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| **Nicaraguan Legal Norms** |

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**SPECIAL LAW FOR ATTENTION TO EX-COMBATANTS FOR PEACE, UNITY, AND NATIONAL RECONCILIATION**

**LAW N°. 830,** Approved on 29 January 2013

Published in La Gaceta, Diario Oficial N°. 28 of 13 February 2013.

The President of the Republic of Nicaragua

To its inhabitants, Know:

That,

**THE NATIONAL ASSEMBLY**

**WHEREAS**

**I**

That it is the will of the State of Nicaragua and of the President of the Republic to strengthen Peace, the National Reconciliation of the Nicaraguan Family, the stability of the nation and in particular that of the sectors that confronted each other during the decade of the 80's that will allow the fulfilment of the commitments that previous governments did not have the will to do so in the periods between 1990 and 2006 and that today an effort is being made to grant security and legal certainty to the commitments contracted during the pacification process from the signing of the document: "Procedure to Establish a Firm and Lasting Peace in Central America", signed by the Presidents of the Central American countries in Guatemala City on 7 August 1987.

**II**

That it is the will of the State of Nicaragua and the President of the Republic to guarantee the rights of those who participated in the different stages of internal struggles from 1956 to 1990, including historical combatants and collaborators, mothers of heroes and martyrs, retired members of the now defunct Sandinista Popular Army and of the army's historical reserve, former members of the Ministry of the Interior, its organs and other auxiliary forces, those in compliance with the Patriotic Military Service Law, the demobilised members of the Nicaraguan Resistance and the indigenous resistance YATAMA and KISAN FOR PEACE of the Caribbean Coast, and the mothers of the fallen.

**III**

That on 2 October 1992, by means of the Verification Protocol, published in La Gaceta, Diario Oficial Nº. 193 of 8 October 1992, the Tripartite Commission was created and integrated by His Most Reverend Eminence Cardinal Miguel Obando Bravo, with the aim of improving coordination and mechanisms for the prevention and eradication of the problems considered to be beneficial to the stability and peace of Nicaragua in order to strengthen the system for the protection of the Rights and Guarantees of the sectors of the population affected by the war.

**IV**

In accordance with Article 56 of the Political Constitution of the Republic of Nicaragua, it is established that the government will promote special programmes for the care of war victims and that it is the will of the state to promote the productive and social integration of former war combatants and collaborators in socio-productive activities and to convert these citizens into forces that generate wealth and contribute to the development of the Nicaraguan state and the search for the common good.

**V**

That the process of reducing the Sandinista People's Army and the Ministry of the Interior, as national institutions of a professional nature, was not a simple operation of transferring military personnel to civilians; they were professionals graduated in the art of the military and the reduction of these two institutions culminated in a war between Nicaraguans, On the one hand, people who served as the backbone of the Armed Forces with the support of the Nicaraguan people, and on the other hand, a series of irregular armed groups who were the adversaries of the constitutional forces and bodies, and who had to find a way out through a definitive ceasefire as a result of the internal war in which the country was bleeding to death during the 1980s.

**VI**

That the Political Constitution of the Republic of Nicaragua establishes in Articles 56 and 61 in an imperative manner that the State shall pay special attention in all its programmes to the disabled and relatives of the fallen and victims of war in general; furthermore, the State guarantees Nicaraguans the right to social security for their integral protection against the social contingencies of life and work, in the form and conditions determined by law.

**VII**

That after the end of the last two civil wars, which left unquantifiable and irreversible damage to the lives and physical integration of human beings directly involved in the conflicts, it is imperative to update the current legislation in order to modernise its content and adjust it to the new circumstances, given that the current specialised legislation that contains the rights of Nicaraguan war victims dates from 1979 to 1990, with welfare-based and discriminatory concepts and approaches, It is imperative that it be modified and updated with legal concepts and approaches, as established in article 4(b) of the Convention on the Rights of Persons with Disabilities, to which Nicaragua is a party.

**VIII**

That through this law, the legal existence of the National Commission is being strengthened, which may be assisted by all those sectors that are willing to work for reconciliation and peace in the Nicaraguan family, as stated by the Nicaraguan Episcopal Conference in its communiqué of 21 March 2007, which literally states: "3. We Bishops, consistent with our duty as pastors, will continue to work for peace and justice for our people from our pastoral structures, since the Church herself is the bearer of a message of reconciliation (Cfr. 2 Cor 5, 18)".

**THEREFORE**

By virtue of its powers

**HAS GIVEN**

Next:

**LAW N°. 830**

**SPECIAL LAW FOR THE CARE OF EX-COMBATANTS FOR PEACE, UNITY AND NATIONAL RECONCILIATION**

**CHAPTER I**

**GENERAL PROVISIONS**

**Article 1 Purpose**
The purpose of this law is to regulate and establish state programmes and policies, in accordance with the provisions of the Political Constitution of the Republic of Nicaragua, so that public institutions can attend to the basic needs for the socio-productive reintegration of former war combatants, men and women, who belonged to the following institutions:

1. historical combatants and collaborators who participated in an organised manner in the liberation struggle of Nicaragua in the period from 1956 to 19 July 1979, duly recognised by their political organisation and the Mothers of Heroes and Martyrs;

2. Sandinista People's Army until 31 December 1994;

3. Ministry of the Interior, its organs and auxiliary forces until 31 December 1994; 4;

4. Members of the Historical Reserve Units deployed up to 25 April 1990;

5. Those in compliance with the Patriotic Military Service Act as of 25 April 1990;

6. Members of the Nicaraguan Resistance, which includes those who demobilised in the period between 1988 and 1990, including those captured in combat who were deprived of their liberty at the time of the signing of the peace accords and who took advantage of the amnesty granted by the Nicaraguan State and the mothers of the fallen;

7. The indigenous resistance: YATAMA and KISAN POR LA PAZ of the Caribbean Coast, who demobilised in the period between 1988 and 1990, including those captured in combat who were deprived of their liberty at the time of the signing of the peace accords and the mothers of those who died; and

**Art. 2 Basic Definitions.**
For the purposes of the application of this Law, the following basic definitions are established:

**1. Universal accessibility:** Condition that environments, goods, processes and services, as well as information, information and communication technologies, objects or instruments, tools and devices, must meet in order to be understandable, usable and practicable by all persons in conditions of safety and comfort and in the most autonomous and natural way possible, both in urban and rural areas;

**2. Agreements:** These are the documents signed by the representatives of the State and Government of Nicaragua, on the one hand, and those who at the time represented the combatants or collaborators of the different organisational expressions in accordance with the provisions of Article 1 of this law;

**3. 3. Achievement:** Approval of the course or academic year of study, of those who receive an economic benefit for orphans after the age of 15 and up to the age of 21, or a family economic allowance;

**4. Assembly:** All signatories of the peace agreements and those citizens who are appointed by the President of the Republic as members of the National Commission and those established by the present law;

**5. 5. Ancestry:** Mother or father who fulfilled the responsibility for the maintenance of the deceased ex-combatant;

**6. Family economic allowance:** Amount of money that by right corresponds to the family nucleus and descendants of the ex-combatants or disabled ex-collaborators who are beneficiaries of the present law.

**7. Basis of calculation:** Base amount used as a reference for the calculation of economic benefits;

**8 .SMP compliant Cubs:** Refer to Nicaraguan youth, men and women, who complied with the Patriotic Military Service Law, either in the Sandinista People's Army or in the Ministry of the Interior, its Organs and other auxiliary forces;

**9. Cancellation:** Definitive termination of the fulfilment of the rights established in the present law;

**10. Coverage for irregular situation:** Coverage for irregular situation includes persons who, as former combatants of war, took advantage of the amnesty granted by the State of Nicaragua in 1988 and demobilised in the period between 1988 and 1990, and those captured in combat who were deprived of their liberty between 1980 and 1990, inclusive. These ex-combatants will be verified and endorsed by legally constituted organisations that are accredited before the National Commission; the indicators and criteria to be used will be the Code credentials of the International Commission for Support and Verification under the auspices of the Organisation of American States (CIAV - OAS) or the Certificates issued at the time by the Nicaraguan Army and the Ministry of the Interior;

**11. Collaborators and couriers of the Resistance:** Nicaraguans who helped or participated with the various irregular armed groups in their capacity and condition as collaborators or couriers, thus contributing to the Nicaraguan Resistance and the Yatama Indigenous Resistance, which includes the community members captured and prosecuted from 1980 to 1988;

**12. Historical combatants and collaborators:** These are Nicaraguan men and women who are officially recognised by the political organisation and who participated in an organised way in the armed struggle against the Somoza dictatorship from 1956 to July 1979;

**13. National Commission: The** Cardinal Miguel Obando y Bravo National Commission for Verification, Reconciliation, Peace and Justice, which may have a municipal or regional presence;

