



Economic and Social Council

Distr.
GENERAL

E/1982/3/Add.31
12 December 1984
ENGLISH
ORIGINAL: SPANISH

First regular session of 1985

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

Reports submitted by States parties to the Covenant concerning
rights covered by articles 13 to 15, in accordance with the
third stage of the programme established by Economic and
Social Council resolution 1988 (LX)

Addendum

NICARAGUA

[25 October 1984]

CONTENTS

| | <u>Paragraphs</u> | <u>Page</u> |
|---|-------------------|-------------|
| I. Article 13: Right to education | 1 - 13 | 3 |
| A. Principal legislation | 1 - 3 | 3 |
| B. Aims, objectives and general principles of the education system | 4 - 7 | 4 |
| C. Educational development policy guidelines | 8 - 9 | 8 |
| D. Development of a new system of schools (principal advances) | 10 - 13 | 9 |

CONTENTS (continued)

| | <u>Paragraphs</u> | <u>Page</u> |
|--|-------------------|-------------|
| II. Article 14: Principle of compulsory education, free of charge for all | 14 - 16 | 13 |
| III. Article 15: Right to take part in cultural life and to enjoy the benefits of scientific progress and the protection of the interests of authors | 17 - 25 | 14 |
| A. Principal legislation | 17 | 14 |
| B. Principal guidelines of cultural policy | 18 - 20 | 15 |
| C. Principal legal provisions for cultural development .. | 21 - 25 | 16 |

/...

I. ARTICLE 13: RIGHT TO EDUCATION

A. Principal legislation

1. The right to education has been one of the priorities of the Revolutionary Government; it was provided for in the First Proclamation of the Government of National Reconstruction on 18 June 1979 which, in referring to education in paragraph 3.5: Education, of Section III on social matters, stated that:

- (a) "There shall be a radical reform of the objectives and content of the national education system in order to transform it into a key element in the process of humanistic transformation of Nicaraguan society and to give it a critical and liberating direction;
- (b) "Primary and secondary education shall be compulsory and free of charge and, in addition to preparing students academically, shall train them for skilled employment and teach them about the realities of Nicaraguan life;
- ...
- (e) "Vocational technical schools shall be set up to train the labour force in different trades or occupations which are useful to the country's development;
- (f) "Within the guidelines and priorities of educational programmes, resources shall be channelled towards the creation of rural education centres which, in addition to providing a basic, overall education, shall also provide technical training to the rural population. Rural education programmes shall be co-ordinated fully with the processes of agrarian reform and rural development;
- ...
- (h) "A national crusade mobilizing all the country's resources shall be launched to totally eradicate illiteracy. At the same time, programmes of liberating education shall be launched for adults to involve them fully in the process of national reconstruction and development."

2. Subsequently, section III of the Fundamental Statute and the Statute on the Rights and Guarantees of Nicaraguans of 11 May 1980, in referring to cultural rights, referred to the right to education when it stated that:

"Article 40

- "1. Everyone shall have the right to education.
- "2. Primary and secondary education shall be compulsory, free of charge and accessible to all. Basic education shall be promoted for those who have not received or have not completed primary education. Secondary

/...

education shall include technical and vocational training so that everyone is trained for skilled employment and made aware of the realities of Nicaraguan life. There shall be a close relationship between education and work.

- "3. Literacy is hereby declared to be socially useful and the responsibility of every Nicaraguan.
- "4. Parents' freedom to send their children to schools or colleges other than those set up by the State shall be respected, provided that such schools or colleges meet the minimum educational standards set or approved by the State and adhere strictly to national educational plans. The right of individuals and entities to set up and direct educational institutions shall be respected, provided that they fulfil the requirements indicated in the preceding sentence.

The State shall exercise constant supervision of all teaching centres in the country to ensure compliance with its educational policy and with national curricula.

- "5. The fees of private teaching centres shall be approved by the State. In no circumstances shall educational centres be profit-making.
- "6. The State shall be under an obligation to guarantee, to those children that need them, school meals, clothing, shoes, school books and school supplies."

3. The right to education was later confirmed when the Government Junta of National Reconstruction promulgated on 1 March 1983 the Aims, Objectives and General Principles of the New Education. These included the following principles:

- "1. Education is a fundamental and inalienable right of every Nicaraguan. As the State's educational services expand, education shall gradually become compulsory at the preschool and basic general education levels.

...

- "3. Education is a fundamental and irrevocable duty of the State. State education shall be free of charge, public and mixed."

B. Aims, objectives and general principles of the education system

1. Aims

4. The aims of the new education in Nicaragua are: to shape in all its aspects the ever evolving personality of the new man, able to promote and contribute to the process of change that is daily building the new society. This new Nicaraguan man, who has been evolving since the process of our people's liberation began, is being shaped by our reality, by creative work and by the historical circumstances in which we are living.

/...

