

NICARAGUA 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Nicaragua has a highly centralized, authoritarian political system dominated by President Daniel Ortega Saavedra and his wife, Vice President Rosario Murillo Zambrana. Ortega's Sandinista National Liberation Front party exercises total control over the country's executive, legislative, judicial, and electoral functions. President Ortega awarded himself a fourth consecutive term in November elections after arbitrarily jailing nearly 40 opposition figures, barring all credible opposition political parties from participating, blocking legitimate international observation efforts, and committing widespread electoral fraud. Independent observer groups and international organizations characterized the electoral process as seriously flawed, lacking credibility, and defined by historically low voter turnout. The 2021 elections expanded the ruling party's supermajority in the National Assembly, which previously allowed for changes in the constitution that extended the reach of executive branch power and eliminated restrictions on re-election of executive branch officials and mayors. Observers noted serious flaws in municipal, regional, and national elections since 2008. Civil society groups, international electoral experts, business leaders, and religious leaders identified persistent flaws in the 2019 Caribbean regional and 2017 municipal elections and noted the need for comprehensive electoral reform.

The Nicaraguan National Police is responsible for internal security. The army is responsible for external security but also has some domestic security responsibilities. Both report directly to the president, pursuant to changes in the police and army code in 2014. Parapolice, which are nonuniformed, armed, and masked units with tactical training and organization, act in coordination with government security forces, under the direct control of the government, and report directly to the national police. Civilian authorities maintained effective control over police and parapolice security forces. There were credible reports that members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; forced disappearances; torture and cruel,

inhuman, or degrading treatment or punishment by prison guards and parapolice; harsh and life-threatening prison conditions; arbitrary arrest and detentions; political prisoners; politically motivated reprisal against individuals located in another country; serious problems with the independence of the judiciary; arbitrary and unlawful interference with privacy; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including threats of violence, unjustified arrests, censorship, criminal libel suits against journalists; substantial interference with the rights of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, and operation of nongovernmental organizations and civil society organizations; severe restrictions on religious freedom; restrictions on freedom of movement within the country and the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious corruption; serious government restrictions on and harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence; trafficking in persons; crimes involving violence or threats of violence targeting ethnic minorities and indigenous communities; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer and intersex persons; and the worst forms of child labor.

The government did not take steps to identify, investigate, prosecute, or punish officials who committed human rights abuses, including those responsible for at least 355 killings and hundreds of disappearances during the prodemocracy uprising of April 2018. The government did not address instances of widespread corruption. President Ortega actively strengthened impunity for human rights abusers who were loyal to him.

Police, parapolice, and individuals linked to the Ortega regime carried out a campaign of harassment, intimidation, and violence toward perceived enemies of the regime, such as former political prisoners and their families, farmworker activists, prodemocracy opposition groups, human rights defenders, private-sector leaders, and Catholic clergy.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were several reports that the government or its agents committed arbitrary or unlawful killings. Human rights organizations and independent media alleged some killings were politically motivated, an allegation difficult to confirm because the government refused to conduct official inquiries.

Reports of killings were common in the north-central regions and the North Caribbean Autonomous Region (RACN). Human rights groups said these killings illustrated a continuation of a campaign of terror in the north-central and RACN regions, perpetrated by parapolice groups to stamp out political opposition to the ruling Sandinista National Liberation Front (FSLN) party. On March 29, unknown assailants shot Ernesto Jarquin five times in the chest in the north-central town of Mulukuku. Imprisoned in 2018 for participating in prodemocracy protests in Mulukuku, Jarquin was released with other political prisoners under a 2019 amnesty law. The Nicaraguan National Police (NNP) and official media reported Jarquin's killing by focusing on the government's previous allegations of Jarquin's involvement in homicide, illegal weapons possession, collusion to commit crimes, and kidnapping in association with his participation in 2018 prodemocracy protests. As of October no arrests had been made in the case.

On August 23, land invaders linked to the ruling FSLN party killed at least 13 indigenous persons. The attack happened near Musawas, in the Sauni As territory, in a protected area of the Bosawas biosphere reserve. The attack included rape and dismemberment. On September 8, police stated the attack stemmed from a quarrel over an artisanal gold mining site and that police had identified 14 assailants and captured three. Witnesses and indigenous rights defenders disputed the findings and said police had arrested individuals other than those identified as perpetrators by the community and had failed to address the root causes that lead to such attacks.

There was no indication the government investigated crimes committed by police and parapolice groups related to the 2018 prodemocracy uprising. In April 2018

President Ortega and Vice President Murillo ordered police and parapolice forces to suppress violence peaceful protests that began over discontent with a government decision to reduce social security benefits. By late November 2018, the ensuing conflict had left at least 355 persons dead; more than 2,000 injured; thousands forced into hiding; hundreds illegally detained and tortured; and as of September, more than 130,000 in exile in neighboring countries. Beginning in August 2018, the Ortega government instituted a policy of “exile, jail, or death” for anyone perceived as opposition, amended terrorism laws to include prodemocracy activities, and used the justice system to prosecute civil society actors as terrorists, assassins, and coup mongers. Police and the Public Prosecutor’s Office detained, brought to trial, and imprisoned many members of the prodemocracy opposition. Human rights organizations documented that the investigations and prosecutions did not conform to the rule of law. The government continued to make no effort to investigate several 2017 incidents of extrajudicial killings and torture in both the North and South Caribbean Autonomous Regions. The army continued to deny its involvement in cases perceived by human rights organizations as politically motivated extrajudicial killings.

b. Disappearance

Starting on May 28, police detained at least 40 members of the opposition and civil society leaders using a February change in the criminal procedural code that allows for a detention period of up to 90 days during the public prosecutor’s initial investigation, before presenting charges. While technically under custody of police or prison authorities, the 40 detained leaders did not have access to legal counsel or family visitations. Authorities did not reveal the location of these detainees, and judicial authorities rejected habeas corpus writs in their favor. National and international human rights organizations deemed the detention of these political prisoners effectively a form of forced disappearance. After authorities held them incommunicado for months, at least 25 of these political prisoners were formally charged in August, at which time they were allowed limited access to legal counsel and three 30-minute family visits.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or

Punishment

Although the law prohibits such practices, government officials intentionally carried out acts that resulted in severe physical or mental suffering for the purposes of securing information, inflicting punishment, and psychologically deterring other citizens from reporting on the government's actions or participating in civic actions against the government. Members of civil society and student leaders involved in the protests that began in April 2018 were more likely than members of other groups to be subjected to such treatment.

On July 6, authorities detained prodemocracy student leader Lesther Aleman Alfaro without a warrant. The Public Prosecutor's Office later announced it had accused Aleman of treason under the Law for the Defense of the Rights of the People to Independent Sovereignty and Self-Determination for Peace, or Law 1055, passed in December 2020. Prison authorities held Aleman incommunicado in solitary confinement at the El Chipote detention center, with no access to legal counsel or family visits, no access to sunlight, and with lights on 24 hours a day in his cell. He endured multiple interrogations a day. After 58 days in detention, he was briefly allowed to see a family member and a lawyer. Following Aleman's arraignment, his lawyer said he appeared severely underweight and under deep psychological duress. Human rights groups characterized Aleman's treatment by prison authorities as psychological torture. Other political prisoners suffered similar conditions while in detention, including several who had protective measures in place from the Inter-American Commission of Human Rights.

Human rights organizations reported female prisoners were regularly subjected to strip searches, degrading treatment, and rape threats while in custody of parapolice forces, prison officials, and police. Prison officials forced female prisoners to squat naked and beat them on their genitals to dislodge any supposedly hidden items.

Impunity persisted among police and parapolice forces in reported cases of torture, mistreatment, or other abuses. The NNP's Office of Internal Affairs is charged with investigating police suspected of committing a crime. The Office of the Military Prosecutor investigates crimes committed by the army, under the jurisdiction of the Office of the Military Auditor General. With complete control

over the police, prison system, and judiciary branch, however, the FSLN governing apparatus made no effort to investigate allegations that regime opponents were tortured or otherwise abused.

Prison and Detention Center Conditions

Prison conditions were harsh and potentially life threatening. Overcrowding, poor sanitation, difficulties obtaining medical care, and violence among prisoners remained serious problems in prison facilities.

Physical Conditions: Prison conditions continued to deteriorate due to antiquated infrastructure and increasing inmate populations. Despite new temporary holding cells in the Directorate of Judicial Assistance, the rest of the prison system was in poor condition. The government reported overcrowding in five of the seven prisons for men, holding 15,333 prisoners with capacity for 12,600, or 22 percent over capacity in 2020. The government did not provide updated figures for the year. More than 1,000 of these inmates were held in the prison known as La Modelo. Human rights organizations continued to be concerned about prison overcrowding. Due to overcrowding, pretrial detainees often shared cells with convicted prisoners, and juveniles shared cells with adults.

Many prisoners suffered mistreatment from prison officials and other inmates.

Human rights organizations confirmed that at least 16 men detained in the context of the 2018 protests were subjected to solitary confinement in maximum-security cells of La Modelo Prison, in some cases for months at a time. Political prisoners held since the government's crackdown that began in May were detained in Directorate of Judicial Assistance temporary holding cells, known as El Chipote. Relatives of the prisoners reported that at least four women were held in solitary confinement in El Chipote since June.

Inmates also suffered from parasites, inadequate medical attention, frequent food shortages and food contamination, contaminated water, and inadequate sanitation. The COVID-19 pandemic compounded these conditions. The government failed to take adequate measures to protect inmates from illness. Prison authorities prohibited the delivery of health and hygiene kits provided by family members for inmates to protect themselves from COVID-19, particularly in the case of political

prisoners. Human rights groups reported that prison authorities randomly fumigated prisons with inmates still inside their cells. Although sanitary conditions for female inmates were generally better than those for men, they were nevertheless unsafe and unhygienic. According to the most recently available government report, the Human Rights Ombudsman's Office received five complaints related to prison conditions between January 2019 and September 2020, of which it resolved four and dismissed one as unsubstantiated. The Human Rights Office did not make updated numbers publicly available for the year.

Conditions in jails and temporary holding cells were also harsh. Most facilities were physically decrepit and infested with vermin; had inadequate ventilation, electricity, or sewage systems; and lacked potable water.

The government continued to release common criminals outside of lawfully prescribed procedures, telling them their release was "thanks to the president." Between January and October, the government released up to 2,700 prisoners. Independent media and human rights organizations reported that following their release, some of these individuals were responsible for at least two femicides and one killing.

Administration: Although prisoners and detainees could submit complaints to judicial authorities without censorship and request investigation of credible allegations of inhuman conditions, authorities often ignored or did not process complaints. The extent to which the government investigated allegations of poor prison conditions was unknown. The government ombudsman could serve on behalf of prisoners and detainees to consider such matters as informal alternatives to incarceration for nonviolent offenders, although this generally did not occur.

The government restricted political prisoners' access to visitors, attorneys, and physicians. Staff members of human rights organizations, family members, and other interested parties were not allowed access to the prison system or to prisoners in custody.

Independent Monitoring: The government permitted the International Committee of the Red Cross (ICRC) access to some prisoners but denied prison visits by local human rights groups and media outlets. The government reportedly

denied the ICRC access to 40 political prisoners detained since May 28, despite ICRC requests to see those detainees. Nongovernmental organizations (NGOs) generally received complaints through family members of inmates and often were unable to follow up on cases until after the release of the prisoner due to lack of access. The government denied all requests from local human rights organizations for access to prison facilities.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. Human rights NGOs, however, noted hundreds of cases of arbitrary arrests by police and parapolice forces, although parapolice have no authority to make arrests. Human rights organizations reported police and parapolice agents routinely detained and released government opponents within a 48-hour window, beyond which the Public Prosecutor's Office would have to request to extend detention for up to 90 days to continue its investigation. Detentions of political opponents mostly occurred without a warrant or formal accusation and for causes outside the legal framework.

Arrest Procedures and Treatment of Detainees

The law requires police to obtain a warrant from a judicial authority prior to detaining a suspect and to notify family members of the detainee's whereabouts within 24 hours, but this rarely happened in the context of arrests related to civil unrest.

Police may hold a suspect legally for 48 hours before arraignment or release; however, a February amendment to the criminal procedural code allows for the Public Prosecutor's Office to request an extension for 15 to 90 days if a judge deems the case complex. A judge then must order the suspect released or transferred to jail for pretrial detention. The suspect is permitted family member visits after the initial 48 hours. A detainee has the right to bail unless a judge deems there is a flight risk. The criminal code lists a number of crimes that may be tried by a judge without a jury and that would not qualify for bail or house arrest during the duration of the trial. Detainees have the right to an attorney

immediately following their arrest, and the state provides indigent detainees with a public defender. In several instances authorities denied having detainees under custody in a specific jail, even to their family members or legal counsel. Police routinely rejected complaints filed by prodemocracy opposition activists.

The government used money laundering laws, a foreign agents law, and a law for the defense of sovereignty against political opponents. Human rights organizations and civil society activists asserted that these laws constituted part of a larger scheme by the ruling FSLN party to exert its own concept of sovereign security, laid out in the 2015 Sovereign Security Law, which significantly broadened the definition of state sovereignty and security, as a pretext to arrest protesters and citizens it deemed in opposition to its goals.

Arbitrary Arrest: According to NGOs and other human rights groups, arbitrary arrests occurred regularly, particularly of those the government deemed active opposition members or participants in previous prodemocracy protests. The government detained several members of the opposition for extended periods using Law 1055 (Law for the Defense of the Rights of the People to Independence, Sovereignty, and Self-Determination for Peace). The statute does not specify sentencing guidelines, and the individuals were eventually charged under other statutes.

For example, the 40 political prisoners detained between May and November were not allowed to choose their own legal counsel and were arbitrarily assigned a public defender for their initial pretrial hearings. After holding the political prisoners incommunicado for months, the government permitted most to choose their own legal counsel and allowed family visits on three occasions. The law allows for family visits ranging from every eight days to every 21 days. Family visits were restricted to once a month only to highly dangerous prisoners. Prison authorities held the political prisoners incommunicado for 50 to 80 days before allowing them to see an attorney of their choice and receive limited family visits. Their hearings were not public, and most lawyers did not receive a copy of the court records prior to the trial. In an effort to impede access to legal counsel, hearings for political prisoners were held inside the jail instead of a court of law, outside of normal working hours. Judicial officials did not record the hearings or give the defendant's legal counsel a transcript of the hearings. Other prisoners also

reported a lack of immediate access to an attorney or legal counsel and were not afforded one during their detention.

In many cases police and parapolice detained persons who had participated in prodemocracy protests in 2018 and 2019 but who were not currently participating in any activity deemed illegal or in opposition to the ruling party. Police often arrested these individuals without a warrant and occasionally entered private homes or businesses without a court order. In several cases police raided and ransacked the houses of those detained, also without court warrants. Many arrests were allegedly made without informing family members or legal counsel. Reports were common of armed, hooded men in plain clothes acting alone or together with police to arrest and detain prodemocracy protesters. In several cases groups of hooded men looted the homes of political opponents immediately after police left the scene. Human rights organizations indicated that delays in the release of prisoners after finishing prison terms led to many cases of arbitrary continuation of a state of arrest. Police also committed irregular arrests and detentions under the guise of investigations into armed opposition groups or other violent crimes in the north-central regions of the country.

Pretrial Detention: Lengthy pretrial detention continued to be a problem. Many opposition leaders and prodemocracy protesters were detained and held with no charges and without following due process. Observers noted that in several instances lengthy pretrial detention was intentional against specific protest leaders. Observers attributed other delays to limited facilities, an overburdened judicial system, judicial inaction, and high crime rates. No information was available on the percentage of the prison population in pretrial detention or the national average length of pretrial detention.

Detainee's Ability to Challenge Lawfulness of Detention before a Court:

While the law provides detainees the ability to challenge the legality of their detention before a court, the government generally did not allow those arrested during protests to challenge in court the lawfulness of their arrests or detentions. In cases of political opponents, judges regularly denied or ignored constitutional protections for detainees, including habeas corpus.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but the government did not respect judicial independence and impartiality. The law requires vetting of new judicial appointments by the Supreme Court of Justice, a process dominated by the government. Once appointed, most judges submitted to political pressure and economic inducements for themselves or family members that compromised their independence. The 40 political prisoners arrested between May 28 and November 10 were subjected to closed pretrial hearings without access to their own lawyers or notification of family members. The court arbitrarily assigned public defenders for these detainees. Although the Public Prosecutor's Office announced these hearings afterwards, details were scarce. These detainees were held incommunicado for up to 80 days without access to independent private legal counsel or to family members. The justice system did not confirm the location of these detainees. The cases of these detainees did not appear in an online system for public access to legal cases. Five FSLN-aligned judges – Henry Morales, Nalia Ubeda, Abelardo Alvir, Karen Chavarria, and Gloria Saavedra – oversaw the pretrial hearings against these detainees. These judges routinely denied writs in favor of the defendants and in some cases denied defendants and their lawyers access to the accusations and other court documents before the hearings. After holding them incommunicado for months, the government permitted most political prisoners to choose their own legal counsel starting in August.

NGOs complained of delayed justice caused by judicial inaction and widespread impunity, especially regarding family and domestic violence and sexual abuse. In cases against political activists, judges at the bidding of the government handed down biased judgments, including adding charges for crimes not presented by the prosecutor's office. Lawyers for political prisoners reported that judges routinely dismissed defendants' evidence and accepted prosecutors' anonymous sources as valid. In many cases trial start times were changed with no information provided to one or both sides of the trial, according to human rights organizations. Authorities occasionally failed to respect court orders.

Trial Procedures

The law provides the right to a fair and public trial. Changes to the law enacted in

2017, however, allow judges to deny jury trials in a wider range of cases, deny bail or house arrest based on unclear rules, and arbitrarily move a case from other judicial districts to Managua, to the disadvantage of defendants, their families, or their counsel. Defendants have the right to be fully and promptly informed of the charges against them and the right to a fair trial, although this was not respected. While the law establishes specific time periods for cases to come to trial, most cases encountered long delays. Trials are public, except in some cases involving minors or at the victim's request. The law requires defendants must be present at their trial, although this was not always respected.

The hearings for many political prisoners detained between May and September did not conform to legal procedures. The defendants were detained without warrants and were not afforded legal counsel of their choice or access to their family members within 48 hours after their detention or during at least two initial hearings. Their location was not publicly disclosed, judges dismissed or ignored habeas corpus writs in their favor, hearings and trials were closed to the public and held within the detention center, and, when they finally had access to their legal counsel of choice, judicial and prison officials denied lawyers access to their clients and refused to provide lawyers with the court documents before trial, including the charges against their clients.

According to the constitution, defendants are presumed innocent until proven guilty. Observers claimed, however, that the extension of time from 48 hours to up to 90 days that a detainee can be held during a pretrial investigation posed an undue presumption of guilt on defendants. In the case of the political prisoners detained between May and November, Chief of Police Francisco Diaz told official media that police had “enough proof to ensure that these terrorists, these vandals, these coup-mongers face the consequences.” Diaz gave the interview when the defendants were still awaiting trial and before any charges were confirmed. The Public Prosecutor's Office presented police officers as witnesses in hearings on these charges. In her daily press briefings, Vice President Murillo frequently referred to political prisoners as “terrorists” and “coup-mongers,” although the prisoners were still awaiting trial.

Migration authorities confiscated the passports of at least 30 Nicaraguans at either the international airport or at land border crossings, although the individuals had no

formal charges pending against them. Officials provided no explanation other than saying authorities higher up the chain of command had ordered migratory restrictions against the individuals. Some human rights defenders saw this as a de facto presumption of guilt without a formal accusation. The government also prevented a civil society leader from returning to the country, without reason or formal charge against the individual. Under the law defendants have the right to legal counsel, and the state provides public defenders for indigent persons. Defendants have the right to adequate time and facilities to prepare a defense, but judges commonly failed to grant counsel's access to the defendant. In several instances related to prodemocracy protests, defendants were not allowed to name their legal counsel, and the court appointed a public defender, which family members and human rights organizations claimed was detrimental to the defendant's case. In many cases involving the government's political opponents, private defense lawyers were barred from meeting with defendants and trial times were set outside of working hours in an effort to force the accused to accept a public defender appointed by a biased judiciary. Additionally, several pretrial hearings took place in detention centers rather than a courtroom, without notifying defendants' legal counsel. In at least one instance, lawyers who entered the detention center to participate in the trial were threatened by a guard, who wondered aloud whether the lawyers would be allowed to leave the prison after the hearing. At least seven lawyers defending political prisoners were forced to flee the country due to harassment and death threats against them. Although the constitution recognizes indigenous languages, indigenous defendants were not always granted court interpreters or translators. Under the law defendants may confront and question witnesses and have the right to appeal a conviction. Defendants may present their own witnesses and evidence in their defense; however, some judges refused to admit evidence on behalf of the defense. Defendants may not be compelled to testify or confess guilt. Nevertheless, many defendants continued to be interrogated by police and prison guards while their trials were in process.

Women's rights organizations believed the court system continued to operate under unofficial orders not to impose jail time or pretrial detention in domestic violence cases. The policy reportedly applied only to domestic violence cases that authorities considered mild.

Political Prisoners and Detainees

Human rights NGOs characterized as political prisoners those detained in the context of prodemocracy protests and those detained as part of the government's crackdown on the political opposition starting in May. The government does not recognize political prisoners as an inmate category and considers all prisoners to be common criminals. According to human rights organizations, the government continued to hold more than 150 political prisoners as of September, with at least 20 of them in solitary confinement.

Political prisoners did not receive appropriate health care, including while suffering COVID-19 symptoms. Several political prisoners were severely undernourished, with no access to sunlight or appropriate health-care services. Some political prisoners were denied access to medicine and medical treatment for chronic illnesses.

Political prisoners were kept together with common criminals. Advocacy groups reported that prison authorities instigated quarrels between the general prison population and political prisoners by blaming political prisoners for any withheld privileges, often resulting in violence. Human rights organizations received several reports of political prisoners being beaten, threatened, held in solitary confinement for weeks, and suffering from poor ventilation and poisoned or contaminated food and water.

The government did not permit access to political prisoners by local human rights groups.

Politically Motivated Reprisal against Individuals Located Outside the Country

Groups of exiles in Costa Rica alleged political persecution by parapolice and FSLN sympathizers who crossed the border to target exiles. Family members of opposition exiles were surveilled and harassed in an attempt to force exiles to return to the country and face arrest. In at least one instance, migration authorities withheld documentation for a minor to exit the country in an effort to force the exiled father to return to Nicaragua and face arrest. The Public Prosecutor's Office accused three exiled Nicaraguans of conspiring to undermine national integrity.

In October 2020 the National Assembly approved the politically motivated Cybercrimes Law, which establishes the government may use the international extradition system to pursue Nicaraguans abroad who commit so-called cybercrimes.

Civil Judicial Procedures and Remedies

Individuals and organizations may file suit in civil courts to seek damages for alleged human rights violations, but authorities did not always respect court decisions.

The lack of an effective civil law system resulted in some civil matters being pursued as criminal cases, which were often resolved more quickly. In several instances, individuals and groups appealed to the Inter-American Commission on Human Rights (IACHR), which passed their cases to the Inter-American Court of Human Rights. The government regularly dismissed or ignored orders from the Inter-American Court of Human Rights, including orders to protect or release certain political prisoners.

