

ALTERNATIVE REPORT FROM CIVIL SOCIETY



EDUCATION IN NICARAGUA

Joint Report Presented by a coalition of NGO's and Youth Collective of Civil Society, for the third cycle of review to the State of Nicaragua, before the mechanism of the Universal Periodic Review (UPR)

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**Joint report presented by a coalition of NGOs for the Third Review Cycle
of Nicaragua before the Universal Periodic Review Mechanism (UPR)**

<p>Forum on Education and Development Humanof the Initiative for Nicaragua (FEDH-IPN)</p>	<p>Jorge Mendoza: direccion@fedh-ipn.org From tica bus 3 blocks and a half above Managua, Nicaragua Telephone: +505 8394-2263 Website: www.fedh-ipn.org</p>
<p>Latin American Campaign for the Right to Education (CLADE)</p>	<p>Camilla Crosso camilla@campanaderechoeducacion.org Av. Prof. Alfonso Bovero, 430, conj. 10 - Perdizes, São Paulo, Brazil Telephone: +55 11 3853-7900 Website: www.campanaderechoeducacion.org</p>
<p>The Nicaraguan Coordinating Federation (CODENI)</p>	<p>María de Jesús codeni@codeni.org.ni Channel 2 of TV 1c to the north, 2 1/2 c to the west Managua, Nicaragua Telephone: +505 2222-3232 Website: www.codeni.org.ni</p>
<p>National LGBTIQ Board +</p>	<p>José Ignacio López Silva mesanacionallgbti@gmail.com Managua, Nicaragua +505 2222 3352 Website: https://www.facebook.com/LGBTIQNi/</p>
<p>Nicaraguan Association for Sustainable Development</p>	<p>Gloria Ordoñez emprenderural@gmail.com Hotel Wanpani 1 block south and 1 block west Matagalpa, Managua Telephone: +505 2719-9023 Website: www.anides.org</p>
<p>Project Lechuza</p>	<p>Christian Ramírez prolechuza@gmail.com Tica bus 3 blocks and a half above Managua, Nicaragua Telephone: +505 8101-5670 Website: www.facebook.com/proyectolechuza</p>

Young Ibero-American (JI)	María Alejandra Menaldo ji@jiberoamericanos.org
	Guatemala City, Guatemala Telephone: +502 3021 6244 - +505 8114-8510 Website: www.jovenesiberoamericanos.org
Team of organized students from the	<p>Odell José Macías University - National Autonomous University of Nicaragua, UNAN Managua</p> <p>Jonathan Francisco López -University National Autonomous of Nicaragua, UNAN RUCFA</p> <p>Marco Aurelio Peña - National Autonomous University of Nicaragua, UNAN RUCFA</p> <p>(Claudia Ochoa A - University of Engineering, UNI</p> <p>Karina Romero - National Autonomous University of Nicaragua, UNAN Managua</p> <p>Wendy Juárez -regionalfaculty FAREM-Matagalpamultidisciplinary</p> <p>Paul Pérez - National Autonomous University of Nicaragua, UNAN Managua</p> <p>Yasmila Sáenz - University Coordinator</p> <p>Fiorella Bran - Central American University</p>

The Forum for Education and Human Development of the Initiative for Nicaragua (FEDH-IPN) is an association with a network of work strategies, a plurality of institutions, associations, social movements, foundations, sectors and individuals, which are organized and identified by volunteers. a vision, mission, principles and common commitments for education and human development in Nicaragua. A network for reflection, debate, advocacy, formulation, execution and evaluation of educational policies.

Latin American Campaign for the Right to Education (CLADE) is a regional non-governmental organization that works to ensure the right to public education for all, with national coalitions in 18 countries in Latin America and the Caribbean.

The Nicaraguan Coordinating Federation (CODENI) is a coordinating body of 39 organizations that participate in the Work Commissions. It promotes and develops spaces of participation with the State to influence the elaboration of public policies, proposed initiatives of laws and promotes actions of social defense, advocacy, social communication and social mobilization.

National LGBTI Table, It is a space for the articulation of LGBTI groups with representation of the different sexual orientations, expressions and gender identities. These groups are located in different Departments of Nicaragua.