5. Education must develop the intellectual, physical, moral, aesthetic and spiritual capacities of this new man. According to the results of the national referendum on the aims and objectives of education, the qualities and values which make up the new Nicaraguan man are as follows:

(a) political qualities and values:

"Patriotic, revolutionary, in solidarity with and committed to the interests of the workers and peasants in particular and the broad working masses of our people in general; anti-imperialist, internationalist, opposed to all forms of exploitation caused by internal or external factors and to racism, discrimination and oppression; promoting a united national stand with our working classes and rural workers for national sovereignty, social progress, justice, freedom, détente and regional and world peace";

(b) social and moral qualities and values:

"Responsible, disciplined, creative, co-operative, hard-working and efficient; imbued with high moral, civic and spiritual principles; endowed with the capacity for criticism and self-criticism, with a scientific vision of the world and of society, and with an aptitude for aesthetic appreciation and artistic expression; recognizing and valuing the dignity of manual work done by intellectuals; fully aware of the importance of conserving, protecting and improving the environment and the quality of life; respectful, humanitarian, free, honest, truthful, sincere, fraternal, modest, altruistic and objective, recognizing that the interests of the individual must coincide with those of society and of the nation and developing a high spirit of sacrifice and self-denial in defence of his country and the revolution."

2. Objectives

6. The overall objectives of the new education are as follows:

(a) "To offer students an education which recognizes and encourages them to be important agents of their own training and gives them access to the highest levels in science, technology, the humanities and the arts. In keeping with this objective, the teaching/training process shall emphasize the mastery of scientific methods and the acquisition of independent learning skills;

(b) "To train students in and for creative work and foster in them an awareness of the economic, social and cultural value of productive work, the fundamental role played by workers in the building of a new society and the educational importance of productive work, in order to overcome the contradiction between theory and practice and between intellectual and manual work. This awareness should create in students a new attitude towards work and the discipline of work in the new circumstances of the Sandinist People's Revolution;

/...

- (c) "To educate upcoming generations in the values and principles of the Sandinist People's Revolution, reinforcing their convictions about organized popular participation in social management and in the tasks of the revolution as a means of practising popular democracy; to teach them to reject all forms of imperialist domination and to show militant solidarity with all the peoples of the world;
- (d) "To educate the new man in the thinking and example of Nicaragua's heroes and martyrs and of all those individuals who, throughout the history of our liberation struggles, have helped to build, shape and breathe life into the personality and essence of our country and of our Sandinist People's Revolution;
- (e) "To foster awareness of the need to participate in the unswerving defence of our country and the revolution in order to strengthen the nation's independence, self-determination, sovereignty and identity;
- (f) "To promote attitudes of friendship and co-operation with the peoples and Governments of the world, on the basis of equality and mutual respect;
- (g) "To instil and promote the deepest respect for human rights;
- (h) "To trace the roots of our own culture, the promotion and dissemination of which must be linked closely with educational programmes; to draw on mankind's scientific and cultural contribution while rejecting all alienating cultural elements;
- (i) "To stimulate in students and teachers a capacity for critical, self-critical, scientific, participatory and creative analysis which will transform education into a liberating practice;
- (j) "To provide a humanistic, scientific, technological, political/ideological, moral and physical education which can be applied creatively to the process of transforming our own reality;
- (k) "To train and educate both technically and politically the human resources needed to advance and consolidate the revolutionary process, in conformity with global economic and social development plans;
- (l) "To assist in promoting and improving the physical and mental health of students."

3. General principles

7. In order to achieve the above aims and objectives, the new education will be governed by the following general principles:

- (a) "Education is a fundamental and inalienable right of every Nicaraguan. As the State's education services expand education shall gradually become compulsory at the preschool and basic general education levels;

/...

- (b) "Education in Nicaragua shall be designed to help solve the country's main economic and social problems, establishing a direct link with the life and history of our people;
- (c) "Education is a fundamental and irrevocable duty of the State. State education shall be free of charge, public and mixed. The State shall plan, evaluate, direct, supervise and promote the educational process at all levels and in all areas. The State shall guarantee and promote the participation of the family, the community and mass organizations in the educational process;
- (d) "Productive and creative work shall be formative elements and constitute an integral part of curricula, through the fusion of theory with practice and manual work with intellectual work;
- (e) "Education is a unique, continuous, recurrent and permanent process of character formation and development;
- (f) "The new education is conceived as a system made up of various subsystems. The new plans devised for its development will introduce this approach of education as a system, i.e. as a coherent whole, a set of interrelated elements pursuing common objectives, and linking together all levels and areas of education and all manifestations of the educational process: formal, non-formal and informal education. The necessary horizontal and vertical linkages between the various levels and areas must be provided for in order to facilitate transfers, possible outlets to the world of employment and reincorporation into the educational system;
- (g) "The mass media are considered to be an important part of the educational process and, accordingly, the State shall organize their use as a vehicle of national educational development;
- (h) "The new education shall emphasize and systematize the tasks of vocational training and occupational guidance in order to combine the needs of the labour force with the possibilities of the educational system. These tasks shall be the responsibility of society in general and of the revolutionary State, the educational community and production centres in particular;
- (i) "Special importance must be assigned to the research functions of educational institutions, for the educational system must not restrict itself to teaching science and technology but must also help us solve the social scientific problems posed by development;
- (j) "Emulation shall be a part of the new education, as a form of recognition of and stimulus to the commitment of members of the educational community and mass organizations to revolutionary tasks, enhanced academic standards and all efforts to improve the educational process;

/...

