

National Police Organization Chart



In 2012, the creation of the following new units was approved:
 Border Directorate
 Embassy Protection Directorate
 Tourist Security Directorate
 Counter-Intelligence Directorate
 Rural Security Directorate
 International Relations Division

Source: National Police, website, *Sistematización del modelo policial comunitario proactivo de Nicaragua*, 2011 and *Memoria 1979-2009*.

Preventive, Proactive Community Police Model

The Nicaraguan police model is defined as a community model on the basis of police presence within the community, and as proactive due to its focus on anticipated monitoring of police competences. During the last decade it has further developed its organizational structure, territorial extension, and the definition of police functions, placing emphasis upon the identification of good police practice.

Police - Community Relations

1979

Police link themselves with the Sandinista Defense Committees (CDS, support to public order forces)
Principal actors: heads of sectors and voluntary police.

The role of the **head of sector** has developed since assigning them to police units that have a specific territorial demarcation.

1996

The experience and work of the voluntary police and their contribution to citizen security and its community focus is recognized, establishing it as an auxiliary force to the National Police.

Voluntary Police: It is an auxiliary body supporting the National Police, which has an organic structure subordinated to police delegations. The service is voluntary, temporary, and without pay. Their functions are principally based around support, prevention, surveillance, public security and transit. They are subject to the police disciplinary regime.
2012: 2,594 members

1998

A modernization program is initiated, developing the community policing model.

It also received support from the Swedish Agency for International Development Cooperation (SIDA) to carry out an institutional diagnosis and, later (from 2006), to support a program for modernizing the education and training system. The budget for the latter program included US\$ 17,500,000 from Sweden and an additional US\$2 million contributed by Norway, executed through SIDA.

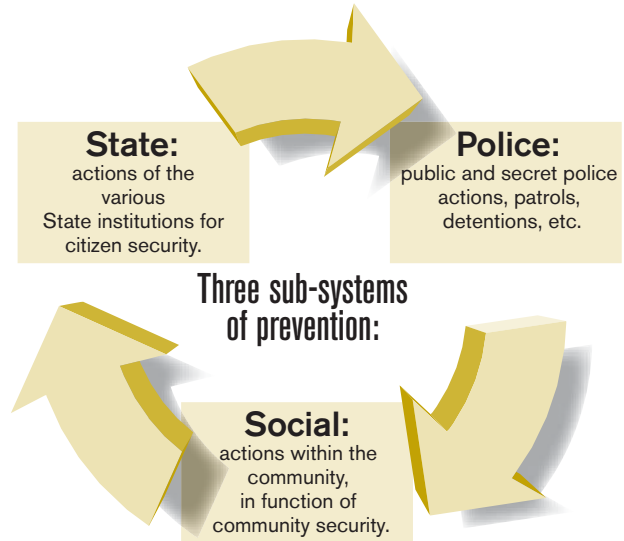
2007-2013

Social Prevention of Crime Commissions
Cabinets of Citizen Power
Student Transit Regulation Brigades (BRET)

40,000 people organized
143 Cabinets
461 Brigades with 7,869 members

As of February 2012, the National Police estimate the existence of
42 Gangs
765 Members

The Center was inaugurated in 2011.
It has 28 teachers: professors from different disciplines who are specially trained by the Ministry of Education to work with young people with behavioral problems. Specialized formal education is provided, and students attend Monday through Friday between the hours of 8am - 4pm.
210 youth entered the program in 2013
180 graduated in 2012.



Pillars of the Model

- **Police Academy: Total School.** Training of personnel, of teachers and monitoring of the system.
- **Directorate of Public Security:** relation with the community. Organization of the work of the police heads of sectors and voluntary sectors
- **Specialized Police Stations for Women and Children:** comprehensive attention specialized in intra-family and sexual violence.
- **Directorate of Youth Affairs:** attention to youth violence.

Youth and the Directorate of Youth Affairs

The **Directorate of Youth Affairs** is a specialized body responsible for the National Police's prevention policy for youth and adolescents. It provides attention to at-risk youth, those with established linked with gangs, and those who have already spent time incarcerated. It uses a methodology based on coordinated work between the National Police located in local districts, civil society and the community, seeking to strengthen the police – youth – community relationship through involvement in leisure and educational activities.

The National Police's **Center of Youth Training and Development** operates under the direction of the Directorate of Youth Affairs. It is part of the model of attention to at-risk youth and those integrated into gangs, which seeks to break down stereotypes and negative values and cultivate new values in the individual to transform environments and "contribute to a socially valuable life".

Stages of the Model

- One year applying the Psycho-Social Intervention Plan in selected territories with specially-trained personnel to integrate the individual, their family, and their environment. During this stage the possible cases for entrance into the center are chosen.
- In the Center:
- Process of induction and school grading for 3 months.
 - Educational and trade classes over a 10 month period.
 - Internships in businesses.