The Nicaraguan Association for Sustainable Development (ANIDES) is a non-profit civil organization driven by a group of Nicaraguan professionals with extensive experience in community development processes (Rural Territorial), who are interested in promoting the improvement of the quality of life of the Families that live in conditions of poverty and extreme poverty combine their best experiences and experiences as an institutional value.

Project Lechuza is a social initiative that is convinced that children should be taken as civic beings, people with rights and as such, aims to contribute to their promotion, providing tools that strengthen the development of skills that reduce the vulnerability of children to live situations of violence in any of its manifestations.

Young Ibero-Americans (JI) We are a network of young leaders united by a common cause: "Promote and empower individual guarantees and democracy in the Ibero-American Region". The members of this network, we seek protagonism and incidence both in the social reality and in the governance of the countries we represent; since we are part of the youthful voice of Iberoamericana.

Team of organized students of the universities A group of young self-appointed leaders who were formalized within their university campuses parallel to the socio-political crisis in Nicaragua, with the initiative to promote spaces for the denunciation, defense and protection of their rights as university students and in favor of vindicating their university autonomy.

Alternative civil society report for the Universal Periodic Review (UPR) of Nicaragua

Introduction

1. The Forum for Education and Human Development of the Initiative for Nicaragua, FEDH-IPN, is an association with a plural network of workgroups, associations, social movements, Foundations, sectors and individuals, who voluntarily organize and work identified by a common vision, mission, principles and commitments for education and human development in Nicaragua. A network for reflection, debate, advocacy, formulation, execution and evaluation of educational policies.
2. This Report reveals the deterioration of the situation of the human right to education and the lack of political and administrative will of the State of Nicaragua to improve the enjoyment and enjoyment of this right. Added to this are the violations of the human rights of university students, the violation of Nicaragua's political constitution and university autonomy.
3. The information presented in this report contains the criteria of the articulated organizations that work in Nicaragua for the promotion and defense of the Human Right to Education. The source consulted were studies, media and in some cases official information, since since 2007, a State policy has been implemented to limit or prohibit access to public information in all areas (economic and social). , since 2010 the web portals with statistical information on education have been eliminated.
4. Representatives of University Student Movements were integrated into the construction of this alternative civil society report for the UPR, over the course of these months students have been besieged, monitored, illegally detained by police and para-police groups, and even part of the students Participants in the construction of the report such as Levis Artola Rugama, Yaritza Rostrán, Victoria Obando and Jonathan Francisco López were imprisoned and are being prosecuted for the alleged commission of serious crimes such as terrorism, homicide, robberies, among others.

Context

5. Since April 19, 2018, a policy of State terrorism has been established in Nicaragua, which endangers the present and future of Nicaraguan citizenship, regardless of ideology, religion, gender, profession, social status or groupings to which they belong

6. This policy is manifested in the actions of all the country's institutions, subordinated to the Frente Sandinista party. The Ministry of Education, Ministry of Health, Supreme Court of Justice, Departmental and Municipal Mayors, and National Police have allocated resources to mobilize and supply paramilitaries and shock groups to suppress, torture, kidnap, deny care to the wounded, criminalize the protest social, and prosecute people without constitutional guarantees.
7. The Ortega-Murillo regime has blocked the work of national and international human rights organizations, such as the Nicaraguan Center for Human Rights (CENIDH), the Permanent Human Rights Commission (CPDH), the Nicaraguan Association for Human Rights (ANPDH), the Nicaraguan Initiative Defenders, the Inter-American Commission on Human Rights (IACHR), Special Follow-up Mechanism for Nicaragua of the IACHR (MESENI) Interdisciplinary Group of Independent Experts of the IACHR (GIEI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), preventing even the inspection of prison conditions and the situation of political prisoners and prisoners.¹
8. The country is under conditions similar to a "State of Exception", with a climate of insecurity at the national level, where illegal detention, kidnapping and the disappearance of people is a circumstance considered possible in all Nicaraguan families. Nearly 25,000 Nicaraguans have been forced to flee and seek refuge in neighboring countries, or are in conditions of clandestine living and forced displacement within our own country.
9. Insecurity and intimidation extends to all sectors of society, including children, women and men of all ages, and any place or location, public or private, in schools, streets, churches, shopping centers, as well as organized expressions and social movements.
10. According to preliminary report of the ANPDH from April 19 to September 23 (158 calendar days) there are 512 deceased citizens; approximately 4,062 injured, including serious, less severe and minor, without access to timely medical attention by the public health system; 103 citizens with serious injuries and permanent damage; 1,303 citizens kidnapped with illegal detention and some missing persons and police harassment or security agencies together with armed paramilitary and shock groups, the Nicaraguan population in general.
11. The content of this report up on recommendations number: **follows 114.99-114.100. 114.110, 114.24-114.138** - made to the State of Nicaragua, during the second evaluation cycle, period 2014 - 2017

