

URGENT ACTION

WOMEN'S RIGHTS UNDER THREAT IN NICARAGUA

A law which criminalises acts of violence against women in Nicaragua is at risk of being reformed, which would weaken the protection it offers women. There are grave concerns for the safety of women if these changes are introduced.

The Comprehensive Law number 779 against Violence against Women (*la Ley Integral Contra la Violencia hacia las Mujeres 779*) came into force on 22 June 2012. It was an important step forward and an essential tool for combating violence against women in Nicaragua. Law 779 recognizes the right of women to live life free from violence and intimidation and establishes that acts of physical and psychological violence against women are punishable crimes. It also outlines the state's obligations in relation to the implementation of the law, as well as the human rights of women seeking protection under the law.

Despite being adopted by a unanimous vote in the National Assembly in January 2012, Law 779 has been under sustained attack from those who see it as breaking up the family unit, since the law provides women and their children with a clearer route to leaving violent partners and bringing perpetrators of abuses to justice. From 16 September onwards, the law and potential changes could be reviewed by National Assembly members.

One of the key elements established in the law under Article 46 is that mediation was prohibited as a way of responding to any cases of violence. This provision is now under threat of being changed so that those accused of crimes with sentences of less than five years (this includes crimes such as serious bodily harm, the abduction of children, and threats) can be dealt with through mediation, instead of the criminal justice system. The prohibition of mediation is a crucial component of Law 779. It was developed on the basis of studies that showed that mediation had repeatedly put women at risk. Where there has been violence or the threat of violence, mediation can leave the victim in an extremely vulnerable position or even at heightened risk of violence.

Please write immediately in Spanish or your own language:

- ✓ Urging the authorities not to weaken the provisions in Law 779 as this will leave women at heightened risk of violence;
- ✓ Calling on them to proceed with the full implementation of the law as it is now;
- ✓ Reminding the authorities of their obligations to ensure that retrogressive measures that would constitute a breach of international law and leave women at heightened risk of violence are not carried out.

PLEASE SEND APPEALS BEFORE 29 OCTOBER 2013 TO:

President of the National Assembly

Diputado Santos René Núñez Téllez
 Presidente de la Junta Directiva de la
 Asamblea Nacional
 Complejo Legislativo Carlos Nuñez
 Avenida Peatonal General Augusto C.
 Sandino Apartado Postal: 4659
 Email: rnunez@asamblea.gob.ni,
**Salutation: Dear President of the
 National Assembly**

Chair of the Justice Commission

Diputada Irma Davila
 Presidenta de la Comisión de Justicia
 Asamblea Nacional,
 Managua, Nicaragua
 Email: jdavila@asamblea.gob.ni,
**Salutation: Dear Chair of the Justice
 Commission**

And copies to:

Movimiento Autónomo de Mujeres de
 Nicaragua (MAM) (NGO)
 Los Robles Casa No. 148.-
 Semáforos Funeraria Montes de los
 Olivos 3 cuerdas al Norte (Lago),
 2 cuadra al Este (Arriba) 1 cuadra al Sur
 y 1/2 Este (arriba)

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
 INTERNATIONAL**



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ADDITIONAL INFORMATION

Amnesty International has shared its concern about attacks on the Law 779 and attempts to weaken it. In May Amnesty International issued a public statement, expressing its key concerns, and urging the authorities to give the law the backing it needed to ensure it provided an effective response to women suffering or at risk of violence. See here:

<http://www.amnesty.org/es/for-media/press-releases/nicaragua-las-autoridades-deben-apoyar-la-ley-que-protege-las-mujeres-de-la>

The state not only has a responsibility to provide justice and psycho-social and legal support to survivors, but also an obligation to exert due diligence and prevent further acts of violence.

The United Nations Special Rapporteur Rashida Manjoo, recently expressed her concerns about the use of mediation in relation to victims of gender based violence following her visit to India. In her statement in May this year Rapporteur Manjoo stated that:

“...the unfortunate reality is that the rights of many women in India continue to be violated, with impunity as the norm, according to many submissions received. Mediation and compensation measures are often used as redress mechanisms to address cases of violence against women, thus eroding accountability imperatives, and further fostering norms of impunity.” See here:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13282&LangID=E>

Name: Women in Nicaragua

Gender m/f: f

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