

## **NICARAGUA (Tier 1)**

Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country as well as in neighboring countries, most often in other Central American states, Mexico, and the United States. Trafficking victims are recruited in rural areas for work in urban centers—particularly Managua, Granada, and San Juan del Sur—and subsequently coerced into prostitution. Nicaraguan girls are subjected to sex trafficking in locations along the country's Atlantic Coast, where the lack of strong law enforcement institutions, higher crime rate, and presence of drug trafficking increases the vulnerability of the local population. Nicaraguan adults and children are subjected to conditions of forced labor in agriculture, the informal sector, and domestic servitude within the country and in Costa Rica, Panama, and other countries in the region. Managua, Granada, Esteli, and San Juan del Sur are destinations for tourists from the United States, Canada, and Western Europe, some of whom engage in the commercial sexual exploitation of Nicaraguan children.

The Government of Nicaragua fully complies with the minimum standards for the elimination of trafficking. Nicaraguan authorities significantly strengthened law enforcement efforts over the year, particularly through increased prosecutions and convictions, including for forced labor. The government provided limited services for victims of trafficking—mostly for female victims—and NGOs provided most specialized care. Authorities maintained public awareness efforts in partnership with civil society organizations. Prosecution, protection, and prevention efforts in the two Atlantic autonomous regions of Nicaragua continued to be much weaker than in the rest of the country.

**Recommendations for Nicaragua:** Ensure that victims identified within the country and repatriated Nicaraguan victims are referred to appropriate services; provide adequate funding for specialized services for trafficking victims, as well as for specialized anti-trafficking police units; increase training and resources for government officials to facilitate increased victim identification and assistance, particularly in the autonomous regions; institute clear, formal, and proactive procedures for identifying trafficking victims among vulnerable populations; strengthen law enforcement and victim protection efforts in the Atlantic autonomous regions, including through increased staff and funding; continue to investigate and prosecute all forms of human trafficking, and convict and punish trafficking offenders; partner with civil society organizations to ensure that victims receive long-term care and reintegration services; continue to strengthen mechanisms for interagency coordination and partnership with civil society organizations at the local level; continue to improve the management of statistical case data across agencies; further support all departmental and regional anti-trafficking coalitions; and raise awareness of all forms of human trafficking through increased public awareness efforts and campaigns.

### **Prosecution**

The Government of Nicaragua significantly strengthened law enforcement efforts during the year, including by convicting 35 trafficking offenders. While most investigations focused on sex trafficking, labor trafficking prosecutions and convictions increased greatly in 2012. Nicaragua criminalizes all forms of human trafficking through Article 182 of its penal code, prescribing penalties of seven to 12 years' imprisonment. In August 2012, reforms came into effect increasing penalties to 10 to 14 years' imprisonment and broadening the scope of offenses that can be prosecuted as human trafficking. A separate statute, Article 315, prohibits the submission, maintenance, or forced recruitment of another person into slavery, forced labor, servitude, or participation in an armed conflict; these offenses carry penalties of five to eight years' imprisonment. These prescribed punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities maintained anti-trafficking units in the capital within the intelligence and judicial police forces, as well as within the women's police commission. Additionally, there was a designated anti-trafficking unit in each of the country's 15 departments and two autonomous regions, and in each of the capital's 10 districts that was responsible for collaborating with the specialized units on investigations. A lack of resources hindered the specialized units' abilities to carry out investigations outside of the major cities, particularly in remote parts of the autonomous regions. In particular, the lack of a prosecutor in the town of Waspam, on the Nicaraguan border with Honduras, was a debilitating factor in the prosecution of trafficking along the northern autonomous region's border. Prosecutors and police improved coordination on data collection by using a shared case log, leading to more uniform law enforcement statistics, though inconsistencies remained.

Police investigated 27 potential trafficking cases in 2012, including 10 labor trafficking cases, compared with 26 investigations in 2011, two of which were for labor trafficking. Judicial authorities prosecuted 57 accused trafficking offenders in 2012, compared with 32 individuals prosecuted in 2011. The government convicted 35 trafficking offenders during the reporting period, all but one under the human trafficking statute, and sentenced them to seven to 30 years' imprisonment. In comparison, during the previous reporting period, authorities reported 15 convictions. Notably, 18 traffickers were convicted of forced labor crimes in 2012, 13 of whom were also convicted of sex trafficking. Nicaraguan authorities collaborated with Guatemalan counterparts to investigate and prosecute two sex trafficking cases. There were no reported investigations, prosecutions, or convictions of government employees for their alleged complicity in trafficking-related offenses during the year. There were reports that some law enforcement and labor officials in the autonomous regions incorrectly categorized potential trafficking cases as home abandonment or labor infractions. The government increased efforts to train law enforcement, justice, consular, and labor officials on human trafficking, often in partnership with civil society organizations. For example, the anti-trafficking judicial police unit trained over 600 police officers.

## **Protection**

The Government of Nicaragua continued to provide some services to trafficking victims, but most specialized care was provided by civil society organizations, and long-term care and

reintegration services remained limited. The government did not have formal procedures for identifying trafficking victims among high-risk populations, such as adults and children in prostitution, and victim identification in the autonomous regions continued to lag behind national efforts. Police and prosecutors reported identifying 50 potential trafficking victims in 2012, all of whom were Nicaraguan, but it is unclear how many of these victims received specialized services. The Ministry of Family identified 65 children in commercial sexual exploitation, all of whom were transferred to NGO shelters in Managua, as the government had no adequate facilities for these victims. During the reporting period, at least 25 adult women received services at a temporary open shelter managed by the women's police anti-trafficking unit. In 2012, the women's police in Jinotega opened a small shelter for victims of domestic violence that could also house trafficking victims. The regional departments most affected by human trafficking lacked adequate services. NGOs operated shelters for at-risk children and female adult victims of domestic abuse in Rio San Juan, Esteli, Rivas, Puerto Cabezas, and Managua. While the government did not provide funding to these NGOs, officials referred victims to them for assistance. Victims received legal support as well as limited medical and psychological assistance from the government, as well as education when appropriate, though longer-term care was minimal. Services and shelter for male victims remained limited.

The government encouraged victims to participate in trafficking investigations and prosecutions, though some were reluctant to do so due to social stigma and fear of retribution from trafficking offenders. Nicaraguan law allows for trafficking victims to provide documented testimony in advance of the trial, and during the year, some victims testified against trafficking offenders. There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Humanitarian visas are specifically available to foreign trafficking victims, but the government identified no foreign victims in Nicaragua during the year.

## **Prevention**

The Nicaraguan government sustained awareness efforts and maintained regional anti-trafficking working groups across the country during the reporting period. The government-run anti-trafficking coalition, which is composed of government and civil society actors, met on a bimonthly basis and was responsible for coordinating anti-trafficking efforts and implementing its strategic plan. The government continued to support regional anti-trafficking working groups in the country's 15 departments and two autonomous regions: these regional groups varied in effectiveness, and some were reportedly inactive. Different government entities coordinated with the coalition on awareness efforts and the women's police reported reaching over 29,000 Nicaraguans with general information on women's issues and human trafficking. Authorities reported prosecuting six individuals from Belgium, Canada, and the United States for child sex tourism offenses and achieving three convictions. The anti-trafficking coalition launched one awareness campaign against the sex trade, and the government reported no other initiatives to reduce demand for commercial sexual acts or for forced labor.