¹ Documento de Concertación Nacional Azul y Blanco. Articulación de Movimientos Sociales y Sociedad Civil.

Financing for Education:

12. By 2018, the budget for education was approximately US \$ 600 million, distributed among the different subsystems: basic and secondary education (68%), technical education (2%), higher education (30%)).² Nicaragua is one of the countries that invests least in education in Latin America. For the year 2017 Nicaragua continued assigning only 3.1% of GDP and according to government projections it will not exceed 3.5% until 2020.
13. The budget of the Ministry of Education (MINED) during the period 2017-2020, will be financed almost entirely with resources of the treasury with approximately 88% per year, a little over 6% will be financed through external donations and an average of 4% through loans.³ In 2017 the World Bank approved a loan for 55 million dollars aimed at improving (educational) coverage in the rural sector, quality and growth in the innovation sector, aimed at pre-school, primary and basic education⁴.
14. The budget reform, carried out by the National Assembly, in the second half of 2018, where a cut of more than four billion córdobas in education is made, directly affects the goals and challenges of educational quality, established in the Plan of Education (2017 - 2021) of the MINED. The aforementioned reform affects primary schools, given that this modality houses approximately 50% of the country's total enrollment.⁵
15. Of spending on education, 2% will continue to be oriented to technical education and annually will not exceed US \$ 3.3. Millions. This shows an inconsistency with the government's strategy of promoting and promoting technical education for adolescents and young people, as a mechanism for the generation of human capital and its preparation for the labor market⁶.
16. In 2017, approximately \$ 68.6 for a preschool student, \$ 323 for an elementary student, \$ 150.3 for each high school student. According to the Coordinator of NGOs that Work with Children and Adolescents (CODENI), Nicaragua is the only country in the Latin American region where the investment by a high school student represents annually, less than half of what is assigned to an education student.⁷primary.

² Instituto de Estudios estratégicos y Políticas públicas

³ CODENI (2017), Inversión en niñez y adolescencia y su vínculo con los ODS, Pág. 31.

⁴ Asamblea Nacional

⁵ Instituto de Estudios Estratégicos y Políticas Públicas (Propuesta de reforma presupuestaria afectará metas y desafíos de la calidad educativa en Nicaragua) 2018

⁶ Inversión en Niñez y Adolescencia y su vínculos con los ODS CEDENI 2017P29

⁷ Federación de Coordinadora Nicaragüense de ONG que trabajan con la niñez y la adolescencia, Inversión en niñez y adolescencia y su vínculo con los ODS, Primera edición, Managua, 2017.

