

Country/entity	Nicaragua
Region	Americas
Agreement name	Protocolo de Verificación
Date	2 Oct 1992
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict
Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	Nicaragua contra process
Parties	Violeta Barrios de Chamorro – President of the Republic of Nicaragua; His Most Reverend Eminence Cardinal Miguel Obando y Bravo; Dr Santiago Murray – General Coordinator of the International Support and Verification Commission of the Organization of American States in Nicaragua;
Third parties	-
Description	This protocol is about the formation/creation of a tripartite commission to build peace post-conflict (International Support and Verification Commission of the OEA, Catholic Church and Government) and to deal with the violence inflicted on ex-resistance combatants to facilitate exchange on the origins of the violence and to formulate recommendations to improve the prevention coordination and mechanisms, for the eradication of the problems to contribute to peace and stability and to fortify the rights and guarantees of all those sections of the population affected by the conflict.

Agreement document [NI_921002_Protocolo de verificacion \(EN\).pdf \(opens in new tab\)](#) | [Download PDF](#)

Agreement document (original language) [NI_921002_Protocolo de verificacion - SP.pdf \(opens in new tab\)](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
Page 2, VERIFICATION PROTOCOL, CHAPTER II, FUNCTIONS
Article 4. The Commission has the following functions:
a) analyse, review and evaluate reports previously made to the Government of the Republic of Nicaragua by the Verification Bodies regarding the rights and guarantees for demobilised members of the Nicaraguan Resistance, repatriates and family members of both groups;

Social class No specific mention.

Gender

**Women, girls and
gender** No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family Page 2, VERIFICATION PROTOCOL, CHAPTER II, FUNCTIONS
Article 4. The Commission has the following functions:
a) analyse, review and evaluate reports previously made to the Government of the Republic of Nicaragua by the Verification Bodies regarding the rights and guarantees for demobilised members of the Nicaraguan Resistance, repatriates and family members of both groups;

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

**Political
institutions (new or
reformed)**

Governance→Political institutions (new or reformed)→General references

Page 1, Preamble

... IN LIGHT OF: the Government of the Republic of Nicaragua's invitation to His Most Reverend Eminence Cardinal Miguel Obando y Bravo and the International Support and Verification Commission of the Organization of American States to form a Tripartite Commission, and their willingness to contribute to the pacification of Nicaragua.

REITERATING: the commitment to overcome the situation of violence via an ad-hoc Commission comprising the signatory parties, whose actions and recommendations will help strengthen the rule of law.

RECOGNISING: the work of the Verification Bodies, His Most Reverend Eminence Cardinal Miguel Obando y Bravo, the International Support and Verification Commission of the Organization of American States and the work of President Violeta B. de Chamorro in organising this Commission.

Page 2, VERIFICATION PROTOCOL, CHAPTER I, CREATION, COMPOSITION AND MANDATE

Article 1. Creation of the Tripartite Commission to analyse and review, in the context of the political and social outlook in post-war Nicaragua, from 27 June 1990, cases of violence that have affected both former members of the Nicaraguan Resistance and other sectors of the population affected by collective conflicts and cases in which the presumed perpetrators of the reported events are former members of the Nicaraguan Resistance to facilitate the exchange of opinions on the origin of the violence in order to formulate recommendations to improve the coordination of and mechanisms for preventing and eradicating the problems identified to promote the stability and peace of Nicaragua; and strengthen the system for the protection of rights and guarantees for sectors of the population affected by the war.

Article 2. The Tripartite Commission comprises the Government of the Republic of Nicaragua, His Most Reverend Eminence Cardinal Miguel Obando y Bravo and the International Support and Verification Commission of the Organization of American States.

Article 3. The mandate of the Commission is derived from:

- a) the agreements signed by the presidents of Central America (Esquipulas II and Tela);
- b) the agreements signed between the Government of the Republic of Nicaragua and the Nicaraguan Resistance (Toncontín, Effective and Definitive Ceasefire, the Declaration of Managua and its Protocol) and subsequent agreements;
- c) the letter of invitation from the President of the Republic of Nicaragua, Violeta B. de Chamorro, to His Most Reverend Eminence Cardinal Miguel Obando y Bravo and the General Coordinator of the International Support and Verification Commission of the Organization of American States, Dr Santiago Murray, and the corresponding response;
- d) this protocol.

Page 2-3, VERIFICATION PROTOCOL, CHAPTER II, FUNCTIONS

Article 4. The Commission has the following functions:

- a) analyse, review and evaluate reports previously made to the Government of the Republic of Nicaragua by the Verification Bodies regarding the rights and guarantees for demobilised members of the Nicaraguan Resistance, repatriates and family members of both groups;
- b) analyse, review and evaluate reports of violations of rights inherent to human beings regarding situations of collective conflict and cases in which the presumed perpetrators of reported events are former members of the Nicaraguan Resistance;
- c) study all cases that may be subsequently reported regarding violations of citizens' rights and guarantees involving the sectors involved in the war included in Items a) and b) and that are reported to the Verification Bodies and/or this Commission;
- d) formulate recommendations of any kind regarding the respect and promotion of citizens' rights and guarantees;
- e) request reports from any authority or official related to the remit of this Commission;

Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general

Page 1, Preamble

UNDERSTANDING: its purpose is to guarantee the effective force of the rights and guarantees of the people of Nicaragua free from discrimination, in the broader context of human rights and associated international legislation, which forms part of the laws of the Republic of Nicaragua.

REITERATING: that peace is only possible under the rule of law and when human rights constitute the ethical code of behaviour for both governing and governed.