Property Seizure and Restitution

The government regularly failed to take effective action with respect to seizure, restitution, or compensation of private property. These failures were exacerbated by the social upheaval in 2018, in which groups of persons, including members of the FSLN, illegally took over privately owned lands, with implicit and explicit support by municipal and national officials. Some land seizures were politically targeted and directed against specific individuals, such as business owners traditionally considered independent or against the ruling party. In August the government seized the house of independent journalist Patricia Orozco while she was in exile, and police evicted her parents from the house. On September 7, the government revoked a 2008 donation of property to the National Public Accountant's College. The revocation happened several days after the Public Prosecutor's Office summoned the coordinator of the college for questioning regarding the government's politically motivated money laundering case against a foundation run by a presidential precandidate.

The Office of the Attorney General routinely either rejected requests to evict

illegal occupants of real property or failed to respond to the requests altogether. National and local police also routinely refused to evict illegal occupants of real property. Police often took no action against violence perpetrated by illegal occupants, while acting swiftly against any use of force by legitimate property owners. The judicial system delayed final decisions on cases against illegal occupants. Members of the judiciary, including those at senior levels, were widely believed to be corrupt or subject to political pressure. When judges issued orders in favor of landowners, enforcement of court orders was frequently subject to nonjudicial considerations. In the face of government inaction, some landowners were forced to pay squatters to leave their real property. As of September nine NGOs still did not have a legal resolution or any type of compensation after the National Assembly annulled their legal status and the government seized their properties in 2018.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits arbitrary or unlawful interference with privacy, family, home, and correspondence. The government, however, failed to respect these prohibitions. In several trials against political opposition members, the Public Prosecutor's Office presented messages, emails, and documents exchanged through private phones and computers, obtained by police through raids without judicial warrants. FSLN grassroots organizations such as the Citizen Power Councils colluded with parapolice or party loyalists to target the homes of prodemocracy protesters. Without a warrant and under no legal authority, these groups illegally raided homes and detained occupants. Police routinely stationed police vehicles and officers outside the homes of opposition members, harassing visitors and often prohibiting opposition members from leaving their houses. These actions were widespread in large cities, particularly Managua, Matagalpa, Esteli, Masaya, Rivas, Leon, and Jinotega.

The Ministry of Health continued to hold several buildings seized by the Interior Ministry in 2018 from independent television station 100% Noticias and news magazine *Confidencial* and nine NGOs when it annulled the legal status of the media groups and NGOs. The ministry ordered the seized assets transferred to

government ownership to create a Comprehensive Attention and Reparation Fund for the Victims of Terrorism. The government carried out this de facto confiscation without following due process or providing appropriate compensation to the lawful owners. Police again raided the offices and television studio of *Confidencial* on May 20, acting without a judicial warrant and seizing television equipment, computers, and documents from the news outlet.

Domestic NGOs, Catholic Church representatives, journalists, and opposition members alleged the government monitored their email and telephone conversations. Church representatives also stated their sermons were monitored. As part of a continuing social media campaign against prodemocracy protests, ruling party members and supporters used social media to publish personal information of human rights defenders and civil society members. Progovernment supporters marked the houses of civil society members with derogatory slurs or threats and then published photographs of the marked houses on social media. On several occasions the markings were accompanied by or led to destruction of private property. Although the law prohibits the use of drones, some members of the opposition claimed FSLN supporters used drones to spy on their houses.

Inhabitants in northern towns, particularly in the departments of Nueva Segovia, Jinotega, and Madriz, as well as the RACN and the South Caribbean Autonomous Region (RACS), alleged repeated government interrogations and searches without cause or warrant, related to supposed support for armed groups or prodemocracy protests, while government officials claimed they were confronting common criminals. Several opposition members who were former Contras claimed they were regularly surveilled, stopped, and detained by police for questioning for several hours, usually in connection with alleged contact with rearmed groups or antigovernment protests. The individuals also said progovernment sympathizers verbally threatened them outside their homes and surveilled and defaced their houses.

The ruling party reportedly required citizens to demonstrate party membership to obtain or retain employment in the public sector and have access to public social programs.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, but the government did not respect this right. Restrictions on press freedom, the absence of an independent judiciary, and a nondemocratic political system combined to inhibit freedom of expression, including for members of media. Although the law provides that the right to information may not be subjected to censorship, the government and actors under its control retaliated against the press and radio and television stations by blocking transmissions, impeding the import of ink and paper, and committing violence against journalists. The government sought to control information on the COVID pandemic by restricting news coverage and blocking independent media access to public health briefings, as well as using government-aligned media to publish misinformation.

Freedom of Expression: The government used reprisals and Law 1055 to restrict the ability of individuals to criticize the government. Persons who criticized the government, the ruling party, or its policies were subjected to police and parapolice surveillance, harassment, imprisonment, and abuse. Beginning in May, the government used the law as a pretext to arrest and imprison presidential candidates, independent journalists, civil society members, opposition leaders, NGO workers, student leaders, human rights defenders, farmworker advocates, and private-sector leaders who criticized the government. Progovernment supporters considered the use of the national flag and the national colors of white and blue as acts of defiance and attacked opposition activists flying the flag or national colors.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: Independent media were active and expressed a wide variety of views, albeit mainly through online venues due to the government's restrictions and intimidation. In June and July, the government arrested five independent journalists, including three presidential precandidates, and the general manager of the country's largest print daily newspaper on charges of "undermining national integrity." As of October the general manager and three of the journalists were

awaiting trials while in prison, and two journalists remained under house arrest. The Public Prosecutor's Office summoned at least 32 journalists as part of an investigation into alleged money laundering against the Violeta Barrios de Chamorro Foundation, an NGO that supported independent media by offering journalism training programs. In some cases the journalists had received seed funding to pursue new digital startups or other forms of independent journalism. At least 30 journalists fled into exile due to threats or summons from the Public Prosecutor's Office, which in the case of other independent journalists and political opponents resulted in imprisonment.

Independent media outlets experienced vandalism, seizure of broadcast equipment, cyberattacks, and criminal defamation charges. On August 13, after a public complaint by the newspaper *La Prensa* that the Customs Office had withheld its paper and printing material for months, police raided the newspaper's headquarters and detained the general manager, preventing him from accessing legal counsel and detaining him for several weeks without bringing him before a judge. Police held *La Prensa* journalists and staff for hours inside the newspaper's offices and allowed progovernment media to enter and film the police raid. Police later announced the raid was part of an investigation into the newspaper for money laundering and tax evasion. *La Prensa*, the last remaining daily print newspaper with national distribution, moved to online-only content and dismissed half its employees in September because of government persecution.

The government repeatedly denied broadcasting licenses and other permits for independent media. Independent news outlets faced restrictions on speech, such as not being permitted to attend official government events, being denied interviews by government officials, and receiving limited or no direct access to government information. Official media, however, were not similarly restricted. The government published false COVID-19 data that minimized the spread of the illness in the country. International reports and unpublished official documents showed the government intentionally misled the public about the severity of the pandemic to avoid an economic downturn.

Independent media faced official and unofficial restrictions, reprisals, and harassment, but they were nonetheless successful in expressing a variety of views. Journalists from many stations were threatened and harassed with the purpose of

limiting their editorial independence. According to a September report by the Violeta Barrios de Chamorro foundation titled *Assault on Independent Press in Nicaragua between December 2020 and June 2021*, there were 1,176 assaults on journalists while they performed their duties. Of those, 426 assaults were perpetrated against female journalists and included sexual violence and threats of rape.

Significant state influence, ownership, and control over the majority of media outlets continued. National television was largely controlled either by business associates of the president or directly owned and administered by his family members. Eight of the 10 basic channels available were under direct FSLN influence or owned and controlled by persons with close ties to the government. Media stations owned by the presidential family generally limited news programming and served as outlets for progovernment or FSLN propaganda and campaign advertisements. On June 30, the governing authority for telecommunications published a decree obliging all private cable stations to lock in their broadcasts to official television and radio for emergency or special interest messaging. This decree compounded the already established obligation for open-air television and radio stations to do the same. This obligation was enforced every time the president participated in a public event, even when it was a political party event. Press and human rights organizations claimed the use of state funds for official media, as well as biased distribution of government advertising dollars, placed independent outlets at an extreme disadvantage.

Violence and Harassment: Journalists were subject to government violence, harassment, and death threats. Four journalists remained in prison: three after they indicated they would run as presidential candidates and one for expressing his views on social media. Two others remained under house arrest. Since May more than 30 journalists fled into exile with pending accusations against them from the Public Prosecutor's Office. At least 90 journalists had already fled following the government's crackdown on protesters in 2018. The Ministry of Health took possession of offices belonging to television station 100% Noticias and news magazine *Confidencial*, which had been closed and under police custody since a 2018 raid of those facilities.

Censorship or Content Restrictions: The government continued to arbitrarily

penalize those who published items counter to the ruling party's ideology. The government restricted access to public events, obligated independent press to use official media to cover presidential activities, and actively used troll farms to amplify its own messaging or attack independent media websites. In November, Meta (Facebook's parent company) announced the removal of troll farms operated by the government, implicating the telecommunications regulator TELCOR, the Supreme Court of Justice, and the Social Security Institute.

Restrictions in acquiring broadcast licenses and equipment prevented media from operating freely. Beginning in 2008, media outlets were unable to apply for new broadcasting licenses while the General Law (Law 200) on Telecommunications was under review in the National Assembly. The government extended the validity of existing licenses indefinitely. Human rights groups and independent media also reported that the failure to approve or deny Law 200 resulted in uncertainty surrounding the purchase and import of goods related to broadcasting. As a result, independent radio owners continued to defer long-term investments.

Some independent-media owners also alleged the government exerted pressure on private firms to limit advertising in independent media, although other observers believed the lack of advertising was the result of self-censorship by private companies or a business decision based on circulation numbers. Many journalists practiced self-censorship, fearing economic and physical repercussions for investigative reporting on crime or official corruption. In addition media outlet owners exercised self-censorship by choosing not to publish news that affected public perceptions of the government or the FSLN.

Libel/Slander Laws: In February FSLN-aligned judge Jose Ernesto Martinez found journalist David Quintana guilty on trumped-up slander charges after Quintana was accused by a staff member of an official television station in 2020. Another FSLN-aligned judge, Fatima Rosales, denied Quintana's request for appeal in April. In June a judge denied an appeal on behalf of independent radio station director Kalua Salazar in a slander case brought against Salazar by FSLN municipal workers. Slander and libel are both punishable by fines ranging from 120 to 300 times the minimum daily wage.

National Security: Human rights NGOs and civil society organizations argued

the Sovereign Security Law exemplified the government's failure to respect civil liberties. Although not cited in specific cases, the law applies to "any other factor that creates danger to the security of the people, life, family, and community, as well as the supreme interests of the Nicaraguan nation." The government used and threatened further use of the Cybercrimes Law, which includes as online crimes social media posts deemed dangerous by the regime and grants law enforcement access to information systems and other data. On September 7, the Public Prosecutor's Office accused indigenous rights activist Amaru Ruiz of cybercrimes after he reported extensively on social media about the killing of 13 indigenous persons by individuals suspected by human rights groups to have ties to the government. Penalties for online crimes include prison time and hefty fines, disproportionate to the crimes as broadly defined by the law.

A police regulation restricts criticism of government policies and officials under the guise of protecting national security.

Internet Freedom

There were credible reports that the government monitored private online communications without appropriate legal authority and in some cases restricted or disrupted access to the internet or censored online content. Independent media reported the government provided logistical support for "troll farms" that routinely carried out cyberattacks against opposition media websites and social media accounts. Trolls and bots reportedly tracked opposition and progovernment social media accounts to retaliate against users deemed opponents to the ruling party and to amplify progovernment messaging.

Several NGOs claimed the government monitored their email and online activity without appropriate legal authority. Paid government supporters used social media and website commentary spaces to harass prominent members of civil society, human rights defenders, and well known journalists.

As part of a continuing social media campaign against prodemocracy protests, ruling party members and supporters used social media to publish personal information of human rights defenders and civil society members. Civil society members alleged government offices provided the information to penalize the free

expression of opinions. Government supporters also used the personally identifiable information to mark the houses of civil society members with either derogatory slurs or threats, then published photographs of the marked houses on social media.

Academic Freedom and Cultural Events

There were government restrictions on academic freedom, and many students, academics, and researchers reported pressure to censor themselves.

Public universities continued to withhold the records of many university students who participated in prodemocracy protests. In many cases students who went into exile could not continue their studies abroad without their records. Entrances to public universities remained under surveillance by progovernment guards or police who regularly checked visitors and searched their belongings – a practice begun after the prodemocracy protests of 2018.

Human rights NGOs and civil society groups reported authorities required students in elementary and secondary public schools to participate in progovernment rallies while schools were in session. Political propaganda for the ruling party was posted inside public schools. Teacher organizations and NGOs alleged continuing FSLN interference in the school system through the use of school facilities as FSLN campaign headquarters, favoritism shown to members of FSLN youth groups or to children of FSLN members, politicized awarding of scholarships, and the use of pro-FSLN education materials. On September 8, the Public Prosecutor's Office issued an accusation against writer and former vice president Sergio Ramirez for "committing acts that incite hatred and violence," conspiring to "undermine national integrity," and money laundering. The Customs Office withheld Ramirez's latest novel, effectively banning it from entering the country in apparent retaliation and intimidation against Ramirez for his public commentary in international fora against the FSLN party, the president, and the vice president.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The government did not respect the legal right to public assembly, demonstration, and mobilization. Prodemocracy marches and protests continued to be banned during the year. Police and parapolice actively persecuted, harassed, and occasionally impeded private meetings of NGOs, civil society groups, and opposition political organizations. Police failed to protect peaceful protesters from attacks; they also committed attacks and provided logistical support to other attackers. Human rights organizations reported police stopped traffic for and otherwise protected progovernment demonstrations.

Police routinely surrounded, surveilled, and threatened meetings of political parties and civil society organizations. Police entered private meeting spaces to disrupt gatherings of opposition parties and civil society organizations.

Freedom of Association

The law provides for freedom of association, including the right to organize or affiliate with political parties; nevertheless, the Supreme Electoral Council and National Assembly used their accreditation powers for political purposes. National Assembly accreditation is mandatory for NGOs to receive funding, have bank accounts, or legally employ workers. The Ministry of the Interior has oversight of regulatory compliance by NGOs and provides certificates. Many NGOs that worked on topics of democracy, human rights, and women's issues complained the ministry purposefully withheld certification to hinder their work and access to funding.

Beginning in February, the government began enforcing the 2020 Foreign Agents Law with far-reaching implications for entities and employees of entities receiving funding from outside the country. The law requires anyone receiving funding from foreign sources to register with the Ministry of the Interior and provide monthly, detailed accounts of how funds are intended to be used. Additionally, NGOs need to present their legal accreditation, subject to annual renewal by the ministry. Many NGOs complained that the ministry purposefully withheld or delayed this accreditation, which led to the loss of their legal status. Individuals who register as foreign agents cannot participate in internal politics or run for elected positions for

up to one year after being removed from the registry. Failure to register can lead to fines, judicial freezing of assets, and the loss of legal status for associations or NGOs. The Violeta Barrios de Chamorro Foundation decided to close before the deadline to register to avoid being labeled a foreign agent. The government, through the Public Prosecutor's Office, accused the NGO, its staff, and the beneficiaries of its grants of money laundering. Up to 142 individuals, including vendors, consultants, staff, and 32 journalists, were summoned for the investigation. Some NGO staff remained imprisoned during the government's 90-day investigation period. In June the government placed Cristiana Chamorro, the foundation's former executive director and a leading opposition presidential precandidate, under house arrest on related accusations of money laundering.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government did not always respect these rights. On July 16, the government denied Lester Javier Aleman entry to the country despite being a Nicaraguan citizen and showing a valid Nicaraguan passport. Aleman was ordered to fly out of the country the same day. Aleman was the father of student leader Lester Aleman Alfaro, who was arrested on July 6 in a crackdown on the opposition. The government strictly controlled the entry of persons affiliated with some groups, specifically humanitarian and faith-based organizations. The government may prevent the departure of travelers with pending legal cases; the government used this authority against individuals involved in the political opposition and media who had not been charged with any crimes. The law requires exit visas for minors.

In-country Movement: Police consistently restricted the travel of opposition members to cities other than their hometown. In many cases police restricted the movement of political opponents outside their homes, although these individuals did not have pending charges against them or judicially imposed restrictions on

their movement.

Foreign Travel: Migration authorities confiscated the passports of at least 15 Nicaraguans who were trying to leave the country. Authorities told the individuals that migration restrictions had been levied on them, although the individuals had no formal accusations or charges against them.

Citizenship: On August 6, the ruling FSLN party used its control over government agencies to revoke the Nicaraguan nationality of opposition leader Carmella Rogers Amburn (also known as Kitty Monterrey) without due process. The ruling party, however, issued citizenship to ideologically aligned foreigners fleeing corruption charges in their countries, such as former Salvadoran president Salvador Sanchez Ceren and several of his close family members, bypassing the law and procedures.

e. Status and Treatment of Internally Displaced Persons

According to contacts and local media, hundreds of participants in the 2018 prodemocracy protests and others who ran afoul of the Ortega regime remained in hiding to evade government persecution, including arbitrary arrest, detention, and torture. These individuals reported being unable to find work or study due to fear of government reprisals. As the root cause of this forced displacement, the government did not promote the safe, voluntary, dignified return, resettlement, or local integration of internally displaced persons. The government does not have policies and protections for internally displaced persons in line with the UN Guiding Principles on Internal Displacement.

f. Protection of Refugees

The government does not cooperate with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. The government has not provided updated information on refugees or asylum seekers since 2015.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Only the executive branch or the country's embassies abroad may grant asylum for political persecution. The Nicaraguan National Commission for Refugees has not met since 2015.

Durable Solutions: The government recognized 61 persons as refugees in 2015, the most recent year for which information was available. By year's end partner agencies estimated there were more than 1,300 refugees or persons in refugee-like situations in the country.

g. Stateless Persons

Registration of births in rural areas was difficult due to structural constraints, and the government took no measures to address this, resulting in a number of de facto stateless persons in the country (see section 6, Children).

Section 3. Freedom to Participate in the Political Process

While the law provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret ballot, the government restricted freedom of expression, peaceful assembly, and association. Institutional fraud, among other obstacles, precluded opportunities for meaningful choice.

Elections and Political Participation

Recent Elections: In November President Ortega awarded himself a fourth term in office following a deeply flawed electoral process characterized by historically low voter turnout. Ortega and his FSLN party cancelled the legal registration of all credible opposition political parties, jailed opposition presidential candidates on spurious charges, and committed blatant electoral fraud. Independent observer groups and international organizations characterized the electoral process as not credible. The government did not allow credible, independent electoral observers into the country. The 2021 elections expanded the ruling party's supermajority in the National Assembly, which previously allowed for changes in the constitution that extended the reach of executive branch power and the elimination of restrictions on re-election for executive branch officials and mayors. On November 12, a total of 25 member states of the Organization of American States

(OAS) voted in favor of a resolution declaring the elections were “not free, fair or transparent, and lack democratic legitimacy.”

The 2019 Caribbean regional and 2017 municipal elections were marred by widespread institutional fraud and heavy security force presence.

Civil society groups expressed concerns over the lack of a transparent and fair electoral process leading up to the 2021 national elections, the 2019 Caribbean regional elections, and the 2017 municipal elections. Electoral experts, business leaders, representatives of the Catholic Church, and civil society organizations reported that a lack of accredited domestic or international observation, in addition to the ruling party’s control over all aspects of the official electoral structure and all branches of government, combined to impede holding free and fair elections.

Political Parties and Political Participation: The Supreme Electoral Council (CSE) announced on May 18 that it had cancelled the legal status of the opposition Democratic Restoration Party. On May 19, the CSE announced it cancelled the legal status the Conservative Party. On August 6, the CSE revoked the legal status of a third opposition party, Citizens for Liberty. The remaining political parties were controlled by the Ortega regime, paving the way for Ortega to run unopposed in the November elections. In 2020 the National Assembly passed a law that bars anyone from running for office whom the government designated as a “traitor,” defining the term so broadly that it could be applied to anyone who expressed opposition to the ruling party. In June the ruling party used this law to jail at least six individuals who had signaled they would run as opposition presidential candidates.

The government used state resources for political activities to enhance the FSLN’s electoral advantage in recent elections. Independent media, human rights groups, and opposition parties reported the government used public funds to provide subsidized food, housing, vaccinations, access to clinics, and other benefits directly through either FSLN-led “family cabinets” (community-based bodies that administer government social programs) or party-controlled Sandinista leadership committee (CLS) systems, which reportedly coerced citizens into FSLN membership while denying services to opposition members. The regime also made party membership mandatory for an increasing number of public-sector employees.

Observers noted government employees continued to be pressured into affiliating with the FSLN and participating in party activities. During the year the government pressured public servants to participate in mass public gatherings including sports events, political rallies, and marches despite the dangers of spreading COVID-19 via mass gatherings.

The FSLN also used its authority to decide who could obtain national identity cards. Persons seeking to obtain or retain public-sector employment, national identity documents, or voter registration were obliged to obtain recommendation letters from CLS block captains. Those without identity cards were unable to vote and had difficulty participating in the legal economy or conducting bank transactions. Such persons also were subject to restrictions in employment, access to courts, and land ownership. Civil society organizations continued to express concern about the politicized distribution of identity cards, alleging this was one way the FSLN manipulated past elections and that the CSE failed to provide identity cards to opposition members while widely distributing them to party loyalists.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups, including persons with disabilities; lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons; and indigenous persons, in the political process, and they did participate, although observers noted most women in elected positions at the municipal and national levels held limited power or influence in their respective bodies.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, although the government did not implement the law effectively. There were numerous reports of government corruption during the year, including in the police force, the CSE, the Supreme Court, customs and tax authorities, and other government organs. The Supreme Court and lower-level courts remained particularly susceptible to bribes, manipulation, and political influence, especially by the FSLN. Companies reported that bribery of public officials, unlawful seizures, and arbitrary

assessments by customs and tax authorities were common. Municipal governments and regional governments of the Caribbean Coast were also plagued by corruption. The Managua municipal government reportedly engaged in corrupt practices related to infrastructure projects.

A general state of permissiveness hindered the possibility of addressing the problem effectively. A lack of strong institutions, a weak system of checks and balances, and the regime's absolute control of government institutions allowed for corruption to continue with impunity.

Corruption: The Office of the Comptroller, responsible for combating corruption within government agencies and offices, did not carry out a complete verification of the government's full financial statements. For example, the comptroller maintained that Albanisa, a private company controlled by regime insiders that imported and sold Venezuelan petroleum products, as well as associated revenue under the Venezuela oil cooperation agreement, was not subject to audit because the National Assembly did not approve the agreement. The Financial Analysis Unit did not fully implement its mandate in prosecuting money laundering of government officials and focused on investigating President Ortega's political opposition.

Executive branch officials continued to be involved in businesses financed by economic and developmental assistance funds lent by the Venezuelan-led Bolivarian Alliance for the Peoples of Our America (ALBA), all of it outside the normal budgetary process controlled by the legislature. This included the Nicaraguan Electric Transmission Enterprise, which funneled ALBA funding and other oil-based assistance into privately owned businesses. Media reported that companies linked to previous ALBA-funded contracts and with links to the president's family were tightly controlled by members of Ortega's inner circle, with little public oversight. Cases of mismanagement of these funds by public officials were reportedly handled personally by FSLN members and President Ortega's immediate family, rather than by the government entities in charge of public funds.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human

Rights

The government imposed significant and increasing burdens on the limited number of human rights organizations it allowed to operate in the country. The Nicaraguan Center for Human Rights remained deprived of its legal status, hindering its ability to investigate human rights abuses. The Nicaraguan Pro-Human Rights Association continued to operate from exile in Costa Rica and focused more on the Nicaraguan exile community. Other human rights organizations faced significant harassment and police surveillance. Humanitarian organizations faced obstacles to operating or denial of entry, and government officials harassed and intimidated domestic and international NGOs critical of the government or the FSLN. Some NGOs reported government intimidation created a climate of fear intended to suppress criticism.