**14. Complementary rights:** All other rights of persons with disabilities and citizenship in general that are not contemplated in the present law;

**15. War Disabled:** Former combatants with disabilities as a result of the war and their families, mothers, widows and orphans of former combatants who died between January 1956 and December 1990, whose rights are imprescriptible. Persons currently receiving disability, widowhood, ancestry and orphan's benefits as a result of the war during the aforementioned period shall continue to receive their benefits in accordance with this law;

**16. Ex-war combatants:** This is understood as Nicaraguan citizens who participated in the war between Nicaraguans and who officially demobilised from 1990 under the observation of the United Nations Observer Group in Central America (ONUCA), CIAV - OAS and those officially recognised by the Nicaraguan Army and the Ministry of the Interior as having retired during this period, the ex-combatants of the indigenous resistance: YATAMA and KISAN POR LA PAZ of the Caribbean Coast, to the former combatants and historical collaborators who participated in the liberation struggle of Nicaragua from 1956 to July 1979;

**17. Auxiliary means:** Means basically necessary to support or replace any part of the anatomical functional structure, such as wheelchairs, orthopaedic canes, white canes, crutches, walkers, hearing aids, prostheses, glasses and orthoses of any organ part of the body, periodical replacement material such as catheters, cushions for wheelchair users, Foley catheters, colostomy bags and urine and faeces collection bags, among others;

**18. Ex-combatant organisations:** Includes the various organisations that enjoy legal personality formed by ex-combatants included in the definition contained in numeral 16) and duly registered with the Ministry of the Interior or those that at the discretion of the National Commission are incorporated;

**19. President of the Commission:** The highest authority of the Commission, designated for the position by His Eminence Cardinal Miguel Obando y Bravo or the person appointed by the President of the Republic;

**20. Economic benefit: The** amount of money granted by virtue of the matter, be it for disability, widowhood, orphanhood or descent;

**21. Reactivation:** To reactivate a benefit or an entitlement that has been suspended;

**22. Retirees of the Ministry of the Interior and the Sandinista Popular Army:** Those men and women who, as historical combatants or popular combatants, voluntarily joined the ranks of these institutions between July 1979 and April 24, 1990, and who were retired by the provisions of the Presidency of the Republic or of their own free will in the period between April 25, 1990 and December 31, 1994.

**23. Prevention, rehabilitation and habilitation services:** Health process aimed at the care of the sequelae of an illness or trauma that cause dysfunction and disability, with a view to restoring the person's social and occupational or integral functionality.

**Art. 3. Recognition of the servants of the fatherland.** The State and Government of the Republic of Nicaragua recognises the quality of Patriots, Servants of the Homeland, to Nicaraguan citizens, men and women, who, consistent with their convictions, beliefs and faith in God and the yearning for a homeland free from oppression, selflessly participated in the struggle against the Somoza dictatorship and those who from their youth assumed the historic responsibility of defending national sovereignty.

The President of the Republic and other government authorities shall commemorate on 21 February of each year in the different primary and secondary education centres, the act of the Unknown Soldier, and on 27 November of each year, the act of the Soldier of the Fatherland, in accordance with the provisions of Law No. 39, "Law that Declares the Day of the Soldier of the Fatherland", published in La Gaceta, Official Gazette No. 98 of 25 May 1988. In both cases the corresponding solemnities shall be observed in homage to the men and women who fought during the war of liberation from 1956 to 19 July 1979 and from 20 July 1979 to 24 April 1990 and in recognition of those who defended national sovereignty, respectively.

**Art. 4 Authority empowered to declare the status of ex-combatants.**

The Ministry of Defence, in coordination with the Army of Nicaragua and the Ministry of the Interior, shall be the competent public institutions to declare the status of former members of the Sandinista Popular Army and the Ministry of the Interior and its organs, and grant them the respective certificate for registration in the Single National Register kept for this purpose by the National Commission through the Executive Secretariat and accredit them as such; they may also present the Certificates issued at the time by the Army of Nicaragua and the Ministry of the Interior and its organs, which must be ratified by the issuing institutions.

In the case of former combatants who belonged to the Nicaraguan Resistance or to the indigenous resistance of YATAMA and KISAN FOR PEACE of the Caribbean Coast, who as former combatants took advantage of the amnesty granted by the State of Nicaragua in 1988 and demobilised in the period between 1988 and 1990, including those captured in combat who were deprived of their liberty between 1980 and 1990. These ex-combatants will be verified and endorsed by the organisations legally constituted and accredited before the competent authority; the indicators and criteria to be used will be the CIAV - OAS and UNOCA Code credentials.

The organisations of ex-combatants may propose the accreditation of their members for the registration process, which will be subject to verification by the Unified National Register, the Director of the Register shall inform the Executive Secretary of the National Commission for the relevant effects. In cases where the information is false or altered, the interested party's application for registration shall be rejected.

**Art. 5 Scope of Application.**
This Law is of public order and obligatory for the different authorities of state or private institutions that receive funds from the General Budget of the Republic in the national territory.

For the application of this Law, the corresponding authority, in coordination with other public or private institutions, shall determine the criteria and procedures to be used during the certification process of ex-combatants and collaborators.

**Art. 6 Obligation of the Powers of the State.**
It is the obligation of the powers of the Nicaraguan State, regional and municipal governments, as well as public universities and higher technical and vocational education institutions, to recognise the National Commission and listen to its proposals in order to propose solutions for the restitution of rights, social and productive reintegration in the search for the consolidation of peace, the common good and national reconciliation.

**Art. 7 Recognition of Rights.**
This Law recognises the rights of men and women who, as ex-combatants and historical collaborators, participated in the national liberation struggle from 1956 to 19 July 1979, without distinction of political or religious creed, gender, age, social status, origin or any other status that may be detrimental to their dignity. The status of historical collaborators and combatants shall be accredited and certified by the political body legally constituted and empowered for this purpose, on the date of approval of this law, without prejudice to the interested parties presenting their endorsements or respective certificates accrediting them as such.

Likewise, those officially defined, accredited and certified by the Army of Nicaragua as having retired from the army and those complying with the Patriotic Military Service Law and reservists shall also be recognised by means of the corresponding certificate. The Ministry of the Interior shall define, accredit and certify those retired from the Ministry of the Interior, its organs and other auxiliary forces, as retired on the dates included for each case in Article 1 of this Law.

Nicaraguan citizens who participated in the war between Nicaraguans and who officially demobilised from 1990 under the observation of UNOCA, CIAV - OAS, as well as former combatants of the Nicaraguan Resistance and the indigenous resistance YATAMA and KISAN FOR PEACE of the Caribbean Coast, shall also be recognised as having the rights established by the present law.

The authority of application of the present law will be able to accredit those organisations that fulfil the established criteria for the corresponding cases.

**CHAPTER II**
**THE NATIONAL COMMISSION**

**Art. 8 Authority for the application of the Law.**
The National Commission for Verification, Reconciliation, Peace and Justice Cardinal Miguel Obando y Bravo, hereinafter referred to as the National Commission, created through Executive Decree No. 49-2007, published in La Gaceta, Diario Oficial No. 90 of 15 May 2007, and its Internal Operating Regulations, is hereby established as the authority for the application of this Law. The Commission will have its own legal personality, functional, administrative, organisational and financial autonomy, inclusive in the pursuit of the common good, with powers to acquire rights and contract obligations.

The National Commission is responsible for attending to former combatants and historical collaborators who participated in the struggle for the liberation of Nicaragua from January 1956 to 19 July 1979; former members of the Sandinista Popular Army and the Ministry of the Interior and its organs and other auxiliary forces, those in compliance with the law of Patriotic Military Service and the historical reserve of the Sandinista Popular Army.

Also included are ex-combatants who belonged to the Nicaraguan Resistance and the YATAMA and KISAN FOR PEACE indigenous resistance of the Caribbean Coast, who as ex-combatants took advantage of the amnesty granted by the State of Nicaragua in 1988 and demobilised in the period between 1988 and 1990, and those captured in combat who were deprived of their liberty at the time of the signing of the peace agreements. These ex-combatants will be verified and endorsed by legally constituted organisations that are accredited before the National Commission. The indicators and criteria to be used will be the CIAV - OAS and UNOCA Code credentials.

The Government of the Republic, through the National Commission, shall implement the different plans and programmes for socio-productive reintegration in accordance with the Government's Human Development Plan.

**Art. 9 Organs.**
The organs of the National Commission are, in the following order:

1. Presidency;
2. The National Commission in Plenary Session;
3. Executive Secretariat;
4. Permanent Municipal Commissions;
5. Permanent Regional Commissions of the Autonomous Regions of the North and South Atlantic; and
6. Specific Working Commissions.