- (k) "Parents' freedom to send their children to whatever schools or colleges they deem most appropriate for their education shall be respected;
- (l) "Funding for the education system is considered to be a social investment. The State, and society as a whole, shall therefore give priority to the financing of the education system. The necessary instruments, including legal instruments, shall be developed to ensure effective corporate participation in financing and developing a system of permanent education for the working population".

C. Educational development policy guidelines

8. The revolution's educational policy is based on the popular masses, on their conscious, active and organized participation, and on the clear conception that the revolutionary project is also and fundamentally a massive educational project.

9. Viewed from this standpoint, the following revolutionary approaches and measures pursued in the field of education acquire the significance of policy guidelines:

(a) Priority is being given to the popular classes in the provision of educational services; changes have begun to be made in the social structure of enrolment and of school centres;

(b) Illiteracy is gradually being eradicated (National Literacy Crusade, introductory level or permanent literacy teaching);

(c) An adult popular education programme has been launched and is being steadily reinforced;

(d) Popular school teachers (promoters and co-ordinators) have been recruited from among the people as the mainstays of adult popular education;

(e) State education is being provided free of charge and the fees of private educational establishments controlled, with the result that the education budget has increased;

(f) There is direct popular participation in educational management as a part of the overall development process (National Literacy Crusade, adult popular education, national referendum on the aims and objectives of the new education, National Educational Advisory Board);

(g) The education system and all its component parts (curricula, teacher training, administrative organization, etc.) are being transformed and reoriented, in line with the economic, social and political project of the Sandinist People's Revolution;

(h) All educational levels, areas and forms are being linked to the tasks of production and defence;

/...

(i) Education is being designed and implemented as an intrinsic part of revolutionary social change;

(j) The concept of education in poverty, which calls for commitment and creativity on the part of the entire people in order to overcome resource limitations is gaining acceptance;

(k) Schools are being set up all over the country;

(l) Academic performance and the quality of education are gradually being improved.

D. Development of a system of schools
(principal advances)

10. The political will to make the right to education a reality has been translated into a number of key decisions. Firstly, the resources allocated to the Ministry of Education, have increased from 351 million córdobas in 1978 to 1.484 billion in 1984. If we add to this the budget for higher education, total resources allocated to the education sector amount to nearly 2 billion córdobas, representing approximately 4.9 per cent of GDP and more than 10 per cent of public spending. In order to organize the education system more efficiently, guidelines have also been adopted for its development:

(a) expansion of the services of the education system to make them accessible to the entire population;

(b) improvement of the quality of education in order to adapt educational structures, curricula and the corresponding human resources to the heavy educational demand generated by the revolutionary process and the decision to create a new society;

(c) transformation of the education system, through the definition of the aims, objectives and general principles of the new education, the corresponding structure of the education system, education linked to productive work and an integrated National Educational Development Plan, in harmony with the national project of the Sandinist People's Revolution.

11. Various steps have been taken to expand the services of the education system, the most important being:

(a) the organization in 1980 of the National Literacy Crusade, through which 406,056 people were taught to read and write and the illiteracy rate was reduced from 50.3 per cent to 12.9 per cent. Part of this crusade involved teaching Nicaragua's indigenous communities (miskitos, sumos and creoles) to read and write in their own languages and 12,664 people learnt to read and write in this way;

(b) the introduction of the adult education programme to lend continuity to the literacy effort. The programme currently offers an introductory level of

/...

permanent literacy teaching and six further levels and covers a population of 194,800;

(c) the incorporation of a preschool level into the education system. Enrolments at this level have increased from 9,000 children in 1978 to over 60,000 at present. Children receive both formal and non-formal education at this level;

(d) the incorporation of special education for handicapped children into the education system and the creation of 19 new schools for such children in different parts of the country. Enrolments have increased from 355 children in 1979 to 2,800 at present;

(e) the expansion of primary school enrolment from 369,640 pupils prior to 1979 to 571,620 in 1983;

(f) the expansion of secondary school enrolment from 110,728 pupils prior to 1979 to 158,215 in 1983, and the rational diversification of teaching at this level;

(g) the development and reactivation of technical education by fitting out the workshops of technical training centres and numerous workshops in 99 primary and secondary school centres;

(h) the establishment of nine new colleges of education and an increase in enrolments from 2,053 students prior to 1979 to 9,911 in 1983. In addition to these new colleges, centres have been set up for experienced school teachers to attend advanced training courses;

(i) the restructuring of enrolment in higher education to offer opportunities to less advantaged groups;

(j) the strengthening of the higher education system (universities and higher technical centres);

(k) the 7.5 per cent increase in educational opportunities since July 1979. There were 501,660 Nicaraguans enrolled in some form of education in 1979, compared with 940,798 in 1983.