The government continued to prevent non-FSLN-affiliated NGOs and civil society groups from participating in government social programs, such as Programa Amor, which provides social protections to children and adolescents, and Hambre Cero, a program that distributes livestock for smallholder production. The government frequently used FSLN-controlled family cabinets and party-controlled CLSs to administer these programs. Government programs purportedly created to provide support for victims of the violence since 2018 benefited only FSLN party members. Increased government restrictions on domestic NGOs' ability to receive funding directly from international donors seriously hindered the NGOs' ability to operate. In addition, increased control over the entry of foreign visitors or volunteer groups into the country hindered the work of humanitarian groups and human rights NGOs. The Swedish NGO We Effect discontinued its activities in the country in December after 30 years of humanitarian aid work, citing difficulties in complying with the foreign agents law. Some groups reported difficulties in moving donated goods through customs and said government officials were rarely cooperative or responsive to their complaints.

Several domestic NGOs reported that the Ministry of the Interior purposefully denied receipt of their compliance documentation and withheld or unduly delayed providing certifications in order to revoke the legal status of NGOs. NGOs under government investigation reported problems accessing the justice system and

delays in filing petitions, as well as pressure from state authorities. Many NGOs believed comptroller and tax authorities audited their accounts as a means of intimidation. While legally permitted, spot audits were a common form of harassment and often used selectively, according to NGOs. NGOs reported difficulties in scheduling meetings with authorities and in receiving official information due to a growing culture of secrecy. Local NGOs reported having to channel requests for meetings with ministry officials and for public information through the Ministry of Foreign Affairs. These requests were generally not processed. NGOs also reported government hostility or aggression when questioning or speaking with officials on subjects such as corruption and the rule of law. Groups opposing the construction of a proposed interoceanic canal also reported being harassed and placed under surveillance. Three members of the Farmworker's Movement opposing the canal were arrested, including a presidential precandidate, and many more fled into exile.

The government enforced the law that requires any citizen working for "governments, companies, foundations, or foreign organizations" to register with the Interior Ministry, report monthly their income and spending, and provide prior notice of how the foreign funds are intended to be spent. The law establishes sanctions for those who do not register.

The United Nations or Other International Bodies: The government did not allow the Office of the UN High Commissioner for Human Rights (OHCHR) or IACHR to send working groups to monitor the human rights situation in the country. The government did not cooperate with these groups, as noted in OHCHR and IACHR reports.

The government continued to block the entrance of the OAS high-level commission to help resolve the country's sociopolitical crisis. The government did not send a representative to any of the 2021 IACHR sessions. The attorney general participated in a May IACHR hearing on protective measures awarded to the human rights NGO CENIDH. The attorney general rejected any claims of wrongdoing and stated the government was acting according to its laws. In several instances progovernment supporters detained or harassed protesters protected by IACHR precautionary measures.

Government Human Rights Bodies: The Office of the Ombudsman for Human Rights, led since 2019 by Darling Rios, a sociologist with no previous human rights experience, and Adolfo Jarquin, also with no previous human rights experience, was perceived as politicized and ineffective. In 2019 the UN Human Rights Council demoted the Office of the Ombudsman for Human Rights from category A to B for its lack of independence.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes all forms of rape of men or women, regardless of the relationship between the victim and the accused. Sentences for those convicted of rape range from eight to 12 years' imprisonment. The law criminalizes domestic violence and provides prison sentences ranging from one to 12 years.

The government failed to enforce rape and domestic violence laws, leading to widespread impunity and reports of increased violence from released offenders emboldened by their release. The NGO Catholics for the Rights to Decide reported that there were 46 femicides as of July, most of them committed after the victims suffered sexual violence. The government continued to use FSLN-led family cabinets and CLSs in mediation processes in cases of domestic violence. Both processes were politicized and did not operate according to the rule of law. The government employed limited public education, shelters, hotlines, psychosocial services, and police training in nominal and unsuccessful attempts to address the problem.

Observers reported a general increase in sexual crimes and violence against women during the year; however, data were unreliable. NGOs working on women's issues reported that violence against women remained high and that police generally understated its severity. The government did not coordinate with women's rights NGOs and actively blocked their operations and access to funding.

Sexual Harassment: The law prohibits sexual harassment, and those convicted face one- to three-year sentences in prison, or three to five years if the victim is

younger than 18. No information was available on government efforts to prevent or prosecute complaints of sexual harassment.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

While there were no cultural barriers that adversely affected women's access to health-care services, rural women's access to health care during pregnancy and childbirth was hindered by long distances to appropriate health-care facilities in scarcely populated areas with poor transportation infrastructure. Women in some areas, such as the RACN and the RACS, lacked widespread access to medical care or programs, and maternal death affected poor rural women more than their urban counterparts. This also affected indigenous and Afro-descendant women in the RACN and the RACS more than nonindigenous women in other regions. In addition, adolescents often faced social stigma when seeking contraception methods.

The government provided limited access to sexual and reproductive health services for survivors of sexual violence. The Ministry of Health had a standing protocol for the provision of health services to survivors of sexual violence, which included the provision of emergency contraception within five days of the assault as well as treatment of HIV or sexually transmitted diseases. Women's rights organizations, however, claimed the Ministry of Health did not always provide this treatment due to fear of subverting the government's strict prolife policy, directed by the president and vice president. While no legal barriers impede adolescent girls' access to education due to pregnancy or motherhood, economic hardships and a lack of social safety nets to protect young mothers often impeded continued education for pregnant girls or young mothers.

Discrimination: The law provides for gender equality in access to education, labor rights, and civil rights. Nevertheless, women often experienced discrimination in employment, obtaining credit, and receiving equal pay for similar work, as well as in owning and managing businesses. While the government enforced the law effectively in the public sector, women in positions of power faced limitations, and their authority was limited compared with that of men. For example, despite a law that requires equal participation of men and women in

elected positions, male political party leaders often made decisions on public policy without internal debate or input from female political leaders. Enforcement was not effective in the private sector or the larger informal sector.

Systemic Racial or Ethnic Violence and Discrimination

Exclusionary treatment based on race, skin color, and ethnicity was common, especially in higher-income urban areas. Darker-skinned persons of African descent from the RACN and the RACS, along with others assumed to be from those areas, experienced discrimination, such as being subjected to extra security measures and illegal searches by police. Indigenous and other ethnic groups from the RACN and the RACS alleged that discriminatory attitudes toward ethnic and racial minorities were responsible for the lack of government resources devoted to those regions. The government focused attention and resources on maintaining political control over decision-making bodies in the regions where most indigenous groups lived.

Indigenous Peoples

Indigenous persons constituted approximately 5 percent of the population and lived primarily in the RACN and the RACS. Despite having autonomous governing bodies, decisions affecting their lands, cultures, traditions, or the exploitation of energy, minerals, timber, and other natural resources on their lands were largely made or approved by national government authorities or by FSLN representatives. Individuals from five major indigenous groups – the Miskito, Sumo/Mayangna, Garifuna (of Afro-Amerindian origin), Creole, and Rama – the alleged government discrimination through underrepresentation in the legislative branch.

NGOs and indigenous rights groups denounced the increasing number of killings of indigenous persons at the hands of nonindigenous populations encroaching on their lands in the RACN and the RACS, and they claimed the government failed to protect the civil and political rights of indigenous communities. In August armed gold miners attacked an artisanal gold mining site and killed up to 13 indigenous persons in an effort to drive indigenous populations away from the site. The attack occurred in the Sauni As territory in the Bosawas protected biosphere. During the raid the attackers also raped two women and dismembered some of the bodies of

their victims. Police announced the arrests of three of 14 individuals accused of the crime, but many observers doubted the government's narrative, particularly because those arrested were indigenous persons, including a sibling of one of the rape victims. Some observers alleged government and FSLN involvement in the violence against Miskito populations in the RACN along the Coco River, either by failing to defend indigenous populations or as accomplices to nonindigenous groups invading indigenous lands. Indigenous groups continued to complain of rights violations in connection with government plans to build an interoceanic canal through their territory.

Indigenous persons from rural areas often lacked birth certificates, identity cards, and land titles. While the government did not deny these rights if requested, it favored FSLN party members over other constituents. Additionally, indigenous groups alleged the government provided identity cards to outsiders who encroached on indigenous lands in the RACS and the RACN, leading to overrepresentation of FSLN-aligned, nonindigenous persons in regional governing bodies. Most indigenous individuals in rural areas lacked access to public services, and deteriorating roads hindered access to health care for many.

Indigenous women faced multiple levels of discrimination based on their ethnicity, gender, and lower economic status. For example, indigenous women do not receive medical attention, education, police protection, or representation in government at the same level as nonindigenous women.

Throughout the year indigenous leaders alleged that regional and national governments granted logging and mining concessions to private firms and to government-affiliated businesses, such as ALBA-Forestal, without adequate consultation of the indigenous community, and that logging and mining continued in violation of national autonomy laws in the RACS and the RACN.

Children

Birth Registration: Citizenship is derived by birth within the country's territory and from one's parents. Local civil registries register births within 12 months, although many persons, especially in rural areas, lacked birth certificates. Registration in rural areas was difficult due to structural constraints, and the

government took no measures to address this, resulting in a growing number of de facto stateless persons in the country. Persons without citizenship documents were unable to obtain national identity cards and consequently could not vote and had difficulty participating in the legal economy and conducting bank transactions. Such persons also were subject to restrictions in employment, access to courts, and land ownership.

Child Abuse: According to the criminal code, prison sentences for rape committed against minors range from 12 to 15 years and for child abuse from seven to 12 years. Government efforts were insufficient to combat child abuse and sexual violence against minors. High rates of sexual violence against teenage girls contributed to high rates of teenage pregnancy, according to UNICEF.

Child, Early, and Forced Marriage: The minimum legal age for marriage is 18 for men and women, or 16 with parental authorization. There were credible reports of forced early marriages in some rural indigenous communities. UNICEF's *2019 State of the World's Children*, the most recent data available, reported 35 percent of women 20 to 24 years of age were married or in a union by age 18, and 10 percent were married by age 15. No information was available on government efforts to address or prevent forced and early marriage.

Sexual Exploitation of Children: The law prohibits sexual exploitation in general and designates enticing children or adolescents to engage in sexual activity as an aggravating condition. The government generally did not enforce the law pertaining to child sex trafficking. Penalties include 10 to 15 years in prison for a person who entices or forces any individual to engage in sexual activity and 19 to 20 years in prison for the same acts involving children or adolescents. The law defines statutory rape as sexual relations with children ages 14 or younger.

The law also prohibits child pornography, and the government generally enforced it. The penalty for inducing, facilitating, promoting, or using a minor for sexual or erotic purposes is 10 to 15 years in prison.

The country was a destination for child sex tourism. The law imposes a penalty of five to seven years in prison for those convicted of child-sex tourism.

International Child Abductions: The country is a party to the 1980 Hague

Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The country has a very small Jewish population. There were no known reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law requires persons with disabilities to have access to education, health services, public buildings, and transportation, although this did not occur in practice. Persons with disabilities faced severe problems accessing schools, public health facilities, and other institutions. Children with disabilities attended schools with nondisabled peers; specialized school materials were not readily available and on occasion were blocked by the Ministry of Education. Anecdotal evidence suggested that children with disabilities completed secondary education at a significantly lower rate than other children. Public schools were rarely well equipped, and teachers were poorly trained in providing appropriate attention to children with disabilities. Police stations and public health-care facilities did not have staff trained in sign language, making persons with hearing disabilities dependent on caretakers. Many voting facilities were not accessible. Advocates for persons with disabilities complained of a lack of accessible public transportation. Some persons with disabilities reported taxi drivers often refused them service due to the perceived extra burden on the driver to aid customers with disabilities. Advocates for persons with disabilities claimed interpreters for the deaf were not accessible at schools and universities, making it difficult for these persons to obtain education. Government clinics and hospitals provided care for veterans and other persons with disabilities, but the quality of care was generally

poor.

Discrimination against persons with physical, sensory, intellectual, and mental disabilities was widespread, despite being prohibited by law. Laws related to persons with disabilities do not stipulate penalties for noncompliance, although penalties may be issued under the general labor inspection code. The Ministry of the Family, Ministry of Labor, and Human Rights Office are among government agencies responsible for the protection and advancement of rights of persons with disabilities. The government did not enforce the law effectively; did not mandate accessibility to buildings, information, and communications; and did not make information available on efforts to improve respect for the rights of persons with disabilities. Advocacy organizations for persons with disabilities reported persons with disabilities accounted for less than 1 percent of public-sector employees, despite the legally mandated minimum representation of 2 percent. Further reports indicated public institutions did not sufficiently coordinate with the Labor Ministry to accommodate persons with disabilities in the workplace. While there were no official reports of violence, harassment or intimidation against persons with disabilities by government officials, there were several anecdotal reports of violence and harassment. These incidents generally went unreported mainly because victims did not want to face the burdensome process of filing a complaint.

HIV and AIDS Social Stigma

The law provides specific protections for persons with HIV or AIDS against discrimination in employment and health services, but such persons continued to suffer societal discrimination. An administrative resolution issued by the Ministry of Health continued in effect, declaring that HIV/AIDS patients should not suffer discrimination and making available a complaints office.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

LGBTQI+ groups reported discrimination, a lack of access to justice, and a lack of response from police. The government and FSLN supporters frequently targeted LGBTQI+ participants in civil protests in particular, using online smear campaigns and physical attacks in some cases. LGBTQI+ opposition members were

particularly targeted with sexual violence by police, parapolice, and progovernment supporters. The Observatory for Human Rights Violations Against LGBTQI+ Persons stated there were 43 attacks against LGBTQI+ in the first six months of the year, one-half against transgender women. LGBTQI+ activists said LGBTQI+ political prisoners hid their orientation, fearing increased abuse from prison guards. Reliable data on the breadth of such discrimination were not available. No specific laws exist to punish hate crimes against LGBTQI+ persons.

Transgender women detained for participating in prodemocracy protests were particularly harassed while in custody. They were held with male inmates, forced to strip in front of their peers, and specifically harangued by guards. The law does not recognize the right to gender identity self-determination, and as such the penitentiary system is not required to separate inmates based on gender identity. Celia Cruz, a political prisoner and transgender woman, was given amnesty and released in April, although her trial continued and an appeals court ratified her guilty sentence in June.

Although it does not mention sexual orientation and gender identity specifically, the law states all persons are equal before the law and provides for the right to equal protection. No laws specifically criminalize consensual same-sex sexual conduct between adults. LGBTQI+ persons, however, continued to face widespread societal discrimination and abuse, particularly in housing, education, and employment. LGBTQI+ organizations continued to complain the law curtailed the rights of LGBTQI+ households by defining families as necessarily headed by a man and a woman; this definition particularly affected LGBTQI+ households' access to social security, survivor benefits, and adoption rights.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of all workers in the public and private sectors, except for those in the military and police, to form and join independent unions of their choice without prior authorization and to bargain collectively. The government's control of all major unions effectively nullified those rights. The ruling party used its control over major unions to harass and intimidate workers in

several sectors, including education, health care, the public sector, and free trade zones. The constitution recognizes the right to strike, although it places some restrictions. The law prohibits antiunion discrimination but does not provide for measures to protect against rights violation. Burdensome and lengthy conciliation procedures and government control of all major unions impeded workers' ability to call strikes. In smaller businesses where major unions were not present, the government created parallel labor unions to confuse and diffuse efforts to organize strikes or other labor actions. In addition, if a strike continues for 30 days without resolution, the Ministry of Labor may suspend the strike and submit the matter to arbitration.

Collective bargaining agreements last up to two years and are automatically renewed if neither party requests its revision. Collective bargaining agreements in the free trade zone regions, however, are for five-year periods. Companies in disputes with their employees must negotiate with the employees' union if one exists. By law several unions may coexist at any one enterprise, and the law permits management to sign separate collective bargaining agreements with each union.

The government sought to foster resolution of labor conflicts through informal negotiations rather than formal administrative or judicial processes. The law does not establish specific fines for labor law violations, and penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. Although the law establishes a labor court arbitration process, it was subject to long wait times and lengthy and complicated procedures, and many labor disputes were resolved out of court.

Freedom of association and the right to collective bargaining were not respected, and the government often intervened for political reasons. The government did not effectively enforce the laws. Most labor unions were historically allied with political parties, but in recent years the government reportedly dissolved unions and fired workers not associated with the ruling FSLN. Independent labor experts reported the Ministry of Labor denied or unduly delayed providing legal recognition to unions that were not aligned with the FSLN.

Politically motivated firings continued to be a problem. Most of the doctors and

university staff from the public sector fired for political reasons since 2018 had not received severance pay as of September. Labor experts highlighted similar instances of public-sector employees being fired without receiving severance pay. FSLN party affiliation or letters of recommendation from party secretaries, family cabinet coordinators, or other party officials were allegedly required from applicants seeking public-sector jobs.

The government restricted the organizing of trade unions and teachers perceived to be in opposition to the government.

There were no known documented instances of strikes being declared illegal. Under the law, during a strike employers may not hire replacement workers, but unions alleged this practice was common. Wildcat strikes – those without union authorization – were historically common.

Employers interfered in the functioning of workers' organizations and committed other violations related to freedom of association and collective bargaining. Labor leaders noted employers routinely violated collective bargaining agreements and labor laws with impunity.

Official union federations were accused of protecting employer interests by identifying and isolating workers who attempted to organize as well as frustrating such attempts through arbitrary procedural barriers that delay approval processes. Federations also permitted illegal firings of workers who tried to organize themselves; the workers faced retaliation and permanent exclusion from jobs in the free trade zones.

Many employers in the formal sector continued to blacklist or fire union members and did not reinstate them. Many of these cases did not reach the court system or a mediation process led by the Ministry of Labor. Employers often delayed severance payments to fired workers or omitted the payments altogether. Employers also avoided legal penalties by organizing employer-led unions lacking independence and by frequently using contract workers to replace striking employees. There were reports FSLN party dues were automatically deducted from paychecks.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. There was no information available regarding government enforcement of these laws. Penalties were commensurate with those for other analogous serious crimes, such as kidnapping. Despite reported political will to combat human trafficking, including labor trafficking, during the year the government did not take sufficient action to address the scope of the problem and provided only limited information about its law enforcement efforts.

Observers noted reports of forced labor, including of men, women, and children in agriculture, construction, mining, street begging, and domestic servitude. Victim identification, prosecution, and conviction remained inadequate, and victims' family members were often complicit in their exploitation. Traffickers lured residents of rural or border regions with the promise of high-paying jobs in urban and tourist areas but then subjected them to sexual exploitation and forced labor.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The law establishes the minimum age for employment at 14 and limits the workday for any individual between ages of 14 and 18 to six hours and the workweek to 30 hours. Those between 14 and 16 must have parental approval to work or enter into a formal labor contract. The law prohibits teenage domestic workers from sleeping in the houses of their employers. It is illegal for minors to work in places the Ministry of Labor considers harmful to their health or safety, such as mines, garbage dumps, and night entertainment venues, and to undertake certain agricultural work. The government mostly enforced the law in the formal sector, but enforcement was insufficient in the much larger informal sector, where child labor was more prevalent. Legal penalties for persons employing children in dangerous work were commensurate with those for other analogous serious crimes, such as kidnapping.

The government used limited resources to concentrate on child labor violations in

select sectors in narrow geographic areas, such as coffee-growing regions, and gave only limited attention to the large informal sector. The government reported having separated nine children from work between January 2019 and the first semester of 2020.

The government signed thousands of cooperative agreements with employers to prevent the hiring of minors and continued Programa Amor, which aimed to eradicate child labor by reintegrating abandoned children into society. Information on the program's activities, funding, and effectiveness was unavailable, but independent observers deemed it insufficient.

Laws to eliminate child labor were not fully implemented and lacked a consistent mechanism to coordinate efforts to address child labor. The government also divested resources from child labor prevention. Attendance in secondary schools remained much lower than in primary schools, increasing the risk of older children engaging in exploitative labor. The country made minimal advancement in efforts to eliminate the worst forms of child labor.

Fifteen percent of children lacked birth certificates, which increased their risk for human trafficking, including for the purposes of commercial sexual exploitation.

Child labor remained widespread. According to organizations that worked on children's rights, this likely increased to almost 320,000 children working in some form of child labor. A common feature of child labor was the prevalence of unpaid family work, and the National Institute of Development Information stated 80 percent of children and adolescents were unpaid workers.

Children engaged in the worst forms of child labor, including in commercial sexual exploitation (see section 6). Most child labor occurred in forestry, fishing, and the informal sector, including on coffee plantations and subsistence farms. Child labor also occurred in the production of dairy products, oranges, bananas, tobacco, palm products, coffee, rice, and sugarcane; cattle raising; street sales; garbage-dump scavenging; stone crushing; gold mining and quarrying of pumice and limestone; construction; marijuana and other drug production and trafficking; street performing; domestic work; and transport. Persons with disabilities and children were subjected to forced begging, particularly in Managua and near tourist centers.

Children working in agriculture suffered from sun exposure, extreme temperatures, and dangerous pesticides and other chemicals. Children working in the fishing industry were at risk from polluted water and dangerous ocean conditions.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

The law and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV or other communicable disease status, or social status. The government did not deter such discrimination because it did not effectively enforce the law and regulations. Penalties for violations were commensurate with laws related to civil rights, such as election interference.

Discrimination in employment took many forms. Although women generally had equal access to employment, few women had senior positions in business and worked in the informal sector in higher numbers than men; in the public sector or in elected positions, an autocratic ruling political party limited women's independence and influence. In addition, women's wages were generally lower when compared with those of male counterparts, even for the same position and work performed. Workplace challenges for persons with disabilities included inadequate infrastructure, lack of educational opportunities, and a generally low rate of public-services positions, despite a legal requirement that a certain percentage be available to them. LGBTQI+ organizations reported that sexual orientation and gender identity continued to be a basis for discriminatory behavior.

Workers who disagreed with government recommendations were fired, and only those with a membership card of the ruling party were hired.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law establishes a statutory minimum wage for 10 economic sectors. According to the Ministry of Labor, the average legal minimum

wage covered only 35 percent of the cost of basic goods. The ministry, together with workers' unions aligned with the ruling party, agreed to a 3 percent wage increase for the year. Public-sector employees received a 5 percent salary increase in August. Free trade zone regions had a wage increase of 8 percent, prenegotiated in a five-year agreement expected to expire in 2022. The salary increase remained unchanged despite free trade zone representatives reporting unsteady industry performance.

The minimum wage was generally enforced only in the formal sector, estimated to be 20 percent of the economy. The Ministry of Labor is the primary enforcement agency.

The standard legal workweek is a maximum of 48 hours, with one day of rest. The law dictates an obligatory year-end bonus equivalent to one month's pay, proportional to the number of months worked. The law mandates premium pay for overtime, prohibits compulsory overtime, and sets a maximum of three hours of overtime per day not to exceed nine hours per week. Penalties for violations of minimum wage and overtime laws were not commensurate with those for similar crimes, such as fraud.