17. The budgetary sub-execution of the Ministry of Education increases the gaps and needs of the education system, according to the Center for Research and Social Educational Action (CIASES), the central administration of the education system, although it consumes a large part of the budget earmarked for pre-school education. Primary and secondary education does not adequately support the territories and educational centers so that they can understand their problems and challenges.
18. The Economic and Financial Program 2014-2018, prepared by the government of reconciliation and national unity (GRUN),⁸ establishes the distribution of 6% of the Budget to the ten member universities of the National Council of Universities (CNU): 33% National Autonomous University of Nicaragua (UNAN Managua); 19% National Autonomous University of Nicaragua (UNAN León); 17% National University of Engineering (UNI); 5% National Agrarian University (UNA); 5% Central American University (UCA); 4% Polytechnic University of Nicaragua (UPOLI); 4% Bluefields Indian & Caribbean University (BICU); 4% University of the Autonomous Regions of the Nicaraguan Caribbean Coast (URACCAN); 2% Technical Secretary of the National Council of Universities; 2% Antonio de Valdivieso International University; 1% Catholic Agricultural University of the Dry Tropics.
19. The subsidized universities receive a smaller percentage than the public universities. During the socio-political context that crosses the country, coupled with the late delivery of budget items, has led some universities such as the Central American University (UCA)⁹ to suspend a large part of their employment contracts. Also the Agrarian University (UNA) suffered a budget cut of 32 million córdobas for the remainder of the year and the Polytechnic University of Nicaragua (UPOLI) has not yet received the corresponding match.

Recommendations

- i. It is necessary to define spending as a priority in education, particularly in relation to pre-school and secondary education in rural areas, in order to reduce school drop-out, learning differences and improve access in rural areas.
- ii. Priority must be given to the increase of salaries for teachers (leveling it to the Central American average), as a mechanism to reinforce performance, responsibility and teacher training.

⁸ Programa Económico financiero 2014-2018, elaborado por el GRUN.

⁹ <https://www.laprensa.com.ni/2018/08/04/nacionales/2456310-inquietud-sobre-el-seis-por-ciento-de-las-universidades>

- iii. It is necessary that the National Assembly, on the proposal of the executive branch, increase the education budget in a gradual and systematic way to obtain the budget recommended by UNESCO of 7% of GDP, or 6% of GDP for Basic and Middle Education provided by the Development Agenda 2030.
- iv. The technical and administrative capacity of the Ministry of Education should be strengthened to avoid budget sub-execution, which results in the loss of allocated resources and an increase in the problems and needs of the education system.

Gaps and Challenges of Education in Nicaragua

- 20. The Medium Term Budget document 2018-2021, estimates a slight increase in initial education enrollment, going from 276, 617 boys-girls in 2017 to 280, 817 boys-girls in 2020, suggesting an increase of 1, 200 students per However, when reviewing projections of population growth in Nicaragua, it is estimated that by 2020, there will be a child population between 0-4 years of 654,283 and between 5-9 years of 667,465, predicting that at least 386,648 children- girls, stay out of the education system for that year¹⁰
- 21. The Education Plan 2017-2021 of the MINED establishes that for 2016 the enrollment in community schools was 132,745, increasing in 2017 with 134,432 and in 2018 it was 135,928 students, however, although there is no precise statistics, teachers and researchers have insistently pointed out that many children, especially in rural and marginal urban areas, do not attend classes several days a week, repeatedly, which reduces the time of learning in the classroom¹¹, the Center for Research and Social Educational Action (CIASES)) indicates that one in seven students in urban areas and one in three in rural areas have low schooling.
- 22. In 2018, the MINED decreased by 22% the places for new teachers of primary education, in relation to 2017; However, the projection of enrollment in this educational level would have a slight increase of 1,562 new students, contradicting in this way the description made in the National Education Plan: "In the framework of educational quality new teachers will be hired, prioritizing English teachers, school lunch delivery and solidarity school packages."¹²
- 23. Nicaragua faces the worst situation in the region, low school coverage and the slow rate of progress in schooling, placing it at a distance of two or more

¹⁰ Es importante expresar que por el acceso limitado a la información, no se cuenta con datos que faciliten la disgregación de los mismos, por tal razón no se puede presumir proyecciones en cuanto a inequidades entre género o zona de origen.

¹¹ Citado por Melba Castillo (2016) en el estudio Prioridades de la educación nicaragüense para el siglo XXI. ¹²

<http://www.hacienda.gob.ni/hacienda/ppresupuesto2018/mpmp/221.MinisterioEducacion.pdf>

¹³ Prioridades de la educación nicaragüense en el siglo XXI, CIASES, 2016. P.31. ¹⁴ Informe de Calidad de la Educación en Nicaragua FUNIDES ,Enero 2017

decades with the current average of Latin America and the Caribbean. According to estimates of the Report of the State of the Nation (2016) Nicaragua needs four decades to reach the average secondary schooling in Latin America and the Caribbean¹³.

