

AGENDA OF THE DIALOGUE
23 May 2018
Presented by the Episcopal Conference of Nicaragua

I. DEMOCRATISATION

Constitutional mechanisms for the holding of a free and transparent electoral process in Nicaragua.

A. Free elections and constitutional mechanisms for the holding of a fair and transparent electoral process are the following:

1. A partial reform of the Political Constitution in order to advance presidential, municipal, legislative and autonomous regions elections, as soon as possible;
 - a. A transitory title that incorporates:
 1. Reduction of the term of office of national, municipal, regional and Central American Parliament authorities.
 2. Advancement and convocation to general elections of authorities subjected to popular election.
 3. Term reduction for the authorities of the powers of State: Supreme Electoral Council, Supreme Court of Justice and the Comptroller General of the Republic.
2. A reform that abolishes the deputation of the former president and vice president, as well as of the second placed candidate in the presidential elections; also, return to the percentage as in 1995 in order to be elected as president.
3. A reform of the Constitutional Law of the Legislative Power by adding a transitory article, which establishes that two legislatures will be running in 2018, the first from 9 January 2018 until 30 June and the second from August to December 2018, with the purpose of a partial reform of the Constitution and its immediate entry into force in 2018.
4. Approval of a Framework Law for the transition and democratic governability, in order to implement the political agreements of the National Dialogue, which establish the lines of action to guarantee the approach of this document and to finalise the structural reforms proposed in the Agenda of 21 May 2018, including but not limited to:
 1. The electoral calendar
 2. The guarantors (OAS, UN, European Union)
 3. The new authorities CSE, CSJ and the CGR resulting from the National Dialogue consensus
5. Prohibition of presidential re-election and positions subjected to popular election.
6. Formation of a new Supreme Electoral Council composed of honest magistrates of recognised experience, credibility, suitability and honesty, who ensure that the vote of the citizenship will be duly counted and respected.
7. A reform of the Electoral Law as a product of the National Dialogue table consensus, according to the road map formulated by both the OAS and the EU (2011 and 2016). Also incorporate the changes derived from judgments of the Inter-American Court of Human Rights.
8. Substitution of all division and departmental directors of the Electoral Power to purge personnel connected to certain political parties.

9. National and international electoral observation with the participation of: OAS, EU and Carter Center, among others.
10. A new law on political parties, which facilitates their democratisation.
11. Total political pluralism, including the restitution of legal personality to those parties from which it had been withdrawn illegally and facilitation for the acquisition of this personality for new parties. Respect to the already existing parties.
12. Incorporation of public subscription in the Electoral Law in order to present candidates.
13. Composition division of the regional, departmental and municipal electoral councils.
14. Debugging and updating of electoral rolls.
15. Supervision and regulation of the source of funds for the financing of electoral campaigns.
16. Creation of a national autonomous accreditation institute, which is independent from electoral power, with constitutional rank;

B. Other structural reforms

1. Full restoration of the social and democratic State of Law.
2. Recognition, respect and exercise of human rights and fundamental freedoms, with emphasis on freedom of assembly, civic and peaceful concentration and unrestricted freedom of thought, expression and information.
3. Total independence of the powers of State.
4. Reduction of the number of deputies in the National Assembly.
5. New formation of the Supreme Court of Justice.
6. Separation of the Nicaraguan Social Security Institute from the executive branch, establishing it as an autonomous, independent and non-partisan entity; defend the right to work, to salary and to security.
7. An autonomous and independent Comptroller General of the Republic with a new structure.
8. Total independence of the Attorney General's office and the Deputy Prosecutor and the Prosecutor General.
9. Restoration of university autonomy.
10. Subjection of the National Army and the National Police to the civil authority, emphasizing its national, non-partisan and professional character.
11. Full validity of the fundamental rights of the original populations, including the issue of land and invasion of lands and territories, and full validity of the autonomy of the Caribbean Coast in accordance with the legal and conventional legislation (ILO Convention 169).

C. THE ROLE OF THE NATIONAL DIALOGUE

These coinciding points, which reflect a broad participatory spirit of the different sectors convened in this national dialogue and that form a great national agreement, will be developed, scheduled and articulated in the aforementioned national dialogue through the corresponding constitutional and legal actions.

II. AGREEMENTS ON HUMAN RIGHTS AND SECURITY

1. Fulfilment of the fifteen recommendations of the preliminary report of the Inter-American Commission on Human Rights and establishment of monitoring mechanisms in the dialogue table with the IACHR to verify its implementation.
2. Formation of a *Truth Commission* managed by national and international human rights organizations, the Inter-American Commission on Human Rights (IACHR-OAS) and UN Human Rights Rapporteurs with the objective of investigating and sanctioning acts of violation of human rights in April and May of this year; promote the invitation of the Office of the High Commissioner for Human Rights of United Nations, according to his request dated on May 7 and 11 of this year.
3. Compensation and damage reparation to the victims through the creation of a Common National Fund of support.