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### **NICARAGUA**

After the civil war ended, a total of 94,413 soldiers were demobilized in Nicaragua.<sup>1</sup> One aspect of the illegal market for weapons in Nicaragua is a direct result of the government's disarmament policy of giving money, consumer goods and building material in return for weapons. Many groups saw this as a lucrative business opportunity and the result was a vicious cycle of disarmament and rearmament. The government had to negotiate approximately 55 different demobilization agreements with different armed groups. As late as the first half of 1999, the Nicaraguan government was still engaged in efforts to achieve the demobilization of those who had rearmed, and it is no longer apparent whether the currently armed groups are the same who fought in the war over the course of the 1980s. Many ex-combatants are still in possession of military weapons and it is virtually impossible to generate numbers about these arms. The military had very easy access to the arsenals, and there were no inventories of the number of weapons distributed.

The "black market" for weapons in Nicaragua is very active and growing. Many people come to Nicaragua to purchase weapons because it is currently one of the cheapest illegal weapons markets in the world and weapons are readily available. The most

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<sup>1</sup>Angel Saldomando, "Los rostros de la violencia" in Violencia Social en Centroamerica, (Managua: CRIES, 1999) 144.

common weapons found are the AK-47 and the M16 assault rifles. A rifle that costs \$400 would normally be sold for \$800 in an illegal transaction. On the black market in Nicaragua you can get it for \$150. According to an August report in *La Prensa*, an M-79 grenade launcher was selling for about \$400 and an AK-47 for \$80 on the black market.<sup>2</sup> The majority of the weapons trade takes place in the large cities of Managua, León and Granada as well as along the Pacific Coast and isolated Atlantic coastal region.<sup>3</sup>

Regional crime rings involving ex-combatants from both sides of the earlier conflict have become involved in drug trafficking. The rise in drug consumption and the amount of delinquency related to drug trafficking are the main indicators of the increase in narco-activity in Nicaragua.<sup>4</sup> Illicit arms are necessary to keep these enterprises going. Nicaragua's location right in the middle between the largest drug producing countries in South America and the principal markets in North America has made it one of the most principal transit points in Central America. In addition to its strategic location, the vast terrestrial waters especially on the scarcely populated Atlantic coast make Nicaragua a virtual "paradise" for drug-traffickers.

The Nicaraguan society is prone to the resolution of conflict by violent means. 600,000 Nicaraguans were armed during the war, which implies that an extremely high percentage of the population have received military training or have knowledge of arms.<sup>5</sup> Against such a background, the increasing delinquency and drug problems are especially alarming.

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<sup>2</sup> Douglas Carcache and Juan Rodriguez, "Trafico de armas amenaza otra vez el norte," *La Prensa*, 31 August 1999.

<sup>3</sup> Interview with Salvador Talavera, President of the cooperative Conor 3-80, 17 January, 2000.

<sup>4</sup> Javier Pichardo and Javier Melendez, *Defensa y Seguridad Nacional-Informe Preliminar*, (Managua: Centro de Estudios Estrategicos de Nicaragua, 1999), 29.

<sup>5</sup> *Ibid.*

In relation to the great problem of citizen insecurity, the number of private security companies has increased steadily over the past decade. In 1990 there were only four such companies and today the number has reached 60 and is still growing. Usually the guards employ military weapons and many of these companies function almost like small private armies. There is currently no legislation in existence to regulate their activities, but the development of an ethical code of conduct is being discussed.<sup>6</sup>

The owners of the private security companies are often high-ranking police officers or former military and security personnel. The conflict of interest between public and private security that this creates is currently an issue of great concern. The existence of such companies has also created a gap between the level of citizen security for those that can afford to pay for it and the rest of the population. So-called “micro security companies” is another emerging phenomena. Generally, they consist of 2-3 unemployed individuals who offer their security services in lower class and lower middle class areas. The arms they employ are mostly pistols.

The main cause of this raise in private security is the severe lack of public security personnel. The police are in dire need of resources. Compared to international standards, there is currently a deficit of about 12,000 police officers.<sup>7</sup> Because of their own inability to provide security in these areas, the authorities have provided farmers in the northern regions with guns for self-defense. They claim that both the number of guns and munitions are strictly controlled. However, as long as both more ammunition and guns can easily be purchased, this control has no real effect. Many of the weapons have fallen into the hands of local criminal groups. The result has been increased insecurity

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<sup>6</sup> Interview with Dr. Roberto Cajina, January 19, 2000.

<sup>7</sup> Ibid.

instead of instability in the northern regions. The most adversely affected areas are currently Matagalpa, Jinotega and Nueva Segovia. In turn, this has led to further demands for guns by the farmers. One of the main cooperatives in this area, Conor 3-80, is currently soliciting more arms from the government.<sup>8</sup>

### **Legislation**

Nicaragua is a party to the “Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials”, which entered into force on July 1st 1998. Together with El Salvador and Panama, Nicaragua is the few Central American country to ratify the convention.<sup>9</sup>

Nicaragua was the co-sponsor of four adopted UN resolutions pertaining to small arms. These were the resolutions 51/45 N, 52/38 G (Draft Resolution: A/C.1/52/L.18), 53/77 M “ (A/C.1/53/L.11/Rev.1) and 54/54H (A/C.1/54/L.20) all entitled “Consolidation of Peace through Practical Disarmament Measures”. In addition, Nicaragua voted in favor of the two resolutions 52/38 J (A/C.1/52/L.27/Rev.1)“Small Arms” and 54/54V (A/C.1/54/L.42/Rev.1) “Small Arms”.<sup>10</sup>

In terms of domestic legislation, the Nicaraguan laws are generally very old and were created under vastly different circumstances. The Penal Code is from 1983, according to which the illegal possession of arms is currently punished with a fine. The Law of the National Police (Ley 228) stipulates the requirements to obtain a weapon license. It establishes that an authorization from the police is required to carry or possess

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<sup>8</sup> Interview with Salvador Talavera, 17 January 2000.

<sup>9</sup>Organization of American States (database online), available from [www.oas.org/juridico/english/sigs/a-63.html](http://www.oas.org/juridico/english/sigs/a-63.html)

a firearm. According to police sources, the police will not issue a weapons license without checking the person's criminal record and whether they suffer from alcoholism or psychological problems.<sup>11</sup>

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<sup>10</sup>Margherita Serafini, "Small Arms: The Emerging Coalition of States for the UN Conference in 2001", (Monterey Institute of International Studies, 1999), 12-13, I.

<sup>11</sup>Celso Martinez O., "En el Norte ocurren los delitos mas peligrosos", La Prensa, 1 September, 1999.