The National Commission, through the President, may establish other Departmental Commissions of transitory duration.

**Art. 10 Presidency of the National Commission.**

The Presidency of the National Commission for Verification, Reconciliation, Peace and Justice shall be held by His Eminence, Cardinal Miguel Obando y Bravo, who shall preside over it, and its functions shall be those established in Article 5 of the Regulations of Executive Decree No. 49-2007, without prejudice to others established by the President of the Republic and the present Law. In the event of absence, the President of the Republic shall be exclusively responsible for appointing the person who will succeed him/her.

**Art. 11 Functions of the President.**

The functions of the President of the National Commission are as follows:

1. To preside over the meetings of the Commission and who is also the highest authority;

To legally represent the Commission in official acts, whether national or international, and may delegate this function, and may also sign national or international collaboration agreements for the fulfilment of the present Law;

3. To convene sessions of the Commission through the Executive Secretariat, in accordance with the planned agenda;

4. To draw up and propose the agenda for each session of the National Commission;

5. To direct the working meetings with the heads of the Ministries, legal representatives of the governmental state entities and all the delegates of the organisations of ex-combatants that form part of the National Commission for the solution of the problems derived from the fulfilment of the different agreements that are the object of the present Law and Decree No. 49-2007, and its Regulations;

6. Exercise a tie-breaking vote at meetings of the Commission, if necessary;

7. To designate the integration of delegations to national or international events;

8. To sign, together with the Executive Secretary, the Minutes of the Sessions, as well as the Agreements and Resolutions adopted;

9. To present to the President of the Republic the different projects aimed at fulfilling the objectives of the Commission, plans and programmes for obtaining funds for the operation and solution of the problems derived from the fulfilment of the agreements that are the object of Decree Nº. 49-2007 and the present law;

10. To assist the members of the National Commission in the execution of plans, programmes and projects;

11. To install or delegate the installation of the Municipal and Regional Commissions; and

12. other functions established by this Law and its Regulations.

**Art. 12 Integration of the National Commission.**

The National Commission in Plenary is composed of the President of the National Commission, the person appointed to the Executive Secretariat, and the principal officials of the following Ministries of State and Public Institutions:

1. Ministry of Finance and Public Credit;
2. Ministry of Education;
3. Ministry of Health;
4. Ministry of the Interior;
5. Ministry of Family, Community, Cooperative and Associative Economy; 6;
6. Ministry of Family, Adolescence and Childhood;
7. A member of the Nicaraguan Army;
8. 8. A member of the National Police Headquarters;
9. A member of the Ministry of Agriculture and Forestry;
10. Ministry of Transport and Infrastructure;
11. Ministry of Labour;
12. Nicaraguan Institute of Social Security;
13. Procuraduría General de la República through the Intendencia de la Propiedad;
14. Produzcamos Bank;
15. The President of the National Council of Universities;
16. National Institute of Technology;
17. National Technological Institute;
18. Nicaraguan Institute of Urban and Rural Housing;
19. The President of the Commission for Peace, Defence, Governance and Human Rights of the National Assembly; and
20. Representatives of each of the different organisations of ex-combatants as follows:
a.2 from the ex-combatants and historical collaborators of the Sandinista National Liberation Front;
b.2 from the ex-combatants of the Sandinista Popular Army;
c.2 of the former Ministry of the Interior, its organs and other auxiliary forces and;
d.2 of the historical reserve;
e.2 of those complying with the Patriotic Military Service Law;
f.2 for the Nicaraguan Resistance;
g.2 for the YATAMA indigenous resistance, one from the North and one from the South;
h. The signatories of the Peace Accords through their legal representatives in accordance with the provisions of Decree No. 49-2007 published in La Gaceta, Official Gazette No. 90 of 15 May 2007 and its Regulations.
i.2 representatives of the Associations of Persons Disabled as a result of the war;
j. One representative of the Mothers of Heroes and Martyrs;
k. A representative of the Mothers of the Fallen in Combat;
l. One member of KISAN FOR PEACE from the Caribbean Coast; and
m. Others at the discretion of the Authority of Application of this Law.

Each of the delegate members of the organisations that form part of the National Commission must accredit an alternate to the Executive Secretariat so that the latter can incorporate him or her in the event of the delegate's absence at the Commission's meetings.

In the event that the different organisations of ex-combatants referred to in this law do not agree on the appointment of their delegates to the National Commission within a period of thirty (30) days, the Commission shall proceed to appoint them for a period of two (2) years.

They also form part of the National Commission, as guests, as long as aspects related to each of the following institutions are to be addressed:

1. The President of the Association of Municipalities of Nicaragua;
2. The Nicaraguan Institute of Tourism;
3. The National Forestry Institute;
4. The Nicaraguan Institute of Fisheries; and
5. One delegate from each of the Regional Councils of the Autonomous Regions of the Atlantic Coast when issues relating to the ex-combatants of the Nicaraguan Caribbean are to be addressed.

The Ministers of State who are unable to attend the National Commission may delegate their participation in it through their respective deputy ministers and the delegates of the legally accredited organisations shall do so through their alternates reported to the Executive Secretariat.

The National Commission may be assisted by other organisations and integrate them as members, the bishops of their dioceses or other religious denominations and any other body that has signed the peace and reconciliation agreements at national, regional and municipal level.

**Art. 13 Period of meetings.**
The National Commission shall meet ordinarily every two months and extraordinarily as often as necessary for the fulfilment of the aims and objectives proposed in this Law. The National Commission may establish branch offices in any part of the national territory.

The summoning of the officials and public servants who are members of the National Commission shall be carried out in accordance with its work agenda and at the discretion of the President.

**Art. 14 Functions of the National Commission.**
The functions of the National Commission are as follows:

1. Coordinate with the various organisations of ex-combatants, Ministries of State and Institutions with the aim of verifying the follow-up and compliance with the Peace Agreements signed by the Government of Nicaragua with the retired members of the Nicaraguan Army and the Ministry of the Interior and its Organs, the demobilised members of the indigenous resistance YATAMA and KISAN FOR PEACE of the Caribbean Coast, the Nicaraguan Resistance and the mothers of the fallen;

2. Coordinate and follow up on the social demand for the restitution of economic, social and cultural rights of ex-combatants and collaborators;

3. Promote and encourage the conclusion of cooperation and reciprocal assistance agreements with national and international organisations that allow for the development of policies and programmes in favour of the beneficiaries of this Law, as well as to manage funding for the implementation of projects of social interest that contribute to improving the quality of life of ex-combatants and collaborators;

4. Coordinate the implementation of the various socio-economic and cultural projects that provide benefits to ex-combatants and collaborators that may be signed by agreement with state bodies and entities or non-governmental organisations, whether national or foreign;

5. To elaborate proposals for public policies, plans and programmes aimed at achieving the integral development of ex-combatants and collaborators for their socio-productive reintegration into society and to direct the process of formulation, monitoring and evaluation;

6. Approve the annual operational plans of the National Commission and install the municipal and regional Working Commissions;

7. 7. To set up Working Commissions in order to know, formulate and develop the proposals presented by the Municipal and Regional Commissions or those necessary at the discretion of the National Commission;

8. To appoint the delegate who participates in the Municipal and Regional Working Commissions;

9. To approve the internal regulations for its functioning; and

10. Any other functions established in this Law and its regulations.

**Art. 15 Plans and programmes.**
The plans and programmes approved by the National Commission shall correspond to the national demand of each of the different sectors of ex-combatants and collaborators, establishing the following:

1. Social programmes currently being promoted by the Government of the Republic;

2. Agricultural and livestock programmes;

3. Cooperative enterprise programmes;

4. Education programmes;

5. Social housing programmes;

6. Health and social security programmes;

7. Tenure and legalisation of property;

8. Micro, small and medium-sized enterprise development programmes; 9;

9. Access to cooperative credit; and

10. Access to Employment.

There may be other work programmes to be approved by the National Commission, the responsibility for co-ordination rests with the Executive Secretariat.

**Art. 16 Period of representation.**
For the purposes of legal representation of the different organisations of ex-combatants and collaborators before the National Commission, the period of representation of the members shall be in accordance with the provisions of the public instrument establishing the Association.

The President of the Republic shall install the National Commission within thirty (30) days of the entry into force of this Law.

**Art. 17 Executive Secretariat.**
The Executive Secretariat is created as a support body for the President of the National Commission, whose main function is to provide technical and operational support for the work of the latter in the process of caring for ex-combatants and collaborators, as well as coordinating the plans, programmes and projects corresponding to the sectoral public policies established by the State of Nicaragua.

The President of the Republic shall appoint the Executive Secretary of the National Commission, at the proposal of the President of the Commission, a position that is incompatible with other functions in the Public Service. This post shall be held on a full-time basis. The Executive Secretary shall have the rank conferred upon him/her by the President of the Republic.