12. The following measures have been taken to improve the quality of education:

(a) the radical transformation of primary education curricula;

(b) the introduction of the single reading/writing method, or phonic - analytical - synthetic method, for first graders as a means of ensuring that children learn to read and write and remain in the school system;

(c) the creation of the Department of Vocational Training and Occupational Guidance, responsible inter alia for guidance per se, the work study programme, introductory workshops and parental guidance schools;

/...

(d) the establishment of educational evaluation, programming and training workshops (TEPCE) as instruments of collective educational management;

(e) the further decentralization of education, an initiative which gives substantial support to basic education in rural areas, promotes integrated rural development and is based on the promotion of productive and organized forces with popular participation;

(f) an increase in the monitoring, follow-up and evaluation of the methodological work done by teachers, directors and technicians to ensure the quality and efficiency of the educational process;

(g) the creation of the Department of Training and Advanced Training, through which a number of seminars, workshops, courses etc. have been held to raise the academic standards of both teachers and educational administrators and technicians;

(h) the launching of the "nutrition supplement" programme, which attends to the food needs of 65,000 children in the Departments of Estelí and Masaya, and the introduction of the comprehensive nutrition programme which studies the nutritional situation of schoolchildren and proposes comprehensive solutions to the food problems of Nicaragua's children.

(i) the expansion of the school libraries network from 43 prior to 1979 to 360 in 1983;

(j) an increase in the number of teaching hours devoted to the different subjects offered at second level and in the frequency with which they are taught each week;

(k) a substantial increase in scholarships, priority being given to those awarded to students in colleges of education and agricultural and technical/ industrial colleges. The number of scholarships awarded has increased from 1,500 prior to 1979 to 5,576 in 1984;

(l) an increase in educational evaluation and research activities;

(m) the introduction of the careers of: special education teacher, preschool teacher and elementary school teacher;

(n) the construction of 1,404 new schools with a total of 3,534 classrooms, many of them built with community participation. Forty-eight secondary education centres with a total of 692 classrooms have also been built, at an investment totalling 609.6 million córdobas in five years of revolution.

13. Actions to transform the education system have included:

(a) firstly, the holding of the national referendum, involving 50,000 people from different sectors of society, to formulate the aims, objectives and general principles of the new education, which were later formalized by the Government Junta of National Reconstruction in March 1983;

/...

(b) the definition of an employment-oriented basic general education (9 school grades), with special emphasis on its first cycle, which is referred to as elementary education (4 school grades). This forms part of the strategy of the so-called "battle for a basic popular education", which will guarantee access to the first four grades for the entire population in the medium term (1999) - an essential prerequisite for achieving the target of offering nine school grades to all Nicaraguans in the corresponding age group (7 to 16 years) by the year 2000;

(c) the consolidation of the project for Nicaragua's educational and cultural development, which reproduces the ideas of the new education and educational development policy;

(d) the linking of school with work and productive activity in both formal education and adult education. The following have been developed as part of this programme:

- (i) Rural education-for-work schools (ERET). These are training centres adjusted to the level of specialization required for the country's agricultural development;
- (ii) Rural agricultural schools. The purpose of these schools is to train young people and adults in rural areas to become skilled workers;
- (iii) Basic production cycles. These train skilled workers by means of a programme which takes them up to a level equivalent to the basic cycle;
- (iv) Reinforcement of multigrade education in rural schools;
- (v) Formal and non-formal preschool education;
- (vi) Introduction of new educational planning, administration and management methods through the active participation of popular organizations;
- (vii) Introduction and consolidation of the regionalization of education as part of the overall regionalization of the State;
- (viii) The methodology used in adult popular education;
- (ix) Creation of Nicaragua's own popular education model;
- (x) Preparation, approval and gradual application of the new structure of the national education system.

/...

II. ARTICLE 14: PRINCIPLE OF COMPULSORY EDUCATION,
FREE OF CHARGE FOR ALL

14. The First Proclamation of the Government of National Reconstruction on 18 June 1979 provides for education to be compulsory and free of charge. Paragraph 3.5: Education, of Section III on social matters reads as follows:

"(b) Free and compulsory education.

Primary and secondary education shall be compulsory and free of charge and, in addition to preparing students academically, shall train them for skilled employment and teach them about the realities of Nicaraguan life.

"(c) Control of prices for school books and supplies and school uniforms.

