

Unofficial translation.

DECREE A.N. No. 3584

THE PRESIDENT OF THE REPUBLIC OF NICARAGUA

It lets the Nicaraguan people know that:

THE NATIONAL ASSEMBLY OF THE REPUBLIC OF NICARAGUA

In use of their powers;

Has dictated

The next:

**DECREE
REGULATION TO LAW No. 28 "STATUTE OF AUTONOMY OF THE REGIONS
OF THE ATLANTIC COAST OF NICARAGUA"**

TITLE I

GENERAL DISPOSITION

CHAPTER I

PURPOSE AND SCOPE OF THE REGULATION

Art. 1. The purpose of these provisions is to regulate the provisions contained in Law No. 28 "Statute of Autonomy of the Regions of the Atlantic Coast of Nicaragua", published in La Gaceta, Official Gazette, No. 238 of October 30, 1987.

AREA OF APPLICATION

Art. 2. The application of this Regulation will be the territory of the Autonomous Regions of the Atlantic Coast and its adjacent islands and keys.

CHAPTER II OF THE DEFINITIONS

Art. 3. For the purposes of this Regulation, the following definitions are established:

Autonomy Regime: It is the system or form of government, legal, political, administrative, economic and financially decentralized that within the Nicaraguan State unit, establishes the attributions of the Autonomous Regions of the Atlantic Coast of Nicaragua, of their organs of administration, the rights and duties that correspond to its inhabitants for the effective exercise of the historical rights of the indigenous peoples and ethnic communities of the Atlantic Coast of Nicaragua, established in the Political Constitution of the Republic of Nicaragua, Law 28 and other laws of the Republic.

Organic regional autonomy means:

Legal Autonomy: As the competences and powers are derived from the Political Constitution and Law 28.

Political Autonomy: It is the power to elect its own authorities through universal, equal, direct, free and secret vote.

Regulatory Autonomy: It is the power to regulate matters within its competence through resolutions and ordinances of mandatory compliance in its jurisdiction.

Economic - Financial Autonomy: It is the power to manage its assets, the financial resources that are provided by the State and those obtained by other national and international sources, for the development of regional economic plans, programs and projects.

Organizational Autonomy: It is the right to live and develop under the proper forms of social organization that correspond to their historical and cultural traditions.

Cultural Autonomy: It is the right of the Autonomous Regions to preserve and promote their multiethnic culture.

Administrative Autonomy: It is the ability to create its own administrative apparatus in order to comply with the attributions that are its own and to establish its own policies and rules regarding the matters that concern them.

Communal Assembly: It is the meeting of the members of the community, gathered to make decisions on matters that are of interest to them. In accordance with their customs and traditions.

Traditional Communal Authority: It is the traditional authority of the indigenous and ethnic communities elected in assemblies according to their customs and traditions to represent and govern them.

Territorial Authority: It is the inter-communal authority, elected in assemblies that represents a group of indigenous communities that form a territorial unit and whose members are elected by the communal authorities in accordance with the procedures they adopt.

Communal Use Area: These are those areas that are traditionally shared between two or more indigenous communities to the exclusion of third parties.

Communities of the Atlantic or Caribbean Coast of Nicaragua: It is understood as the legal - social - political entities, constituted by Miskitos, Mayagnas or Sumus, Ramas, Creoles, Garifonas and mestizos that live in the Autonomous Regions with jurisdiction to administer their affairs under their own forms of organization in accordance with their traditions and cultures, recognized in the Political Constitution and Law 28.

Ethnic Community: It is the set of families of Ameri-Indian and/or African descent who share the same ethnic consciousness easily identifiable by their culture, values and traditions of harmonious coexistence with nature, linked to their cultural roots and forms of possession and use communal land.

Indigenous Community: It is the set of families of Ameri-Indian descent who share feelings of identification, linked to their aboriginal past and who maintain traits and values of their traditional culture, as well as forms of ownership and communal use and of their own social organization.

Autonomous Regional Council: It is the highest authority of the Autonomous Regional Government in each of the autonomous regions, it is constituted by the Autonomous Regional Council chaired by its Board of Directors and the other administrative bodies in the Region. Based on the provisions of article 15 of the Statute of Autonomy of the Regions of the Atlantic Coast of Nicaragua.

Coordination: It is the duty of the national State to establish harmonious relations between the regional autonomous administration and the other public administrations of the country, as public administrations and a reflection of constitutional principles.

It is the power to coordinate the local administration and especially the Autonomous Regions in the exercise of their powers, according to the scope established by the Law, with the ministries of State and autonomous entities, as well as with the other authorities of the region.

Coordination contributes to the unity and coherence of public management in compliance with the Law. It is a horizontal relationship that derives from the constitutional order and the spirit and letter of the law.