**Art. 18 Functions of the Executive Secretariat.**
Without prejudice to the functions established in Article 5 of the Regulations of Executive Decree number 49-2007, the functions of the Executive Secretariat are as follows:

1. To act as the organ of communication between the National Commission, the Municipal and Regional Commissions, the Ministries of State and other public bodies;

2. 2. To keep the book of minutes, agreements and signatures of the members of the National Commission;

3. To represent the Commission in all matters entrusted to it by the President;

4. To propose to the President of the National Commission the strategies, plans, programmes and projects aimed at achieving the objectives of the law, as well as public policy proposals to ensure the functioning of the Commission, and to receive, transmit and file official correspondence;

5. Coordinate the specific working commissions set up by the Commission;

6. To direct the administrative functioning of the Executive Secretariat of the National Commission, to organise, plan, control and evaluate its administrative functioning, as well as that of the professional or support staff under its responsibility;

7. To summon the members of the National Commission on the instructions of the President of the National Commission to ordinary or extraordinary meetings of the Commission;

8. To take the corresponding minutes in those cases of working meetings with special guests of the President of the National Commission;

9. To follow up on the fulfilment of the agreements adopted by the National Commission;

10. To accredit organisations of ex-combatants and collaborators;

11. Promote projects that are of interest to ex-combatants and collaborators in accordance with the nation's Human Development Plan; 12;

12. To manage and administer the financial resources to carry out the projects promoted by the working commissions authorised by the National Commission;

13. 13. To carry out programmes to verify information related to ex-combatants and collaborators;

14. Coordinate the actions of the different organisations of ex-combatants and collaborators with the different state institutions that allow the projects approved by the National Commission to be carried out;

15. Request and receive progress reports from public institutions, Municipal and Regional Working Commissions and organisations of ex-combatants on the fulfilment of policies in favour of ex-combatants and their processing for the presentation of the report to the National Commission;

16. To draw up the annual report on progress and compliance with the plans and programmes of care coverage for the beneficiaries contemplated in this Law for submission to the President of the Republic;

17. Evaluate with the Regional and Local Governments the degree of compliance and progress of the projects approved and executed by these bodies, in terms of inclusion and restitution of the rights of ex-combatants and collaborators, as well as related policies and actions;

18. To present quarterly reports on the different activities of the Annual Operational Plan;

19. Define and elaborate a statistical programme that reflects the indicators of compliance with the demands related to the restitution of the rights of ex-combatants and collaborators, as well as their socio-economic and productive impact; 20;

20. To elaborate and present the annual budget proposal to the National Commission for its inclusion in the draft Annual Law of the General Budget of the Republic;

21. To request the necessary information from the different public or private institutions related to the objectives of the law for their due incorporation into the Single National Register;

22. Coordinate with the Regional and Municipal Governments the application in their territories of the public policies developed in favour of ex-war combatants and collaborators; and

23. Any other function established by this Law or the Regulations.

**Art. 19 Integration of Working Commissions.**
Regional and Municipal Working Commissions shall be created, in each case with the participation of representatives of the following institutions:

1. The Mayor, who chairs it;

2. A delegate from the National Commission;

3. The delegate of the Intendencia de la Propiedad;

4. A delegate of the Nicaraguan Army, who shall be the Chief of the nearest Military Unit;

5. A delegate of the National Police, who will be the Chief of the National Police of the Municipality;

6. The legal representative of each of the organisations of ex-combatants and collaborators;

7. The delegates of the Ministries and public bodies that form part of the National Commission;

8. The signatories of the Peace Accords through their legal representatives; and

9. Any other person at the discretion of the members of the Working Commission.

In the case of the delegates of the Ministries and public bodies that form part of the National Commission, they shall be summoned to the meetings of the Commission in accordance with the items on the agenda.

The National Commission may create departmental Working Commissions, which shall be structured for their functioning by the higher authority. In the absence of the Mayor, the Deputy Mayor shall preside over the Municipal Commission.

**CHAPTER III**
**SOCIO-PRODUCTIVE REINTEGRATION PROGRAMMES**

**Art. 20. Implementation of programmes.**
In order to restore the rights of ex-combatants and collaborators, the programmes implemented under the Human Development Plan provided for by the Government of the Republic shall be applied.

The National Commission shall attend to ex-combatants and collaborators in the following order:

1. Mothers of heroes and martyrs and mothers of those who have fallen in combat;

2. Those who are in a state of extreme poverty or who have not received any type of benefit in the past;

3. Those disabled as a result of war and members of organisations who have reached 60 years of age or older and who are unprotected by the pension system;

4. Those who are interested in socio-productive projects for the production of basic consumer goods for the satisfaction of the Nicaraguan family;

5. Those who have received any type of benefit from the different previous governments; and

6. Those who are in better socio-economic conditions may be assisted with programmes that imply a greater commitment according to their capacity and qualities to generate new and better socio-productive conditions.

**Art. 21 Coverage of the Programmes.**
The coverage of the programmes for ex-combatants and collaborators shall be oriented with particular attention to the following activities:

1. social programmes currently promoted by the Government of the Republic, which includes, among others, the following:

a. Bono Productivo Alimentario (Productive Food Voucher);
b. Zero Usury;
c. Plan Techo;
d. School Package;
e. Bono de Patio;
f. Operation Miracle;
g. All with a Voice;
h. Love for the little ones;
i. I can do it;
j. I can go on;
k. Food packages for mothers of heroes and martyrs; members of organisations who have reached 60 years of age or more; and Mothers of the fallen in combat.

2. Agricultural and livestock programmes in their different modalities, items and species;

3. Programmes for the promotion and organisation of cooperative enterprises within the productive sector;

4. Education programmes, comprising the three educational systems, technical-vocational education, and a scholarship programme for ex-war combatants and collaborators, with emphasis on the technical-vocational training of their children, which will be awarded on the basis of academic performance;

5. Social housing programmes in accordance with the requirements of the Urban and Rural Housing Institute (INVUR) and the Social Housing Fund (FOSOVI), in both cases in accordance with the provisions of the relevant legislation;

6. Health programmes in accordance with the capacities of the Ministry of Health;

7. Legalisation and tenure of property in accordance with the legislation on the matter;

8. Programmes for the development of micro, small and medium-sized enterprises or those service enterprises that already exist; 9;

9. Access to co-operative credit and other projects of economic and financial viability; and

10. Access to employment.

**Art. 22 Education programmes.**
The Ministry of Education and the National Council of Universities, in coordination with the National Commission, shall design and establish a national strategy to develop technical-vocational education programmes, taking advantage of the installed capacity to train ex-combatants and collaborators in their respective territories to facilitate their socio-productive integration into the country. To this end, they shall coordinate with the various research and training centres of the Ministries of State and affiliated or autonomous institutions to make rational use of the infrastructure and human resources available.

A scholarship programme shall be established for ex-combatants and collaborators or for the direct family members they designate for the enjoyment of scholarships in professional careers linked to the productive sector; to this end, the corresponding organisations shall present the list of candidates with the respective academic requirements for due processing and awarding.

**Art. 23 Technical-vocational education.**
The National Technological Institute, in coordination with the National Commission, in accordance with their respective competencies, shall guarantee former combatants and collaborators the exercise of the right to free, quality technical-vocational education that includes different trades with the aim of promoting a culture of peace and tolerance that includes respect for human rights, equality between men and women, human diversity, the environment, self-esteem, personality, talents, personal creativity, mental and physical aptitudes that allow for the development of the human potential of former combatants.

**Art. 24 Free health care.**
Ex-combatants have the right to enjoy care in all public health programmes and levels in accordance with the national health policy established by the state through the Ministry of Health and other public institutions, which shall ensure the exercise of the right to free, quality, human, affordable, specialised and relevant health care in accordance with the needs and capacities of the Ministry of Health and the programmes designed to attend to them promptly, efficiently and effectively.

The Ministry of Health shall attend to the mothers of heroes and martyrs, the mothers of those killed in combat, those disabled as a result of the war, ex-combatants and collaborators in the different hospitals and health centres, for which it shall order the different directors of the Local Comprehensive Health Care System (SILAIS) to designate the centre or clinic where they shall be attended to by Ministry of Health personnel who can provide care to them according to their needs and installed capacities.

In the case of Retired Military Personnel who belonged to the Sandinista Popular Army and those of the Ministry of the Interior and its organs and other auxiliary forces, who are over 60 years of age shall receive hospital medical care at the Military Hospital "Escuela Doctor Alejandro Dávila Bolaños" and at the Hospital "Carlos Roberto Huembes", as the case may be, for which the presentation of the card issued by the Registro Nacional Único shall be sufficient.