As a first step, strict control of the price of school books and school supplies shall be introduced as soon as possible. The Ministry of Public Education shall establish the mechanisms most necessary for the production and marketing of school books and supplies so that these can be supplied free of charge to the student population of public school centres. A single school uniform shall be introduced for all the country's students.

"(d) Regulation of private schools.

The Ministry of Public Education shall regulate the functioning of private schools, controlling their enrolment and examination fees and ensuring that they adhere strictly to national education plans. There shall also be appropriate monitoring of the physical facilities of such institutions (libraries, laboratories, gymnasias, etc.) to co-ordinate them with the provision of public education services. Community participation in efforts to improve education shall be encouraged."

15. Subsequently, article 1 of the General Principles of the New Education stated that:

"Education is a fundamental and inalienable right of every Nicaraguan. As the State's educational services expand, education shall gradually become compulsory at the preschool and basic general education levels."

16. In order to respond to these guidelines, a medium-term plan has been drawn up which envisages, inter alia, the following immediate tasks:

(a) Introduction of formal and non-formal teaching methods to achieve greater coverage at preschool level;

(b) Launching of the battle for elementary education to provide, in a first stage, a minimum of four years' schooling to the entire population of Nicaragua and subsequently, to raise the population's educational level to sixth grade and make nine grades of basic education available universally by the year 1990;

/...

(c) Gradual introduction of free basic school supplies (books, exercise books and pencils) throughout the basic level;

Strict control of the fees of private schools.

(d) Introduction of a system of subsidies in some private schools to reduce their fees;

(e) Introduction of the phonic - analytical - synthetic reading/writing method in the first grade of the education system as a means of ensuring that pupils remain in the system (increasing the rates at which children stay on in school and move on to higher grades);

(f) Strengthening of the higher education system (universities and higher technical centres);

(g) Launching of the "nutritional supplement" programme, which covers the Departments of Estelí and Masaya and attends to the food needs of 65,000 children from the neediest sectors of the population.

III. ARTICLE 5: RIGHT TO TAKE PART IN CULTURAL LIFE
AND TO ENJOY THE BENEFITS OF SCIENTIFIC PROGRESS
AND PROTECTION OF THE INTERESTS OF AUTHORS

A. Principal legislation

17. Cultural rights are envisaged in the Fundamental Statute and the Statute on the Rights and Guarantees of Nicaraguans of 11 May 1980, Section III, of which, in referring to cultural rights, states that:

"Article 45

"Everyone has the right to take part in cultural life and to enjoy the benefits of scientific progress and its applications. The State shall respect the freedom indispensable for scientific research and creative activity, guaranteeing individuals the protection of any intellectual or material interests accruing to them as a result of scientific, literary or artistic works produced by them.

"Article 46

"The State shall take the necessary steps to preserve, foster and disseminate science and culture with a view to promoting the full development of the human personality, increased respect for human rights and the transformation of Nicaraguan society. The nation's historical, cultural and artistic heritage shall be protected by the State by means of the necessary legislation."

/...

B. Principal guidelines of cultural policy

18. The Government, through the Ministry of Culture, has decided to give priority to those programmes which, by virtue of their scope, characteristics and population coverage, permit the greatest degree of popular participation and the main function of which is to democratize culture.

19. These programmes are: the people's cultural centres (CPC) programme, the travelling cinema programme of the Nicaraguan Cinema Institute (INCINE), the Nicaraguan Sports Institute's programme for the massive development of sports in conjunction with mass organizations, and the handicrafts programme:

(a) In all departments and large municipalities where there are people's cultural centres, efforts are being made to rescue local cultural traditions and encourage amateur artistic movements. Each people's cultural centre is based on a people's cultural council made up of associations of women, young people, children, workers, peasants, the army and municipal authorities;

(b) The mass co-ordination programme of the Sports Institute works through the voluntary sports committees (CVD) set up in every municipality to involve broad sectors of the population in sports activities, extending beyond the school population the efforts made thus far to promote sports among school children;

(c) With 20 travelling cinema teams, the travelling cinema programme is designed to bring Nicaraguan and international films to even the remotest areas of the country;

(d) The handicrafts programme, which is aimed at the craftsmen who make up 17 per cent of the active labour force, is designed to rescue crafts which are dying out and to promote craft production as a means of import substitution and of attracting foreign currency.

20. Aside from these programmes, which have been given priority because of their immediate impact on the level of popular participation, the other programmes of the Ministry of Culture are also aimed at expanding cultural services to the national community:

(a) The artistic training department plans to extend teaching to new specialities and areas and to broaden its sphere of action to include children, young people and adults throughout the country as it gradually trains specialists who can co-operate efficiently in the educational process;

(b) The library programme seeks to transform libraries into tools which, by creating and fostering reading habits, support the educational and cultural development of the population. It does so principally by reinforcing and expanding the system of public libraries;

(c) The art promotion programme seeks, through the rescue, revaluation and dissemination of artistic works, to encourage the development of an authentic national artistic and cultural movement. To this end, it works closely with artists' unions to create cultural habits and discover and encourage new values;

/...