ACCEPTING: that the ideal of the free person, free from fear and misery, can only be achieved by creating conditions that allow each individual to exercise their economic, social and cultural rights, in addition to their civil and political rights.

CONSIDERING: that the situation of violence experienced in Nicaragua constitutes a serious obstacle to consolidating a regime based on individual freedom and social justice.

Page 1, Preamble

... REITERATING: the commitment to overcome the situation of violence via an ad-hoc Commission comprising the signatory parties, whose actions and recommendations will help strengthen the rule of law.

Page 2, VERIFICATION PROTOCOL, CHAPTER I, CREATION, COMPOSITION AND MANDATE

Article 1. Creation of the Tripartite Commission to analyse and review, in the context of the political and social outlook in post-war Nicaragua, from 27 June 1990, cases of violence that have affected both former members of the Nicaraguan Resistance and other sectors of the population affected by collective conflicts and cases in which the presumed perpetrators of the reported events are former members of the Nicaraguan Resistance to facilitate the exchange of opinions on the origin of the violence in order to formulate recommendations to improve the coordination of and mechanisms for preventing and eradicating the problems identified to promote the stability and peace of Nicaragua; and strengthen the system for the protection of rights and guarantees for sectors of the population affected by the war.

Page 2, VERIFICATION PROTOCOL, CHAPTER II, FUNCTIONS

Article 4. The Commission has the following functions:

a) analyse, review and evaluate reports previously made to the Government of the Republic of Nicaragua by the Verification Bodies regarding the rights and guarantees for demobilised members of the Nicaraguan Resistance, repatriates and family members of both groups;

Page 3, VERIFICATION PROTOCOL, CHAPTER II, FUNCTIONS

Article 4. The Commission has the following functions:

c) study all cases that may be subsequently reported regarding violations of citizens' rights and guarantees involving the sectors involved in the war included in Items a) and b) and that are reported to the Verification Bodies and/or this Commission;

d) formulate recommendations of any kind regarding the respect and promotion of citizens' rights and guarantees;

Bill of rights/similar No specific mention.

Treaty incorporation	<p>Page 1, Preamble</p> <p>UNDERSTANDING: its purpose is to guarantee the effective force of the rights and guarantees of the people of Nicaragua free from discrimination, in the broader context of human rights and associated international legislation, which forms part of the laws of the Republic of Nicaragua.</p>
Civil and political rights	<p>Human rights and equality→Civil and political rights→Equality</p> <p>Page 1, Preamble</p> <p>UNDERSTANDING: its purpose is to guarantee the effective force of the rights and guarantees of the people of Nicaragua free from discrimination, in the broader context of human rights and associated international legislation, which forms part of the laws of the Republic of Nicaragua.</p> <p>Page 1, Preamble,</p> <p>CONSIDERING: that the situation of violence experienced in Nicaragua constitutes a serious obstacle to consolidating a regime based on individual freedom and social justice.</p> <p>Human rights and equality→Civil and political rights→Other</p> <p>Page 1, Preamble</p> <p>... ACCEPTING: that the ideal of the free person, free from fear and misery, can only be achieved by creating conditions that allow each individual to exercise their economic, social and cultural rights, in addition to their civil and political rights.</p>
Socio-economic rights	<p>Human rights and equality→Socio-economic rights→Other</p> <p>Page 1, Preamble</p> <p>... ACCEPTING: that the ideal of the free person, free from fear and misery, can only be achieved by creating conditions that allow each individual to exercise their economic, social and cultural rights, in addition to their civil and political rights.</p>

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.

Protection measures	<p>Rights related issues→Protection measures→Protection of civilians</p> <p>Page 2, VERIFICATION PROTOCOL, CHAPTER I, CREATION, COMPOSITION AND MANDATE</p> <p>Article 1. Creation of the Tripartite Commission to analyse and review, in the context of the political and social outlook in post-war Nicaragua, from 27 June 1990, cases of violence that have affected both former members of the Nicaraguan Resistance and other sectors of the population affected by collective conflicts and cases in which the presumed perpetrators of the reported events are former members of the Nicaraguan Resistance to facilitate the exchange of opinions on the origin of the violence in order to formulate recommendations to improve the coordination of and mechanisms for preventing and eradicating the problems identified to promote the stability and peace of Nicaragua; and strengthen the system for the protection of rights and guarantees for sectors of the population affected by the war.</p>
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Other	No specific mention.
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Rights institutions

NHRI	No specific mention.
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Regional or international human rights institutions	No specific mention.
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Justice sector reform

Criminal justice and emergency law	No specific mention.
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State of emergency provisions	No specific mention.
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Judiciary and courts	No specific mention.
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Prisons and detention	No specific mention.
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Traditional Laws	No specific mention.
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Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees	Page 2, VERIFICATION PROTOCOL, CHAPTER I, CREATION, COMPOSITION AND MANDATE Article 1. Creation of the Tripartite Commission to analyse and review, in the context of the political and social outlook in post-war Nicaragua, from 27 June 1990, cases of violence that have affected both former members of the Nicaraguan Resistance and other sectors of the population affected by collective conflicts and cases in which the presumed perpetrators of the reported events are former members of the Nicaraguan Resistance to facilitate the exchange of opinions on the origin of the violence in order to formulate recommendations to improve the coordination of and mechanisms for preventing and eradicating the problems identified to promote the stability and peace of Nicaragua; and strengthen the system for the protection of rights and guarantees for sectors of the population affected by the war.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

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