



UPR 19th session

**Statement by Sweden in the  
interactive dialogue on Nicaragua**

*Delivered by Counsellor Anna Jakenberg Brinck  
Geneva, May 7, 2014.*

**Mme Vice President,**

Sweden wishes to thank the Nicaraguan delegation for taking an active part in the UPR.

The Nicaraguan Penal Code states a total ban on abortion, even in cases where the life or health of the mother is threatened or when the pregnancy is a result of rape or incest. The criminalization of abortion puts women, and especially young girls, at risk when they are forced to undergo unwanted or medically dangerous pregnancies. This denial of access to medical services is alarming and runs contrary to international conventions on human rights, as well as the Nicaraguan Constitution.

The recently ratified constitutional reform allows, among other things, indefinite re-election of the president and expands the role of the military. The amendments imply a political system with an undue concentration of power within the Executive, undermining a democratic system of checks and balances.

Formally, Nicaraguan courts are independent in relation to the Executive power. However, the courts, like several other institutions in the justice sector, are in practice highly politicized and partisan affiliation characterizes the appointment of judges. The independence of the judiciary as well as the quality of the courts' decisions are many times questionable.

Sweden recommends the following:

- Consider amending the legislation on abortion in order to, as a first step, take into account situations where pregnancy is the result of sexual aggression or incest or when the pregnant woman is in danger and assure women of their rights to safe medical and reproductive healthcare;
- Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);

- Institute appropriate reforms to ensure full impartiality of the judiciary and the separation and independence of powers in accordance with international standards associated with a democratic state;
- Accede to and fully align its national legislation with the Rome Statute of the ICC, including by incorporating provisions to cooperate promptly and fully with the ICC in investigations and prosecutions; and accede to the Agreement on Privileges and Immunities of the Court (APIC).

**Thank you, Mme Vice President**