(d) The historical heritage programme seeks to conserve and restore heavily damaged movable and immovable works, identify and assess the archaeological value of historical relics by conducting preliminary emergency recovery work, and set up new educational museums or remodel existing ones;

(e) Finally, there are plans to set up within the Ministry a cultural research office which would conduct the socio-cultural research needed to formulate the cultural plans which will enable the cultural atlas of the country to be drawn up.

C. Principal legal provisions for cultural development*

21. In 1979, the principal legal provisions for cultural development were as follows:

(a) Transformation of the Department of Sports and Physical Education into the Nicaraguan Sports Institute; La Gaceta No. 18 of 26 September 1979;

(b) Creation of the Nicaraguan Cinema Institute (INCINE); La Gaceta No. 18 of 26 September 1979;

(c) Act for the Protection of the Artistic, Cultural and Historical Heritage of the Nation; La Gaceta No. 18 of 16 September 1979;

22. In 1980, the principal legal provisions were:

(a) Adoption of the Convention for the Protection of the World Cultural and Natural Heritage. Decree No. 448 of 30 May 1980 (La Gaceta, Managua (142), pp. 1545-1546, 24 June 1980). Through this Decree, the Government Junta of National Reconstruction ratified the Convention for the Protection of the World Cultural and Natural Heritage adopted at the seventeenth session of the General Conference of UNESCO. It also provided for the corresponding instrument of acceptance to be sent to the Director-General of UNESCO;

(b) Convention for the Protection of the World Cultural and Natural Heritage, Paris, 21 November 1972. Articles 1 to 11. (La Gaceta, Managua (176), pp. 1857-1859, 4 August 1980). These articles define the concepts of cultural and natural heritage and the overall policy to be followed for the national and international protection of cultural and natural heritage. They also set up the Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage;

* Nicaragua has a Ministry of Education and a Ministry of Culture. Although the broad concept of culture also covers education, in this section we refer to provisions relating to cultural development activities coming under the responsibility of the Ministry of Culture.

/...

(c) Convention for the Protection of the World Cultural and Natural Heritage, Paris, 21 November 1972. Articles 12 to 20. (La Gaceta, Managua (177), pp. 1865-1867, 5 August 1980). These articles refer to the creation of a fund for the protection of the world cultural and natural heritage and the conditions and procedures governing international assistance;

(d) Cultural Exchange Agreement between the Republic of Nicaragua and the United Mexican States, Mexico, 7 May 1981 (La Gaceta, Managua (204), p. 1897, 9 September 1980);

(e) Special act making the house in which General Sandino was born and spent his youth a part of the national heritage, La Gaceta, No. 2 of 3 January 1980;

(f) Approval and ratification of the Convention for the Protection of the Archaeological, Historical and Artistic Heritage of the American Nations; La Gaceta No. 31 of 6 February 1980;

(g) Extension of the time-limit set by the Act for the Protection of the Artistic, Cultural and Historical Heritage of the Nation, La Gaceta No. 48 of 26 February 1980;

(h) Creation of the Nicaraguan Central Recording Corporation, ENIGRAC; La Gaceta No. 109 of 16 May 1980;

(i) Regulations governing compulsory social service; La Gaceta of 9 September 1980, Agreement No. 91 (MED);

(j) Act governing Education in Indigenous Languages in the Atlantic Coast Region; La Gaceta of 3 December 1980; Decree No. 571 (GJNR).

23. In 1981, the principal legal provisions were:

(a) Adoption and ratification of the Cultural Co-operation Agreement with the Government of the Democratic People's Republic of Korea. Decree No. 693, 28 March 1981 (La Gaceta, Managua (79) p. 769, 6 April 1981);

Adoption and ratification of the Cultural Co-operation Agreement between the Government of National Reconstruction of the Republic of Nicaragua and the Government of the People's Democratic Republic of Korea;

(b) Act governing the People's Cultural Corporation (COCULTURA), Decree No. 700, 28 March 1981 (La Gaceta, Managua (918) pp. 793-797, 3 April 1981).

Creation of COCULTURA and definition of its objectives, headquarters, heritage, powers and functions, direction and administration. Also provides for the creation of the following corporations: ENIARTE, ENIARES, ENIDEEC;

(c) Cultural Co-operation Agreement between the Government of National Reconstruction of the Republic of Nicaragua and the Government of the People's Democratic Republic of Korea, Managua, 24 September 1980 (La Gaceta, Managua (103) pp. 979-980, 14 May 1981). Agreement signed for five years;

/...