This care shall be administered by the Nicaraguan Social Security Institute and financed with an annual allocation from the General Budget of the Republic.

By virtue of the provisions of the preceding paragraphs, the following shall be carried out:

1. Maintain updated instructions to the respective directors of the SILAISs, especially to the directors of the basic care medical centres and those of specialised care for ex-war combatants and collaborators;

2. Establish a telephone number for twenty-four (24) hours a day, three hundred and sixty-five (365) days a year contact at the Central Offices of the Ministry of Health, with the purpose of coordinating care for ex-combatants and collaborators; and

3. The Ministry of Health shall design, in accordance with its installed capacity, a National Programme for the care and operation of specialised clinics for the care of mothers of heroes and martyrs, mothers of those killed in combat and ex-combatants and collaborators subject to the law, which shall be managed by the directors of the respective SILAIS.

**Art. 25 Physical, mental and social health.**
The Ministry of Health, in coordination with the National Commission, shall guarantee full attention to the physical, psychological, social and integral health of ex-combatants, disabled as a result of the war, their spouses or children, whether they live in the countryside or in the city, and participate in food and nutritional security programmes, prevention, care and rehabilitation programmes based in the community and the family.

**Art. 26 Productive Programmes.**
The Ministry of Agriculture and Forestry and the Ministry of Family, Community, Cooperative and Associative Economy, in coordination with the National Commission, shall design and establish a national strategy to develop programmes with the aim of enabling ex-combatants to enter productive work in their respective territories and become economic agents. To this end, technical-vocational education programmes should be coordinated with productive programmes, making use of the technical capacities and resources already installed in the autonomous or affiliated institutions and promoting the rational use of the State's existing infrastructure and human resources.

The programmes must be oriented towards agricultural activities, including bovine, bovine, equine, small livestock, pig farming, beekeeping, fishing, poultry, rabbit farming, among others, as well as the design and execution of a national plan and programme for the production of forests with native species of the region where it will be carried out and that will allow the country to develop reforestation, the timber industry directly and with added value, natural medicine and others of sectorial social interest that allow the satisfaction of the basic needs of the Nicaraguan people.

**Art. 27 Cooperative development.**
The State of Nicaragua, through the Ministry of Family, Community, Cooperative and Associative Economy, in coordination with the National Commission, shall establish a national policy for the promotion of cooperative enterprises, especially those that enable the socio-productive activity of basic consumer goods for Nicaraguan families and other activities that contribute to the National Food Security Plan and whose procedures are expeditious. In the case of ex-combatants of indigenous and Afro-descendant peoples, support will be given to their own forms of organisation based on their artisanal production model.

It shall also include those cooperative enterprises, in general, that allow for the generation of productive employment, such as handicraft, textile-clothing, construction of social housing, private security and surveillance companies that contribute to improving citizen security for Nicaraguans and assist the National Police in their work in accordance with the law on the matter.

**Art. 28 Social housing.**
Ex-combatants have the right of access to social housing programmes, to a continuous improvement of their quality of life, to social protection and poverty reduction programmes in accordance with the public policies of the State and Government of Nicaragua, in this sense the authorities of the Nicaraguan Institute of Urban and Rural Housing and the Social Housing Fund shall establish a programme to disseminate the requirements and the procedure to allow them access to these programmes through the National Commission.

Ex-combatants and collaborators have the right to participate and have access to the social housing programmes developed in the various projects carried out by the State. The benefits established in Law No. 677, "Special Law for the Promotion of Housing Construction and Access to Social Housing", published in La Gaceta, Official Gazette No. 80 and 81 of 4 and 5 May 2009 respectively, shall be applicable to ex-combatants and collaborators.

Ex-combatants and collaborators with disabilities as a result of the war who benefit from this Law have a preferential right to the free allocation of plots for housing construction when they form a family nucleus; to be given priority in housing programmes under the same conditions as the general population and that in programmes and projects for the construction of social housing or rehabilitation of housing, physical access is considered.

**CHAPTER IV**
**CARE FOR PERSONS DISABLED AS A RESULT OF THE WAR**

**Art. 29 Beneficiaries.**
The beneficiaries are the ex-combatants and collaborators with disabilities due to the war and their families, mothers, widows and orphans of ex-combatants who died between January 1956 and 27 June 1990. These rights are inalienable and imprescriptible.

Beneficiaries currently receiving disability, widowhood, ancestry or orphan's benefits as a result of wars that occurred in Nicaragua during the period indicated in the previous paragraph shall continue to receive their benefits in accordance with this Law.

**Article 30 Occupational accident benefits.**
The Nicaraguan Institute of Social Security shall grant all the benefits established in the Insurance for Industrial Accidents and Occupational Diseases to ex-combatants disabled as a result of war, including compensation, allowances for temporary disability, and in cases where as a result of their participation in the war they suffer illness, injury or any degree of disability, they shall receive life pensions for permanent disability.

The wife or partner, orphans and other dependants in the event of death as a result of the causes mentioned in the preceding paragraph shall be entitled to survivor's pensions for life in the corresponding proportion, in accordance with Decree No. 974, "Social Security Law".

**Art. 31 Declaration of disability.**
The declaration of disability shall be made by the corresponding body of the Nicaraguan Institute of Social Security, on the basis of the principle of legality and timeliness, and within a period not exceeding one month after the request, which shall determine the degree of disability, according to the criteria of anatomical disability established in the Table of Valuation of Impairment and/or Disability of Labour Origin, of the Labour Code.

**Art. 32 Financing.**
The financing for granting economic benefits to ex-combatants with disabilities as a result of the war shall be maintained without interruption, at the rate of 1.50 % of the contribution of employers in general included in the Compulsory Social Security in the regime of benefits for Disability, Old Age, Death and Occupational Risks.

In the event of a deficit in the financing of these benefits, the Ministry of Finance and Public Credit shall provide the necessary funds prior to their payment, the amount of which shall be informed in due course by the Nicaraguan Social Security Institute. In the event of a surplus, it shall be incorporated into the technical reserves of the disability, old age and death scheme of the INSS.

The resources to finance the programme shall be administered by the Nicaraguan Institute of Social Security in accordance with the principle of equity accounting, and with total separation of the Social Security contributors' own resources, and on the basis of the Simple Distribution Financial System, so as to automatically maintain a balance between income and expenditure.

**Art. 33 Calculation basis.**
The basis of calculation for determining the amounts of the financial benefits shall be established by the Board of Directors of the Nicaraguan Social Security Institute.

**Article 34 Disability benefits.**
Men and women who, as disabled ex-combatants, are beneficiaries of this Act, shall receive their economic benefits depending on the case in question and according to the following specifications:

1. Compensation for sixty (60) monthly payments for anatomical loss, situated between one percent (1%), to thirty-five percent (35%), inclusive;

2. Partial disability benefit, for anatomical loss, located between thirty-six percent (36%), to sixty-six percent (66%), of disability inclusive;

3. Permanent total disability benefit, for anatomical loss, equal to or greater than sixty-seven percent (67%) of disability; and

4. Severe disability benefit, for total disability that requires essential help to function.

Each specific benefit must be calculated by multiplying the percentage of disability of less than sixty-seven percent (67%) by the total of the calculation base and those that exceed sixty-seven percent (67%) of disability are assumed to be one hundred percent of the calculation base. In the case of severe disability, an additional fifty percent (50%) of the benefit corresponding to the total disability for the person who assists him/her is added.

Persons benefiting from any financial benefit shall receive a maximum of one year retroactive financial benefit from the date on which it was applied for.

**Art. 35 Family financial allowances.**
Persons who, as beneficiaries of the financial benefit for disability, shall receive a family financial allowance for the members of their family nucleus in accordance with the following parameters:

1. Ten percent (10%) for each biological or adopted child, under or equal to fifteen (15) years of age or up to twenty-one (21) years of age, if he/she is studying successfully, or at any age when he/she suffers from any disability;

2. Fifteen percent (15%), for the spouse or life partner in a stable de facto union in accordance with the provisions of the law of the matter and that have procreated children; and

3. Ten percent (10%) for descendants and other dependents over sixty (60) years of age, residing in the same family nucleus as the beneficiary.

**Article 36. Death of the disabled ex-combatant.**
In the event of the death of the person who was receiving the partial, total or major disability benefit, his or her dependents shall receive the benefit corresponding to the descendants.