Sources: National Police, *Sistematización del Modelo Policial Comunitario proactivo de Nicaragua*, 2011. *Visión Policial*, revista de la Policía Nacional, Year XIV N° 104 (May 2013). *Ley de la Policía Nacional* (N° 228 - 08/28/1996). National Police, Directorate of Youth Affairs, *Modelo policía comunitaria: un modelo de responsabilidad compartida*, 27-02-2012 (gangs).

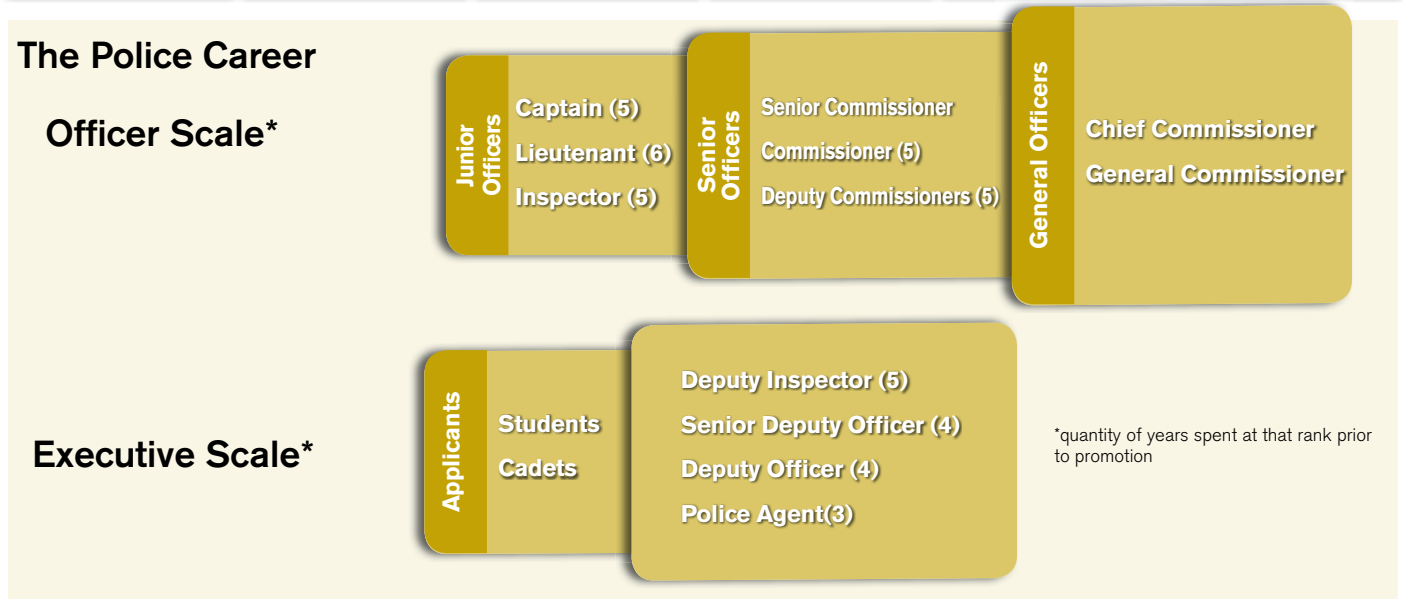
The Police Framework

The mission of the National Police is to protect the lives, integrity and security of people and the free exercise of their rights and freedoms. Within this framework, their functions are the prosecution and prevention of crime and the maintenance of public order, to which surveillance of public buildings, environmental protection,

collaboration in civil defense work of the Army in the cases of catastrophes, transit controls, regulation of private security, and acting as judicial police are added. Furthermore, according to Article 92 of the Constitution, the police may make requests to the President of the Republic for the support of the Army in exceptional cases.

Legal Framework

Law N° 228 of the National Police. <i>Diario Oficial</i> 162, 08/28/1996	Decree 26-96 Regulations of the National Police and reforms. <i>Diario Oficial</i> 32 02/14/1997	Decree 27-96 Disciplinary Regulations of the National Police. <i>Diario Oficial</i> 33, 02/17/1997	Ministerial Agreement 69-2000 Ethical Regulations of the General Directorate of the National Police. 12/27/2000	Decree 47 Special Retirement Regulations for years of Service in the National Police. 08/16/2006.	Decree 51 Disciplinary Regulations of the National Police of Nicaragua. 12/21/2012.
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Specialized Police Stations for Women and Children

It is a specialized body of the National Police whose function is to provide special attention to victims of domestic and sexual violence, for which they have specially qualified personnel. They were created in 1993. Since 1996 the National Police expanded their coverage and scope and improved their statistical records. They have developed a diagnosis of domestic and sexual violence in 2008, and have their own Prevention Plan, which has been incorporated into the Annual Operational Plan of the Directorate from the same year.