24. In the Third Regional Comparative and Evaluative Study (TERCE), conducted by the United Nations Educational, Scientific and Cultural Organization (UNESCO), Nicaragua participated with a sample of 9 thousand students from 250 private and public schools (zones urban and rural) who obtained a level of performance lower than the average established for Latin America, ranking 13th out of 15 countries in the region.¹⁴
25. By disaggregating the results obtained by the group of Nicaraguan students who applied to TERCE, it highlights the differences in the achievement of learning among boys and girls, in favor of children in mathematics and science and in favor of girls in reading, which invites us to review if the current pedagogical approach addresses gender inequality in learning. In addition, differences are identified in the achievement of learning in mathematics in favor of students in third and sixth grade of private schools who obtained on average up to 17 points more than those of public schools.
26. According to a study by the Institute of Strategic Studies and Public Policies (IEEPP), the central and northern regions of the country are the ones that concentrate the largest number of multigrade schools, so in rural areas there is a high sense of inequality to meet the educational demand of girls, children and¹²adolescents.
27. In Nicaragua there is no teacher training model of the special or specific multigrade modality; teachers receive the title of primary teacher¹⁶; the same as regular primary teachers. The processes of continuous training have been reduced to EPI¹³; what does not allow an own space for the training and updating of multigrade teachers.
28. Rural education continues to be the most lagging behind in the educational system with very significant gaps in access to secondary education. Only 64% of rural youth between the ages of 15 and 19 managed to finish primary school and only 26% of that same group completes high school¹⁴.
29. The place of residence is another important equity gap, rural students have a lower educational offer and lower quality. The location of facilities for

¹² La imposibilidad de acceder a estadísticas oficiales, no permite hacer un acercamiento a la realidad concreta, alrededor de la verdadera situación de estudiantes de comunidades rurales en condiciones de trabajo infantil. ¹⁶ Citado por Alex Bonilla (2017) en el estudio Calidad educativa en las escuelas multigrado, Análisis de equidad en el contexto rural.

¹³ EPI: son Encuentros Pedagógicos de Interaprendizaje; antes conocidos como TEPCEP, los cuales estaban diseñados para una evaluación, programación y Capacitación Educativa, sin embargo de 2010 a la fecha solo son espacios para orientaciones políticas partidarias.

¹⁴ Castillo Aramburu, Melba. Prioridades de la educación nicaragüense en el siglo XXI / Melba Castillo Aramburu, Ana Patricia Elvir Maldonado, Josefina Vijil Gurdíán -- Managua: CIASES, 2016. 28 p.

secondary education has a marked urban bias, so for adolescents and rural youth, reaching the baccaureate is extremely difficult.

30. According to CIASES, among the populations marginalized or poorly served by the education system, girls, adolescents and adult women receive the worst part, the care work they do, mainly in rural areas, as helpers at home or as mothers. early age, submits them to double days. Girls and adolescents have to work harder to complete primary school and advance to higher levels.
31. Currently, people with disabilities are systematically excluded from education systems or sent to special schools. According to the CODENI report in 2016, 3,156 students (41.9% women) were enrolled in the 26 special education schools in the country; Many of these children and adolescents do not even have a diagnostic assessment.
32. In Nicaragua there are approximately 12,542 regular education centers that serve 11,570 students with some type of disability. The attention to these children in regular schools, is valued as integration not as inclusion, since the teachers do not have the relevant preparation and there are no curricular adaptations or interest in including.
33. People with disabilities continue to be one of the groups that historically has faced greater barriers to access education. Still a significant percentage (41%) of people with disabilities lack schooling, 19.1% have a pre-school education, and 25.7% have a primary education. This means that 85.8% have less than basic preparation and only 2.7% have completed university and 7% have a basic secondary education.¹⁵
34. In Nicaragua, there is a lack of statistical data on the educational situation of people in the LGBTIQ community, which constitutes one of the obstacles to effective inclusive education, which is further aggravated when teachers do not have training or pedagogical criteria for the approach to sexuality and sexual identities.
35. The Regional Autonomous Educational Subsystem (SEAR), from the conceptual, political and legal point of view, is one of the most advanced in Latin America and the Caribbean. However, these regulations are stalled in their implementation.
36. In the academic diagnosis and curricular experiences of teachers EIB, conducted by Dr. Jilma Romero¹⁶, highlights that the main difficulties are: participation mostly male sex in classrooms, lack of methodological training to teachers, little or no planning for develop the classes and the lack of technical pedagogical support from the competent authorities.