According to International Labor Organization guidelines, the number of labor inspectors was insufficient for the size of the workforce, which included approximately three million workers. The law allows inspectors to conduct unannounced inspections and initiate sanctions for egregious violations.

Occupational Safety and Health: The National Council of Labor Hygiene and Safety, including its departmental committees, is responsible for implementing worker safety legislation and collaborating with other government agencies and civil society organizations in developing assistance programs and promoting training and prevention activities. According to labor contacts, the council was inactive throughout the year. The government did not allocate adequate staff or other measures to enable the Office of Hygiene and Occupational Safety to enforce occupational safety and health (OSH) provisions. Penalties for violations of OSH laws were commensurate with those for crimes such as negligence, but they were infrequently enforced and only in the formal sector.

OSH standards also were not widely enforced in an expanding large informal sector, which represented 77 percent of employment and 88 percent of businesses, according to 2016 reports from the Consultants for Business Development and the Nicaraguan Foundation for Economic and Social Development. Although more recent statistics on informality were not available, experts viewed this indicator as necessarily rising because of sociopolitical unrest and the aftermath of the COVID-19 pandemic. By law workers may remove themselves from situations that endanger their health or safety without jeopardy to their employment. It was unclear whether authorities effectively protected employees in such cases.

Informal Sector: The informal sector included the bulk of workers in street sales, agriculture and ranching, transportation, domestic labor, fishing, and minor construction. Legal limitations on hours worked often were ignored by employers, who claimed workers readily volunteered for extra hours for additional pay. Violations of wage and hour regulations in the informal sector were common and generally not investigated, particularly in street sales, domestic work, and agriculture, where children continued to work in tobacco, banana, and coffee plantations. Compulsory overtime was reported in the private-security sector, where guards often were required to work excessive shifts without relief.

NICARAGUA 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Nicaragua has a highly centralized, authoritarian political system dominated by President Daniel Ortega Saavedra and his wife, Vice President Rosario Murillo Zambrana. Ortega's Sandinista National Liberation Front party exercises total control over the country's executive, legislative, judicial, and electoral functions. President Ortega awarded himself a fourth consecutive term in the 2021 elections after arbitrarily jailing nearly 40 opposition figures, barring all credible opposition political parties from participating, blocking legitimate international observation efforts, and committing widespread electoral fraud. Independent observer groups and international organizations characterized the electoral process as seriously flawed, lacking credibility, and defined by historically low voter turnout. The 2021 elections expanded the ruling party's supermajority in the National Assembly, capitalizing on changes to the constitution in 2011 that eliminated restrictions on re-election of executive branch officials and mayors. The ruling party consolidated its power in the November municipal elections, in which the majority of voters chose not to participate, by winning in all 153 municipalities.

The Nicaraguan National Police is responsible for internal security. The army is responsible for external security but also has some domestic security responsibilities. Both report directly to the president, pursuant to changes in the police and army code in 2014, but cooperation between the entities is limited. Parapolice, which are nonuniformed, armed, and masked units with marginal tactical training and loose hierarchical organization, act in coordination with government security forces and report directly to the national police. Civilian authorities maintained effective control over police, military, and parapolice security forces. There were reports that members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture and cruel, inhuman, or degrading treatment or punishment by prison guards and parapolice; harsh and life-threatening prison conditions; arbitrary arrest and detentions; political prisoners;

transnational repression against individuals located in another country; serious problems with the independence of the judiciary; arbitrary and unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on free expression and media, including threats of violence against journalists, unjustified arrests of journalists, and censorship; substantial interference with the rights of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; severe restrictions on religious freedom; restrictions on freedom of movement and residence within the country and the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on and harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence including femicide and other forms of gender-based violence; crimes involving violence or threats of violence targeting ethnic minorities and Indigenous communities; trafficking in persons; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer and intersex persons; significant restrictions on workers' freedom of association; and the worst forms of child labor.

The government did not take steps to identify, investigate, prosecute, or punish officials who committed human rights abuses, including those responsible for at least 355 killings and hundreds of disappearances during the prodemocracy uprising of 2018. The government did not address instances of widespread corruption. President Ortega strengthened impunity for human rights abusers who were loyal to him.

Parapolice and individuals linked to the Ortega government carried out a campaign of harassment, intimidation, and violence toward perceived enemies of the regime, such as former political prisoners and their families, farmworker activists, prodemocracy opposition groups, human rights defenders, private-sector leaders, and clergy, other religious actors, and church-affiliated civil society groups. Authorities did not investigate or prosecute these actions.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports that the government or its agents committed arbitrary or unlawful killings. The Nicaraguan National Police's Office of Internal Affairs is charged with investigating whether security force killings were justifiable and referring cases deemed potentially unjustifiable to the prosecutor's office. The government did not reply to inquiries regarding whether the Office of Internal Affairs carried out investigations during the year. Human rights organizations and independent media alleged some killings were politically motivated, an allegation difficult to confirm because the government refused to conduct official inquiries.

On February 12, political prisoner Hugo Torres Jimenez died while in police custody. In June 2021, Torres was arrested as part of a regime offensive to suppress political opposition. Despite several calls to release Torres to house arrest due to his deteriorating health, authorities moved him to a hospital run by the Nicaraguan National Police only a few weeks before his death.

Reports of killings were common in the north-central regions and the North Caribbean Autonomous Region (RACN). Human rights groups said these killings illustrated a continuation of a campaign of terror in the north-central and RACN regions, perpetrated by parapolice groups to stamp out political opposition to the ruling Sandinista National Liberation Front (FSLN) party. Government-supported bandits killed Indigenous persons while encroaching upon and seizing their lands and natural resources. In March, the Sauni Arungka-Matumbak Mayangna Indigenous Territorial Government issued a statement on the killing of one of its leaders, Salomon López Smith, whose body was found one week after he was reported missing. His body showed signs of torture, including broken bones, flayed skin, and mutilations.

There was no indication the government investigated crimes committed by police and parapolice groups related to the 2018 prodemocracy uprising that began due to discontent with a government decision to reduce social security benefits. In April 2018, President Ortega and Vice President Murillo ordered police and parapolice

forces to suppress peaceful protests with violence. During the next few months, the ensuing conflict left at least 355 persons dead, more than 2,000 injured, thousands forced into hiding, and hundreds illegally detained and tortured. The violence also spurred hundreds of thousands into exile in neighboring countries. The Ortega government instituted a policy of “exile, jail, or death” for anyone perceived as opposition, amended terrorism laws to include prodemocracy activities, and used the justice system to prosecute civil society actors as terrorists, assassins, and coup mongers. Police and the Public Prosecutor’s Office tried, convicted, and imprisoned many members of the prodemocracy opposition. Human rights organizations concluded the regime’s investigations and prosecutions did not conform to the rule of law.

b. Disappearance

There were no reports of disappearances in the year.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

Although the law prohibits such practices, government officials intentionally carried out acts that resulted in severe physical or mental suffering for the purposes of securing information, inflicting punishment, and psychologically deterring other citizens from reporting on the government’s actions or participating in civic actions against the government. Members of civil society, opposition leaders, and student leaders involved in the protests that began in April 2018 were more likely than members of other groups to receive such treatment.

According to family members, in May, three political prisoners held in a regional prison in Waswali, Matagalpa, were beaten, isolated, and denied medical attention afterward. The families believed the beatings were retaliation for the prisoners’ participation in a hunger strike for several days.

Prison authorities subjected 27 prisoners held for more than one year in the Directorate of Judicial Assistance temporary holding cells, known as El Chipote, to cruel and degrading treatment. Family members reported the prisoners were intentionally underfed, continually interrogated after conviction, subjected to

extended periods of darkness or light, deprived of sunlight, prevented from speaking, denied access to reading material, and in some cases kept in solitary confinement for extended periods of time. Following widespread criticism for underfeeding detainees, FSLN-aligned judge Octavio Rothschuh oversaw “informative” hearings for the prisoners between August 30 and September 1 and published photographs of them. Several appeared to have lost a significant amount of weight. The penal code does not provide for such hearings, and human rights organizations complained the hearings amounted to an additional form of torture or humiliation. Other political prisoners suffered similar conditions while in detention, including several who had protective measures in place from the Inter-American Commission on Human Rights (IACHR).

Human rights organizations reported female prisoners were regularly subjected to strip searches, degrading treatment, threats, rape, and other gender-based violence while in custody of parapolice forces, prison officials, and police. Family members of prisoners also suffered degrading treatment by police and prison guards during visits, including strip searches, forced squats, and body cavity searches.

Impunity persisted among police and parapolice forces in reported cases of torture, mistreatment, or other abuses. The Nicaraguan National Police’s Office of Internal Affairs is charged with investigating police suspected of committing a crime. The Office of the Military Prosecutor investigates crimes committed by the army, under the jurisdiction of the Office of the Military Auditor General. With complete control over the police, prison system, and judiciary branch, however, the government made no effort to investigate allegations that regime opponents were tortured or otherwise abused.

Prison and Detention Center Conditions

Prison conditions were harsh and potentially life threatening. Overcrowding, poor sanitation, difficulties obtaining medical care, and violence among prisoners remained serious problems in prison facilities.

Abusive Physical Conditions: Prison conditions continued to deteriorate due to antiquated infrastructure and an increasing inmate population. Despite relatively

new temporary holding cells in the Directorate of Judicial Assistance, the rest of the prison system was in poor condition. In 2020, the government reported overcrowding in five of the seven prisons for men, holding 15,333 prisoners with capacity for 12,600. The government did not provide updated figures. More than 1,000 of these inmates were held in the notorious La Modelo prison, known as the regime's torture prison. Due to overcrowding, pretrial detainees often shared cells with convicted prisoners, and juveniles shared cells with adults.

Inmates suffered from parasites, inadequate medical attention, inadequate and contaminated food, contaminated water, and inadequate sanitation.

Many prisoners suffered mistreatment from prison officials and other inmates. Human rights organizations confirmed at least 18 prisoners detained in connection with the 2018 protests or the 2021 crackdown on opposition were subjected to solitary confinement in maximum-security cells, in some cases for months. Relatives reported at least four women political prisoners had been held in solitary confinement for more than one year.

Conditions in jails and temporary holding cells were also harsh. Most facilities were physically decrepit and infested with vermin; had inadequate ventilation, electricity, or sewage systems; and lacked potable water.

Administration: Although prisoners and detainees could submit complaints to judicial authorities without censorship and request investigation of credible allegations of inhuman conditions, authorities often ignored or did not process complaints.

The government restricted political prisoners' access to visitors, attorneys, physicians, and consular officials. The government did not permit religious observance for political prisoners, including restricting collective prayer and access to religious texts, as provided for in the constitution. Staff members of human rights organizations, family members, and other interested parties were not allowed access to the prison system or to prisoners in custody.

Independent Monitoring: The government permitted the International Committee of the Red Cross (ICRC) access to some prisoners but denied prison visits by local human rights groups and media outlets. The government denied the

ICRC access to more than 40 political prisoners held since May 2021 in El Chipote despite ICRC requests to see them. Nongovernmental organizations (NGOs) received prisoners' complaints through family members of inmates but often could not follow up on cases until after the release of the prisoner due to lack of access.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government, however, generally did not allow those arrested during protests to challenge the lawfulness of their arrests or detentions. In cases of political opponents, judges regularly denied or ignored constitutional protections for detainees, including habeas corpus.

Arrest Procedures and Treatment of Detainees

The law requires police to obtain a warrant from a judicial authority prior to detaining a suspect and to notify family members of the detainee's whereabouts within 24 hours, but this rarely happened in arrests related to civil unrest.

Police may hold a suspect legally for 48 hours before arraignment or release; however, a 2021 amendment to the criminal procedural code allows for the Public Prosecutor's Office to request an extension for 15 to 90 days if a judge deems the case complex. A judge then must order the suspect released or transferred to jail for pretrial detention. The suspect is permitted family member visits after the initial 48 hours. A detainee has the right to bail unless a judge deems there is a flight risk. The criminal code lists crimes that may be tried by a judge without a jury and that would not qualify for bail or house arrest during the duration of the trial. Detainees have the right to an attorney immediately following their arrest, and the state provides indigent detainees with a public defender. In several instances, authorities denied having detainees in custody at a specific jail, including to their family members or legal counsel. Police routinely rejected complaints filed by prodemocracy activists. Human rights organizations reported police and parapolice agents routinely detained and released government opponents within a 48-hour window, beyond which the Public Prosecutor's Office is required to obtain an extension limited to no more than 90 days to continue its

investigation. In several cases, police abused extensions by failing to begin investigations until they were granted.

The government used money laundering laws, a foreign agents law, and a law for the defense of sovereignty to threaten, harass, and unjustly detain political opponents, journalists, and civil society activists. Human rights organizations and civil society activists asserted these laws constituted part of a larger scheme by the government to exert its own concept of sovereign security, laid out in the 2015 Sovereign Security Law, which significantly broadened the definition of state sovereignty and security, as a pretext to arrest protesters and other persons the government deemed in opposition to its goals.

Arbitrary Arrest: Human rights NGOs noted cases of arbitrary arrests by police and parapolice forces, although parapolice have no authority to make arrests. In several cases, police made arrests without a warrant and detained suspects incommunicado for several days before informing their families. Detentions of political opponents mostly occurred without a warrant or formal accusation and for causes the law does not authorize.

According to NGOs and other human rights groups, arbitrary arrests occurred regularly, particularly of persons the government deemed active opposition members or participants in previous prodemocracy protests. The government detained several members of the Roman Catholic Church for extended periods without formal charges. On August 19, police raided the Matagalpa episcopal church residence without a warrant and detained Catholic Bishop Monsignor Rolando Álvarez and six other clergy and laity. The raid occurred two weeks after police confined them to the residence. On August 20, police authorities issued a press release stating that Álvarez would be detained in his parents' home in Managua, amounting to de facto house arrest. The others were taken to El Chipote.

In many cases, police and parapolice detained persons who had participated in prodemocracy protests in 2018 and 2019 but who were not at the time of their detention engaging in any activity deemed illegal or in opposition to the ruling party. Police often arrested these individuals without a warrant and occasionally entered private homes or businesses without a court order. In several cases, police

raided and ransacked the houses of those detained, also without court warrants. Many arrests were allegedly made without informing family members or legal counsel. Reports were common of armed, hooded men in plain clothes acting alone or together with police to arrest and detain prodemocracy protesters. Human rights organizations indicated that delays in the release of prisoners after finishing prison terms led to many cases of arbitrary continuation of a state of arrest.

Pretrial Detention: Lengthy pretrial detention continued to be a problem. Many opposition leaders and prodemocracy protesters were detained and held with no charges and without being granted due process. Observers noted that in several instances authorities deliberately imposed lengthy pretrial detentions against specific protest leaders. Observers attributed other delays to limited facilities, an overburdened judicial system, judicial inaction, and high crime rates. No information was available on the percentage of the prison population in pretrial detention or the national average length of pretrial detention.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but the government did not respect judicial independence and impartiality. The law requires vetting of judicial appointments by the Supreme Court of Justice, a process dominated by the government. Once appointed, most judges submitted to political pressure and economic inducements for themselves or family members that compromised their independence. FSLN-aligned judges regularly dismissed requests for appeals, on some occasions despite having conceded that irregularities had occurred during the trial.

NGOs complained of delayed justice caused by judicial inaction and widespread impunity, especially in cases involving family and domestic violence and sexual abuse. In cases against political activists, judges handed down biased judgments at the bidding of the government. Lawyers for political prisoners reported that judges routinely dismissed defendants' evidence and accepted prosecutors' anonymous sources. In many cases, trial start times were changed with no notification provided to one or both parties to the trial, according to human rights organizations. Authorities occasionally failed to respect court orders.

Trial Procedures

The law provides the right to a fair and public trial, but the judiciary generally did not enforce this right. The law allows judges to deny jury trials in a wider range of cases, deny bail or house arrest based on unclear rules, and arbitrarily move a case from other judicial districts to Managua, to the disadvantage of defendants, their families, or their counsel. Defendants were often denied the right to be informed promptly of the charges against them; have a fair, timely, and public trial; be present at their trial; have adequate time and facilities to prepare a defense; have representation by or access to private defense council; confront prosecution or plaintiff witnesses and present their own defense or witnesses; not be compelled to testify; or appeal. While the law establishes specific time periods for cases to come to trial, most cases encountered long delays. Prisoners also reported a lack of immediate access to an attorney or legal counsel and were not afforded one during their detention.

According to the constitution, defendants are presumed innocent until proven guilty. Observers claimed, however, that the extension of a pretrial detention from 48 hours to up to 90 days while an investigation takes place posed an undue presumption of guilt on defendants.

Although the constitution recognizes Indigenous languages, Indigenous defendants were not always granted court interpreters or translators.

The hearings for political prisoners or those deemed to be opponents of the government did not conform to legal procedures. The defendants were detained without warrants and were not afforded legal counsel of their choice or access to their family members within 48 hours after their detention or during at least two initial hearings. Their location was not disclosed, and their cases did not appear in an online system providing public access to legal cases. Judges dismissed or ignored habeas corpus writs in the prisoners' favor, hearings and trials were closed to the public and held within the detention center, and when prisoners finally had access to their legal counsel of choice, judicial and prison officials denied lawyers access to their clients and refused to provide court documents to defense counsel before trial, including documents listing charges against their clients. Judges did not record hearings or give defendants' legal counsel transcripts of the hearings.

The Public Prosecutor's Office presented police officers as witnesses in hearings on these charges. In her daily press briefings, Vice President Murillo frequently referred to political prisoners as “terrorists” and “coup mongers,” although the prisoners were still awaiting trial.

Women's rights organizations believed the court system continued to operate under unofficial orders not to impose imprisonment or pretrial detention in domestic violence cases. This informal policy reportedly applied only to domestic violence cases that authorities considered mild.

Political Prisoners and Detainees

Human rights NGOs characterized as political prisoners those detained for supporting or participating in prodemocracy protests, as part of the government's crackdown on the political opposition during 2021, or for expressing dissent. The government does not recognize political prisoners as an inmate category and considers all prisoners to be common criminals. According to human rights organizations, the government continued to hold more than 219 political prisoners as of September, with at least 36 of them in some form of solitary confinement. Twenty-seven political prisoners held in El Chipote were found guilty of “undermining national integrity” and in some cases of “disseminating false news.” Political prisoners in other prisons were generally accused of narcotrafficking, possession of drugs or weapons, or minor theft.

The law allows for family visits ranging from every eight to 21 days. Family visits for prisoners the state deemed dangerous enough to be held under maximum security were restricted to once a month. By this measure, political prisoners were treated more harshly than “dangerous” prisoners. Prison authorities held political prisoners incommunicado for 50 to 80 days before allowing them to see an attorney of their choice and receive family visits. In August, authorities allowed political prisoners Miguel Mora and Tamara Davila to see their children after more than one year in detention, after they both went on a hunger strike to protest. In September, 24 other political prisoners began indefinite hunger strikes to protest not being allowed to see their families and to call attention to their situation. Authorities in prison retaliated by harassing them and limiting their access to food.

Political prisoners did not receive appropriate health care, including while suffering COVID-19 symptoms. Political prisoners were severely undernourished, with no access to sunlight or appropriate health-care services. Some political prisoners were denied access to medicine and medical treatment for chronic illnesses.

Political prisoners were kept together with common criminals. Advocacy groups reported prison authorities instigated quarrels between the general prison population and political prisoners by blaming political prisoners for any withheld privileges, often resulting in violence. Human rights organizations received several reports of political prisoners being beaten, threatened, held in solitary confinement for weeks, and suffering from poor ventilation and poisoned or contaminated food and water.

The government did not permit access to political prisoners by local human rights groups.

Amnesty: The government released one political prisoner, held 13 under house arrest, and dropped the charges against one political prisoner.

Transnational Repression

Groups of exiles in Costa Rica alleged harassment and political oppression by parapolice and FSLN sympathizers who crossed the border to target exiles, as well as by intelligence officials within the Nicaraguan embassy in Costa Rica.

A 2020 cybercrimes law establishes the government may use the international extradition system to pursue citizens living abroad who commit so-called cybercrimes.

Threats, Harassment, Surveillance, and Coercion: Family members of opposition members in exile were surveilled, harassed, detained, and wrongfully convicted as part of government attempts to force exiled opposition members to return to the country and face arrest. In September government security forces and judicial authorities detained, tried, and convicted five family members of opposition figures in exile under politically motivated laws on conspiracy to undermine national integrity and spread fake news. In one case, police reportedly

offered to release an opposition figure's family members if he would return to the country and surrender himself to authorities.

On September 13, police arrested the wife, daughter, and son-in-law of Javier Álvarez Zamora, who was in exile, after trying unsuccessfully to arrest him earlier in the year.

Misuse of International Law Enforcement Tools: There was a credible report the regime attempted to misuse Interpol Red Notices for politically motivated purposes as reprisal against an individual located outside the country, in an alleged money laundering and usury case. The government froze the assets and seized 38 subsidiaries of his business.

Efforts to Control Mobility: There were credible reports that authorities attempted to control mobility to exact reprisal against citizens abroad by denying them consular services. This prevented exiled citizens seeking asylum abroad from traveling to a third country. Additionally, the government denied entry to several citizens trying to return to the country.

Civil Judicial Procedures and Remedies

Individuals and organizations may file suit in civil courts to seek damages for alleged human rights abuses, but authorities did not always respect court decisions.

The lack of an effective civil law system resulted in some civil matters being pursued as criminal cases, which were often resolved more quickly. In several instances, individuals and groups appealed to the IACHR, which passed their cases to the Inter-American Court of Human Rights. The government regularly dismissed or ignored orders from the Inter-American Court of Human Rights, including orders to protect or release certain political prisoners.

Property Seizure and Restitution

The government regularly failed to take effective action with respect to seizure, restitution, or compensation of private property. Some land seizures were politically targeted and directed against specific individuals, such as business owners considered independent or against the ruling party. The government

routinely seized the property of NGOs and private businesses by stripping them of their legal status or otherwise accusing them of breaking the law. In many instances, the government repurposed the property to serve party interests. On April 24, the government seized without legal justification a privately owned building where the Organization of American States (OAS) rented office space. In August, the government gave the building to the public National Autonomous University of Nicaragua to house a “Center for National Sovereignty.”

The Office of the Attorney General routinely either rejected requests to evict illegal occupants of real property or failed to respond to the requests altogether. National and local police also routinely refused to evict illegal occupants of real property. Police often took no action against violence perpetrated by illegal occupants, while acting swiftly against any use of force by legitimate property owners. The judicial system delayed final decisions on cases against illegal occupants. Members of the judiciary, including those at senior levels, were widely believed to be corrupt or subject to political pressure. When judges issued orders in favor of landowners, local officials frequently failed to enforce court orders. In the face of government inaction, some landowners were forced to pay squatters to leave their real property. Nine NGOs had yet to obtain a legal resolution or any type of compensation after the National Assembly annulled their legal status and the government seized their properties in 2018.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits arbitrary or unlawful interference with privacy, family, home, and correspondence. The government, however, failed to respect these prohibitions. Police raided homes and businesses without legal warrants, particularly against political opposition members. FSLN grassroots organizations such as the Citizen Power Councils colluded with parapolice or party loyalists to target the homes of prodemocracy protesters. Without a warrant and under no legal authority, these groups illegally raided homes and detained occupants. Police routinely stationed police vehicles and officers outside the homes of opposition members, harassing visitors and often prohibiting opposition members from leaving their houses. These actions were widespread in large cities, particularly

Managua, Matagalpa, Esteli, Masaya, Rivas, Leon, and Jinotega.