Regional Health Model: It is the set of principles, norms, provisions, regimes, plans, programs, interventions and instruments adopted by the autonomous regions through binding and mandatory resolutions, which guide and direct health action in their respective autonomous regions.

Territory: It is the geographic space that covers the entire habitat of indigenous and ethnic peoples.

Communal Land: It is the geographical area in possession of an indigenous and/or ethnic community, either under real title of ownership or without it. It includes the lands inhabited by the community and those that constitute the traditional scope of its social, economic, cultural, religious and spiritual activities, including hunting, fishing and agriculture, cemeteries and other sacred places of the community. Communal lands cannot be taxed nor seized and are inalienable and imprescriptible.

Communal Property: It is the collective property, constituted by the communal lands and the natural resources and other contents in it, traditional knowledge, intellectual and cultural property, biodiversity resources and other goods, rights and actions that belong to one or more indigenous communities or ethnic.

Indigenous People: It is the set of indigenous communities that maintain a historical continuity with pre-colonial societies and that share and are determined to preserve, develop and transmit to generations, their traditional territories, their own cultural values, social organizations and systems legal.

TITLE II

OF THE POLITICAL-ADMINISTRATIVE REGIME AND INTERNAL TERRITORIAL DIVISION

SINGLE CHAPTER

Art. 4. The Autonomous Regions of the North Atlantic and South Atlantic have their administrative headquarters in the city of Bilwi and Bluefields, respectively, where they function in an ordinary way; being able to settle in other parts of the national territory in extraordinary circumstances, these being the following:

- a. By natural catastrophe.
- b. Due to war situations.

c. By provision of the respective Autonomous Regional Council.

Once the extraordinary circumstances disappear, the regional administration will once again function in the seat that by law corresponds.

TITLE III

OF THE ATTRIBUTIONS OF THE AUTONOMOUS REGIONS

CHAPTER I

Art. 5. For the effective exercise of the powers of the Autonomous Regions, the following is established:

- a) Prepare and execute a strategic plan for comprehensive regional development taking into account civil society, bilateral and multilateral organizations, governmental, non-governmental and municipal and community authorities of the Atlantic Coast to harmonize them with national plans and programs. The Committee on Ethnic Affairs and Indigenous Communities every six months will present to the plenary session of the Assembly the progress made in the preparation or execution of the Regional Development Plan.
- b) Receive from the central government the resources and means necessary to administer the programs of health, education, culture, transportation, basic services, sports and infrastructure in coordination with the corresponding instances or ministries, taking into account the particular conditions of the Atlantic Coast, the that must be included in the General Budget of the Republic.
- c) Jointly guarantee the regional councils, municipal governments and the central government the approval of investment projects, concessions, contracts, licenses and permits that are scheduled to be developed in the Autonomous Regions and in their areas of competence.
- d) Participate in the National Council for Economic and Social Planning (CONPES).
- e) The territory of each autonomous region shall be divided for its administration into municipalities, which shall be established, as far as possible, in accordance with their communal traditions and shall be governed by the law on the matter. The administrative subdivision of the municipalities will be established and organized by the corresponding Regional Councils, in accordance with their traditions.

f) Propose initiatives of law in matters of its competence in accordance with article 140 of the Political Constitution.

g) To promote traditional exchange with the nations and peoples of the Caribbean in accordance with the national laws and procedures that govern the matter.

CHAPTER II

REGIONAL PROGRAM ADMINISTRATION

Art. 6. The different ministries of the State and autonomous entities expressly indicated in paragraph 2 of article 8 of the Statute of Autonomy of the Regions of the Atlantic Coast of Nicaragua will coordinate with the Regional Autonomous Councils all aspects related to the administration of health programs, culture and supply, transportation, communal services and others, as well as the steps required for decentralization that the regional autonomous administration implies to guarantee coordination relations, autonomous entities together with the Autonomous Regions must constitute a jointly integrated coordinating Commission between each Ministry or autonomous entity and the Regional Councils. Said Commissions must be established or no later than 60 days after the Regulation is approved.

Art. 7. The attribution referred to in subsection 2 of Article 8 of Law No. 28 relative to regional administration in coordination with the corresponding ministries of State, will be developed as follows:

a) The corresponding state institutions will provide technical-administrative and material advice to the regional institutions.

b) Prepare, execute, administer and evaluate the corresponding budgets, including aspects of human, material, technical and financial resources.

c) Prepare, administer, execute, monitor, control and evaluate the Investment Plan of the Region, in coordination with the respective State ministries and municipal governments.

d) Define and execute, control and evaluate the Plan for the Development and Maintenance of the existing Infrastructure and its necessary equipment, in order to provide the basic conditions for the provision of services to the population, in coordination with the respective central government institutions and the corresponding municipal government.