¹⁵ CODENI (2017), V y VI Informe Alternativo a las Recomendaciones del CDN, Pág. 19

¹⁶ Enmarcado en el "proyecto de Educación Intercultural Bilingüe (EIB) a autoridades del Sistema Educativo Autónomo Regional (SEAR)

37. The gaps accumulated in the multicultural environment have not been overcome, teachers have not received adequate training that enables them to provide Intercultural Bilingual Education that allows students to achieve the necessary linguistic competence, both in their mother tongue and in Spanish as a second language.
38. The president of SEAR-RACCN recognizes the situation of teachers in the Caribbean Coast, empiricism is high and there is a lack of updating of curricular documents in initial and basic education¹⁷.
39. In Technical Education in the year 2017 there was a growth of 7.5% compared to 2016, however to date the number of technicians and the types of careers demanded by the business sector and the public institutions themselves are unknown.
40. The technical staff and the popular teachers do not have professional training, having an impact on the growth of the rate of empiricism in this educational subsystem¹⁸.
41. The first grades have become the source of illiteracy, while a good number of students who fail, drop out of school. One of the most incisive difficulties in this regard is that there are statistics from various sources on this subject, whose data are not coincident, which indicates that, indeed, the country does not yet have a reliable and updated statistics on the illiteracy index.
42. In terms of quality there is a partitioning of education at all levels; the school texts extol political figures of the Sandinista revolution and the programs of the government of Daniel Ortega, what the former Minister of Education, Carlos Tünnermann Bernheim, qualifies as "political-party bias".¹⁹
43. Political indoctrination in schools has been a constant, since the Sandinista National Liberation Front came to power in 2007, students are forced to participate in all party events and the red and black flag flies in all public schools and delegations of the MINED.
44. The current sociopolitical crisis in the country triggered by the month of April, brought about instability and insecurity, which led the country to take security measures, many of these were the partial suspension of physical assistance to classes, in the case of private educational center, adopted measures such as the preparation of examinations and work through the use of ICTs²⁰, MINED on the contrary showed no interest in safeguarding the physical integrity of students and teachers, by not suspending classes in the

¹⁷ <http://www.unan.edu.ni/index.php/noticias/presentan-avances-del-pebi-delegados-departamentales-delmined-la-costa-caribe>.

¹⁸ Eje No. 17 propuesta de Agenda para transformar la Educación del país 2016- 2021. Elaborado por Foro de Educación y Desarrollo Humano de la Iniciativa por Nicaragua, Universidad Centroamericana, Fe y Alegría Nicaragua, 2016. P 75 - 76.

¹⁹ Entrevista en Medio de Comunicación

²⁰ Sondeo informativo realizado por el FEDH.IPN en el marco de las protestas en Nicaragua, Mayo-Julio 2018

public centers, on the contrary trumpeted a speech of a security, that exposed in danger to hundreds of students ²¹

45. There are other factors associated with education that require greater attention by educational authorities and that make the situation more complex, such as school violence (bullying, cyber bullying, violence between peers), the use of drugs and alcohol, child labor and co-responsibilities among teachers, family members and the student for a better performance in learning. Neither does MINED publish statistics on cases of school violence, which are necessary to evaluate and find a way out of the problem.