(d) Agreement on International Co-operation between the Government of Colombia and UNESCO relating to the Regional Centre for the Promotion of Books in Latin America, Bogotá, 23 April 1981 (La Gaceta, Managua (124) pp. 1177-1182, 11 June 1981). Agreement extending to international level the plans and programmes of the Regional Centre set up by the Government of Colombia. General provisions include that of converting the Regional Centre for the Promotion of Books into an entity to put the present Agreement into effect. The Agreement defines the basic objectives of the Centre, its legal status, privileges and immunities, financial provisions and structure;

(e) Revised International Co-operation Agreement between the Government of Colombia and UNESCO relating to the Regional Centre for the Promotion of Books in Latin America and the Caribbean, Bogotá (La Gaceta, Managua (124), p. 1181, 11 June 1981).

Extends and maintains the provisions governing co-operation between UNESCO and the Government of Colombia relating to the Regional Centre for the Promotion of Books and replaces article 1 and article 3 (a), (b) and (c) thereof;

(f) Cultural Co-operation Agreement between the Government of National Reconstruction of the Republic of Nicaragua and the Czechoslovak Socialist Republic, Prague, 4 April 1980 (La Gaceta, Managua, (203) pp. 1890-1891, 3 September 1981). Includes, inter alia, exchanges of artistic groups, exhibitions, exchanges between libraries, museums, etc., exchanges of films and documentaries, reciprocal visits by writers, painters, filmmakers, etc.;

(g) Adoption and ratification of the Cultural and Scientific Co-operation Agreement between the Government of Nicaragua and the Hungarian People's Republic. Decree No. 870, 17 November 1981 (La Gaceta, Managua, (267), p. 3287, 24 November 1981). Refers to co-operation for the training of personnel in the areas of science, education and culture;

(h) Act declaring the birthplace of the leader of the Sandinist People's Revolution, Carlos Fonseca Amador, to be a part of the national heritage. Decree No. 82, 27 November 1980 (La Gaceta, Managua (276), pp. 3389-3391, 4 December 1981). Declares the birthplace of Commander Carlos Fonseca to be a historical monument and assigns it to the Ministry of Culture to be used as provided by the Act;

(i) Prohibition of professional boxing; La Gaceta No. 1 of 5 January 1981; Decree No. 606;

(j) Adoption and ratification of the Convention against Discrimination in Education; La Gaceta, 11 July 1981, Decree No. 754.

24. In 1982, the principal legal provisions were:

(a) Cultural and Scientific Co-operation Agreement between the Government of Nicaragua and the Government of the Hungarian People's Republic, Budapest, 30 September 1981 (La Gaceta, Managua (96), pp. 57-58, 9 January 1982). The Agreement is for a five-year period and unless terminated by either party six months prior to its expiration, will remain in force for successive five-year periods;

/...

(b) Creation of the "Rubén Darío" Order of Cultural Independence. Decree No. 927, 21 January 1982 (La Gaceta, Managua (21) pp. 225-226, 27 January 1982). The "Rubén Darío" Order of Cultural Independence is created in recognition of the greatest exponent of Nicaraguan culture;

(c) Technical, Scientific, Educational and Cultural Co-operation Agreement between the Government of National Reconstruction of the Republic of Nicaragua and the Socialist Federal Republic of Yugoslavia. Decree No. 931, 26 January 1982 (La Gaceta, Managua (28) p. 313, 4 February 1982). Approval and ratification of the Agreement signed on 20 November 1980;

(d) Act for the Promotion of Sports and Culture among Young People. Decree No. 937, 26 January 1982 (La Gaceta, Managua, (28) p. 322, 5 February 1982). Refers to sports and culture among young people as an inalienable right and duty of the people, and to State support for sports, culture and recreation;

(e) Cultural and Scientific Agreement between the Government of Nicaragua and the USSR. Decree No. 946, 1 February 1982 (La Gaceta, Managua (33), p. 370, 10 February 1982). Adoption and ratification of the Agreement signed at Moscow in 1980;

(f) Act Regulating Activities Relating to Sports, Physical Education and Physical Recreation. Decree No. 957, 3 February 1981 (La Gaceta, Managua (38) pp. 433-434, 16 February 1982). Contains general provisions governing sports bodies, sports facilities, protection of sports, penalties and general provisions;

(g) Granting of the "Rubén Darío" Order of Cultural Independence, Decree No. 968, 6 February 1982 (La Gaceta, Managua (41) p. 467, 19 February 1982). Awards the "Rubén Darío" Order of Cultural Independence to Fernando Gordillo (posthumously), Edelberto Torres Espinosa, José Coronel Urtecho, Salvador Cardenal, Francisco Pérez Estrada, José Jirón Terán, Camilo Zapata, Ernesto Mejía S., Edgard Buitrago, Carlos Martínez R., Ernesto Cardenal and Armando Morales;

(h) Cultural and Scientific Co-operation Agreement between Nicaragua and Bulgaria, Managua, 2 March 1982 (La Gaceta, Managua (58) p. 689, 11 March 1982). Adoption and ratification of the Agreement signed in March 1980;

(i) Cultural and Scientific Co-operation Agreement between the Government of the Republic of Nicaragua and the Government of the Union of Soviet Socialist Republics, Moscow, 19 March 1980 (La Gaceta, Managua (59) pp. 697-698, 12 March 1982). Agreement of unlimited duration, although either party may terminate it after five years. Exchange programmes will be carried out to implement this Agreement;

(j) Cultural Co-operation Agreement between the Government of the Republic of Nicaragua and the Government of the USSR, Moscow, 19 March 1980 (La Gaceta, Managua (67) pp. 793-794, 22 March 1982). Concluded for five years and, unless terminated, will be extended for a further five years;

/...