Police personnel are accompanied by teams formed by psychol-

ogists, social workers, legal advisors and forensic doctors.

In some places it has extended the opening hours of services and strategies have been designed to meet the needs of victims of gender violence. There have also been awareness campaigns, providing information on what to do and where to go.

These Specialized Police Stations coordinate with other institutions to provide attention and care to the problems, amongst them the Nicaraguan Institute of Women, the Supreme Court of Justice, the Health Ministry and the Human Rights Ombudsman.

There are 61 Specialized Police Station for Women and Children across the country.

During the first trimester of 2013, 6,706 cases have been received, of which 5,318 have been resolved.

To expand the attention to domestic violence, Mobile Units have been established. In 2012, 320 Mobile Units attended to 5,050 people.

Sources: Ley de la Policía Nacional (N° 228 - 08/28/1996). *Visión Policial*, revista de la Policía Nacional, Year XIV N° 104 (May 2013).

Training and Education

The National Police Academy adopts the Total School (Escuela Total) model, which is directed from the “Walter Mendoza” Police Academy (ACAPOL). It is established at the Institute of Superior Studies of the National Police, the governing body of the educational system. Its role is to organize, plan, direct, coordinate and supervise the professional training, education and development of aspiring and active service personnel. It is a strategic component of the proactive preventive community policing model. The basis of the Total School model is the concept of permanent and continuous education, throughout life, with a flexible curriculum and training of specific competences. It is a combination of the education provided by ACAPOL and that of the delegations, centering itself on practical education.

A dynamic pillar of learning is: learn by understanding, learn by doing, learn by debating skills and knowledge, and learn by arguing from a complex perspective.

The police education system consists of 3 subsystems:

Admission to the Academy is divided into two tiers. The first is the executive scale, open to citizens who have completed the third or sixth grade of primary education, depending whether the rank is that of deputy officer or police agent. The second scale is that of officers (admission requires secondary school graduation).

The Education Subsystem:

ACAPOL Academic Offer

Police Technician Course

Duration 1,538 hours.
Educational Title: Police Technician

Study Plan

1st term:

Police Legislation. Police Courtesy I. Physical Education I. Personal Defense I. Human Rights. Investigative Techniques. First Aid. Adaptation to the police unit (practice).

2nd term:

Police Courtesy II. Physical Education II. Personal Defense II. Information Technology. Introduction to the Study of Transit. Crime Scene Preservation. Basic Spanish. Swimming. Police History. Practical units in handling and controlling detainees.

3rd term:

Police Courtesy III. Physical Education III. Personal Defense III. Use and Handling of Firearms. Prevention and Human Security. Personal Relations and Leadership. Operational Psychology. Technical English. Study of Nicaraguan Culture. Practical units in Surveillance and Patrols.

Degree in Police Sciences

4 year duration,
Educational Title: degree in Police Sciences, Inspector.

Study Plan

1st semester:

Police Legislation. Police Courtesy. Police Investigation Techniques. Physical Education. Police Ethics and Doctrine. Personal Defense. Practical unit in Familiarization.

2nd semester:

Human Rights. First Aid. Constitutional Law. Mathematics. Language and Communication. Surveillance and Patrols. Practical units in Surveillance and Controls.

3rd semester:

Transit. Philosophy. Criminal Law I. Nicaraguan Geography. Sociology. Strategies of Community Police Relations. Practical units in public security.

4th semester:

Investigation of Traffic Accidents. Criminal Law II. Methodology of Scientific Investigation. Methodology of Gathering Evidence. Information Technology. Environmental Protection. Nicaraguan History. Practical units in Accidents Response.

5th semester:

Applied Psychology. Police Science Investigation. Statistics. English I. Swimming. Criminal Procedure Law I. Practical unit in Judicial Assistance.

6th semester:

Human Rights and Gender Equality. Methodology of Conflict Resolution. Tax Laws. English II. Administrative Law. Financial Accounting. Police Intelligence. Practical unit in Undercover Investigations.

7th semester:

English III. Investigation of Economic and Drug Crimes. International Public Law. Techniques for the Use and Handling of Firearms. Teaching for Continued Education. Administration I. Practical unit in Economic and Drug Crimes.

8th semester:

Administration II. Administration of Human Resources. Strategic Planning. Practical unit in Police Management.

Postgraduate degree in police administration

Masters in Police Management

Masters in Police Education

The Training Subsystem:

Specialized courses in different areas, such as: prevention, investigation, etc.

Continuous Training Subsystem:

Permanent training also in the delegations.