**Art. 37 Benefits to descendants.**
Persons who, as descendants and beneficiaries, will receive their financial benefits depending on the case specified below:

1. widowhood benefits, corresponding to fifty percent (50%) of the total calculation basis, if he/she was older than forty (40) years of age at the date of death of the ex-combatant or if he/she is older than sixty (60) years of age at the present time and if in addition he/she has not had new conjugal cohabitation;

2. Orphan's benefits, corresponding to fifty percent (50%) of the total calculation basis, if he/she is less than or equal to fifteen (15) years of age or less than or equal to twenty-one (21) years of age if he/she is studying with successful achievement; and

3. Ancestry benefits, corresponding to sixty percent (60%) of the total calculation base, if over forty (40) years of age at the date of death of the former combatant and if over sixty (60) years of age at the present time. In the event of the death of the mother, the benefit shall be paid to the father.

**Art. 38 Limits of the financial benefit.**
The limits for the financial benefit shall be set in accordance with the following circumstances:

1. The disability benefit with family allowances may exceed up to twice the total of the calculation basis. An exception is made for severe disability benefits, which may exceed this condition;

2. The widow's and orphan's benefit of the same deceased veteran, which may not exceed the total of the calculation basis; and

3. The ancestry benefit corresponding to the mother or father of the deceased veteran, when there is more than one, in which case, only one hundred percent (100%) of the equivalent of the calculation basis may be granted for each deceased veteran.

**Art. 39 Thirteenth month and revaluation.**
Persons receiving economic benefits in the course of payment for disability, widowhood, descent and orphanhood, shall receive the thirteenth month, under the same conditions established in articles 93 to 99 inclusive of the Labour Code.

In accordance with the provisions of Law No. 607, "Law of Reform and Addition to Decree No. 974, Social Security Law", the economic benefits shall be revalued on the thirtieth of November of each year, with the maintenance of the value in relation to the sliding rate of the Cordoba against the dollar of the United States of America established by the Central Bank of Nicaragua.

**Article 40. Processing of economic benefits.**
For the processing of any of the economic benefits referred to in the present law, the following documentation shall be submitted, as the case may be:

1. Proof issued by the legal representative of the ex-combatant organisation to which he/she belongs;

2. Copy of the identity card, birth certificate or baptismal certificate of the beneficiary or beneficiary of the deceased ex-combatant;

3. Original of the birth certificate of the children entitled to the family allowance;

4. Medical opinion if for disability; and

5. Death certificate or a declaration of truth and date certain with two witnesses in the case of a pension for descendants of the deceased ex-combatant's descendants.

**Art. 41 Prioritised medical care.**
The Ministry of Health shall establish a programme equal or similar to that for chronic or dispensed patients to provide prioritised and specialised medical care to disabled ex-combatants, guaranteeing them examinations, the treatment required according to their needs, and medicines.

**Art. 42 Suspension, cancellation or reactivation.**
The economic benefits for disability, widowhood, orphanhood or descent shall be suspended or cancelled according to the following circumstances:

1. It shall be suspended for failure to prove survival on an annual basis or because no legal address or destination is known. It may be reactivated on the date on which the corresponding requirements are met, in which case payments shall be recognised up to a maximum of twelve months retroactively; and

2. It shall be cancelled due to death or change of marital status, in the case of widows, in the case of orphans who are over fifteen (15) years of age and have not successfully completed their studies or who are over eighteen (18) years of age and have suspended their studies, have contracted marital or partnership obligations in a stable de facto union, or in any case in which it is demonstrated that they are not entitled to the right.

**Art. 43 Prevention, rehabilitation, habilitation and auxiliary services.**
Disabled ex-combatants shall receive, free of charge, the necessary rehabilitation and readaptation services and the auxiliary means required, as well as the periodical replacement material required to support or basically replace any part of the anatomical functional structure.

For the access and enjoyment of this right, they shall receive the necessary economic or logistical support for their mobilisation, food and accommodation, for which special regulations shall be established with reference to the technical provisions established by the Ministry of Finance and Public Credit.

**Art. 44 Complementary rights.**
In everything that is beneficial to persons with disabilities as a result of the war and that is not contrary to the provisions of the present law, any legal provision or technical regulation that grants benefits to persons with disabilities and insured persons in general shall be applied.

**Art. 45 Coordination and Administration.**
The Nicaraguan Institute of Social Security is the authority responsible for the administration of the financing for the benefits of ex-combatants with disabilities as a result of the war.

It is the responsibility of the National Commission to guarantee and enforce, together with the Nicaraguan Institute of Social Security and its respective authorities, the provisions of Articles 46 and 62 of the Political Constitution of the Republic of Nicaragua, laws, treaties, conventions and international agreements to which Nicaragua is a signatory for the fulfilment and imprescriptibility of the rights contained in this Law.

**Art. 46 Compatibility between benefits.**
Persons with disabilities as a result of the war who are beneficiaries of this Act shall be entitled to receive simultaneously the benefit for common disability or the benefit for old age in the condition of insured person of the Nicaraguan Institute of Social Security, in addition to the benefit corresponding to him/her for the condition of disability as a result of the war, as established by this Act.

**Article 47 System of Resources.**
The provisions of Chapter IV of Law No. 290, "Law on the Organisation, Competence and Procedures of the Executive Power" published in La Gaceta, Diario Oficial No. 102 of the third day of June, nineteen hundred and ninety-eight, shall be established as the System of Resources.

**Art. 48 Protection for ex-combatants with disabilities.**
The Ministry of the Family, Adolescence and Children, in coordination with the National Commission, shall apply to ex-combatants and collaborators the provisions contained in Law No. 763, "Law on the Rights of Persons with Disabilities", published in La Gaceta, Diario Oficial No. 142 and 143 of 1 and 2 June 1998. 142 and 143 of 1 and 2 August 2011, and shall promote special projects at national level with care programmes for ex-combatants with disabilities as a result of the war, in a state of extreme poverty or abandonment who do not have the economic and social support of their families, for which purpose it shall coordinate with the Executive Secretariat of the National Commission and its statistical database contained in the Single National Register.

**Art. 49 Maintenance of pensions.**
In accordance with the legislation in force, the pensions granted to mothers of heroes and martyrs that are currently being granted by the corresponding institution shall be maintained; pensions for those disabled as a result of the war and the mothers of those killed in combat shall also be maintained.

Pensions may be improved or extended in accordance with the financial capacity of the State of Nicaragua.

**Art. 50 Funeral aid.**
The Municipal Governments, through the Mayor or Mayoress or the official designated by them or through the Nicaraguan Institute of Social Security, shall attend to requests for funeral assistance for the mothers of heroes and martyrs, persons disabled as a result of the war, combatants and collaborators and mothers of the fallen, for which purpose the identity card, the death certificate and the request of the interested party, duly identified with their card issued by the Single National Register, must be presented.

Persons disabled as a result of the war who receive disability and ancestry benefits will receive the coffin and funeral expenses free of charge or the reimbursement of up to three times the Calculation Base, for ex-combatants and collaborators with disabilities or mothers of deceased ex-combatants.

On the basis of planning and at the request of the National Commission, the Municipal Governments, in coordination with the corresponding authorities, will proceed to authorise the exhumation of the corpses of ex-combatants and collaborators.

**CHAPTER V**
**OTHER RIGHTS**

**Art. 51 Right to cultural, sports and recreational life.**
The Ministry of Education, the Ministry of the Family, Adolescence and Childhood, the Nicaraguan Youth Institute, the Nicaraguan Institute of Culture, the Nicaraguan Institute of Sports and the Municipal Mayors' Offices, among other governmental institutions, in coordination with the National Commission, shall design collaboration programmes that allow the exercise of the right to cultural, sporting and recreational life, guaranteeing equal opportunities for ex-combatants in the different disciplines provided for.

The design of collaboration programmes for sporting, cultural and recreational disciplines shall be aimed at contributing to the development of physical and mental health, artistic and intellectual promotion, as well as the healthy entertainment of the latter in a full manner, and shall therefore correspond to the age and condition of ex-combatants or collaborators, and persons with disabilities resulting from the war.

**Art. 52 Legal capacity.**
The State recognises the full legal capacity of ex-combatants and collaborators, as subjects of rights and obligations on an equal footing with other citizens, to represent themselves, to a personal and family patrimony, to regulate their own economic and financial affairs, to access credit, to encumber their assets, except in cases where the State has awarded them property, which may not be sold and in fortuitous cases the State shall be the sole purchaser, who shall pay the value of the improvements made plus the cadastral value.

The exercise of these rights shall proceed in accordance with the mechanisms established in the relevant laws and the regulations of this Law.

**Art. 53 Right to work.**
The Ministry of Labour shall guarantee ex-combatants and collaborators work under equal conditions so that they may enjoy their constitutional labour rights in accordance with their capacities, abilities, academic training or technical-vocational skills for socio-productive insertion.

The hiring processes of ex-combatants and collaborators carried out by different employers, public or private, shall be supervised by the Ministry of Labour to ensure that they do not engage in exclusionary practices.