- e) Manage and administer the resources from external cooperation for the execution of regional investment projects, report on the use of these resources to the cooperation agency and the Regional Council.
- f) Maintain close collaboration with external cooperation organizations for the execution of regional investment projects, report on the use of these resources.
- g) Encourage social and community participation in projects for the development of basic services and in campaigns that are promoted for their benefit.
- h) Coordinate actions with the central government, municipal governments and communal authorities, in order to effectively carry out programs and projects in the autonomous regions.
- i) Regularly carry out basic studies and research that provide feedback on the provision of services, the development of production and trade.
- j) Promote and develop training programs and actions for regional officials, so that they better meet their objectives and goals.

Art. 8. The definition of content and focus of the education plans and programs for the autonomous regions are framed in the Regional Autonomous Educational System (SEAR) consigned in the National Education Plan whose fundamental axes are: Autonomy, interculturality, belonging, quality, solidarity and gender equity.

Art. 9. The Ministry of Education, Culture and Sports and related institutions will accompany the regional educational institutions in the design and definition of the contents of ordinary and special educational plans and programs, taking into consideration the following aspects:

- a. The multiethnic, multilingual, multicultural character of the Nicaraguan nation.
- b. The incorporation of the cultural, historical and socioeconomic elements of the Autonomous Regions and their indigenous and ethnic communities of the Atlantic Coast of Nicaragua.
- c. The particular educational needs of the Autonomous Regions and their indigenous and ethnic communities.
- d. An appropriate theoretical-practical balance and an adequate connection with the cultures and productive experiences of the multi-ethnic communities of the Atlantic Coast.
- e. The development of alternative models that harmonize traditional technologies and values with the scientific and technical development of the

nation. The content of these plans and programs must guarantee the right of the inhabitants of the indigenous and ethnic communities of the Atlantic Coast of Nicaragua, to education in their mother tongue and in Spanish, collecting their historical heritage, their value system, and traditions and the characteristics of its environment.

Art. 10. In the Autonomous Regions, bilingual and intercultural educational plans and programs will be promoted and bilingual education and training will be developed for the teachers participating in these plans and programs, in accordance with the laws on the matter.

Art. 11. To make territorial decentralization effective, mixed commissions will be created, integrated equally by the Ministry of Education, Culture and Sports and the Autonomous Regional Councils, whose main function will be to design the implementation and monitoring of the educational decentralization process and the transfer of competence and resources to the Autonomous Regions.

Art. 12. In order to achieve a more comprehensive and pertinent education, the Regional Autonomous Education System (SEAR) incorporates the traditions and values of indigenous education into its plans and programs. It will be the obligation of the Ministry of Education, Culture and Sports to guarantee the resources and means necessary for the implementation of this new educational model.

Art. 13. The Autonomous Regions may request regional, national and foreign universities the necessary support to design, organize and execute plans and programs aimed at the education, training and professionalization of their inhabitants in the higher field and support in areas or specialties of interest to regional development.

Art. 14. Health services will be provided based on the policies and norms defined by the Ministry of Health, rescuing in a scientific way the use, development and dissemination of traditional medicine knowledge of the communities of the Atlantic Coast of Nicaragua.

Art. 15. The investment plan for the sector in the Autonomous Regions should be oriented towards strengthening the training of human resources, physical infrastructure, and improving medical and non-medical equipment and supplies.

Art 16. The Autonomous Regions, in coordination with the Ministry of Health, will prepare and promote a global development strategy in this sector, which contributes to the strengthening of primary care services, preventive medicine, health rehabilitation, incorporating the promotion of community participation and intersectoral.

CHAPTER III

FROM THE PROMOTION OF OWN PROJECTS

Art.17. Within the attributions set forth in subsection 3 of Article 8 of the Statute of Autonomy, to promote their own economic, social and cultural projects, the Autonomous Regions are empowered to:

a. Define and promote its own model of socio-economic and cultural development according to its own present reality and perspectives, guaranteeing the validity of democratic principles and ideals by developing the following projects: fishing, mining, organic agriculture, natural medicine, community tourism, handicrafts, energy sources, oxygen production, reproduction of exotic fauna and flora, zoos, banks, commerce, industry in general, free zone and assemblers.

The approval of the economic projects will be made by means of a request that the proposer will present to the Regional Council, accompanied by the study of economic feasibility, social and environmental impact. For which the Autonomous Regional Council will resolve in ordinary or extraordinary session.

b. Prepare and implement technical assistance and training programs, for which support must be requested at all national and international levels. Creating storage capacities for products and establishing the market for them.

c. Promote programs and actions that promote and encourage the increase of agricultural production, artisanal activity, small and micro-enterprises and agro-industrial activity, as well as ecotourism at the regional level.

d. Promote the industrial development of the region, according to the Strategic Plan.

e. To approve, through ordinances, the norms and procedures for the design of regional strategies on the use and enjoyment of natural, renewable and non-renewable resources and that also make possible the strengthening and institutional development, to guarantee the process of regulation, regulation, control, analysis, planning, administration, use, conservation and sustainability of natural resources.