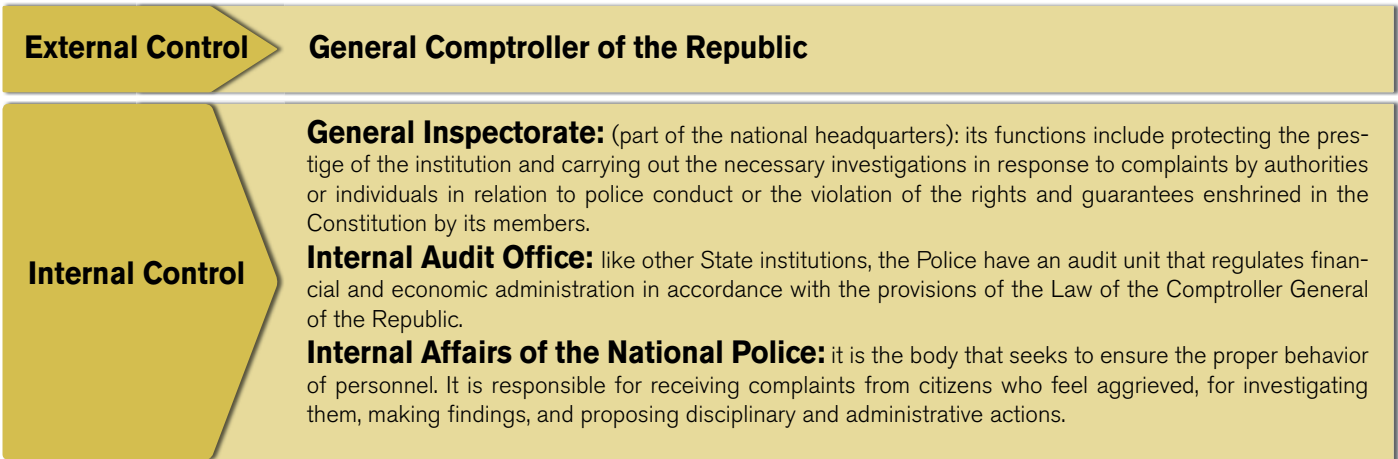
Degree in Police Sciences: February 2013: 165 students.
2012: 165 students entered (123 men and 42 women) 24 drop outs.
2011: 161 students (125 men and 36 women) 20 drop outs.
Retention rate of 80%

The Police Academy also organizes, directs and supervises the training of volunteer police and private security bodies in coordination with specialized courses in public security.

Sources: Police Academy, *Modelo Educativo Total*; Information provided by the Police Academy (ACAPOL).

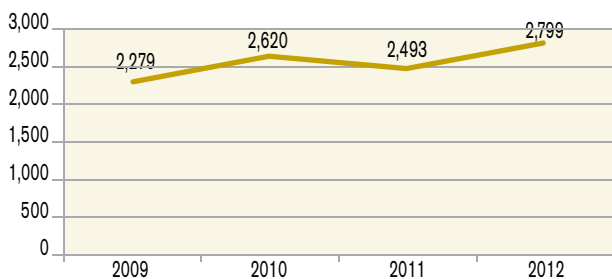
The System of Police Discipline and Control

The **General Inspectorate of the Police** is the principal body for internal control and the Office of Internal Affairs is located within its dependency. The application of disciplinary regulations is the responsibility of the distinct levels of hierarchy, with the General Director having the highest powers of application.

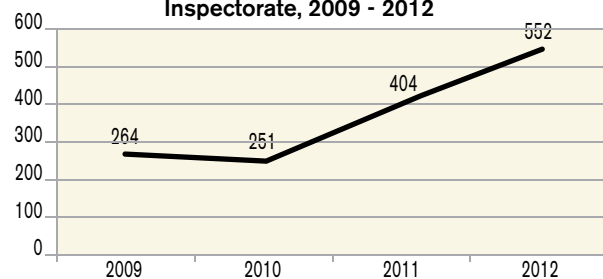


With support from the German cooperation agency– GTZ – the National Police has carried out a project focused on attention to, and prevention of, international corruption, within which a proposal for a new disciplinary regime has been made, and the infrastructure capacity of the General Inspectorate has been increased. The disciplinary regime was approved in December 2012, creating Honor and Discipline Committees to investigate and prosecute major offences. In cases where personnel are called to hearings before such Committees, the personnel investigated have the right to a defense lawyer, be it a police or civilian lawyer. The Regulations also created a Police Legal Defense Unit within the institution.