(k) Cultural and Scientific Agreement between the Government of National Reconstruction of the Republic of Nicaragua and the Government of the People's Republic of Bulgaria, Sofia, 26 March 1980 (La Gaceta, Managua (87), p. 1034, 14 April 1982). Signed for a 10-year period and will be extended for a further five years unless terminated by the parties;

(l) Nicaraguan delegation. Decree No. 192, 10 June 1982 (La Gaceta, Managua (175) p. 2007, 28 June 1982). Nicaraguan delegation to the World Conference on Cultural Policies, consisting of Ernesto Cardenal, Daysi Zamora and Francisco Lacayo;

(m) Adoption and ratification of the General Agreement on Economic, Scientific, Technical and Cultural Co-operation between the Government of Nicaragua and France, Decree No. 2000, 31 August 1982. (La Gaceta, Managua (222) p. 2415, 23 September 1982). Adoption and ratification of the General Agreement signed in France on 12 June 1982;

(n) Nicaraguan delegation, Decree No. 289, 1 October 1982 (La Gaceta, Managua (242) p. 2607, 16 November 1982). Nicaraguan delegation to the Twelfth Regular Meeting of the Interamerican Council for Education, Science and Culture, consisting of Carlos Tünnermann, Edgard Parrales, Ramón Meneses, Ximena Barreto, Xavier Porra and Emigridio Quintero;

(o) Adoption and ratification of the Cultural Exchange Agreement between Nicaragua and France, Decree No. 1129, 31 October 1982 (La Gaceta, Managua (262), pp. 2783-2784, 9 November 1982);

(p) Cultural Exchange Agreement between the Republic of Nicaragua and the French Republic, Paris, 22 April 1982 (La Gaceta, Managua (274), pp. 2877-2878, 23 November 1982);

(q) Act for the Protection of the Cultural Heritage of the Nation. Decree No. 1142, 29 September 1982 (La Gaceta, Managua (282) pp. 2941-2945, 2 December 1982). The general provisions of the Act define cultural property, refer to the conservation of the cultural heritage and set up the Cultural Heritage Register. The Act also deals with the export of cultural property, controls, prohibitions, penal provisions and final provisions;

(r) Declaration of a national monument. Decree No. 1143, 22 November 1982 (La Gaceta, Managua (283), pp. 2942-2950; 3 December 1982). The site Boca de Piedra, Zinica, is declared a national monument and assigned to the Ministry of Culture to be used in accordance with the Decree;

(s) Addendum to the Act governing the People's Cultural Corporation, Decree No. 1152, 6 December 1982 (La Gaceta, Managua (292), p. 3022; 14 December 1982). An article 17 is added to the Act setting up COCULTURA, indicating that ENIARTE will be based at Masaya;

(t) Launching of the "Carlos Fonseca Amador" National Libraries Campaign (La Gaceta, 16 June 1982; Agreement No. 31 (MAD));

/...

(u) Creation of the "Archipiélago Zapatera" National Park (La Gaceta, 5 February 1982; Decree No. 1194);

(v) Creation of the Department of Educational Decentralization (La Gaceta, 23 February 1982; Agreement No. 11 (MED)).

25. In 1983, the principal legal provisions were:

(a) Adoption and ratification of the Regional Agreement for the Validation of Higher Educational Studies, Degrees and Diplomas (La Gaceta, 8 April 1983; Decree No. 1228 (GJNR));

(b) Adoption of the Agreement on Central American Educational and Cultural Co-ordination (La Gaceta, 22 January 1983; Decree No. 1181 (GJNR));

(c) Declaration of the Escuela Luis Alfonso Velásquez Flores to be part of the national heritage (La Gaceta, 22 January 1983; Decree No. 1182 (GJNR));

(d) Declaration of the San Albino y Cerro el Chipote mine to be a part of the national historical heritage (La Gaceta, 8 March 1983; Decree No. 1207 (GJNR));

(e) Adoption and ratification of the Cultural Agreement between the Governments of Nicaragua and Cuba (La Gaceta, 8 April 1983; Decree No. 1228 (GJNR));

(f) Reform of the Act for the Protection of the Heritage of the Nation (La Gaceta, 19 April 1983; Decree No. 1237 (GJNR)).