**Art. 54 Labour insertion.**
The State of Nicaragua, through the different public institutions, in coordination with the National Commission, shall support the labour insertion of former combatants and collaborators through technical-vocational and professional training policies, individually or collectively, promoting self-employment, collective business opportunities and the strengthening of existing micro, small and medium-sized enterprises.

The Ministry of Labour shall be responsible for formulating a proposal for a public labour policy involving a public-private partnership that includes special support measures for ex-combatants and collaborators, linking the productive sector of the countryside and the city in accordance with the sectoral axes established by this Law.

**Art. 55 Employment contracts.**
Persons who are ex-combatants or collaborators should not be discriminated against on the basis of their quality, origin and status as ex-combatants or collaborators on the grounds of age and, based on the principle of equal opportunities, have the right to opt for a job with a decent salary. In the job interview, the employer shall take into account only their abilities, skills, academic training or technical-vocational skills for socio-productive insertion and the procedure for hiring them.

The Ministry of Labour shall supervise that employers, public or private, proceed as follows:

1. In the case of companies, public or private, with a payroll of more than ten (10) workers and less than fifty, at least one ex-combatant shall be employed;

2. In the case of public or private companies with a payroll of between fifty (50) and one hundred (100) workers, at least eight per cent (8%) of the employees must be ex-combatants and collaborators; and

3. In the case of public or private companies with more than one hundred (100) workers on the payroll, at least twelve percent (12%) of the persons must be employed as ex-combatants and collaborators.

In the case of public sector institutions, it is the responsibility of the Ministry of Labour to guide and supervise that the authorities, during the hiring process, consider the labour applications of ex-combatants or collaborators and that they are not marginalised or excluded on the grounds of age. To this end, their abilities, skills, academic training or technical-vocational skills for socio-productive insertion shall be taken into account and the procedure for their hiring based on the principles of equality and opportunity that allow them to exercise their right to work and justice recognised by the Political Constitution.

In all cases of hiring, gender equity shall be applied, and in those cases in which the higher average should be applied, women shall be given preference, provided that they have the capacities, abilities, academic training or technical-vocational skills to carry out any position.

Former combatants and collaborators with disabilities shall have a preferential right to the job they apply for in any work centre in the country, be it public or private, in the same way and with the same capacity and requirements as other applicants.

The state shall promote and encourage sources of employment that use the labour of disabled ex-combatants.

**Art. 56 Access to credit.**
The state shall include ex-combatants and collaborators as a priority in socio-economic and productive programmes for access to credit, including existing national and municipal programmes. Similarly, regional and municipal governments shall include them in the socio-productive programmes that they develop or are going to develop and that have an impact on local or regional development.

**Art. 57 Respect and titling of properties handed over.**
In accordance with the provisions of Law No. 278, "Law on Reformed Urban and Agrarian Property", published in La Gaceta, Official Gazette No. 239 of 16 December 1997, and after the registry has been cleared, the Government of the Republic of the State of Nicaragua shall proceed to title those properties to those who have possession of them and which are registered in its name or which have been the subject of swaps or any other legitimate transaction in favour of the State and in accordance with the Government's plans, including those projects and special titling programmes foreseen.

**Art. 58 Tax exemption.**
Nicaraguans whose status as ex-combatants or collaborators is recognised shall be exempt from the payment of public charges or taxes in the following cases:

1. Payment of Transfer Tax on Real Estate that has a cadastral value in córdobas equal to or less than Forty Thousand United States Dollars (US$ 40,000.00) using as a reference the official rate established by the Central Bank of Nicaragua.

In case of surplus, the difference must be paid;

2. Right of registration in the Real Estate Registry;

3. Fees for services;

4. Use of stamp paper and fiscal stamps in cases where the procedure is of a personal, ordinary or extraordinary nature;

5. Fifty percent (50%) of the value of police and immigration services;

6. Fifty percent (50%) of the value of consular services;

7. Fifty percent (50%) of the value of birth certificate fees; 8;

8. One hundred percent (100%) of the fees for death certificates; 9;

9. One hundred percent (100%) of the value of the fees for cemetery lots or plots;

10. Payment of taxes on donations received by the National Commission as a result of direct action by the National Commission or through any of the different organisations that make up the National Commission, in accordance with the law on the matter. These donations must be in the name and at the disposal of the National Commission to be used in the different programmes for the care of ex-combatants and collaborators.

11. The introduction of any auxiliary aids, orthotics, prostheses, replacement materials and medicines that the organisations of former combatants manage as donations or acquire abroad to be donated to their members.

The goods and documents must be in the name of the beneficiary and the benefits are not transferable to third parties.

**CHAPTER VI**
**THE SINGLE NATIONAL REGISTER**

**Article 59. Single National Register.**
The Single National Register of ex-combatants and collaborators shall be created, which shall be under the direction and administration of the Executive Secretariat, under the supervision and the necessary legal and technical guidelines of the Supreme Court of Justice, in accordance with the relevant law.

The Unified National Register shall be responsible for the registration and recording of all ex-combatants and collaborators, regardless of the organisation to which they belonged.

At the proposal of the Executive Secretariat, the Supreme Court of Justice shall appoint the Director, Deputy Director and other personnel of the Register. Their appointment shall be effective 30 days after the entry into force of the present Law and shall consider personnel with experience and knowledge in the field.

**Article 60 Functions of the Registry.**

For the purposes and effects of the operation of the Single National Register of ex-combatants and collaborators, the following functions are established:

1. to organise and update the National Register of ex-combatants and collaborators at national level; 2. to register former combatants and collaborators in the National Register;

2. To register ex-combatants and collaborators in the Single National Register in order to establish national statistics and comply with the principle of registry publicity by issuing certificates to each ex-combatant;

3. Issue the respective certification and card to ex-combatants and collaborators, subject to supervision, regulation and control in the cases and manner determined by the authority by means of technical administrative regulations;

4. 4. To make the corresponding annotations on the death of these at the request of any of the relatives or ex officio when the information is known and verified;

5. To provide information related to ex-combatants and collaborators to any authority that requires it, all in accordance with the relevant law; and

6. Any other duty established by this Law and its regulations.

**Article 61. Updating of documents in the Register.**
Ex-combatants and collaborators are obliged to update their documents in the Unified National Register, for which they shall have one hundred and eighty (180) days from the date of entry into force of this Law; in the event of a change of address, they shall have forty-five (45) non-extendable days; notification may be made by any written or electronic means.

**Article 62 Obligation to register.**
Nicaraguans who are included in the category of ex-combatants and collaborators corresponding to the provisions of Article 1 of this Law, must go to the Single National Register to register, for which they must provide the following information:

1. Name and other general information required by law;
2. Citizen's identity card;
3. Organisation to which they belong;
4. Family nucleus;
5. Profession, trade or occupation;
6. Military unit to which he/she belonged;
7. Immediate superior;
8. Position held;
9. Level of education;
10. Legal address or current geographical location;
11. For those retired or discharged from the Nicaraguan Army, the certificate that accredits and certifies their condition;
12. Those in compliance with the Patriotic Military Service Law must present their original demobilised person's card or certificate. Those who do not have it must present a certificate from the Nicaraguan Army;
13. Declare if they have received any benefit for the family nucleus, directly or indirectly, on behalf of the State of Nicaragua;
14. The demobilised combatants will present a CIAV - OAS or UNOCA Code; and
15. Any information required by the authority.

Ex-combatants and collaborators shall provide accurate information on the data established by this Law to the corresponding authority or if they have received any other benefit, for which they must declare it at the time of the corresponding inscription in the Unified National Register, otherwise they shall be excluded from receiving any other benefit.

**Art. 63 Registration of ex-combatants and collaborators with disabilities.**
The registration of ex-combatants and collaborators with disabilities may be carried out through the legal representative of the organisation to which they belong or through a guardian or authorised legal representative. In order to accredit their status as an ex-combatant disabled as a result of the war, they must present the certificate issued by the Nicaraguan Institute of Social Security, indicating the level of disability.

Mothers of heroes and martyrs and mothers of the fallen will be registered according to the database managed by the INSS, which must provide the information to the National Registry for their registration and which must be updated annually.

The Unified National Register of ex-combatants and collaborators shall proceed to register them free of charge and shall provide the interested parties with the corresponding proof of registration after verification of the information provided by them. Once the certificate has been obtained, a card accrediting them as such shall be issued.

**Art. 64 Obligation to provide information.**
The Nicaraguan Army, the Ministry of the Interior and its organs, the National Police, the Ministry of Defence, the Ministry of Finance and Public Credit, the Office of the Attorney General of the Republic through the Property Intendancy, the Nicaraguan Social Security Institute, the National Public Sector National Corporations (CORNAP) or any other State institution or public or private entity that handles information related to ex-combatants and collaborators, must provide the Executive Secretariat with the physical information and the electronic support corresponding to the database without any further formality or requirement other than the request of the implementing authority of this Law and its Regulations.