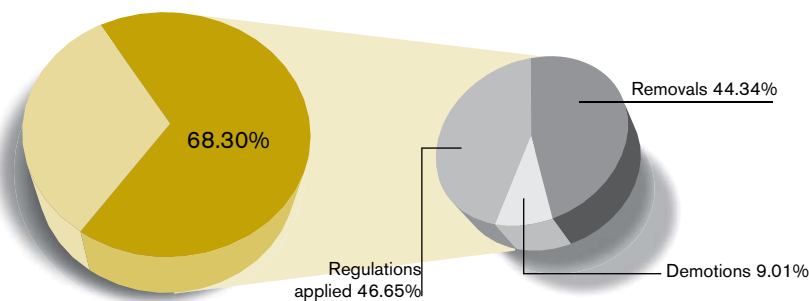
Complaints received by the General Inspectorate, 2009 - 2012



Complaints received for Corruption by the General Inspectorate, 2009 - 2012



Sanctions for corruptions (%), 2009 - 2012



The Nicaraguan Human Rights Center (CENIDH) is a civil society organization that was founded in 1990 and which is dedicated to the promotion and protection of human rights. It receives individual complaints; in 2012, from a total of 1,905 complaints received, 31.5% were in relation to the National Police, making it the second most frequent type of complaints.

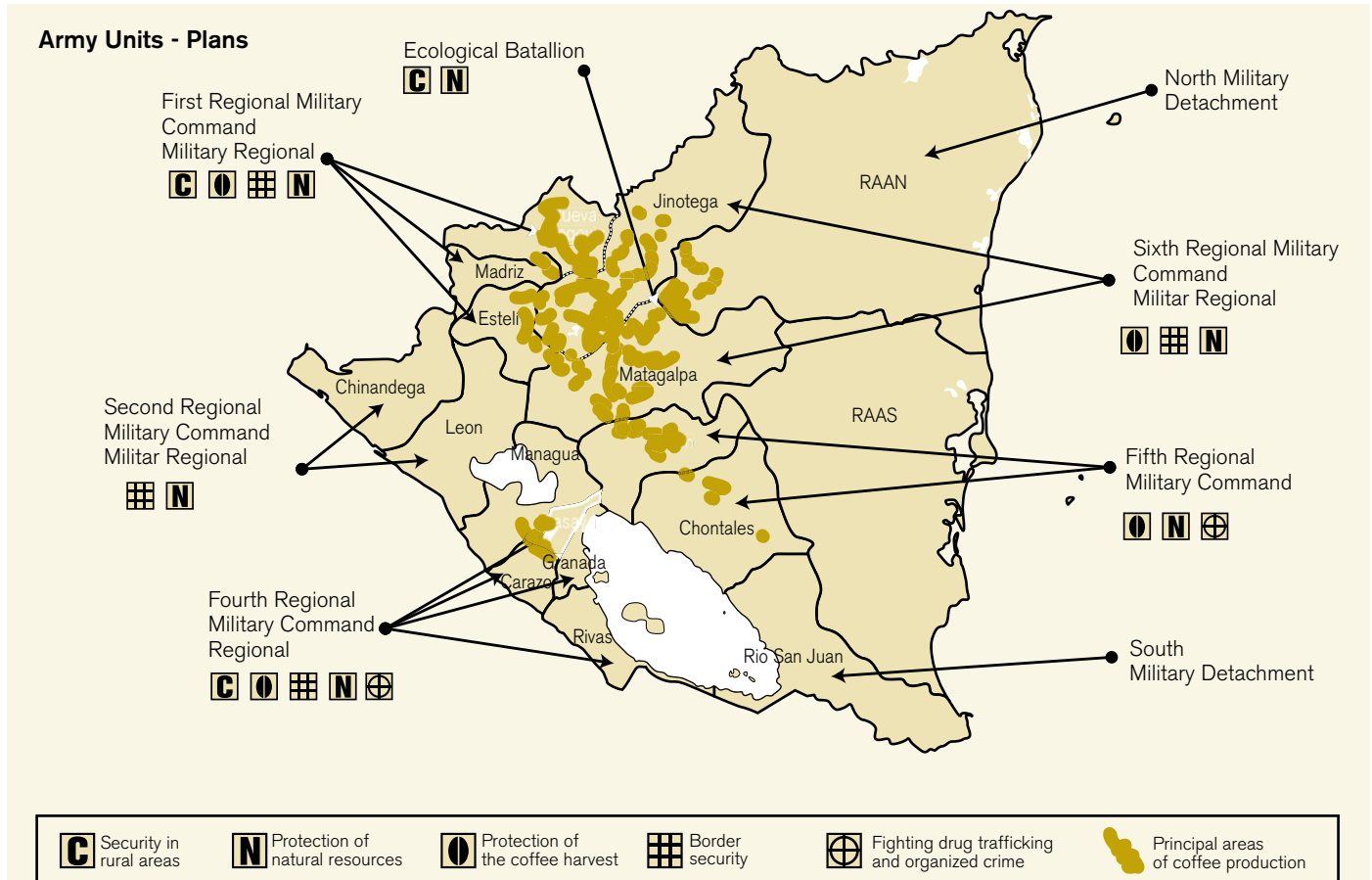
Sources: National Police, General Inspectorate, Office of Internal Affairs, *Informe sobre "Atención y Prevención de la Corrupción Interna en la PN 2010 - 2012 and Informe de cierre preliminar del proyecto "Atención y prevención de la corrupción interna en la Policía Nacional 2010-2012"*, December 2012, *Ley orgánica de la Contraloría General de la República y del sistema de control de la administración pública y fiscalización de los bienes y recursos del Estado*, N° 681, 06-16-2009. *Reglamento disciplinario de la Policía Nacional de Nicaragua*, N° 51-2012, 12-21-2012. Nicaraguan Human Rights Center (CENIDH), *Derechos Humanos en Nicaragua 2012*.