F. Develop and control the tourism industry in the Autonomous Regions.

g. Create and keep updated a database of the Region of public access.

CHAPTER IV

THE RATIONAL USE OF WATERS, FORESTS AND COMMUNAL LANDS AND THE DEFENSE OF THEIR ECOLOGICAL SYSTEM

Art. 18. The Autonomous Regions shall establish, in accordance with numeral 4 of Article 8 of the Statute of Autonomy, the appropriate regulations to promote the rational use, enjoyment and enjoyment of the waters, forests, communal lands and the defense of their ecological system, taking into consideration the criteria of the communities of the Atlantic Coast of Nicaragua and the norms established in this regard by the competent bodies.

Art. 19. The powers established in the previous article include the following powers:

- a. Establish research centers that make it possible to carry out studies that make it possible to diagnose the real material base in the Autonomous Regions that contribute to the definition of the policies, strategies, plans, programs and projects required for regional socio-economic development. Said studies will be aimed at determining the regional productive potential, the existing ecosystems, the available and necessary infrastructure, the appropriate technology for the sustained use of natural resources, the existing and indispensable internal and external qualified human resources, the investments that must be made to increase the possibilities of exploitation and others.
- b. Define and put into practice, in coordination with the relevant ministries and state institutions, specific norms to regulate the sustainable use of natural resources in the Autonomous Regions, without prejudice to national norms and the provisions of the laws relating to rational use and conservation of the same in the region.
- c. Determine and define together with the competent state entities, quotas for the use of natural resources in order to guarantee their sustained use. Likewise, a regional system of regulation, control and evaluation, for which community participation is contemplated and has a strong educational content.
- d. Administer, define and apply measures aimed at environmental education related to fisheries, forest resources, non-renewable resources and above all the application of national laws, resolutions and regional ordinances in force or that are issued in the field of natural resources.
- e. Formulate and execute, in coordination with the Nicaraguan Institute for Territorial Studies (INETER) and other entities, a program aimed at

organizing the territory of the Autonomous Regions for the use of their natural resources.

F. Design and implement, in coordination with the Central Government, the modalities of rational exploitation, exchange and payments, which benefit to the maximum the development of the communities where these resources exist and contribute to the elimination of possible conflicts due to the use and exploitation of the same, between national, regional, municipal authorities and the communities.

g. Guarantee respect for the validity of the traditional forms of land tenure and the practical conception of the use and sustainable exploitation of the land by the communities.

h. Promote research on traditional and appropriate technologies used by communal productive organizations, the different forms of application and transfer of the results obtained.

i. Regulate the use of technology by the economic units that operate within their jurisdiction, in order to enable adequate management and sustained use of natural resources. The companies must transfer technologies and knowledge to the communal productive organizations that are in their environment and they will rescue from these, to incorporate them into their own productive processes, those technological elements particularly linked to the adequate use and conservation of natural resources.

j. Promote the introduction of appropriate technologies for the conditions of the environment and local culture. To this end, the Autonomous Regional Councils will prepare and manage, in coordination with the Central Government, special support projects consisting of obtaining exemptions from various taxes for the introduction of these technologies to the different forms of productive organization and facilities for the clearance of goods from capital.

k. Promote policies to encourage the establishment and development of aquaculture, breeding farms, nurseries and micro-nurseries, forest plantations and others, by companies, cooperatives, communities and individuals.

l. Promote, establish and sustain national parks and protected areas of the natural resources existing in the Autonomous Regions and whose level of exploitation puts them in danger of extinction. The national parks and protected areas created by the central government in the Autonomous Regions will pass under their administration, guaranteeing the transfer of the material, financial and technical resources they have at the time of delivery.

m. Protect, in coordination with specialized bodies, the hydrographic basins with the appropriate management of soils and waters, in order to obtain their integral and multiple development and the benefits of the conservation and use of their natural resources.

CHAPTER V

OF TRADITIONAL CULTURES

Art. 20. As established in paragraph 5 of article 8 of the Statute of Autonomy, it is the responsibility of the Autonomous Regions to promote the study, promotion, development, preservation and dissemination of the traditional cultures of the communities of the Atlantic Coast of Nicaragua, as well as its historical, artistic, linguistic and cultural heritage.