**CHAPTER VII**
**RESOURCES AND PROPERTY**

**Art. 65 Resources.**
The Government of the Republic of Nicaragua shall provide the means and basic material resources and state property necessary for the functioning of the National Commission, the Executive Secretariat, the Working Commissions and the National Register of ex-combatants and collaborators where they must function in order to fulfil their duties, as well as defining the premises for their installation. It may also provide movable and immovable property for their installation and operation.

**Art. 66 Contribution of the State.**
The National Commission shall have a financial allocation in the General Budget of the Republic, these funds shall be used exclusively to cover the fixed and operating costs of its functioning, which will enable it to exercise and fulfil the functions established in this law, the functioning of the Executive Secretariat, the National Registry and the Working Commissions.

This allocation must be accounted for to the Ministry of Finance and Public Credit through the corresponding body in accordance with existing regulations, and a copy of the accounts must also be submitted to the Office of the Comptroller General of the Republic.

**Art. 67 Contribution of the Organisations.**
In the interests of each of the members of the different organisations of ex-combatants and collaborators, they shall guarantee the active and creative participation of their members in the fulfilment of the aims and objectives for which the National Commission has been created.

**CHAPTER VIII**
**TRANSITIONAL AND FINAL PROVISIONS**

**Art. 68 Creation of the subject of human rights and culture of peace and tolerance.**
In order to promote the Culture of Peace and Tolerance and to avoid the reproduction of acts of violence that could lead to another war between Nicaraguans, the authorities of the Ministry of Education and the various public and private universities shall include in the academic curricula of the three sub-systems of education in Nicaragua a new subject which shall be compulsory and which shall serve as a transversal axis for training and education in values that will allow the new generations to grow and develop. In the case of indigenous and Afro-descendant peoples, the uses, customs, traditions and educational model of their peoples must be respected.

It is the responsibility of the Ministry of Education, in coordination with the National Commission, to design the curriculum for primary and secondary education, which shall be compulsory for all students in the sixth grade and the fourth and fifth years of secondary school. In the case of universities, they shall incorporate the subject in their respective academic curricula and place it at the level to be determined in all degree programmes; to this end, the National Council of Universities shall establish the relevant guidelines.

It shall also be the responsibility of the Nicaraguan political class to incorporate in their programmes and plans for their affiliated members, the training and education in values that develop the Culture of Peace and Tolerance.

**Art. 69 Museum of Peace.**
The National Museum of Peace is hereby created with the aim of rescuing the collective historical memory and promoting the values inherent to peace and tolerance, for which the different segments mentioned in this law shall provide the material elements, such as photos, military equipment, historical documents, videos, among others.

The physical location of the Peace Museum will be in the Peace Park, where the infrastructure corresponding to the different segments of ex-combatants and/or collaborators must be built and fitted out, without prejudice to the fact that the different public institutions must promote the aforementioned values from the institutional point of view. The administration and maintenance is the responsibility of the Mayor's Office of Managua and the Technical Directorate is the responsibility of the Nicaraguan Institute of Culture.

In the case of the most emblematic municipalities and cities during the war period, it is the responsibility of the Municipal and Regional Commissions, in coordination with the National Commission, to determine the location and installation of Municipal Peace Museums, historical monuments, as well as the maintenance, conservation and preservation of those already existing, in order to rescue the collective historical memory of each municipality in the same terms and conditions established in the first paragraph of this article, their care and maintenance is the responsibility of the municipal government, which must allocate a sufficient budget item from its annual budget for their operation.

**Art. 70 Actuarial studies.**
The National Commission, in coordination with the Nicaraguan Social Security Institute, shall, within a reasonable period of 12 months, prepare a feasibility study and the corresponding actuarial calculations for the viability of social security for former members of the Sandinista Popular Army, the former Ministry of the Interior, its Organs and other auxiliary forces of the Ministry of the Interior up to December 1994.

The study will be carried out on the basis of the universe presented by the data in the Unified National Register, for which purpose differentiated parameters will have to be established according to each case. The study must refer to at least two variables and their economic and financial implications.

**Art. 71 Registry reorganisation.**
The State of Nicaragua shall proceed, in accordance with the relevant legislation, to review the accounts and registry entries of the real property handed over to ex-combatants and collaborators and which is in the hands of third parties in order to establish whether or not it was acquired legally or fraudulently and subsequently titled.

The National Commission will establish the pertinent and necessary coordination with the different Public Registrars of Real Estate and Mercantile Property in the country in order to proceed through expeditious procedures. These procedures shall be exempt from payment of the established registration and service fees.

**Art. 72 Exclusions.**
The following persons shall be excluded from the benefits granted by this Law:

1. Former members of the National Guard captured in July 1979;
2. Persons who are officially recorded in the register of the Nicaraguan Army as deserters from the Sandinista People's Army.
2. Persons officially recorded in the register of the Nicaraguan Army as deserters from the Sandinista People's Army;
3. Persons officially recorded in the register of the Ministry of the Interior as deserters from the Ministry of the Interior, its organs and auxiliary forces; 4;
4. Persons officially recorded in the register of the Nicaraguan Army as deserters from the Patriotic Military Service; 5;
5. Persons who have been the subject of criminal trials for crimes against the homeland, information which must be transferred to the National Register of ex-combatants; and
6. Those who are outside the law.

For the purposes of the provisions of this article, the information provided by the Single National Register shall be considered, which shall receive the information in accordance with the provisions of this Law.

For the purposes of the present law, former combatants who were on secondment, hospitalised or who left the Military Units by order of the President of the Republic on 25 April 1990 shall not be considered deserters, in which case they shall be considered as having completed their Patriotic Military Service, subject to verification of the information, for which purpose a verification mechanism shall be established with those who served as heads of the different Military Units in which they served. The Regulations of this Law shall establish the procedure.

**Article 73 Benefits in order of priority.**
Ex-combatants and collaborators who have received any material, economic or financial benefit from government programmes or plans between January 1990 and September 2012 shall not be granted the same benefits twice; however, they may opt in order of priority for the other benefits granted by this law.

**Art. 74 Delivery of retired personnel certificates.**
The Nicaraguan Army, by means of the Directorate of Personnel and Staff, shall proceed to issue to officers, classes and soldiers in active retirement the certificate accrediting and certifying their status and restoring to them the validity of the Certificates previously issued, which shall be stamped with an embossed or water seal. The Ministry of the Interior and its different bodies and other auxiliary forces shall proceed in the same terms.

**Art. 75 Regulation.**
In accordance with the provisions of Article 150, numeral 10) of the Political Constitution of the Republic of Nicaragua, the President of the Republic shall issue the Regulations of this Law within 60 days.

**Article 76 Repeal.**
This Law repeals the provisions contained in the following Laws and Decrees:

1. Decree No. 58, Social Security Benefits to Fallen Combatants and Family Members, of 28 August 1979, published in La Gaceta, Diario Oficial No. 12 of 18 September 1979;

2. Law No. 98, Law guaranteeing rights and benefits to war disabled members of the Sandinista People's Army and the security and internal order corps of the State, published in La Gaceta, Diario Oficial No. 97 of 22 May 1990;

3. Law No. 119, Ley que Concede Beneficios a las Víctimas de Guerra, published in La Gaceta, Diario Oficial No. 2 of 3 January 1991;

4. Decree No. 109, Organic Law of the National Commission for the Support of Combatants, published in La Gaceta, Diario Oficial, No. 155 of 16 August 1985;

5. Decree No. 141, Amendment to the Organic Law of the National Commission for Combatant Support, published in La Gaceta, Diario Oficial, No. 14 of 19 December 1985; and

6. Article 1, paragraph c) of Decree No. 489, Transfer of competence to the Ministry of Defence of the CNAC, INETER AND CIVIL AERONAUTICS, published in La Gaceta, Diario Oficial, No. 41 of 27 February 1990.

**Art. 77 Entry into force.**
This law shall enter into force on the date of its publication in La Gaceta, Diario Oficial.

Given in the city of Managua, in the Sessions Room of the National Assembly of the Republic of Nicaragua, on the twenty-ninth day of January of the year two thousand and thirteen. **René Núñez Téllez,** President of the National Assembly. **Alba Palacios Benavidez,** Secretary of the National Assembly.

Therefore. Be it enacted as Law of the Republic. Be it published and executed. Managua, seventh of February of the year two thousand and thirteen. **Daniel Ortega Saavedra,** President of the Republic of Nicaragua.

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**Note:** Any difference between the printed text of the Law and the one published here should be communicated to the Legislative Information Division of the National Assembly of Nicaragua.