Cooperation of the Armed Forces in Public Security

The participation of the Army in public security has its basis in the Constitution itself, which establishes that the President, in exceptional cases, may order the military to intervene in support of the National Police when the country's stability is threatened by great internal disorders, calamities or natural disasters. Other legal bases include the 1994 law regulating military organization and the National Defense Law of 2010. The cooperation of

the Army, in addition to activities against drug trafficking and organized crime, primarily implements plans to ensure the security in rural areas, fighting rural crime and the protection of the country's coffee production.

All Army units engage in activities related to public security (listed below are the main activities within the framework of the Army's plans):



Plan for the protection of the coffee harvest

In support of the country's coffee trade, the Nicaraguan Army provides protection for the collection of coffee quintals and the transfer of valuables. Coordination meetings are held with the National Coffee Council, the National Police, and departmental and municipal authorities and producers. They conduct patrols and checkpoints, both combined with the National Police and independent of them, providing protection to over 300 farms and producers. **2012: 2,200 military personnel, which is equivalent to 21% of the Nicaraguan Army, participated in the plan.**

Plan for security in rural areas

Deployment of troops to maintain a greater presence at points of interest in the most dangerous remote areas of the country, contributing to security in rural areas to meet production goals.

Plan against drug trafficking and organized crime

In function of this plan, operations are performed with ground, naval and aerial troops to counteract drug trafficking, organized crime and related activities.

Cooperation with the United States

Under the cooperation agreement signed between the two governments in 2001 (in force since 2003), the United States Coast Guard Service provides assistance and coordination in the Navy's activities in an effort to eliminate illegal trafficking.

Plan for protection and security in border areas

In coordination with migration and customs authorities and the National Police, the Army undertakes activities to ensure the protection of natural resources, fight against all forms of smuggling, the illegal crossing of people, and other crimes.

Plan for fighting rural crime

In coordination with territorial police chiefs and judicial authorities to strengthen the operational work between these institutions, there is an exchange of information in order to counter crimes in rural areas.

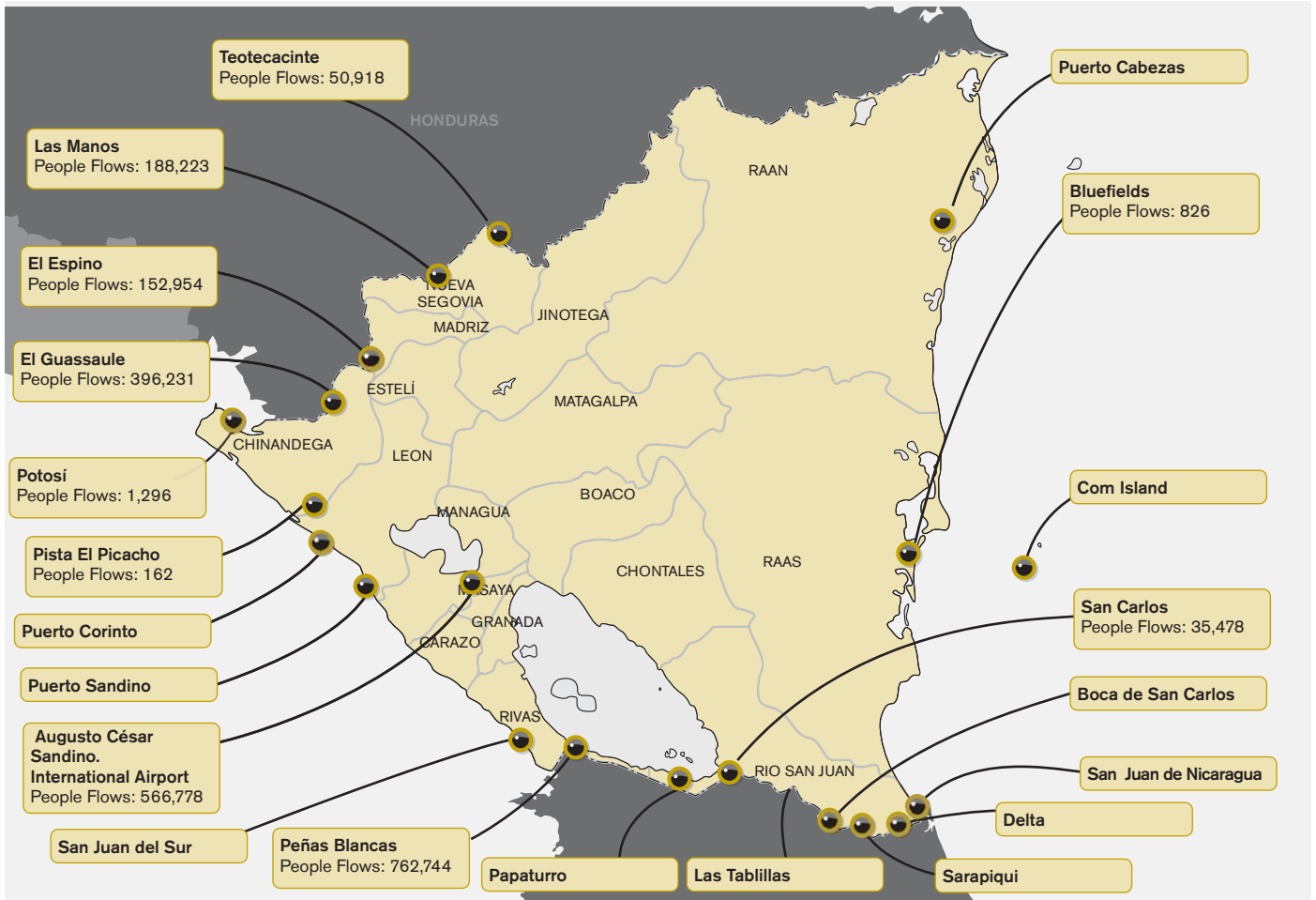
Source: Political Constitution. Código de organización, jurisdicción y previsión social militar (N° 181 - 08/23/1994). Ley de defensa nacional (N° 748 - 12/22/2010). Ley de régimen jurídico de fronteras (N° 749 - 12/22/2010). Memoria anual 2012, Army of Nicaragua. Website of the Nicaraguan Army. Nota de prensa N° 178/2012.