These powers include:

- a. Guarantee that education promotes, rescues and preserves the values and culture of its inhabitants, their historical roots and traditions, and develops a conception of national unity in multiethnic and multicultural diversity and that these are incorporated into the regional educational system.
- b. Carry out studies and research and disclosures related to the indigenous culture existing in the Autonomous Regions.
- c. Prepare and promote a program for the investigation, rescue and preservation of the mother tongues of the communities of the Atlantic Coast of Nicaragua.
- d. Develop programs aimed at preserving, promoting and fostering cultural and sports activities, strengthening the necessary regional infrastructure at all levels and the participation of the people in sports and cultural activities that are carried out, both at the communal and municipal level. , regional, national and international.
- e. The Regional Councils will guarantee the necessary support to continue with the Atlantic sports series with the participation of representatives from the Autonomous Regions.
- F. Each Regional Council will establish in its respective region, the museum, the library, the school of fine arts, and the language academy, social media (spoken, written, visual and others).

CHAPTER VI

OF THE NATIONAL CULTURE

Art. 21. The attribution of promoting national culture in the communities of the Atlantic Coast of Nicaragua, indicated in paragraph 6 of article 8 of the Statute of Autonomy, will be made effective through the promotion of programs and activities based on the conception of national unity in the multiethnic and multicultural diversity, participating in national events promoting the exchange of cultural experiences.

CHAPTER VII

OF THE TRADITIONAL EXCHANGE WITH THE CARIBBEAN

Art. 22. The general attribution of promoting commercial and cultural exchange with the nations and peoples of the Caribbean consigned in paragraph 7 of article 8 of the Statute of Autonomy, will be carried out in accordance with the national laws and procedures that govern the matter.

a. To make commercial and cultural exchange with the Caribbean practical, the Bluefields, Bilwi and Corn Island airports will be conditioned and declared international airports. The other ports in the region will be conditioned for the traditional commercial exchange with the Caribbean, this commercial exchange with the Caribbean includes the conditioning of the existing river ports in the Autonomous Regions. The competent entities in this matter will support through special programs in technical and financial aspects to the Autonomous Regional Governments in the fulfillment of this attribution.

The Regional Councils will participate in fifty percent of the profits produced by the regional airports; these will be invested in improving the health and education sector in the region.

b. To strengthen the traditional exchange with the Caribbean, the Regional Governments will promote the creation of free zones and free ports.

c. In the Nicaraguan diplomatic and consular representations in the Caribbean countries, the Foreign Ministry will take into account citizens of the autonomous regions.

CHAPTER VIII

OF THE ARTICULATION OF THE INTRAREGIONAL AND INTERREGIONAL MARKET

Art. 23. The attribution set forth in paragraph 8 of article 8 of the Statute of Autonomy to promote the articulation of the intraregional and interregional market, thus contributing to the consolidation of the regional and national market, includes:

- a. Guarantee the participation of the Regional Councils in the discussion of market policies that have to do with the Caribbean Coast of Nicaragua.
- b. Formulate and execute with the technical and financial collaboration of the competent regional and national entities, projects, plans and programs, taking into account the following aspects: The capacity of the Autonomous Regions in terms of production and productive infrastructure, level of supply and demand for goods and services, storage capacity, forms and mechanisms of traditional exchange, the characteristics of communication routes and others.
- c. Participate in the discussion for the design and implementation of development credit programs promoted by the government and impact on the Autonomous Regions considering their productive characteristics.

CHAPTER IX

REGIONAL EXPLOITATION OF NATURAL RESOURCES

Art. 24. The powers of the Autonomous Regions regarding the rational exploitation of natural resources in their territory, contained in article 9 of Law 28, include:

- a. Establish interregional agreements (RAAN-RAAS), relating to policies and strategies for the rational and sustained use of natural resources.
- b. Formulate and implement measures to promote and promote activities aimed at the sustained use and conservation of natural resources that benefit the different property sectors, prioritizing the communities of the Atlantic Coast of Nicaragua. These measures must contemplate the financing of these activities through plans and programs that the Central Bank of Nicaragua determines for this purpose and through existing financial resources in the Special Fund for Development and Social Promotion, the provision of technical assistance, the provision of teams with credits, preferences, the provision of supplies in a prioritized manner and the training of communities.

c. Delegate two members of the Regional Council to the Committees for Bids and Awards of Licenses, Concessions, Contracts or Permits for the Use of natural resources, existing in the territory developed by the corresponding entities. Likewise, regulate the exercise of the sport of hunting and fishing, conducting studies and observing natural resources and exchanging products.

d. Keep a record of the natural and legal persons authorized, through a concession, license or permit, for the sustainable use of natural resources in the Region.

e. For the use of natural resources in communal lands, the right of ownership of the communities over them is recognized and the benefits will be distributed in accordance with the provisions of Law No. 445 "Law of the Regime of Communal Property of Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and the Bocay, Coco, Indio and Maíz Rivers.

The Regions, to the extent of their economic possibilities, by mutual agreement with the Central Government, may increase these amounts until they reach one hundred percent.