Recommendations

- v. All institutions of the State of Nicaragua must adhere unrestrictedly to compliance with the law on access to public information (Law 621), to contribute data and information that allows the improvement of the national education system. Given that the main responsible for monitoring are at the national level, countries should establish effective monitoring and accountability mechanisms adapted to national contexts and priorities, in consultation with all interested parties.²²
- vi. It is necessary to build educational systems that allow people of sexual diversity, people with disabilities and people from indigenous communities to learn and participate in equal conditions in the classroom.
- vii. Implement inclusive education policies and put an end to discriminatory norms, cultures and practices that violate the rights of these historically discriminated groups.
- viii. Specialize teachers to cater for children and adolescents with special educational needs and improve infrastructure in order to eliminate architectural barriers in schools.
- ix. Build an updated model of Technical Training in correspondence with national and global demands.
- x. The training of more technicians is urgent, but the curricular revision of this educational subsystem is necessary.
- xi. Prioritizing the educational quality of the first three grades of Basic Education, in order to overcome the quality of literacy learning, and school abandonment and frustration, will help to overcome the constant reproduction of illiteracy.

²¹ <https://www.mined.gob.ni/mined-brinda-informe-de-danos-a-centros-educativos-a-causa-de-hechos-vandalicos/>

²² Desglosando el Objetivo de Desarrollo Sostenible #4 Educación 2030 . Pag 27

Vulnerability of higher education and violation of human rights of university students.

46. For 2014, the number of students enrolled in first year was 29,677 students, an increase of 13.57 percent; On the other hand, in 2015, the total enrollment of first-time students was 27, 557 students, showing a significant reduction of 2,120 students, which represents (-7.69) percent.
47. For the year 2014 the dropout rate of university students had reached 15.28%.
48. The culmination of the study is one of the indicators that will make it possible to evaluate the Nicaraguan public higher education system in terms of efficiency, for the tertiary education, the culmination takes place in two ways. The first is the student who is categorized as a graduate student. graduated is the culmination of the study plan; and the second one, is the graduate student, is the one who already elaborated his defense thesis and defended before the examining jury, and was approved. The first mode of completion for the year 2015 in the public education system represented 11.38 percent and the second represents 11.37 percent, added the two represents only 22.75 percent, which shows that the system does not reach even 25 percent of completion is that of every 100 students who start a career only 22% graduate or graduate.
49. As of 2007, university autonomy suffers a progressive deterioration expressed mainly in the loss of autonomy. Faced with the phenomenon of political power; life and academic management is increasingly subordinated to the interests of the governing party; the appointment and election of academic authorities in all the precincts of the public universities coincides with the party militancy and the approval of the party of those who apply for these positions, as well as the use of university campuses and university assets to become more common. activities and political-party propaganda²³.
50. As of April 18, universities and their students suffer from government siege through the National Police and armed vigilante groups ²⁴ having the backing of the justice system by lending itself to criminalize social protest and judicialize ²⁵ selectively to student leaders, ²⁶ of which, they are being

²³ <http://www.oas.org/es/cidh/informes/pdfs/Nicaragua2018-es.pdf> (página 61)

²⁴ https://www.cenidh.org/media/documents/docfile/Informe_No_5_CENIDH.pdf (página 2)

²⁵ https://www.cenidh.org/media/documents/docfile/Informe_No_5_CENIDH.pdf (página 13)

prosecuted for terrorism offenses, and publicly presented in the official media as delinquents of high social danger.

51. In the context of the protests and the institutional repression of the government against the students; the IACHR, the OHCHR, non-governmental human rights organizations and Amnesty International have confirmed that illegal detentions, kidnappings, physical attacks, torture, cruel inhuman and degrading treatment is an implemented practice, promoted and sponsored by the government where the main victims are the Nicaraguan students²⁷.
52. In the case of the country's public universities, the protest started in April has highlighted various problems associated with University Autonomy, legitimacy of university authorities, funding, academic freedom, freedom of student organization and even the questioning and reflection on what type University requires the development and future of the country²⁸.
53. The freedom of student organization is seriously affected since the election and appointment of student leaders of UNEN and CUUN or are militants or are linked to the governing party.
54. The political participation of the public university violates the legal - institutional regime of the university sector, distorts the vision and mission of the university²⁹, causing a severe setback in academic quality in the teaching - learning process, as it restricts the freedom of thought and teaching , rewarding or punishing teachers and students for political-partisan interests.
55. In the context of the crisis, the bias of the academic authorities of the public universities was evidenced, when the violence with which the students were repressed and murdered was acknowledged. The rectors of the public universities did not raise their voice in favor of the students and on the contrary justify the institutional violence of the State³⁰.
56. When the public universities were taken by the students on April 19 (UNA, UNI and UPOLI) and on May 7 (UNAN-RURD) of the current year, the university authorities agreed and did not condemn the attack perpetrated by police and para-police forces to the university campuses and to the young people entrenched in their interior³¹.