Border Crossings and Immigration Control

The General Directorate of Migration and Foreign Citizens, which is located within the Interior Ministry, is the institution responsible for migration control. The Directorate of Borders is responsible for control-

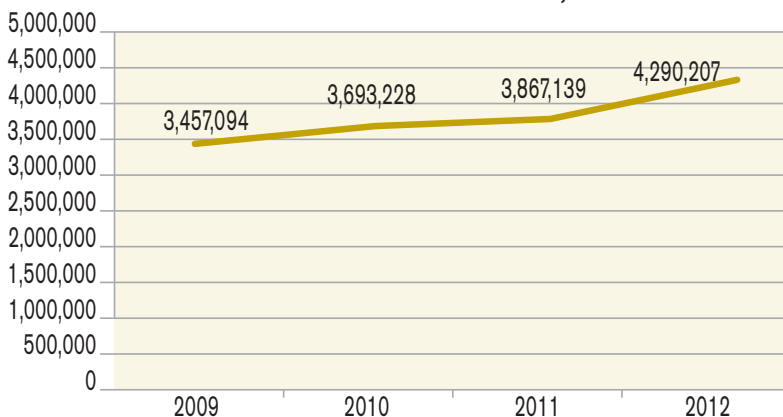
ling and registering the entrance and exit of persons into the territory, which is carried out through regional delegations and border control points. Approximately 625 personnel operate these border posts.

Border Posts and the Movement of People (2012)



Note: 3,441 cross-border people flows via other immigration posts in 2012 (Las Tablillas, Boca de San Carlos, San Juan de Nicaragua, Delta, Sarapiquí, Papaturre, San Juan del Sur, Puerto Sandino, Puerto Corinto, Pista Montelimar Puerto Cabezas, Com Island)

Annual Cross-border Person Flows, 2009 - 2012



Peñas Blancas is the busiest international border crossing accounting for approximately 33% of all arrivals and departures.

Nicaragua – Costa Rica Border Development Program
The construction of the Los Chiles – Las Tablillas Highway and the construction of a Customs and Migration control office at San Carlos will seek to divert some of the migrant traffic away from Peñas Blancas.

Sources: Website and press releases of the Directorate of Migration and Foreign Persons. Website of the Ministry of Interior. Ley anual de presupuesto general de la República 2013; Ley general de migración y extranjería (Nº 761 - 07/06/2011). Nicaraguan Tourism Institute, Boletín Estadísticas de Turismo 2012.

The Penitentiary System

The general regulations and rules for the functioning of the National Penitentiary System are governed according to Law N° 473 (November 2003), which covers the penitentiary regime system and the implementation of sentences. In March 2004, the regulations of this law were published.