TITLE IV

OF THE AGREEMENTS BETWEEN THE AUTONOMOUS REGIONAL GOVERNMENTS AND THE CENTRAL GOVERNMENT

SINGLE CHAPTER

Art. 25 The agreements between the regional governments and the central government will be strictly enforced and guaranteed by the corresponding ministries and institutions. Otherwise, those affected may assume the administrative and legal procedures that they deem pertinent to ensure such compliance.

TITLE V

OF THE RIGHTS, DUTIES AND GUARANTEES OF THE INHABITANTS OF THE COMMUNITIES OF THE ATLANTIC COAST OF NICARAGUA

SINGLE CHAPTER

Art. 26. The election, dismissal and term of office of the communal authorities will be made in accordance with the provisions of Law No. 445 Law of the Regime of

Communal Property of the Indigenous Communities of the Atlantic Coast and the Bocay, Coco and Rivers. Indian, Corn.

It will correspond to the Regional Councils to ensure, recognize, and certify the election of the Communal Authorities in their jurisdiction.

Art. 27. The organization and transmission of the use and enjoyment among its members of the communal forms of property in the communities of the Atlantic Coast of Nicaragua, will be regulated by the communal authorities themselves according to their customs and traditions, in accordance with the Law.

TITLE VI

OF THE REGIONAL ADMINISTRATION

CHAPTER I

OF THE AUTONOMOUS REGIONAL COUNCIL

Art. 28. Each Autonomous Regional Council has the following powers:

- a. The conduction and direction of the Autonomous Regional Government and of each one of its regional administrative bodies.
- b. Prepare and present to the National Assembly the preliminary draft of the Law of the Regional Arbitration Plan.
- c. Effectively participate in the processes of preparation, planning and monitoring of economic, social and cultural, regional and national policies and programs that affect or concern their region, integrating the National Planning Council and the different instances that for this purpose are created from in accordance with the provisions of the Political Constitution, the Statute of Autonomy and these Regulations.
- d. Resolve border disputes between the communities of their region, after analysis and opinion of the corresponding Commission of the corresponding Autonomous Regional Council.
- e. Establish the administrative policy and ensure the correct use of the Special Fund for Social Development and Promotion, in accordance with paragraph 6 of Article 30 of the Statute of Autonomy.
- f. Appoint the regional institutional delegates of the Atlantic Coast in coordination with the Ministries of State.
- g. Periodically request reports and question, as the case warrants, the delegates of the ministries and other government entities and regional

officials, in accordance with the procedure established in the internal regulations of the Autonomous Regional Council.

h. Define and approve through the Board of Directors the organizational structure and executive direction of the regional administration in coordination with the regional coordinator.

i. Create in each Autonomous Regional Council an instance that ensures:

i.1. The effective and systematic participation of regional, municipal and communal women's organizations in the process of defining policies, preparing, executing and evaluating plans and projects that are developed in the Autonomous Regions.

i.2. Promote an equal participation of women in the management positions of the different instances of the Autonomous Regional Government and other regional administrative bodies.

i.3. Promote an equal participation of women in the management positions of the different instances of the Council and Autonomous Regional Government.

i.4. Establish mechanisms that ensure a system of dissemination, education, control, and monitoring of the application in the Autonomous Regions of the laws that are enacted for the benefit of women, youth, children, and the family at the

j. Prepare its internal regulations, approve it and reform it with the favorable vote of the majority of the members that make up the Autonomous Regional Council.

k. Approve, both Regional Autonomous Councils jointly and with the favorable vote of two thirds, the preliminary draft of reforms to the Autonomy Law that are necessary.

l. Approve, monitor and control the Annual Regional Development Plan that is prepared within the framework of the Strategic Plan for Regional Development, as well as the programs and projects to be executed in the Region.

m. Manage financial, technical and material support, nationally and internationally for the development of the economic and social sectors of the Region.

n. Other attributions established in the Statute of Autonomy in these Regulations, in their respective internal regulations and in the other laws of the Republic.

ñ. Manage the Heritage of the Region.

CHAPTER II
OF THE BOARD OF DIRECTORS OF THE REGIONAL COUNCIL

Art. 29. The Board of Directors of the Regional Council is the coordinating and administrative body of the Autonomous Regional Council. Its powers, in addition to those contained in Law 28, will be regulated by the Internal Regulations of the Regional Council and other laws.

CHAPTER III
FROM THE REGIONAL COORDINATOR

Art. 30. The position of Regional Coordinator is executive and administrative in nature and his function will be determined by resolutions and ordinances of the Autonomous Regional Council.