The Ministry of Health continued to hold several buildings seized by the Ministry of Interior in 2018 from independent television station 100% Noticias, news magazine *Confidencial*, and nine NGOs when it annulled their legal status. The government carried out this de facto confiscation without following due process or providing appropriate compensation to the lawful owners.

Domestic NGOs, Catholic Church representatives, journalists, and opposition members alleged the government monitored their email and telephone conversations. Church representatives also stated their sermons were monitored. As part of a continuing social media campaign against prodemocracy protests, ruling party members and supporters used social media to publish personal information of human rights defenders and civil society members. Government supporters marked the houses of civil society members with derogatory slurs or threats and then published photographs of the marked houses on social media. On several occasions, the markings were accompanied by or led to destruction of private property. Although the law prohibits the use of drones, some members of the opposition claimed FSLN supporters used drones to spy on their houses.

Police and paramilitary groups harassed and surveilled Catholic clergy and laity, including by preventing Catholic priests from leaving church property for days at a time and monitoring their homilies for alleged messages of dissent or antigovernment rhetoric. On October 19, police encircled a parish in Masaya to intimidate and deter worshippers from holding annual religious processions.

Inhabitants in northern towns, particularly in the departments of Nueva Segovia, Jinotega, and Madriz, as well as the RACN and the South Caribbean Autonomous Region (RACS), alleged repeated government interrogations and searches without cause or warrant. Several opposition members who were former Contras claimed they were regularly surveilled, stopped, and detained by police for questioning for several hours, usually in connection with alleged contact with rearmed groups or antigovernment protests. The individuals also said progovernment sympathizers verbally threatened them outside their homes and surveilled and defaced their houses.

The government required citizens to demonstrate ruling-party membership to obtain or retain employment in the public sector and have access to public social programs.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, but the government did not respect this right. Restrictions on press freedom, the absence of an independent judiciary, and a nondemocratic political system combined to inhibit freedom of expression, including for members of media. Although the law provides that the right to information may not be subjected to censorship, the government and actors under its control retaliated against the press and radio and television stations by revoking broadcasting licenses, blocking transmissions, confiscating recording equipment, and committing violence against journalists.

Freedom of Expression: The government used reprisals and the law to restrict the ability of individuals to criticize the government. Persons who criticized the government, the ruling party, or its policies were subjected to police and parapolice surveillance, harassment, imprisonment, and abuse. Government supporters considered the use of the national flag and the national colors of white and blue as acts of defiance and attacked opposition activists flying the flag or national colors.

Violence and Harassment: Journalists were subject to government violence, harassment, and death threats. The government continued to hold independent journalists, including the general manager of the country's last independent newspaper, in El Chipote jail. Although the journalists had been convicted and sentenced, the government had not transferred them to the penitentiary system. Four additional journalists remained in prison: three after they indicated they would run as presidential candidates, and one for expressing his views on social media. Two others remained under house arrest. Between July and August, at least 25 journalists fled into exile due to harassment or because the regime closed their media.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:

Independent media were active and expressed a wide variety of views, albeit mainly through online venues operating from outside the country due to the government's restrictions and intimidation. The government cancelled the registration of at least 26 media outlets during the year, including eight radio stations and two television stations owned and managed by the Catholic Church. The government also ordered all cable television providers not to broadcast two television stations run by the Catholic Church. Additionally, five local newscasts, one nationally broadcast newscast, and five talk shows were informally ordered to avoid political news. The government also continued to occupy the offices of *La Prensa*, the last independent newspaper, and changed its facilities into a museum. As of September, there had been no order for the seizure. In July, the remaining staff of *La Prensa* fled the country due to harassment.

Independent media outlets experienced vandalism, seizure of broadcast equipment, cyberattacks, and criminal defamation charges. On several occasions, the government seized the property and equipment of media whose licenses had been cancelled.

The government repeatedly denied broadcasting licenses and other permits for independent media. Independent news outlets faced restrictions on speech, such as not being permitted to attend official government events, being denied interviews by government officials, and receiving limited or no direct access to government information. Official media, however, were not similarly restricted.

Independent media faced official and unofficial restrictions, reprisals, and harassment, but they were nonetheless successful in expressing a variety of views. Journalists from many stations were threatened and harassed with the purpose of limiting their editorial independence. On August 1, police and civilians entered the Divine Mercy Church in Sebaco without a warrant and seized the church's radio and television station equipment, a remedy not contemplated in law following cancellation of a media outlet.

Significant state influence, ownership, and control over most media outlets continued. National television was largely controlled either by business associates of the president or directly owned and administered by his family members. Eight

of the 10 basic channels available were under direct FSLN-party influence or owned and controlled by persons with close ties to the government. Media stations owned by the presidential family generally limited news programming and served as outlets for progovernment or FSLN propaganda and campaign advertisements. Other media significantly self-censored to avoid official retaliation. On June 30, the governing authority for telecommunications enforced a decree obliging all private cable stations to broadcast official television and radio emergency and special interest messaging. This decree compounded the already established obligation for open-air television and radio stations to do the same. This obligation was enforced every time the president participated in a public event, even when it was a political party event. Press and human rights organizations claimed the use of state funds for official media, as well as biased distribution of government advertising dollars, placed independent outlets at an extreme disadvantage.

The government continued to arbitrarily penalize those who published items counter to the ruling party's ideology. The government restricted access to public events, obligated independent press to use official media to cover presidential activities, and used troll farms to amplify its own messaging or attack independent media websites.

Restrictions on acquiring broadcast licenses and equipment prevented media from operating freely. In 2008, the National Assembly began a review of the General Law (Law 200) on Telecommunications; media outlets could not apply for broadcasting licenses during the review, which continued as of November. In 2008, the government extended the validity of existing licenses indefinitely but cancelled broadcasting licenses arbitrarily using undefined provisions supposedly under Law 200.

Some independent-media owners also alleged the government exerted pressure on private firms to limit advertising in independent media, although other observers believed the lack of advertising resulted from self-censorship by private companies. Many journalists practiced self-censorship, fearing economic and physical repercussions for investigative reporting on crime or official corruption. In addition, media outlet owners exercised self-censorship by choosing not to publish news that affected public perceptions of the government or the FSLN.

Libel/Slander Laws: Slander and libel are criminal offenses, punishable by fines ranging from 120 to 300 times the minimum daily wage; however, there were no reports of the government invoking these laws against members of media. Instead, according to Freedom House’s *Freedom on the Net 2022* report, the government used the 2020 special cybercrimes law to investigate and convict individuals, including opponents, journalists, and activists, for critical online speech.

National Security: Human rights NGOs and civil society organizations argued the Sovereign Security Law exemplified the government’s failure to respect civil liberties. Although not cited in specific cases, the law applies to “any other factor that creates danger to the security of the people, life, family, and community, as well as the supreme interests of the Nicaraguan nation.” The government used and threatened further use of the cybercrimes law, which includes as online crimes social media posts deemed dangerous by the regime and grants law enforcement authorities access to information systems and other data. Penalties for online crimes include imprisonment and hefty fines, disproportionate to the crimes defined in the law.

In addition, a police regulation restricts criticism of government policies and officials under the guise of protecting national security.

Internet Freedom

There were credible reports that the government monitored private online communications without appropriate legal authority and in some cases restricted or disrupted access to the internet or censored online content. Independent media reported the government provided logistical support for troll farms that routinely carried out cyberattacks against opposition media websites and social media accounts. Trolls and bots reportedly tracked opposition social media accounts to retaliate against users deemed opponents of the ruling party and progovernment accounts to amplify progovernment messaging.

Several NGOs claimed the government monitored their email and online activity without appropriate legal authority. Paid government supporters used social media and website commentary spaces to harass prominent members of civil society, human rights defenders, and well-known journalists.

As part of a continuing social media campaign against prodemocracy protests, ruling party members and supporters used social media to publish personal information of human rights defenders and civil society members. Civil society members alleged government offices provided the information to penalize the free expression of opinions. Government supporters also used the personal identifiable information to mark the houses of civil society members with either slurs or threats, then published photographs of the marked houses on social media.

According to Freedom House's *Freedom on the Net 2022* report, the government used the special cybercrimes law to investigate and convict individuals, including opponents, journalists, and activists, for critical online speech.

Restrictions on Academic Freedom and Cultural Events

There were government restrictions on academic freedom, and many students, academics, and researchers reported pressure to censor themselves.

In February, the FSLN majority in the National Assembly voted to cancel the legal status of five universities, including the National Polytechnical University. The government seized the property of several of the cancelled universities and created three public entities to operate as universities using the seized private property. Public universities continued to withhold the records of many university students who participated in prodemocracy protests. In many cases, students who went into exile could not continue their studies abroad without their records. Entrances to public universities remained under surveillance by progovernment guards or police officers who regularly checked visitors and searched their belongings – a practice begun after the prodemocracy protests of 2018.

The Nicaraguan University Council announced that university students and faculty must inform authorities of their travel abroad at least 30 days prior to travel. Likewise, university administrators must inform council authorities of any incoming foreign faculty or speakers prior to their arrival. Human rights NGOs and civil society groups reported authorities required students in elementary and secondary public schools to participate in progovernment rallies while schools were in session. Political propaganda for the ruling party was posted inside public schools. Teacher organizations and NGOs alleged continuing FSLN interference

in the school system by using school facilities as FSLN campaign headquarters, favoritism shown to members of FSLN youth groups or to children of FSLN members, politicized awarding of scholarships, and the use of pro-FSLN education materials.

In April, the government expelled two foreign musicians with legal residence and two Nicaraguan citizen music producers with no other nationality. The expulsions came days after the group performed a concert near the April anniversary of the 2018 prodemocracy uprising.

b. Freedoms of Peaceful Assembly and Association

The government restricted the freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The government did not respect the legal right to public assembly, demonstration, and mobilization. Prodemocracy marches and protests continued to be banned. Police and parapolice oppressed, harassed, and occasionally impeded private meetings of NGOs, civil society groups, and opposition political organizations. Police failed to protect peaceful protesters from attacks; they also committed attacks and provided logistical support to progovernment attackers. Human rights organizations reported police stopped traffic for and otherwise protected progovernment demonstrations.

Police routinely surrounded, surveilled, and threatened meetings of political parties and civil society organizations, as well as Catholic churches. Police entered private meeting spaces to disrupt gatherings of opposition parties and civil society organizations.

Freedom of Association

The law provides for freedom of association, including the right to organize or affiliate with political parties; nevertheless, the Supreme Electoral Council, National Assembly, and Ministry of Interior used their accreditation powers for political purposes. In April, the National Assembly approved a law giving the ministry oversight over all aspects of civil society organization activities, including

a ban on engaging in direct or indirect political activities. In August the National Assembly authorized the Ministry of Interior to cancel or provide legal status to civil society organizations. Unlike the National Assembly, the ministry is not obligated to publicize the names of NGOs it closes. As of November, the National Assembly and the ministry had closed more than 3,000 NGOs by revoking their legal status. To justify their closure, the government used the pretext of enforcing Financial Action Task Force antimoney laundering and counterterrorism financing standards, accusing the closed NGOs of posing high risks for illicit financial flows.

The 2020 foreign agents law remained in force and formed the basis for many of the cancellations of NGOs. The law requires anyone receiving funding from foreign sources to register with the Ministry of Interior and provide detailed monthly accounts of the intended use of the funds. Additionally, NGOs must present their legal accreditation, subject to annual renewal by the ministry. Many NGOs complained the ministry purposefully withheld or delayed this accreditation, which led to the loss of their legal status. Individuals who register as foreign agents may not participate in internal politics or run for elected positions for up to one year after being removed from the registry. Failure to register may lead to fines, judicial freezing of assets, and the loss of legal status for associations or NGOs.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government did not always respect these related rights.

The government strictly controlled entry to the country of persons affiliated with some groups, specifically humanitarian and faith-based organizations. The government may prevent the departure of travelers with pending legal cases and used this authority against individuals involved in the political opposition and media members who had not been charged with any crimes.

In-country Movement: Police consistently restricted the travel of opposition members to cities other than their hometowns. In many cases, police restricted the movement of political opponents outside their homes, although these individuals did not have pending charges against them or judicially imposed restrictions on their movement.

Foreign Travel: The law requires exit visas for children. There were several reports of authorities restricting the right to leave the country. Authorities seized the passports of citizens and reportedly refused to renew passports of others. Migration authorities arbitrarily confiscated and refused to provide or renew the passports of some citizens trying to leave the country. Authorities told the individuals that migration restrictions had been levied on them, although the individuals had no formal accusations or charges against them.

In several cases, the government denied reentry to citizens and residents after they returned from travel abroad. On April 19, the government denied Carlos Luis Mejía reentry to the country despite being a citizen and showing a valid Nicaraguan passport. On July 1, sociologist and women's rights advocate Maria Teresa Blandon was also denied reentry after traveling to El Salvador.

Citizenship: On April 12, police detained Salvador Espinoza and Xochitl Tapia, two music producers. On April 22, the government expelled them from the country despite their having no other citizenship.

e. Protection of Refugees

The government did not cooperate with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. The government had not provided updated information on refugees or asylum seekers since 2015.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. Only the executive branch or the country's embassies abroad may grant political asylum. There was no information available at year's end on asylum or refugee status determinations by the government.

f. Status and Treatment of Internally Displaced Persons

There were reports of several Indigenous communities in the north Caribbean region being forcibly displaced due to non-Indigenous miners, farmers, and cattle ranchers encroaching on Indigenous communal land. The government did not take actions against this encroachment, and according to human rights advocates, occasionally sponsored it. The government does not have policies and protections for internally displaced persons in line with the UN Guiding Principles on Internal Displacement.

g. Stateless Persons

Registration of births in rural areas was difficult due to structural constraints, and the government took no measures to address this, resulting in many de facto stateless persons in the country (see section 6, Children).

Section 3. Freedom to Participate in the Political Process

While the law provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret ballot, the government restricted freedom of expression, peaceful assembly, and association. The arrest of opposition candidates, cancellation of opposition party registration, and institutional fraud, among other obstacles, precluded opportunities for meaningful choice.

Elections and Political Participation

Recent Elections: In November 2021, President Ortega awarded himself a fourth term in office following a deeply flawed national electoral process characterized by historically low voter turnout. Ortega and his FSLN party cancelled the legal registration of all credible opposition political parties, jailed opposition presidential candidates on spurious charges, and committed blatant electoral fraud. The government did not allow credible, independent electoral observers into the country. The 2021 national elections expanded the ruling party's supermajority in the National Assembly. This marked a decade-long pattern after the fraudulent 2011 elections gave the government the supermajority needed to make

constitutional changes to extend the reach of executive branch power and eliminate restrictions on reelection for executive branch officials and mayors. In 2021, 25 OAS member states voted in favor of a resolution declaring the elections were “not free, fair or transparent, and lack democratic legitimacy.” The government used the November municipal elections to consolidate the ruling FSLN party’s control of municipalities. No independent opposition parties participated, and independent monitors estimated abstention rates of 79 to 84 percent. Independent media reported private companies with FSLN-aligned management threatened to fire employees without ink-stained thumbs indicating they had cast their ballots. In the week leading up to the elections, independent civil society organizations reported the government arrested seven individuals to intimidate opposition. Independent observer groups and international organizations characterized as not credible both the 2021 national elections and the November municipal elections, in which the ruling party won all 153 of the country’s municipalities and no other political parties were allowed to participate.

Civil society groups expressed concerns regarding the lack of a transparent and fair electoral process leading up to the 2022 municipal elections, 2021 national elections, 2019 Caribbean regional elections, and 2017 municipal elections. Electoral experts, business leaders, representatives of the Catholic Church, and civil society organizations reported that a lack of accredited domestic or international observation, in addition to the ruling party’s control over all aspects of the official electoral structure and all branches of government, combined to impede holding free and fair elections.

Political Parties and Political Participation: The government controlled political parties either by obtaining direct allegiance or by threatening to cancel their legal status. The law bars from running for office anyone whom the government designates a “traitor,” defining the term so broadly that it could be applied to anyone who expressed opposition to the ruling party. In July, police raided municipalities governed by the five remaining independent opposition mayors. Central government officials charged with liaising with local government dismissed the five opposition mayors because the government had cancelled the registration of their party in 2021. Observers noted the decision had no legal basis.

The government used state resources for political activities to the ruling FSLN

party's advantage in elections. Independent media and human rights groups reported the government used public funds to provide subsidized food, housing, vaccinations, access to clinics, and other benefits directly through either FSLN-led "family cabinets" (community-based bodies that administered government social programs) or party-controlled Sandinista leadership committee (CLS) systems, which reportedly coerced citizens into FSLN membership while denying services to opposition members. The regime also made party membership mandatory for an increasing number of public-sector employees. Observers noted the government continued to pressure public servants into affiliating with the FSLN and participating in party activities. The government also pressured public servants to participate in mass public gatherings, including sports events, political rallies, and marches.

The FSLN required persons seeking to obtain or retain public-sector employment, national identity documents, or voter registration to present recommendation letters from CLS block captains. Such letters were provided only to FSLN party members. Those without identity cards could not vote and had difficulty participating in the legal economy or conducting bank transactions. Such persons also were subject to restrictions in employment, access to courts, and land ownership.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, although the government did not implement the law effectively. There were numerous reports of government corruption during the year, including in the police force, Supreme Electoral Council, Supreme Court, customs and tax authorities, and other government entities. The Supreme Court and lower-level courts were particularly susceptible to bribes, manipulation, and political influence, especially by the FSLN. Companies reported that bribery of public officials, unlawful seizures, and

arbitrary assessments by customs and tax authorities were common. Municipal governments and regional governments in the Caribbean Coast were also plagued by corruption. The Managua municipal government reportedly engaged in corrupt practices related to infrastructure projects.

A general state of permissiveness hindered addressing the problem effectively. A lack of strong institutions, a weak system of checks and balances, and the regime's absolute control of government institutions allowed for corruption to continue with impunity. The Office of the Comptroller, responsible for combating corruption within government agencies and offices, did not carry out a complete verification of the government's full financial statements. The Financial Analysis Unit did not fully implement its mandate in prosecuting money laundering of government officials, focusing instead on investigating President Ortega's political opposition.

Corruption: Executive branch officials continued to be involved in businesses previously financed by economic and developmental assistance funds lent by the Venezuelan-led Bolivarian Alliance for the Peoples of Our America (ALBA), all of it outside the normal budgetary process controlled by the legislature. This included the Nicaraguan Electric Transmission Enterprise, which previously funneled ALBA funding and other oil-based assistance into privately owned businesses. Media reported that companies linked to previous ALBA-funded contracts and with links to the president's family were tightly controlled by members of Ortega's inner circle, with little public oversight. Cases of mismanagement of these funds by public officials were reportedly handled personally by FSLN members and President Ortega's immediate family, rather than by the government entities in charge of public funds.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The government did not allow domestic human rights organizations to operate legally in the country. A limited number of international humanitarian aid groups were able to visit the country, with significant restrictions on their operations. The government impeded the normal functions of such organizations. The government

selectively cancelled human rights organizations that operated in the country. On April 21, the government cancelled the legal status of the Permanent Commission for Human Rights. The Nicaraguan Center for Human Rights remained deprived of its legal status, cancelled in 2018, hindering its ability to investigate human rights abuses. The Nicaraguan Pro-Human Rights Association continued to operate from exile in Costa Rica and focused more on the Nicaraguan exile community. Other human rights organizations were also cancelled or faced significant harassment and police surveillance. Humanitarian organizations faced obstacles to operating or denial of reentry from abroad, and government officials harassed and intimidated domestic and international NGOs critical of the government or the FSLN. Some NGOs reported government intimidation created a climate of fear intended to suppress criticism.

On August 11, the regime-controlled National Assembly approved legislative reforms giving the Ministry of Interior absolute authority to cancel the legal registration of any organization without National Assembly approval. This new authority is contrary – and legally subordinate – to the constitution, which gives that power to the National Assembly and does not allow for transfer of that power to a government agency.

The government continued to prevent non-FSLN-affiliated NGOs and civil society groups from participating in government social programs, such as Programa Amor, which provides social protections to children and adolescents, and Hambre Cero, a program that distributes livestock for smallholder production. The government frequently used FSLN-controlled family cabinets and party-controlled CLSs to administer these programs. Increased government restrictions on domestic NGOs' ability to receive funding directly from international donors seriously hindered the NGOs' ability to operate. In addition, increased control over the entry of foreign visitors or volunteer groups into the country hindered the work of humanitarian groups and human rights NGOs. Some groups reported difficulties in moving donated goods through customs and said government officials were rarely cooperative or responsive to their complaints.

Several domestic NGOs reported the Ministry of Interior purposefully denied receipt of their compliance documentation and withheld or unduly delayed providing certifications to revoke the legal status of NGOs. Ultimately, the lack of

certification led to the cancellation of the NGO's registration by the same ministry that withheld the required certification. NGOs under government investigation reported problems accessing the justice system and delays in filing petitions, as well as pressure from state authorities. Several NGOs reported having their assets frozen during the process of certification, prior to being informed of their cancellation by the Ministry of Interior. Many NGOs believed comptroller and tax authorities audited their accounts as a means of intimidation. While legally permitted, spot audits were a common form of harassment and often used selectively, according to NGOs. NGOs reported difficulties in scheduling meetings with authorities and in receiving official information due to a growing culture of government secrecy.

The government enforced the law that requires any citizen working for "governments, companies, foundations, or foreign organizations" to register with the Ministry of Interior, submit monthly reports on their income and spending, and provide prior notice of how the foreign funds are intended to be spent. The law establishes sanctions for those who do not register.

Retribution against Human Rights Defenders: In July, immigration authorities refused to allow reentry into the country of Miskita lawyer and Indigenous rights defender Anexa Alfred Cunningham, who had traveled to Geneva to participate in a session of the UN Expert Group on the Rights of Indigenous Peoples. As of October, Cunningham remained in Geneva, unable to return home.

The United Nations or Other International Bodies: The government did not allow the Office of the UN High Commissioner for Human Rights (OHCHR) or IACHR to send working groups to monitor the human rights situation in the country. The government did not cooperate with these groups, including the Human Rights Council's Group of Experts on Nicaragua appointed in May, as noted in OHCHR and IACHR reports.

The government continued to block the entrance of the OAS high-level commission to help resolve the country's sociopolitical crisis. The government did not send a representative to any of the IACHR sessions held during the year. The government seized the private property where the OAS operated, expelled OAS personnel, and delayed transferring the material to OAS staff for several hours.

The government did not send a representative to any OAS Permanent Council meetings, based on its November 2021 notification of intent to withdraw from the organization. In several instances, government supporters detained or harassed human rights defenders protected by IACHR precautionary measures.

Government Human Rights Bodies: The Office of the Ombudsman for Human Rights, led since 2019 by Darling Rios, a sociologist with no previous human rights experience, and Adolfo Jarquin, also with no previous human rights experience, was perceived as politicized and ineffective. In 2019, the UN Human Rights Council demoted the Office of the Ombudsman for Human Rights from category A to B for its lack of independence.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes all forms of rape of men or women, regardless of the relationship between the victim and the accused. Sentences for those convicted of rape range from eight to 12 years' imprisonment. The law criminalizes domestic violence and provides prison sentences ranging from one to 12 years.