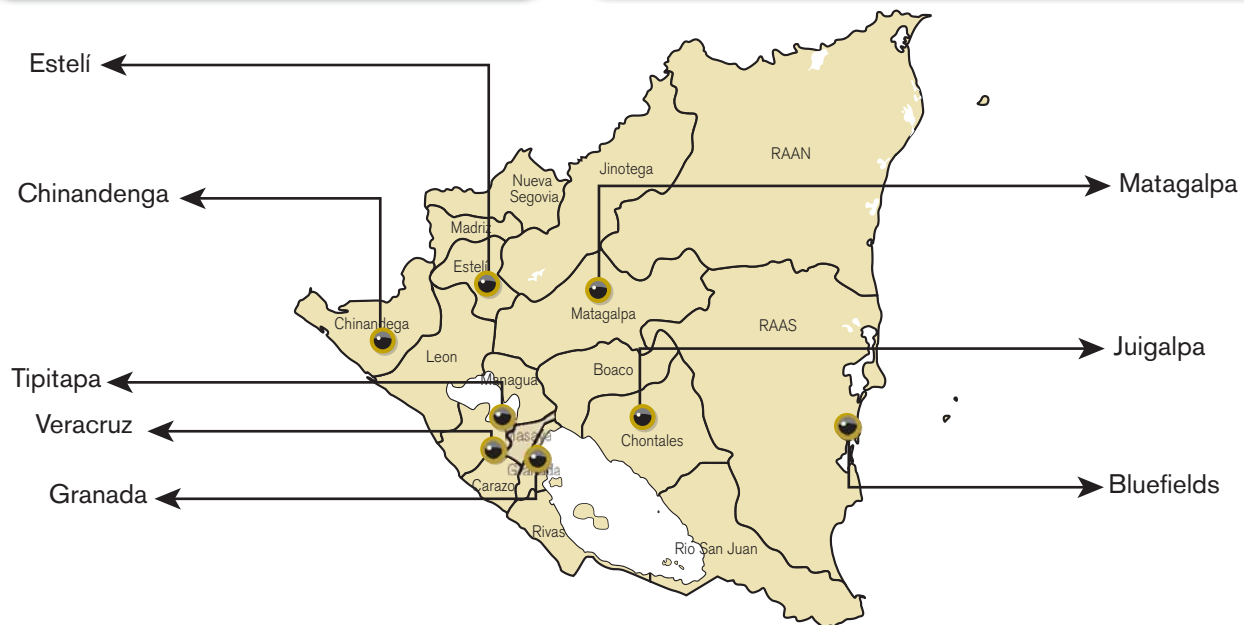
Penitentiary System personnel: 1,440

The Ministry of Interior is responsible for coordinating, leading, and administering the system.

The elementary penitentiary course, which has a duration of approximately 344 hours of classes, consists of special lectures and practical units on topics such as gender and the ethics of public servants. Subjects include crime control, criminal rehabilitation, criminal security, internal order and Nicaraguan doctrine.

In August 2013, the Presidency handed over the site where a Comprehensive Prison for Women will be built, which will be located on the Tipitapa-Masaya highway. It will be the first center of its kind in the country and aims to house 180 inmates..

In April 2012 there were 13,495 prisoners.



Private Security

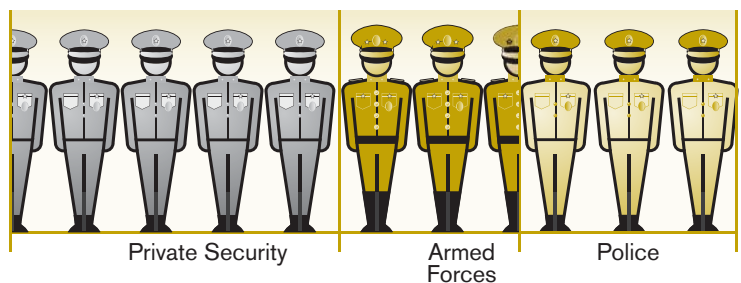
In accordance with Law N° 228 of the National Police, one of its functions is to authorize, regulate, carry out inspections, control or suspend public and private security and surveillance bodies, as well as regulating their personnel and activities. The Police Public Security Department is responsible for the regulation of private surveillance and physical protection companies.

The Law also states that private surveillance services can be carried out through:

- a) Private Surveillance Firms
- b) Public Surveillance Firms
- c) Residential Vigilanties

There are 145 authorized private security firms.

If we add together personnel from the Armed Forces, police bodies and private security firms - what we could call the entire personnel devoted to security tasks, be it national or public and citizen security - the resulting figure would be:



*Comparison using 2012 figures. It takes into account the number of private guards registered in the formal system supervised by the State. It does not include informal guards.

Sources: Ministry of Interior, *Boletín informativo*, October 2011; Ministry of Interior, General Directorate of the Penitentiary System. *Ley anual de presupuesto general de la República 2013*.