In addition to the attributions contained in Law 28, the Regional Coordinator is responsible for fulfilling the following functions:

- a. Present semiannual reports to the Regional Council regarding the fulfillment of its functions.
- b. Prepare and present through the Board of Directors to the plenary session of the Autonomous Regional Council the proposal for the organization and direction of the executive apparatus of the regional administration for its due approval.
- c. Direct the executive activities of the Autonomous Region, in accordance with the organizational policies and approved by the plenary session of the Autonomous Regional Council.
- d. Manage matters within its competence before national and international authorities.
- e. Prepare and present to the Autonomous Regional Council, in conjunction with its respective commission, the annual development operating plan and regional budget.
- f. The others conferred by the Statute of Autonomy these Regulations, the internal regulations of the Council and other laws of the Republic.

CHAPTER IV COMMUNITY AUTHORITIES

Art. 31. The Communal Assembly constitutes the highest authority of the indigenous and ethnic communities, the legal representation of the communities corresponds to the communal authorities.

Art. 32. The communal authorities are traditional administrative and government bodies that represent the communities that elect them according to their customs and traditions.

Art. 33. The communal authorities administer justice within the communities and between the communal ones, in accordance with their customs and traditions.

TITLE VII OF THE RELATIONS BETWEEN THE AUTONOMOUS REGIONS AND MUNICIPALITIES

CHAPTER I OF THE RESOLUTIONS AND JOINT ORDINANCES

Art. 34. The Regional Autonomous Councils, through their boards of directors, will establish among themselves the necessary relationships to strengthen the autonomy process, in order to resolve matters of regional interest, exchange experiences and establish mechanisms of mutual cooperation to develop projects and execute intraregional works.

To regulate matters of mutual interest, the Autonomous Regions will adopt the pertinent decisions through resolutions and ordinances.

CHAPTER II THE AUTONOMOUS REGIONS AND MUNICIPALITIES

Art. 35. The Autonomous Regions, through their Regional Councils, will establish with the municipalities and indigenous and ethnic communities included in their territory, relations of cooperation and mutual support for municipal and regional

management and development, respecting the autonomy at both levels of government. The municipalities of the autonomous regions will be governed by the Statute of Regional Autonomy and laws 40 and 261, laws on the matter.

Art. 36. Municipalities and indigenous and ethnic communities will participate, through their mayors or municipal councils, or their representatives in the preparation, execution, monitoring, control and evaluation of regional development plans and programs in the manner established in the Internal Regulations of the Autonomous Regional Council.

Art. 37. Municipal matters that are not regulated by the Municipal Law will be dealt with jointly by the municipal authorities and the Regional Councils.

Art. 38. For the development of their powers, the municipalities of the Autonomous Regions will establish the necessary coordination with the Regional Council.

The municipalities of the Autonomous Regions must report every six months to the Autonomous Regional Councils.

Art. 39. The Community Assembly may delegate to its members or to recognized bodies within the organization of the community, the care, treatment and management of the communities' own and particular affairs to the municipality.

CHAPTER III

OF THE RELATIONS BETWEEN THE AUTONOMOUS REGIONS AND THE REPRESENTATIONS OF THE POWERS OF THE STATE

Art. 40. The special regulations on the administration of justice, which reflect the peculiarities of the communities of the Atlantic Coast of Nicaragua, will be established on the basis of coordination between the Judicial Power and the Autonomous Regional Councils and other competent authorities. Similarly, the necessary coordination will be established with the representations of the Powers of the State, in order to harmonize the application of national laws and the Autonomy Law of the Atlantic Coast.

TITLE VIII

OF THE HERITAGE AND THE REGIONAL BUDGET

CHAPTER I

OF THE HERITAGE OF THE AUTONOMOUS REGIONS

Art. 41. The patrimony of the Autonomous Regions is made up of their public domain assets.

Art. 42. The following are part of the heritage of the Autonomous Regions:

- a. The Special Fund for Development and Social Promotion.
- b. Your personal and real property acquired under any title.
- c. The product of the fees for services and uses, excise taxes, special contributions, fines, rents, royalties, transfers and other assets that are established in the Regional Arbitration Plan of the execution or special laws.
- d. The product of the recovery of your investments and the savings resulting from their execution.
- e. Donations and bequests received from external and internal sources.
- f. The profits of the economic activities of the companies in which it has participation.
- g. Transfers assigned in the General Budget of the Republic.
- h. It is also the heritage of the Autonomous Regions, their languages, cultures, arts and historical heritage.
- i. The others that are attributed to them by law.

CHAPTER II

REGIONAL BUDGET

Art. 43. The Regional Councils will present, no later than July 31 of each year, to the Presidency of the Republic through the Ministry of Finance and Public Credit, the preliminary draft of the Regional Budget to finance the plans and programs that the Regional Councils will promote through of its executing apparatuses, will establish the procedures and forms of participation of each one of the regional organizations that intervene in this process.