The government failed to enforce rape and domestic violence laws, leading to widespread impunity and reports of increased gender-based violence. The NGO Catholics for the Right to Decide reported 53 femicides as of September, most of them committed after the victims suffered sexual violence. On July 13, the government published a 22-page pamphlet entitled *Woman, Rights, Laws, and Reporting Mechanisms for the Prevention of Femicides* stating the pamphlet resulted from strategic planning to reduce violence against women and an activity promoted by the National Commission against Femicides. There had been no public announcement or news of either the strategy or the commission's existence in the previous months; leading women's rights groups expressed doubts regarding the government's claims. The government continued to use FSLN-led family cabinets and CLSs to mediate cases of domestic violence. Both entities were politicized and did not operate according to rule of law standards. Women's rights organizations complained that FSLN mediators themselves were often perpetrators

of domestic violence. The government employed limited public education, shelters, hotlines, psychosocial services, and police training in nominal and unsuccessful attempts to address the problem.

Groups working on women's issues reported that gender-based violence remained high and police generally understated its severity. The government cancelled the registration of at least 147 NGOs working on women's rights, blocking their work and access to funding. On September 1, police raided the headquarters of the Matagalpa Women's Collective, a nonprofit organization that provided shelter and support for victims of domestic violence, and confiscated property; the group's legal registration was cancelled in August 2021.

Sexual Harassment: The law prohibits sexual harassment and stipulates penalties of one to three years in prison, or three to five years if the victim is younger than 18. No information was available on government efforts to prevent or prosecute complaints of sexual harassment.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

While there were no cultural barriers that adversely affected women's access to health-care services, rural women's access to health care during pregnancy and childbirth was hindered by long distances to appropriate facilities in sparsely populated areas with poor transportation infrastructure. Women in some areas, such as the RACN and the RACS, lacked widespread access to medical care or programs, and the number of maternal deaths was higher among poor rural women than among their urban counterparts. Widespread lack of access to medical services also affected Indigenous and Afro-descendant women in the RACN and the RACS more than non-Indigenous women in other regions. In addition, adolescents often faced social stigma when seeking contraception methods.

The Ministry of Health's protocol for the provision of health services to survivors of sexual violence included the provision of emergency contraception within five days of the assault as well as treatment of HIV or sexually transmitted diseases. Women's rights organizations, however, claimed the Ministry of Health did not consistently provide clinical management of rape cases due to fears of subverting

the government's strict prolife policy. Civil society representatives reported the government's policy had a chilling effect on provision of reproductive health services.

While no legal barriers impede adolescent girls' access to education due to pregnancy or motherhood, economic hardship, and a lack of social safety nets to protect young mothers often impeded continued education for pregnant girls or young mothers.

Discrimination: The law provides for gender equality in access to education, labor rights, and civil rights. Nevertheless, women often experienced discrimination in employment, obtaining credit, and receiving equal pay for similar work, as well as in owning and managing businesses. While the government enforced the law effectively in the public sector, women in positions of power faced restrictions, and their authority was limited compared with that of men. For example, despite a law that requires equal participation of men and women in elected positions, male political party leaders often made decisions on public policy without internal debate or input from female political leaders. Enforcement was not effective in the private sector or the larger informal sector.

Systemic Racial or Ethnic Violence and Discrimination

Exclusionary treatment based on race, skin color, and ethnicity was common, especially in higher-income urban areas. Darker-skinned persons of African descent from the RACN and the RACS, along with others assumed to be from those areas, experienced discrimination, such as being subjected to extra security measures and illegal searches by police. Indigenous and other ethnic groups from the RACN and the RACS alleged that discriminatory attitudes toward ethnic and racial minorities were responsible for the lack of government resources devoted to those regions. The government focused attention and resources on maintaining political control concerning decision-making bodies in the regions where most Indigenous groups lived.

Indigenous Peoples

Indigenous persons constituted approximately 5 percent of the population and lived

primarily in the RACN and the RACS. Reports of outsiders threatening to encroach on Indigenous community lands and natural resources were widespread. There were reports of violence and killings of Indigenous persons due to artisanal mining, logging, and cattle grazing by outsiders on Indigenous lands. Reporting on these incidents, however, was difficult because the government cancelled the legal status of various NGOs that performed environmental advocacy and protected Indigenous rights in the area. Despite the existence of autonomous governing bodies, national government authorities or FSLN representatives made most decisions affecting Indigenous lands, cultures, traditions, or the exploitation of energy, minerals, timber, and other natural resources on Indigenous lands.

Indigenous leaders alleged regional and national governments granted logging and mining concessions to private firms and to government-affiliated businesses, such as ALBA-Forestal, without adequate consultation of the Indigenous community, and that logging and mining continued in violation of national autonomy laws in the RACS and the RACN.

While there are no legal barriers to their participation, representatives from five major Indigenous groups – the Miskito, Sumo/Mayangna, Garifuna (of Afro-Amerindian origin), Creole, and Rama – alleged government discrimination through underrepresentation in the legislative branch. Leaders from these communities decried the national government's sidelining of autonomous government bodies and the undue administrative burdens and other barriers to access for national electoral politics, including the establishment of political parties and party affiliates and minimum geographic representation levels.

NGOs and Indigenous rights groups denounced the increasing number of killings of Indigenous persons at the hands of non-Indigenous populations encroaching on their lands in the RACN and the RACS, and they claimed the government failed to protect the civil and political rights of Indigenous communities. On March 15, representatives of the Sauni Arungka-Matumbak Mayangna territory announced the killing of one of their leaders, Salomon López Smith (see section 1.a.). Some observers alleged government and FSLN involvement in violence against Miskito populations in the RACN along the Coco River, either by failing to defend Indigenous populations or as accomplices to non-Indigenous groups invading Indigenous lands.

Indigenous persons from rural areas often lacked birth certificates, identity cards, and land titles. While the government did not deny these documents if requested, it favored the requests of FSLN party members over other constituents.

Additionally, Indigenous groups alleged the government provided identity cards to outsiders who encroached on Indigenous lands in the RACS and the RACN, leading to overrepresentation of FSLN-aligned, non-Indigenous persons in regional governing bodies. Most Indigenous individuals in rural areas lacked access to public services, and poor roads hindered access to health care for many.

Indigenous women faced multiple levels of discrimination based on their ethnicity, gender, and lower economic status. For example, Indigenous women did not receive medical attention, education, police protection, or representation in government at the same level as non-Indigenous women.

Children

Birth Registration: Citizenship is derived by birth within the country's territory and from one's parents. Local civil registries register births within 12 months, although many persons, especially in rural areas, lacked birth certificates. Birth registration was provided on a nondiscriminatory basis. Registration in rural areas was difficult due to structural constraints, and the government took no measures to address this, resulting in a growing number of de facto stateless persons in the country. Persons without citizenship documents were unable to obtain national identity cards and consequently could not vote and had difficulty participating in the legal economy and conducting bank transactions. Such persons also were subject to restrictions in employment, access to courts, and land ownership.

Child Abuse: According to the criminal code, prison sentences for rape committed against children range from 12 to 15 years and for child abuse from seven to 12 years. Government efforts were insufficient to combat child abuse and sexual violence against children. High rates of sexual violence against teenage girls contributed to high rates of pregnancy, according to UNICEF.

Child, Early, and Forced Marriage: The minimum legal ages for marriage are 18 for men and women and 16 with parental authorization. There were credible reports of forced early marriages in some rural Indigenous communities.

UNICEF's *2021 State of the World's Children*, which contained the most recent data available, reported 35 percent of women ages 20 to 24 were married or in a union by age 18, and 10 percent of girls were married by age 15. No information was available on government efforts to address or prevent forced and early marriage.

Sexual Exploitation of Children: The law prohibits sexual exploitation in general and designates enticing children or adolescents to engage in sexual activity as an aggravating condition. The government generally did not enforce the law pertaining to child sex trafficking. Penalties include 10 to 15 years' imprisonment for a person who entices or forces any individual to engage in sexual activity and 19 to 20 years in prison for the same acts involving children or adolescents. The law defines statutory rape as sexual relations with children ages 14 or younger.

The law also prohibits child pornography, and the government generally enforced it. The penalty for inducing, facilitating, promoting, or using a child for sexual or erotic purposes is 10 to 15 years in prison.

The country was a destination for child sex tourism. The law imposes a penalty of five to seven years in prison for those convicted of child-sex tourism.

Antisemitism

The country has a very small Jewish population. Although Jewish community leaders said there were no known reports of antisemitic acts in the past two years, they noted religious minorities in general were discriminated against and most Jewish citizens were not open regarding their faith. The government did not directly target the Jewish community, but Jewish organizations suffered the same burdensome and repressive financial reporting requirements as other civil society organizations in the country.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on

Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law does not criminalize consensual same-sex sexual conduct between adults.

Violence against LGBTQI+ Persons: In general, lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) groups reported that police condoned and tolerated violence against LGBTQI+ individuals, did not take complaints of violence against them seriously, and did not fully investigate such cases when they occurred.

The government and FSLN supporters frequently targeted LGBTQI+ participants in civil protests, using online smear campaigns and physical attacks in some cases. LGBTQI+ opposition members were targeted for sexual violence by police, parapolice, and progovernment supporters. The Observatory for Human Rights Violations Against LGBTQI+ Persons stated there were 43 attacks against LGBTQI+ persons in the first six months of the year, one-half against transgender women. LGBTQI+ activists said LGBTQI+ political prisoners hid their orientation, fearing increased abuse from prison guards. Reliable data on the breadth of such discrimination were not available. No laws exist that specifically punish hate crimes against LGBTQI+ persons.

Discrimination: Although it does not mention sexual orientation and gender identity specifically, the law states all persons are equal before the law and provides for the right to equal protection. LGBTQI+ groups reported discrimination, lack of access to justice, and no response from police. LGBTQI+ persons continued to face widespread societal discrimination and abuse, particularly in housing, education, and employment. LGBTQI+ organizations continued to complain the law curtailed the rights of LGBTQI+ households by defining families as necessarily headed by a man and a woman; this definition particularly hindered LGBTQI+ households' access to social security, survivor benefits, and adoption rights.

Availability of Legal Gender Recognition: The law does not provide for legal gender recognition.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no specific restrictions of freedom of expression, association or peaceful assembly regarding LGBTQI+ matters. For example, the government did not give permission to local LGBTQI+ groups for a Pride march, consistent with its policy of denying permission for any large gatherings.

Persons with Disabilities

The law requires access to education, health services, public buildings, and transportation for persons with disabilities, although this did not occur. Persons with disabilities faced severe problems accessing schools, public health facilities, and other institutions. Children with disabilities attended schools with peers without disabilities; specialized school materials were not readily available and on occasion the Ministry of Education refused to provide them. Anecdotal evidence suggested that children with disabilities completed secondary education at a significantly lower rate than other children. Public schools were rarely well equipped, and teachers were poorly trained in providing appropriate attention to children with disabilities. Police stations and public health-care facilities did not have staff trained in sign language, making persons with hearing disabilities dependent on caretakers. Many voting facilities were not accessible. Advocates for persons with disabilities complained of a lack of accessible public transportation. Some persons with disabilities reported taxi drivers often refused them service due to the perceived extra burden on the driver to aid customers with disabilities. Advocates for persons with disabilities claimed interpreters for the deaf were not accessible at schools and universities, making it difficult for these persons to obtain education. Government clinics and hospitals provided care for veterans and other persons with disabilities, but the quality of care was generally poor.

Discrimination against persons with physical, sensory, intellectual, and mental disabilities was widespread, despite being prohibited by law. Laws related to

persons with disabilities do not stipulate penalties for noncompliance, although penalties may be issued under the general labor inspection code. The Ministry of the Family, Ministry of Labor, and Human Rights Office are among government agencies responsible for the protection and advancement of rights of persons with disabilities. The government did not enforce the law effectively; did not mandate accessibility to buildings, information, and communications; and did not make information available on efforts to improve respect for the rights of persons with disabilities. Advocacy organizations for persons with disabilities reported persons with disabilities accounted for fewer than 1 percent of public-sector employees, despite a legally mandated minimum representation of 2 percent. Further reports indicated public institutions did not sufficiently coordinate with the Ministry of Labor to accommodate persons with disabilities in the workplace. Although there were no official reports of violence, harassment, or intimidation against persons with disabilities by government officials, there were several anecdotal reports of violence and harassment. These incidents generally went unreported mainly because victims did not want to face the burdensome process of filing a complaint.

Other Societal Violence or Discrimination

The law provides specific protections against discrimination in employment and health services for persons with HIV or AIDS, but such persons continued to suffer societal discrimination. An administrative resolution issued by the Ministry of Health continued in effect, declaring that patients with HIV or AIDS should not suffer discrimination and making available a complaints office.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of all workers, except the military and police, to form and join unions without prior authorization and to bargain collectively. The government's control of all major unions effectively nullified the right of workers to join independent unions of their own choice. The ruling party used its control over major unions to harass and intimidate workers in several sectors, including education, health care, the public sector, and free trade zones. The constitution recognizes the right to strike, with restrictions. The law prohibits antiunion

discrimination and provides for the right to reinstatement for workers dismissed for union activity. Burdensome and lengthy conciliation procedures and government control of all major unions impeded workers' ability to call strikes. In smaller businesses where major unions were not present, the government created government-aligned unions to diffuse efforts to organize strikes or other labor actions. In addition, if a strike continues for 30 days without resolution, the Ministry of Labor may suspend the strike and submit the matter to arbitration.

Collective bargaining agreements last up to two years and are automatically renewed if neither party requests their revision. Collective bargaining agreements in the free trade zone regions, however, are for five-year periods. Companies in disputes with their employees must negotiate with the employees' union if one exists. By law, several unions may coexist at any one enterprise, and the law permits management to sign separate collective bargaining agreements with each union. Although the law establishes a labor court arbitration process, it was subject to long wait times and lengthy, and complicated procedures, and many labor disputes were resolved out of court. The government sought to foster resolution of labor conflicts through informal negotiations rather than formal administrative or judicial processes.

Freedom of association and the right to collective bargaining were not respected, and the government often intervened for political reasons. The government did not effectively enforce the laws. The law does not establish specific fines for labor law violations, and penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were sometimes applied against violators.

Politically motivated firings continued to be a problem. Most labor unions were historically allied with political parties, but in recent years the government reportedly dissolved unions and fired workers not associated with the ruling FSLN. Independent labor experts reported the Ministry of Labor also denied or unduly delayed providing legal recognition to unions not aligned with the FSLN. Labor experts highlighted instances of public-sector employees being fired without receiving severance pay. FSLN party affiliation or letters of recommendation from party secretaries, family cabinet coordinators, or other party officials were allegedly required from applicants seeking public-sector jobs.

There were no documented instances of strikes being declared illegal. By law, during a strike employers may not hire replacement workers, but unions alleged this practice was common. Wildcat strikes – those without union authorization – were historically common.

Employers interfered in the functioning of workers' organizations and committed other violations related to freedom of association and collective bargaining. Labor leaders noted employers routinely violated collective bargaining agreements and labor laws with impunity.

Official union federations were accused of protecting employer interests by identifying and isolating workers who attempted to organize independent unions. The government frustrated such attempts through arbitrary procedural delays.

Many employers in the formal sector continued to blacklist or fire union members and did not reinstate them. Many of these cases did not reach the court system or a mediation process led by the Ministry of Labor. Employers often delayed severance payments to fired workers or omitted the payments altogether. Employers also avoided legal penalties by organizing employer-led unions that lacked independence and by frequently using contract workers to replace striking employees. There were reports FSLN party dues were automatically deducted from paychecks.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor. There was no information available regarding government enforcement of these laws. Despite reportedly having the political will to combat human trafficking, including labor trafficking, the government did not take sufficient action to address the scope of the problem and provided only limited information regarding its enforcement efforts.

Observers noted reports of forced labor of men, women, and children in agriculture, construction, mining, street begging, and domestic servitude. Victim identification, prosecution, and conviction remained inadequate, and victims' family members were often complicit in their exploitation. Traffickers lured residents of rural or border regions with the promise of high-paying jobs in urban

and tourist areas but then subjected them to sexual exploitation and forced labor.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

The law and regulations prohibit discrimination based on race, sex, gender, disability, language, sexual orientation or gender identity, HIV or other communicable disease status, or social status. The law does not prohibit discrimination based on age or ethnic origin. The government did not effectively enforce the law and regulations. Penalties for violations were commensurate with laws related to civil rights, such as election interference. Penalties were applied rarely against violators.

Discrimination in employment took many forms. Although women generally had equal access to employment, few women had senior positions in business and worked in the informal sector in higher numbers than men; in the public sector or in elected positions, the ruling FSLN political party limited women's independence and influence (see also section 6). In addition, women's wages were generally lower when compared with those of male counterparts, even for the same position and work performed. Workplace challenges for persons with disabilities included inadequate infrastructure, lack of educational opportunities, and few public-services positions, despite a legal requirement that a certain percentage be available to them. LGBTQI+ organizations reported sexual orientation and gender identity continued to be a basis for discriminatory behavior.

Workers who disagreed with government recommendations were fired, and only those with a membership card of the ruling party were hired.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law establishes a statutory minimum wage for 10 economic sectors. According to independent analysts, the average legal minimum wage covered only 42 percent of the cost of basic goods. The Ministry of Labor, together with workers' unions aligned with the ruling party, agreed to a 7 percent wage increase for the year. Free trade zone regions had a wage increase of 8 percent, prenegotiated in a five-year agreement expected to expire in 2022.

The standard legal workweek is limited to 48 hours, with one day of rest. The law dictates an obligatory year-end bonus equivalent to one month's pay, proportional to the number of months worked. The law mandates premium pay for overtime, prohibits compulsory overtime, and sets a maximum of three hours of overtime per day not to exceed nine hours per week.

The minimum wage was generally enforced in the formal sector. Legal limitations on hours worked often were ignored by employers, who claimed workers readily volunteered for extra hours for additional pay. Compulsory overtime was reported in the private-security sector, where guards often were required to work excessive shifts without relief.

Occupational Safety and Health: Occupational safety and health (OSH) experts actively identified unsafe conditions. The National Council of Labor Hygiene and Safety, and its departmental committees, is responsible for implementing worker safety legislation and collaborating with other government agencies and civil society organizations in developing assistance programs and promoting training and prevention activities. According to labor contacts, the council was inactive throughout the year. Companies are required to form worker management occupational safety and health committees. By law, workers may remove themselves from situations that endanger their health or safety without jeopardy to their employment. It was unclear whether authorities effectively protected employees in such cases.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce minimum wage, overtime, and health laws. Penalties for violations of minimum wage and overtime laws were commensurate with those for similar

crimes, such as fraud. Penalties were rarely applied against violators in the formal sector and even more rarely in the informal sector. According to International Labor Organization guidelines, the number of labor inspectors was insufficient for the size of the workforce, which included approximately three million workers. The law allows inspectors to conduct unannounced inspections and initiate sanctions for egregious violations.

The Ministry of Labor is the primary enforcement agency. The government did not allocate adequate staff or other measures to enable the Office of Hygiene and Occupational Safety to enforce OSH provisions. Penalties for violations of OSH laws were commensurate with those for crimes such as negligence but were rarely applied.

Informal Sector: The informal sector was estimated to be 77 percent of employment and 88 percent of businesses, according to 2016 reports from the Consultants for Business Development and the Nicaraguan Foundation for Economic and Social Development. Although more recent statistics on the informal economy were not available, experts believed the sector was growing due to impacts of the COVID-19 pandemic, sociopolitical unrest, and exclusionary selection practices for public-sector employment, including requirements for FSLN party affiliation and blacklisting of political opponents. It included the bulk of workers in street sales, agriculture and ranching, transportation, domestic labor, fishing, and minor construction. Violations of wage and hour regulations in the informal sector were common and generally not investigated, particularly in street sales, domestic work, and agriculture, where children continued to work in tobacco, banana, and coffee plantations. OSH standards also were not widely enforced in the informal sector.

Nicaragua 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Nicaragua during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by prison guards and parapolice; harsh and life-threatening prison conditions; arbitrary arrest or detentions; serious problems with the independence of the judiciary; political prisoners; transnational repression against individuals located in another country; arbitrary and unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on free expression and media freedom, including threats of violence against journalists, unjustified arrests and prosecution of journalists, and censorship; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions on religious freedom; restrictions on freedom of movement and residence within the country and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on

political participation; serious government corruption; serious government restrictions on and harassment of domestic and international human rights organizations; extensive gender-based violence, including femicide; crimes involving violence or threats of violence targeting members of ethnic groups and Indigenous peoples such as the Mayangna and Miskito communities; trafficking in persons, including forced labor; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; significant restrictions on workers' freedom of association; and the worst forms of child labor.

The government did not take steps to identify and punish officials who may have committed human rights abuses.

Parapolice – nonuniformed, armed, and masked units with marginal tactical training and loose hierarchy that acted in coordination with government security forces and reported directly to the Nicaraguan National Police – and individuals linked to the government of President Daniel Ortega Saavedra carried out a campaign of harassment, intimidation, and violence toward perceived enemies of the regime, such as former political prisoners and their families, farmworker activists, prodemocracy opposition groups, human rights defenders, private-sector leaders, and clergy, other religious actors, and church-affiliated civil society groups. Authorities did not investigate or prosecute these actions.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

Human rights organizations and independent media alleged some killings were politically motivated, an allegation difficult to confirm because the government refused to conduct official inquiries.

On June 19, former Contra counterrevolutionary and known opposition member Santiago Rivera Muller was shot and killed in the Honduran border town Trojes. Reports indicated Rivera might have been a member of an armed group in opposition to the government. Individuals close to Rivera said he had received death threats in the weeks preceding his death and believed he was killed for political reasons. Rivera was the fourth former Contra killed in Trojes since 2019.

Reports of killings were common in the North Caribbean Autonomous Region (RACN). Human rights groups stated that these killings illustrated a continuation of a campaign of terror against Indigenous groups by members or affiliates of the ruling Sandinista National Liberation Front (FSLN) seeking to encroach and seize land and natural resources from autonomous

Indigenous territories. On March 11, these squatters shot and killed five Mayangna Indigenous persons and wounded two in an attack in Wilu, Sauni As. The Nicaraguan National Police (NNP) arrested Rafael Mendoza Escoto and Darling Antonio Davila Escoto for this and previous attacks on Indigenous individuals, including the killing of at least 10 persons in 2021 for which four Indigenous persons had allegedly been wrongly convicted.

There was no indication the government investigated crimes committed by police and parapolice groups related to the 2018 prodemocracy uprising that began due to discontent with a government decision to reduce social security benefits. The conflict led to the killing of hundreds of peaceful protesters, illegal detention and torture of hundreds more, and thousands being forced into hiding or going into exile in neighboring countries. The Ortega government continued its policy of “exile, jail, or death” for anyone perceived as opposing its rule, applying amended terrorism laws to prodemocracy activities, and using the justice system to prosecute and imprison civil society actors as terrorists, assassins, and coup mongers. Human rights organizations concluded the regime’s investigations and prosecutions did not conform to the rule of law.

b. Disappearance

There were reports of disappearances by or on behalf of government authorities. Various human rights organizations inside and outside of the

country claimed NNP and prison authorities committed forced disappearances against political opposition members. These organizations cited more than 30 cases in which authorities detained political opponents without informing family members or legal counsel, without providing information regarding where they were being held, without presenting the prisoners in a public court of law, and denying all access to legal recourses such as habeas corpus. In at least 30 cases, authorities kept political prisoners incommunicado for up to 40 days, occasionally moving the prisoner to different prisons without an express order from civilian authorities and without informing the prisoner's chosen legal counsel or family.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

Although the law prohibited such practices, government officials carried out acts that resulted in severe physical or mental suffering for the purposes of securing information, inflicting punishment, and psychologically deterring other citizens from reporting on the government's actions or participating in civic actions against the government. Members of civil society, opposition leaders, and student leaders involved in the protests that began in April 2018 were more likely than members of other groups to receive such treatment.