²⁷ <http://www.oas.org/es/cidh/informes/pdfs/Nicaragua2018-en.pdf> (page 34)

²⁸ <http://www.oas.org/es/cidh/informes/pdfs/Nicaragua2018-en.pdf> (page 61 and 62)

²⁹

[http://legislacion.asamblea.gob.ni/Normaweb.nsf/\(\\$All\)/26C0D292E6C3E19C062570A100577D60?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/($All)/26C0D292E6C3E19C062570A100577D60?OpenDocument)

³⁰ <https://bit.ly/2Ny3ewl>

³¹ <http://www.oas.org/es/cidh/informes/pdfs/Nicaragua2018-en.pdf> (pages 18,19,20)

57. Various national and international human rights organizations report in their reports of the police and paramilitary offensive of July 13 against the UNAN-RURD³² and then against the Divine Mercy church where the students took refuge when attacked, the university authorities did not they pronounced themselves to condemn the attack where the students Gerald Vázquez and Francisco Flores died. After the violent eviction the premises were taken by paramilitaries and decorated with flags of the ruling party.
58. In UNAN-Managua and UNAN León, they are dismissing teachers and expelling university students who participated or helped in the protests and demonstrations as of April³³. The measures are arbitrary because they have no employment or academic foundation, without substantiating the legal and regulatory standards contemplated for the dismissal and expulsion of teachers and students. There is no research with evidence to support the grounds for dismissal and expulsion. There is also no case-by-case review nor was the right to defense allowed.
59. The rights and constitutional freedoms transgressed to the students leave in a state of flagrant violation to the human rights, transgressing the liberties and fundamental rights consecrated in the political constitution of Nicaragua³⁴, among others Art. 23Cn - The right to life, Art. 25Cn - The right to individual liberty, Art. 26Cn - Protection and respect for private life, Art. 27Cn - Equality before the law, Art. 29Cn - Freedom of conscience, thought and religion, Art. 31Cn - Freedom of mobilization, Art 32Cn - Principle of legality, Art. 33Cn - Criminal procedural guarantees, Art. 34Cn - Minimum guarantees, Art. 36Cn - Prohibition of infamous proceedings and penalties, Art. 45Cn - Right of protection, Art. 46Cn - Constitutionalized international treaties, Art. 48Cn - Right to political equality, Art. 50Cn - Right to participate, Art. 52Cn - Right to petition, Art. 53Cn - Right to assembly, Art. 54Cn - De right of concentration, Art. 58Cn - Right to education and culture, Art. 59Cn - Right to health.

Recommendations

- xii. The State of Nicaragua must cease immediately the repression and persecution of university students.
- xiii. The president of Nicaragua Daniel Ortega Saavedra as supreme head of the armed forces of the country, must order and ensure the dismantling of forces for police or military that are besieging and terrorizing students and the population in general.

³² https://www.cenidh.org/media/documents/docfile/Informe_No_5_CENIDH.pdf (page 3)

³³ <https://confidencial.com.ni/seis-medicos-mas-despedidos-como-docentes-de-la-unan-leon/>

³⁴ <http://www.ineter.gob.ni/constitucion%20politica%20de%20nicaragua%20y%20sus%20reformas.pdf>

- xiv. The Government of Nicaragua, the Judiciary and other actors of the Justice Administration System must cease the actions that criminalize, and judicialize the social protest.
- xv. The government of Nicaragua must abstain from intervening the universities and respect Law 89 of University Autonomy.
- xvi. State institutions The public universities of the country must ensure a thorough review of the curricula of universities, ensuring more pre-professional practice, more technical, more technology and more cognitive tools for comprehensive academic training of future professionals.