Art. 44. Once the proposed budget presented is approved, the Autonomous Regional Councils will be informed about it by the Executive Power, for these in turn inform the respective regional institutions about the budget, policies, plans and programs that will be promoted by law in the following year in the respective Region.

Art. 45. The processes of execution, follow-up, control and evaluation of the budget, the regional policies, plans and programs and the national ones with

regional incidents, will be carried out jointly through the periodic coordination with the governmental organisms of the region, within the framework of the provisions of the Budgetary Regime Law, without prejudice to the initiative adopted for this purpose by the Autonomous Regional Councils.

Art. 46. Regional income can be tax, private, financial transferred by the Central Government and any other that may be determined by laws, decrees or resolutions.

Art. 47. Tax revenues will be regulated according to the need to provide and improve services to the communities, the economic capacity of the inhabitants and the economic policies of the nation, after technical studies have been carried out.

Art. 48. Tax revenues will come from service and use rates, excise taxes, special contributions and in general all the sources provided for in subsection d) of article 43 of this Law.

Art. 49. The allocation of expenditures in the budget should be in accordance with the anticipated income. Expenses that are not foreseen in the budget cannot be committed. The regional budget begins on January 1 and ends on December 31 of each year.

Art. 50. The regional budget must be approved by the Regional Council before July 31 of the year preceding the budget and sent to the Presidency of the Republic, in order to be considered in the draft of the General Budget of the Republic, all items that must be transferred to the Autonomous Regions.

Art. 51. Once the Annual Budget Law has been approved, the Ministry of Finance and Public Credit will deliver to the Autonomous Regional Councils the funds corresponding to the budget items for the expenses of the Autonomous Regions, following the provisions of the established budget execution regulations.

Art. 52. The control and evaluation of the budget of the Autonomous Regions are subject to the regulations issued by the Regional Councils, the Ministry of Finance and Public Credit and the Office of the Comptroller General of the Republic.

CHAPTER III

OF THE SPECIAL FUND FOR DEVELOPMENT AND SOCIAL PROMOTION

Art. 53. The Special Fund for Development and Social Promotion is understood to be the set of financial resources destined for social, productive and cultural investment typical of the Autonomous Regions.

Art. 54. The Special Fund for Development and Social Promotion, will be made by common agreement between the Autonomous Regions and the National

Government, will be constituted with resources originating from the General Budget of the Republic and other extraordinary income.

It is the responsibility of the Regional Coordinator to administer this fund according to the policy established by the Regional Council and will render a semi-annual report to it, on its use, through the Board of Directors.

Art. 55. The objective of the Special Fund for Development and Social Promotion is that the Autonomous Regions have a mechanism that financially supports the regional planning system as a basic instrument for its reactivation, reconstruction and economic and social transformation.

Art. 56. The regulations related to the authorization of the Special Fund for Social Development and Promotion, its objectives, the definition of its capital, the increase and capital contributions, its directive, executive and other bodies, will be established in an ordinance that will be issued for this purpose, the Autonomous Regional Council, no later than three months after the entry into force of these Regulations.

Art. 57. The setting of the initial capital of the Special Fund for Development and Social Promotion will be adjusted to the legal amount established in the laws of the matter and will be provided by the Ministry of Finance and Public Credit.

TITLE IX

FINAL PROVISIONS

CHAPTER I

Art. 58. The attributions, exercised by ministries and state and governmental institutions in matters of health, education, culture and sports that by virtue of Law 28, correspond to the Autonomous Regions, will be assumed by them, in what corresponds to their administration and others. According to article 8, paragraph 2 of Law 28, likewise, the financial and material resources necessary for its execution will be transferred.

Art. 59. The following inter-institutional coordination mechanisms are established:

- a. The regional cabinet will be made up of ministerial representatives and state, governmental and regional institutions, chaired by the regional coordinator for planning, monitoring and evaluation purposes.
- b. The regional coordinator in coordination with the ministries and state institutions will follow up on compliance with the provisions of each of the representatives and will send the plans and evaluative reports to the Presidency of the Republic.

c. The representatives of ministries and state institutions will also be subordinate to the ministries and central-level institutions and will provide information to their corresponding entity.

Art. 60. The Regional Internal Regulations shall be appropriate to the provisions contained in these Regulations.

Art. 61. Two-thirds of the members that make up both Autonomous Regional Councils may draft the bill for the partial or total reform of these Regulations.

Art. 62. These Regulations will be published in Spanish and in the languages of the Communities of the Atlantic Coast of Nicaragua.

Art. 63. These Regulations shall enter into force as of its publication in any social communication medium, without prejudice to its subsequent publication in La Gaceta, Official Gazette.

Given in the city of Managua, Session Hall of the National Assembly, on the ninth day of the month of July of the year two thousand and three.