Prison authorities subjected 59 prisoners held in the Directorate of Judicial Assistance temporary holding cells, known as El Chipote, to cruel and degrading treatment. Family members reported the prisoners were intentionally underfed and fed spoiled food, continually interrogated after conviction, subjected to extended periods of darkness or light, deprived of sunlight, prevented from speaking, subjected to psychological torment, denied access to reading material and religious objects such as rosaries and bibles, and at times kept in solitary confinement for extended periods. On February 9, the government unilaterally released these 59 prisoners and another 163 political prisoners held in other prisons and house arrest – forcing them to choose between immediate exile from the country or a return to prison – and subsequently stripped them of their nationality after they left the country.

On February 9, police moved Bishop Rolando Álvarez from house arrest to La Modelo prison without a court order, apparently in retaliation for his refusal to go into exile. On February 10, the regime held a sham trial and sentenced him to 26 years in prison for “undermining national integrity, propagating false news, and treason,” accusations the regime used to sentence political opponents. Human rights organizations reported women prisoners were regularly subjected to strip searches, degrading treatment, threats, and other gender-based violence while in custody of parapolice forces, prison officials, and police. Family members of prisoners also suffered degrading treatment by police and prison guards during visits,

including strip searches, forced squats, and body cavity searches.

Impunity persisted among police and parapolice forces in reported cases of torture or other abuses. The government made no effort to investigate allegations regime opponents were tortured or otherwise abused.

Prison and Detention Center Conditions

Prison conditions were harsh and potentially life threatening.

Overcrowding, poor sanitation, difficulties obtaining medical care, and violence among prisoners remained serious problems in prison facilities.

Abusive Physical Conditions: Prison conditions worsened due to antiquated infrastructure and an increasing inmate population. Despite relatively new temporary holding cells in the Directorate of Judicial Assistance, also known as El Chipote, the rest of the prison system was in poor condition. In 2020, the government reported overcrowding in five of the seven prisons for men, holding 15,333 prisoners with capacity for 12,600. The government did not provide updated figures. More than 1,000 inmates were held in the notorious La Modelo prison, known as the regime's torture prison. The NNP began using a jail in the third district of Managua as a long-term holding facility for political prisoners in lieu of El Chipote jail, which was not equipped to house prisoners for long periods. Additionally, the NNP moved several political prisoners from the cities where they were arrested to this jail.

Inmates suffered from parasites, inadequate medical attention, inadequate and contaminated food, contaminated water, and inadequate sanitation.

Conditions in jails and temporary holding cells were also harsh. Most facilities were physically decrepit and infested with vermin; had inadequate ventilation, electricity, or sewage systems; and lacked potable water.

Many prisoners suffered mistreatment from prison officials and other inmates. Human rights organizations confirmed at least six prisoners detained in connection with the 2018 protests or the 2021 crackdown on opposition were subjected to solitary confinement in maximum-security cells, in some cases for months. Ten other political prisoners from before the 2018 protests faced similar conditions.

Administration: Authorities often ignored or did not investigate credible allegations of inhuman conditions.

Independent Monitoring: The government did not allow most independent organizations to monitor the prison system. The government allowed the International Committee of the Red Cross (ICRC) to perform one visit to the prison system in February but did not include access to political prisoners held in El Chipote.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right

of persons to challenge the lawfulness of their arrest or detention in court. The government, however, generally did not allow those arrested during protests to challenge the lawfulness of their arrest or detention. In cases of political opponents, judges regularly denied or ignored constitutional protections for detainees, including habeas corpus.

Arrest Procedures and Treatment of Detainees

The law required police to obtain a warrant from a judicial authority prior to detaining a suspect and to notify family members of the detainee's whereabouts within 24 hours, but this rarely happened in arrests related to civil unrest or perceived instances of political dissent.

Police could hold a suspect legally for 48 hours before arraignment or release; however, a 2021 amendment to the criminal procedural code allowed the Public Prosecutor's Office to request an extension for 15 to 90 days if a judge deemed the case complex. A judge then was required to order the suspect released or transferred to jail for pretrial detention. The suspect was permitted family member visits after the initial 48 hours. A detainee had the right to bail unless a judge deemed there was a flight risk. The criminal code listed crimes that could be tried by a judge without a jury and that would not qualify for bail or house arrest during the duration of the trial. Detainees had the right to an attorney immediately following their arrest, and the state provided indigent detainees with a public defender.

When dealing with political prisoners, police routinely held suspects incommunicado, often in temporary holding cells in Managua, even if police arrested the suspect outside of the capital. In several instances, authorities denied having detainees in custody at a specific jail, including to their family members or legal counsel. Police routinely rejected complaints filed by prodemocracy activists. Political prisoners were not afforded legal counsel of their choosing within the first 48 hours of the arrest as prescribed by law. Instead, pro-FSLN judges handpicked public defenders for at least the first two pretrial hearings. Human rights organizations reported police and parapolice agents routinely detained and released government opponents within a 48-hour window, beyond which the Public Prosecutor's Office was required to obtain an extension limited to no more than 90 days to continue its investigation. Police abused this provision by failing to begin investigations until an extension was granted.

The NNP obligated dozens of citizens to report daily to a specific police station at a specific time while awaiting a trial date. The NNP threatened these citizens with imprisonment if they failed to follow instructions precisely. The procedure was not based on law. By October, more than 70 persons were subjected to this process.

The government used money laundering laws, a foreign agents law, a cybercrime law, and a law for the defense of sovereignty to threaten, harass, and unjustly detain political opponents, journalists, and civil society

activists. Human rights organizations and civil society activists asserted these laws constituted part of a larger scheme by the government to exert its own concept of sovereign security, laid out in the 2015 Sovereign Security Law, which significantly broadened the definition of state sovereignty and security, as a pretext to arrest protesters and other persons the government deemed in opposition to its goals.

Arbitrary Arrest: Human rights nongovernmental organizations (NGOs) noted cases of arbitrary arrests by police and parapolice forces, although parapolice had no authority to make arrests. In several cases, police made arrests without a warrant. Detentions of political opponents mostly occurred without a warrant or formal accusation and for causes the law did not authorize.

According to human rights groups, arbitrary arrests occurred regularly, particularly of persons the government deemed active opposition members or participants in previous prodemocracy protests. The government detained several members of the Roman Catholic Church for extended periods without formal charges. Between April 1 and April 6, the NNP arrested without a warrant at least 15 persons related to political opposition or Catholics participating in religious processions during the Catholic celebration of Holy Week in the period preceding Easter Sunday.

In several cases, police raided and ransacked the houses of those detained, also without court warrants. Police often took personal items from homes

and businesses unrelated to the alleged crimes for which they were detaining citizens. Many arrests allegedly occurred without informing family members or legal counsel. Reports of armed, hooded men in plain clothes acting alone or together with police to arrest and detain prodemocracy protesters were common. Human rights organizations indicated delays in the release of prisoners after they finished prison terms led to many cases of arbitrary continuation of a state of arrest.

Pretrial Detention: Lengthy pretrial detention continued to be a problem. Many opposition leaders and prodemocracy protesters were detained and held with no charges and without being granted due process. Observers noted that in several instances authorities deliberately imposed lengthy pretrial detentions against specific protest leaders and Catholic clergy.

e. Denial of Fair Public Trial

The law provided for an independent judiciary, but the government did not respect judicial independence and impartiality. In October, the government purged the Supreme Court, firing or arresting an estimated 600-900 persons, including judges, magistrates, and administrative staff. In addition, the National Assembly approved a law to move oversight of all national registry documents from the courts to the office of the attorney general. The actions further cemented power in the executive branch.

NGOs complained of delayed justice caused by judicial inaction and

widespread impunity, especially in cases involving family and domestic violence and sexual abuse. Members of the judiciary, including those at senior levels, were widely believed to be corrupt or subject to political pressure. According to the Office of the UN High Commissioner for Human Rights (OHCHR) August report, in cases against political activists, judges handed down biased judgments at the bidding of the government. Lawyers for political prisoners reported judges routinely dismissed defendants' evidence and accepted prosecutors' anonymous sources. In many cases, trial start times were changed with no notification to one or both parties to the trial, according to human rights organizations. Authorities occasionally failed to respect court orders. On May 25, the Supreme Court canceled the licenses of 25 exiled lawyers associated with the opposition. The regime had already stripped these lawyers of their citizenship in February.

Trial Procedures

The law provided the right to a fair and public trial, but the judiciary generally did not enforce this right. The law allowed judges to deny jury trials in a wide range of cases, deny bail or house arrest based on unclear rules, and arbitrarily move a case from other judicial districts to Managua, to the disadvantage of defendants, their families, or their counsel. Defendants were often denied the right to be informed promptly of the charges against them; have a fair, timely, and public trial; be present at their trial; have adequate time and facilities to prepare a defense; have representation by or

access to private defense counsel; confront prosecution or plaintiff witnesses and present their own defense or witnesses; not be compelled to testify; or appeal. In at least one case, a defendant standing trial via videocall was provided no video into the courtroom, posing critical problems when the defendant was asked to confirm details of evidence shown in the courtroom the defendant could not see. While the law established specific time periods for cases to come to trial, most cases encountered long delays. Prisoners also reported a lack of immediate access to an attorney or legal counsel and were not afforded one during their detention.

According to the constitution, defendants were presumed innocent until proven guilty. Observers claimed, however, that the extension of a pretrial detention from 48 hours to up to 90 days while an investigation took place posed an undue presumption of guilt against defendants. Additionally, those accused of undermining national integrity, spreading false news, or treason – accusations based on laws traditionally used by the regime to persecute political opponents – did not have access to fair trials, and FSLN judges universally convicted them.

Although the constitution recognized Indigenous languages, Indigenous defendants were not always granted court interpreters or translators.

The hearings for political prisoners or those deemed to be opponents of the government did not conform to legal procedures. The defendants were detained without warrants and were not afforded legal counsel of their

choice or access to their family members within 48 hours after their detention or during at least two initial hearings. Their location was not disclosed, and their cases did not appear in an online system providing public access to legal cases. Judges dismissed or ignored habeas corpus writs in the prisoners' favor, hearings and trials were closed to the public and held within the detention center, and at times prison officials denied lawyers access to their clients and refused to provide court documents to defense counsel before trial, including documents listing charges against their clients. Judges did not record hearings or provide transcripts of the hearings to defendants' legal counsel.

In her daily press briefings, Vice President Rosario Murillo frequently referred to political prisoners as "terrorists" and "coup mongers," although the prisoners were still awaiting trial.

Women's rights organizations believed the court system continued to operate under unofficial orders not to impose imprisonment or pretrial detention in domestic violence cases. This informal policy reportedly applied only to domestic violence cases that authorities considered mild.

Political Prisoners and Detainees

Human rights NGOs characterized as political prisoners those detained for supporting or participating in prodemocracy protests, as part of the government's crackdown on the political opposition during 2021, or for

expressing perceived dissent. According to human rights organizations, the government continued to hold 91 political prisoners as of November. The government did not recognize political prisoners as an inmate category and held them with common criminals.

The law allowed for family visits ranging from every eight to 21 days. Family visits for prisoners the state deemed dangerous enough to be held under maximum security were restricted to once a month.

Political prisoners were severely undernourished, given no access to sunlight, and denied adequate healthcare services, including access to medicine and medical treatment for chronic illnesses, even when family members provided medications to prison authorities during prison visits. Human rights organizations received several reports of political prisoners being beaten, threatened, held in solitary confinement for weeks, and suffering from poor ventilation and poisoned or contaminated food and water.

The government did not permit access to political prisoners by local human rights groups.

f. Transnational Repression

Exiles in Costa Rica and elsewhere alleged harassment and political oppression by parapolice and FSLN sympathizers who crossed the border to target exiles, as well as by intelligence officials within the Nicaraguan

embassy in Costa Rica.

A cybercrimes law allowed the government to use international extradition to pursue citizens living abroad who committed so-called cybercrimes.

Threats, Harassment, Surveillance, and Coercion: Family members of opposition members in exile were surveilled, harassed, detained, and wrongfully convicted as part of government attempts to force exiled opposition members to return to the country and face arrest. The government routinely denied these family members access to public documents such as birth certificates of children under joint guardianship or passports. In several cases, authorities demanded that a parent who had been forcibly exiled by the government be present to request public documents for minors.

On December 1, police accused Karen Celebertti, organizer of the local franchise of Miss Universe, of inciting and financing terrorist actions and of conspiring in a foreign-backed plot to overthrow the government. Officials barred Celebertti and her daughter from returning to the country after the competition in late November. On November 27, police arrested her husband and son under similar charges, and they remained detained as of December 20.

Misuse of International Law Enforcement Tools: There were credible reports the regime attempted to misuse Interpol Red Notices for politically

motivated purposes as reprisal against individuals it deemed as opposition, including against clergy going into exile.

Efforts to Control Mobility: There were credible reports authorities attempted to control mobility to exact reprisal against citizens abroad by denying them consular services. Migration authorities inside the country and through consular offices abroad denied access to passports to perceived political opponents and their family members, preventing them from traveling to a third country. Additionally, the government – primarily using email notifications sent by airlines – denied entry to more than 40 citizens trying to return to the country.

g. Property Seizure and Restitution

The government regularly failed to take effective action with respect to seizure, restitution, or compensation of private property. Some land seizures were politically targeted and directed against specific individuals, such as business owners considered independent or against the ruling party. The government routinely seized the property of NGOs and private businesses by stripping them of their legal status or otherwise accusing them of breaking the law. In many instances, the government repurposed the property to serve party interests.

The government froze the personal assets of 316 citizens it stripped of their nationality in February. In several cases, the regime seized properties of

family members of those 316 individuals. On March 27, prosecutor Andrea del Carmen Salas Gomez filed an accusation against businessman Piero Coen for treason; judge Karen Vanessa Chavarria Morales found him guilty in absentia and ordered the seizure of his properties. In April, the regime seized from Coen his equity in more than 50 properties. On June 23, NNP officers seized several more properties Piero Coen owned partially or fully.

The regime also canceled the operating rights of 11 private universities, including the largest remaining independent institution, the Central American University, which the State Prosecutor's Office accused of terrorism, and judge Gloria Saavedra ordered the transfer of its assets to the state. The government refurbished the campus to become a public university within 24 hours and allowed victims no legal recourse. The Ministry of Interior canceled the legal status of the Society of Jesus, the Jesuit order operating in the country since 1995, and seized the house that was home to retired Jesuit priests. The Ministry of Interior also ordered the seizure of the association's assets.

Additionally, the regime seized the assets of the Nicaraguan chapter of the Red Cross and rebranded the nationalized assets as property of the "White Cross," a new government organization affiliated with the Ministry of Health.

Authorities routinely either rejected requests to evict illegal occupants of real property or failed to respond to the requests altogether. National and

local police also routinely refused to evict illegal occupants of real property. Police often took no action against violence perpetrated by illegal occupants, while acting swiftly against any use of force by legitimate property owners. Police also enforced evictions of properties belonging to alleged opposition supporters, arriving with local government representatives to remove owners and tenants from their homes and other properties. The judicial system delayed final decisions on cases against illegal occupants. When judges issued orders in favor of landowners, local officials frequently failed to enforce court orders. In the face of government inaction, some landowners were forced to pay squatters to leave their property.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibited arbitrary or unlawful interference with privacy, family, home, and correspondence. The government, however, failed to respect these prohibitions. Police raided homes and businesses without legal warrants, particularly against political opposition members. During the April arrest of businesswoman Anielka Garcia, the NNP and parapolice raided her business and took assets unrelated to the accusation of conspiracy to undermine national integrity and of spreading fake news.

FSLN grassroots organizations such as the Citizen Power Councils colluded

with parapolice or party loyalists to target the homes of prodemocracy protesters. Without a warrant and under no legal authority, these groups illegally raided homes and detained occupants, often using violence, including against family members or occupants of the household unrelated to political activities. Authorities routinely stationed police vehicles and officers outside the homes of opposition members, harassing visitors and often prohibiting opposition members from leaving their houses. These actions were widespread in large cities, particularly Managua, Bluefields, Matagalpa, Esteli, Masaya, Rivas, Leon, and Jinotega.

Domestic NGOs, Catholic Church representatives, journalists, and opposition members alleged the government monitored their email, phone chats, social media accounts, and telephone conversations. Church representatives also stated their sermons and homilies were monitored. As part of a continuing social media campaign against prodemocracy protests, ruling party members and supporters used social media to publish personal information of human rights defenders and civil society members. Government supporters marked the houses of civil society members with derogatory slurs or threats and then published photographs of the marked houses on social media.

Police and parapolice groups harassed and surveilled Catholic clergy and laity, including by preventing Catholic priests from leaving church property for days at a time and monitoring their homilies for alleged messages of

dissent or antigovernment rhetoric. The regime revoked the legal status of two orders of foreign nuns, confiscated their property, and pressured them into fleeing the country.

Inhabitants in northern towns, particularly in the departments of Nueva Segovia, Jinotega, and Madriz, as well as the RACN and the South Caribbean Autonomous Region (RACS), alleged repeated government interrogations and searches without cause or warrant. Several opposition members who were former Contras claimed they were regularly surveilled, stopped, and detained by police for questioning for several hours, usually in connection with alleged contact with rearmed groups or antigovernment protests. The individuals also said progovernment sympathizers verbally threatened them outside their homes and surveilled and defaced their houses.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provided for freedom of expression, including for members of the press and other media, but the government did not respect this right.

Restrictions on press freedom, the absence of an independent judiciary, and a nondemocratic political system combined to obstruct freedom of expression, including for members of media.

Freedom of Expression: The government used reprisals and the law to restrict the ability of individuals to criticize the government. Persons who criticized the government, the ruling party, or its policies, including in discussion of matters of public interest, were subjected to police and parapolice surveillance, harassment, imprisonment, and abuse. Favorable expressions of the Catholic religion were similarly restricted.

On April 6, the NNP arrested journalist Victor Ticay after he covered a religious event that was precluded by police. A court convicted Ticay of propagating false news and undermining national integrity, accusations the regime typically used against political opponents. Authorities denied Ticay legal counsel of his choosing and held him incommunicado for approximately 40 days.

Government supporters considered the use of the national flag and the national colors of white and blue as acts of defiance and attacked opposition activists flying the flag or national colors.

Violence and Harassment: Journalists were subject to government violence, harassment, cyberattacks, and death threats. In addition, some media owners and journalists were exiled and stripped of their nationality. Authorities blocked others from leaving or re-entering the country, withdrew their passports, or purposefully did not renew them. According to a March report by the Nicaraguan Independent Journalists and Communicators Group, 77 percent of independent journalists were

reporting from exile, and 33 percent of them stopped reporting due to governmental threats.

Authorities detained briefly and released other journalists with the threat they would be imprisoned unless they ceased publishing news counter to official narratives. By July, the regime blocked at least nine independent journalists from returning to Nicaragua after they exited the country briefly.

The government seized the property and equipment of media whose licenses had been canceled. The government continued to occupy the offices of *La Prensa*, *Confidencial*, and 100% Noticias television channel.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Independent media faced official and unofficial restrictions. The government continued to penalize arbitrarily those who expressed views counter to the ruling party's ideology.

Although the law providing the right to information could not be subjected to censorship, the government and actors under its control retaliated against the press and radio and television stations by blocking transmissions, confiscating recording equipment, blocking reentry to the country, imprisoning journalists and citizens for expressing news and opinions on social media, and committing violence against journalists. Many independent new outlets reported from exile; the few journalists remaining in the country operated clandestinely to avoid censorship, restrictions, and

threats.

Restrictions on acquiring broadcast licenses and equipment and arbitrary cancellation of licenses prevented media from operating freely.

Independent news outlets, a few of which operated from inside the country but a majority from exile, faced restrictions on gathering information, such as not being permitted to attend official government events, being denied interviews by government officials, and receiving limited or no direct access to government information. Official media were not similarly restricted.

The government cancelled the registration of at least 26 media outlets during the year, including eight radio stations and two television stations owned and managed by the Catholic Church. The government also ordered all cable television providers not to broadcast two television stations run by the Catholic Church. Additionally, five local newscasts, one nationally broadcast newscast, and five talk shows were informally ordered to avoid political news.

Significant state influence, ownership, and control over most media outlets continued. National television was largely controlled either by business associates of the president or directly owned and administered by his family members. Eight of the 10 basic channels available were under direct FSLN-party influence or owned and controlled by persons with close ties to the government. Media stations owned by the presidential family generally

limited news programming and served as outlets for progovernment or FSLN propaganda and campaign advertisements. Other media operating in the country significantly self-censored to avoid official retaliation.

A decree obliging all private cable stations to broadcast official television and radio emergency and special interest messaging was in effect and was used regularly, even for nonemergencies. The government obligated independent press to use official media to cover presidential activities and used troll farms – groups of internet commenters paid to manipulate political opinions – to amplify its own messaging or attack independent media websites.

Press and human rights organizations claimed the use of state funds for official media, as well as biased distribution of government advertising dollars, placed independent outlets at an extreme disadvantage. Some independent-media owners also alleged the government exerted pressure on private firms to limit advertising in independent media, although other observers believed the lack of advertising resulted from self-censorship by private companies. Many journalists practiced self-censorship, fearing economic and physical repercussions for investigative reporting on crime or official corruption. In addition, media outlet owners exercised self-censorship by choosing not to publish news that affected public perceptions of the government or the FSLN.

Libel/Slander Laws: Slander and libel were criminal offenses, punishable by

finances ranging from 120 to 300 times the minimum daily wage; however, there were no reports of the government invoking these laws against members of media. Instead, according to Freedom House's *Freedom on the Net 2022* report, the government used the 2020 special cybercrimes law to investigate and convict individuals, including opponents, journalists, and activists, for critical online speech.

National Security: Human rights NGOs and civil society organizations argued the Sovereign Security Law exemplified the government's failure to respect civil liberties. Although not cited in specific cases, the law applied to "any other factor that creates danger to the security of the people, life, family, and community, as well as the supreme interests of the Nicaraguan nation." Additionally, Law 1055 and Article 410 of the criminal code, which were the bases for the crime of undermining national integrity, were often combined with the use and threats of further use of the cybercrimes law, which included as online crimes social media posts deemed dangerous by the regime and granted law enforcement authorities access to information systems and other data. Penalties for online crimes included imprisonment and hefty fines, disproportionate to the crimes defined in the law. Additionally, the National Assembly approved changes to the law, making it illegal for police officers to disobey orders or desert their post as detrimental to citizen security. The crimes were punishable with six months to two years of prison or two to three years of prison, respectively.

In addition, a police regulation restricted criticism of government policies and officials under the guise of protecting national security.

Internet Freedom

There were credible reports the government monitored private online communications without appropriate legal authority and in some cases restricted or disrupted access to the internet or censored online content. Independent media reported the government provided logistical support for troll farms that routinely carried out cyberattacks against opposition media websites and social media accounts. Trolls and bots reportedly tracked opposition social media accounts to retaliate against users deemed opponents of the ruling party.

Several NGOs claimed the government monitored their email and online activity without appropriate legal authority. Paid government supporters used social media and website commentary spaces to harass prominent members of civil society, human rights defenders, individuals affiliated with Catholic dioceses and evangelical churches, and well-known journalists.

b. Freedoms of Peaceful Assembly and Association

The government restricted the freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The government did not respect the legal right to public assembly, demonstration, and mobilization. Bans on prodemocracy marches and protests extended to religious processions not organized by the ruling party. Police and parapolice oppressed, harassed, and occasionally impeded private meetings of NGOs, civil society groups, and opposition political organizations. Police failed to protect peaceful protesters from attacks; they also committed attacks and provided logistical support to progovernment attackers. Human rights organizations reported police stopped traffic for and otherwise protected progovernment demonstrations.

Police routinely surrounded, surveilled, and threatened meetings of political parties and civil society organizations, as well as Catholic churches. Police entered private meeting spaces to disrupt gatherings of opposition parties and civil society organizations.

Freedom of Association

The law provided for freedom of association, including the right to organize or affiliate with political parties; nevertheless, the Supreme Electoral Council, National Assembly, and Ministry of Interior used their accreditation powers for political purposes. As of August, the Ministry of Interior closed 199 NGOs by revoking their legal status. In several instances, the government used the pretext of enforcing Financial Action Task Force anti-

money laundering and counterterrorism financing standards, accusing the closed NGOs of posing high risks for illicit financial flows.

The 2020 foreign agents law remained in force and formed the basis for many of the cancellations of NGOs. The law required anyone receiving funding from foreign sources to register with the Ministry of Interior and provide detailed monthly accounts of the intended use of the funds.

Additionally, NGO legal accreditation was subject to annual renewal by the ministry. Many NGOs complained the ministry purposefully withheld or delayed accreditation renewal, which led to the loss of their legal status.

Individuals who registered as foreign agents could not participate in internal politics or run for elected positions for up to one year after being removed from the registry. Failure to register could lead to fines, freezing of assets, and the loss of legal status for associations or NGOs.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, but the government often did not respect

these rights.

The government strictly controlled entry to the country of persons affiliated with humanitarian and faith-based organizations and citizens it deemed in opposition to the ruling party. The government could prevent the departure of travelers with pending legal cases and used this authority against individuals involved in the political opposition and media members who had not been charged with any crimes.

In-country Movement: Police consistently restricted the travel of opposition members to cities other than their hometowns. In many cases, police restricted the movement of political opponents outside their homes, although the individuals did not have pending charges against them or judicially imposed restrictions on their movement.

Foreign Travel: There were several reports of authorities restricting the right to leave the country. Migration authorities arbitrarily confiscated and refused to provide or renew the passports of some citizens trying to leave the country. Authorities told the individuals migration restrictions had been levied on them, although the individuals had no formal accusations or charges against them. Migration authorities analyzed incoming flight manifests to prevent citizens from returning to the country, requiring airlines to notify those citizens that authorities would not allow them to return. Citizens were left stranded with no further information and no access to legal recourses on the decision taken by these authorities.

In more than 40 cases, the government denied reentry to citizens and residents after they returned from travel abroad. Indigenous leader Brooklyn Rivera was prevented from entering the country on April 23 after participating in a UN-sponsored event. Journalist and director of Radio Costeñísima Kimberly León was denied entry on August 31.

Citizenship: The regime stripped 317 individuals of their citizenship and ordered them into exile, although several remained inside the country. Additionally, the regime misused the law to grant citizenship to foreigners considered allies of the ruling party.

e. Protection of Refugees

The government did not cooperate with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. The government had not provided updated information on refugees or asylum seekers since 2015.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had established a system for providing protection to refugees. Only the executive branch or the country's embassies abroad could grant political asylum.

f. Status and Treatment of Internally Displaced Persons

There were reports of several Indigenous communities in the north Caribbean region being forcibly displaced due to non-Indigenous miners, farmers, and cattle ranchers encroaching on Indigenous communal land. The government did not take actions against this encroachment and, according to human rights advocates, occasionally sponsored it. The government did not have policies and protections for internally displaced persons in line with the UN Guiding Principles on Internal Displacement.

g. Stateless Persons

The country contributed to statelessness, including through arbitrary or discriminatory denationalization and with birth registration problems. Registration of births in rural areas was difficult due to structural constraints, and the government took no measures to address this, resulting in many de facto stateless persons in the country. The regime erased all public records of the 317 citizens it stripped of their nationality. Many of these persons had no other permanent legal status abroad and were rendered effectively stateless but for citizenship offers made by other countries.

Section 3. Freedom to Participate in the Political

Process

While the law provided citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret ballot, government restrictions on freedom of expression, peaceful assembly, and association, the arrest of opposition candidates, cancellation of opposition party registration, and institutional fraud, among other obstacles, precluded opportunities for meaningful choice.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections were widely reported to not be fair and free of abuses and irregularities. Ortega and his FSLN party canceled the legal registration of all credible opposition political parties, jailed opposition presidential candidates on spurious charges, and committed blatant electoral fraud. The government did not allow credible, independent electoral observers into the country. The 2021 national elections also expanded the ruling party's supermajority in the National Assembly, necessary to make constitutional changes to extend the reach of executive branch power and eliminate restrictions on reelection for executive branch officials and mayors. Independent observer groups and international organizations characterized the 2022 municipal elections, in which the ruling party won all 153 of the country's municipalities and no

other political parties were allowed to participate, as not credible.

Political Parties and Political Participation: The government controlled political parties either by obtaining direct allegiance or by threatening to cancel their legal status. On October 3, Supreme Electoral Council director general of Attention to Political Parties Julio Acuña revoked the legal status of Indigenous political party YATAMA, providing no explanation and leaving no legal recourse. YATAMA's cancellation came five days after the government arrested its leader, Brooklyn Rivera, and legal representative, Nancy Henríquez, and seized the party headquarters and its two community radio stations. The law barred from running for office anyone whom the government designated a "traitor," defining the term so broadly that it could apply to anyone who expressed opposition to the ruling party. Judicial authorities included permanent bans on running for office in the official sentencing of Bishop Rolando Álvarez and several clergy. The government used state resources for political activities to the ruling FSLN party's advantage in elections. Independent media and human rights groups reported the government used public funds to provide subsidized food, housing, vaccinations, access to clinics, and other benefits directly through either FSLN-led "family cabinets" (community-based bodies that administered government social programs) or party-controlled Sandinista leadership committee (CLS) systems, which reportedly coerced citizens into FSLN membership while denying services to opposition members.

Observers noted the government pressured public servants into affiliating

with the FSLN and participating in party activities and mass public gatherings, including sports events, political rallies, and marches.

The FSLN required persons seeking to obtain or retain voter registration to present recommendation letters from CLS block captains. Such letters were provided only to FSLN party members.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, although the government did not implement the law effectively. There were numerous reports of government corruption during the year.

Corruption: Executive branch officials were involved in private businesses with little to no oversight. Businesses tied to high-ranking FSLN members and former police and military members provided the bulk of government services in sectors such as security, construction, and pharmaceuticals. Nine security companies owned in part or fully by FSLN members who were also former police, military, and members of the executive branch won all government bids to provide public services. A limited number of party-linked construction businesses similarly won public bids, mainly in road construction. Private businesses complained customs authorities produced arbitrary and inflated fines and excessive revisions, primarily affecting businesses unassociated with the FSLN party. With FSLN control over oversight agencies, the NNP, and the judicial branch, corruption continued

with impunity. Cases of mismanagement of funds by public officials were reportedly handled personally by FSLN members and President Ortega's immediate family, rather than by the government entities in charge of public funds.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

The government did not allow international and domestic human rights organizations to operate legally in the country. In May, the government dissolved the Nicaraguan Red Cross Society. On June 6, the ICRC Regional Delegation for Mexico and Central America closed its office and discontinued activities in the country, at the request of the government.

The Nicaraguan Pro-Human Rights Association operated from exile in Costa Rica and focused more on the Nicaraguan exile community. The Permanent Commission for Human Rights remained deprived of its legal status since 2022, as did the Nicaraguan Center for Human Rights, canceled in 2018.

Other human rights organizations were also canceled or faced significant harassment and police surveillance. Humanitarian organizations faced denial of reentry or obstacles to operating from abroad, and government officials harassed and intimidated domestic and international NGOs critical of the government or the FSLN. Some NGOs reported government intimidation created a climate of fear intended to suppress criticism.

Groups reported difficulties in moving donated goods through customs and stated government officials were rarely cooperative or responsive to their complaints.

Several domestic NGOs reported the Ministry of Interior purposefully denied receipt of their compliance documentation and withheld or unduly delayed providing certifications to revoke the legal status of NGOs. Ultimately, the lack of certification led to the cancellation of the NGOs' registration by the same ministry that withheld the required certification. NGOs under government investigation reported problems accessing the justice system and filing petitions, as well as pressure from state authorities. Several NGOs reported having their assets frozen during the process of certification, prior to being informed of their cancellation by the Ministry of Interior. Many NGOs believed comptroller and tax authorities audited their accounts as a means of intimidation. While legally permitted, spot audits were a common form of harassment and often used selectively, according to NGOs. NGOs reported difficulties in scheduling meetings with authorities and in receiving official information due to a growing culture of government secrecy.

The government enforced the law requiring any citizen working for “governments, companies, foundations, or foreign organizations” to register with the Ministry of Interior, submit monthly reports on their income and spending, and provide prior notice of how the foreign funds were intended to be spent. The law established sanctions for those who did not register.

Retribution against Human Rights Defenders: The government stripped several human rights defenders of their citizenship and disbarred several of them as lawyers with no recourse to appeal. The government forced most of these human rights defenders into exile and surveilled, harassed, or otherwise impeded from performing their duties freely those remaining in the country.

The United Nations or Other International Bodies: The government did not allow OHCHR or the Interamerican Commission on Human Rights (IACHR) to send working groups to monitor the human rights situation in the country. The government did not cooperate with these groups, including the Human Rights Council’s Group of Experts on Nicaragua, as noted in OHCHR and IACHR reports.

The government continued to block the entrance of the Organization of American States (OAS) high-level commission to help resolve the country’s sociopolitical crisis. The government did not send a representative to any IACHR sessions held during the year. The government did not send a representative to OAS Permanent Council meetings, based on its 2021

notification of intent to withdraw from the organization, which took effect in November. In several instances, government supporters detained or harassed human rights defenders protected by IACHR precautionary measures.

Government Human Rights Bodies: The Office of the Ombudsman for Human Rights, led since 2019 by Darling Rios, a sociologist with no previous human rights experience, and Adolfo Jarquin, also with no previous human rights experience, was perceived by observers as politicized and ineffective.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalized all forms of rape of men or women and domestic or intimate partner rape and other forms of domestic and sexual violence, including so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons. Sentences for rape ranged from eight to 12 years' imprisonment. The law criminalized domestic violence and provided prison sentences of one to 12 years.

The government failed to enforce rape and domestic violence laws, leading to widespread impunity and reports of increased gender-based violence.

The government continued to use FSLN-led family cabinets and CLSs to mediate cases of domestic violence. According to observers, both entities

were politicized and did not operate according to rule of law standards. Women's rights organizations complained that FSLN mediators themselves were often perpetrators of domestic violence and that unofficial agreements existed to not prosecute domestic violence cases, especially if the cases were seen as "not serious."

The government operated 196 women's commissariats, printed and distributed pamphlets on women's rights, and instituted door-to-door visits led by NNP and ruling-party members, which the government claimed led to several findings of domestic violence. Women's rights activists accused the government of a veiled attempt of social control. The government employed limited and insufficient public education, shelters, hotlines, psychosocial services, and police training in nominal and unsuccessful attempts to address the problem.

Groups working on women's issues reported that gender-based violence remained high and police generally understated its severity. The government continued cancelling the registration of NGOs working on women's rights, including nine cancellations during the year. On July 11, police raided the headquarters of the Condega Female Construction Worker's Association, an NGO that provided capacity building and room and board for women who worked in the construction sector in the northern part of the country.

Other Forms of Gender-based Violence or Harassment: The law prohibited

sexual harassment and stipulated penalties of one to three years in prison, or three to five years if the victim was younger than 18. No information was available on government efforts to prevent or prosecute complaints of sexual harassment. The NGO Catholics for the Right to Decide reported 36 femicides through June, the majority committed after the victims suffered sexual violence. Indigenous women were particularly vulnerable to gender-based violence, especially during attacks by outsiders encroaching on Indigenous lands. Reports of rape and sexual violence during such attacks were common. Additionally, the lack of coverage by government agencies in such territories made it particularly difficult for Indigenous women to find refuge, justice, or health care after such attacks or from domestic violence in general. There were several reports of cases of technology-facilitated gender-based violence, including the online sharing of intimate images, doxing, and trolling.

Discrimination: The law provided for gender equality in access to education, labor rights, and civil rights. Nevertheless, women often experienced discrimination in employment, obtaining credit, and receiving equal pay for similar work, as well as in owning and managing businesses. While the government enforced the law effectively in the public sector, the authority of women in positions of power was limited compared with that of men. For example, despite a law requiring equal participation of men and women in elected positions, male political party leaders often made decisions on public policy without internal debate or input from female

political leaders.

Discrimination in employment took many forms. Although women generally had equal access to employment, few women had senior positions in business and worked in the informal sector in higher numbers than men; in the public sector or in elected positions, the ruling FSLN political party limited women's independence and influence. In addition, women's wages were generally lower compared with those of male counterparts, even for the same position and work performed. Enforcement was not effective in the private sector or the larger informal sector.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Women in some areas, such as the RACN and the RACS, lacked widespread access to medical care or programs, and the number of maternal deaths was higher among poor rural women than among their urban counterparts.

Widespread lack of access to medical services also affected Indigenous and Afro-descendant women in the RACN and the RACS more than non-Indigenous women in other regions. In addition, adolescents often faced social stigma when seeking contraception methods. According to the Pan-American Health Organization, the adolescent fertility rate during the year was 82.5 (per 1,000 girls ages 15-19). Machismo culture, low education levels, and difficulty accessing health care contributed to the high adolescent fertility rate. Women had access to emergency contraception to

a greater extent in urban areas than in rural areas.

The Ministry of Health's protocol for the provision of health services to survivors of sexual violence stipulated the provision of clinical management of rape. Women's rights organizations, however, claimed the ministry did not consistently provide this service.

Economic hardship and a lack of social safety nets to protect young mothers often impeded continued education for pregnant girls or young mothers.

Systemic Racial or Ethnic Violence and Discrimination

The law and regulations prohibited discrimination based on race but not on ethnic origin. The government did not effectively enforce the law and regulations.

The law protected members of racial and ethnic groups and their right to decisions over their lands and customs. Neither the government nor the ruling party respected the law. Non-Indigenous persons regularly encroached on Indigenous lands and violently displaced Indigenous communities from their lands with the acquiescence of the ruling party. Many of these outsiders were retired military officers.

Exclusionary treatment based on race, skin color, and ethnicity was common, especially in higher-income urban areas. Darker-skinned persons of African descent from the RACN and the RACS, along with others assumed

to be from those areas, experienced discrimination, such as being subjected to extra security measures and illegal searches by police. These groups also faced discrimination in employment. Indigenous and other ethnic groups from the RACN and the RACS alleged discriminatory attitudes toward ethnic and racial minorities were responsible for the lack of government resources devoted to the regions. The government focused attention and resources on maintaining political control concerning decision-making bodies in the regions.

Indigenous Peoples

Indigenous persons were subjected to violence and threats of violence due to political and environmental advocacy, particularly against Mayangna and Miskito populations in the north-central and northeastern regions. Reports of outsiders threatening to encroach on Indigenous community lands and natural resources were widespread. There were reports of violence and killings of Indigenous persons due to artisanal mining, logging, and cattle grazing by outsiders –commonly referred to as *colonos*– on Indigenous lands. Police officers reportedly called for Indigenous populations to accept outsiders as it was an easier and more peaceful solution than ousting them from Indigenous lands. Reporting on these incidents was difficult because the government canceled the legal status of various NGOs that performed environmental advocacy and protected Indigenous rights in the area. Despite the existence of autonomous governing bodies, government

authorities or FSLN representatives made most decisions affecting Indigenous lands, cultures, traditions, or the exploitation of natural resources on Indigenous lands.

Indigenous leaders alleged regional and national governments granted logging and mining concessions to private firms and to government-affiliated businesses without adequate consultation of the Indigenous community, and that logging and mining continued in violation of national autonomy laws in the RACS and the RACN.

While there were no legal barriers to their participation, representatives from five major Indigenous groups – the Miskito, Sumo/Mayangna, Garifuna (of Afro-Amerindian origin), Creole, and Rama – alleged government discrimination through underrepresentation in the legislative branch. Leaders from these communities decried the national government's sidelining of autonomous government bodies and the undue administrative burdens and other barriers to access for national electoral politics, including the establishment of political parties and party affiliates and minimum geographic representation levels.

NGOs and Indigenous rights groups denounced the increasing number of killings of Indigenous persons by non-Indigenous populations encroaching on their lands in the RACN and the RACS. On March 11, outsiders killed at least five Mayangna persons in Wilu, Sauni As. The NNP arrested two outsiders and four Mayangna forest wardens. Observers said the forest

wardens were innocent and outsiders not arrested had been involved. Some observers alleged government and FSLN involvement in violence against Miskito populations in the RACN along the Coco River, either by failing to defend Indigenous populations or as accomplices to non-Indigenous groups invading Indigenous lands.

Indigenous persons from rural areas often lacked birth certificates, identity cards, and land titles. While the government did not deny these documents if requested, it favored the requests of FSLN party members over other constituents. Additionally, Indigenous groups alleged the government provided identity cards to colonos in the RACS and the RACN, leading to overrepresentation of FSLN-aligned, non-Indigenous persons in regional bodies. Most Indigenous individuals in rural areas lacked access to public services, and poor roads hindered access to health care for many.

Indigenous women faced multiple levels of discrimination based on their ethnicity, gender, and lower economic status. For example, Indigenous women did not receive medical attention, education, police protection, or representation in government at the same level as non-Indigenous women.

Children

Birth Registration: Registration in rural areas was difficult due to lack of adequate infrastructure, and the government took no measures to address this, resulting in a growing number of de facto stateless persons in the

country. Persons without citizenship documents were unable to obtain national identity cards.

Child Abuse: The law prohibited child abuse. Government efforts were insufficient to combat child abuse and sexual violence against children.

Child, Early, and Forced Marriage: The minimum legal ages for marriage were 18 for men and women and 16 with parental authorization. There were credible reports of forced early marriages in some rural Indigenous communities. No information was available on government efforts to address or prevent forced and early marriage.

Sexual Exploitation of Children: The law prohibited sexual exploitation in general, such as the sale, grooming, or use of children for commercial sexual exploitation, and designated as an aggravating condition behavior enticing children or adolescents to engage in sexual activity. The government generally did not enforce the law pertaining to child sex trafficking. The law defined statutory rape as sexual relations with children ages 14 to 16. Any sexual relations with children younger than 14 were considered rape.

The law also prohibited child pornography, and the government generally enforced it.

The country was a destination for child sex tourism.

Antisemitism

The country had a very small Jewish population. There were few reports of antisemitic incidents. On October 21-22, unidentified subjects vandalized Jewish graves located in a small corner of Managua's main cemetery with red paint and swastikas. Similarly, a small public monument with a menorah was vandalized with red paint and damaged. According to reports, the government removed the markings.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law did not criminalize consensual same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors.

Violence and Harassment: In general, LGBTQI+ groups reported police condoned and tolerated violence against LGBTQI+ individuals, did not take complaints of violence against them seriously, and did not fully investigate

such cases when they occurred.

Despite government inclusivity campaigns, the government and FSLN supporters frequently targeted LGBTQI+ participants in civil protests, using online smear campaigns and physical attacks in some cases. Police, parapolice, and progovernment supporters targeted LGBTQI+ opposition members for sexual violence. The Observatory for Human Rights Violations Against LGBTQI+ Persons stated there were 20 attacks against LGBTQI+ persons in the first six months of the year; more than half were against transgender women. In April, La Mendoza, a transgender woman, was found dead in a vacant lot with visible signs of violence.

LGBTQI+ activists said LGBTQI+ political prisoners hid their orientation, fearing increased abuse from prison guards. Reliable data on the breadth of such discrimination were not available. No laws existed that specifically punished hate crimes against LGBTQI+ persons.

Discrimination: Although it did not mention sexual orientation and gender identity specifically, the law stated all persons were equal before the law and provided for the right to equal protection. LGBTQI+ groups reported discrimination, lack of access to justice, and no response from police. LGBTQI+ persons faced widespread societal discrimination and abuse, particularly in housing, education, and employment. LGBTQI+ persons often received slurs or were discriminated against in their employment by being requested to dress, style, or act according to their biological gender.

LGBTQI+ organizations complained the law curtailed the rights of LGBTQI+ households by defining families as necessarily headed by a man and a woman; this definition particularly hindered LGBTQI+ households' access to social security, survivor benefits, and adoption rights.

Availability of Legal Gender Recognition: The law did not provide for legal gender recognition.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals in an attempt to change their sexual orientation, gender identity or expression. There were anecdotal reports of psychotherapy and faith-based attempts at conversion therapies, but victims were often hesitant to report such cases due to societal discrimination. There were no known attempts to perform medically unnecessary surgeries on children or nonconsenting intersex adults.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: LGBTQI+ groups deemed in opposition to the ruling party faced constraints to gather or express their views freely. The government did not give permission to local LGBTQI+ groups for a Pride march, consistent with its policy of denying permission for any large gatherings.

Persons with Disabilities

The law required access to education, health services, public buildings, and

transportation for persons with disabilities. The government did not enforce the law effectively. Persons with disabilities faced severe problems accessing schools, public health facilities, and other institutions. There was a lack of educational opportunities and public-services positions, despite a legal requirement that a certain percentage be available to them.

Children with disabilities attended schools with peers without disabilities; specialized school materials were not readily available, and on occasion the Ministry of Education refused to provide them. Anecdotal evidence suggested children with disabilities completed secondary education at a significantly lower rate than other children. Public schools were rarely well equipped, and teachers were poorly trained in providing appropriate attention to children with disabilities.

Police stations and public healthcare facilities did not have staff trained in sign language. Many voting facilities were not accessible. Advocates for persons with disabilities complained of a lack of accessible public transportation. Some persons with disabilities reported taxi drivers often refused them service due to the perceived extra burden on the driver to aid customers with disabilities. Advocates for persons with disabilities claimed interpreters for the deaf were not accessible at schools and universities. Government clinics and hospitals provided care for persons with disabilities, but the quality of care was generally poor.

Discrimination against persons with physical, sensory, intellectual, and

mental disabilities was widespread, despite being prohibited by law. Laws related to persons with disabilities did not stipulate penalties for noncompliance, although penalties could be issued under the general labor inspection code. The government did not enforce the law effectively; did not mandate accessibility to buildings, information, and communications; and did not make information available on efforts to improve respect for the rights of persons with disabilities.

Advocacy organizations for persons with disabilities reported persons with disabilities accounted for fewer than 1 percent of public-sector employees, despite a legally mandated minimum representation of 2 percent. Further reports indicated public institutions did not sufficiently coordinate with the Ministry of Labor to accommodate persons with disabilities in the workplace. Although there were no official reports of violence, harassment, or intimidation against persons with disabilities by government officials, there were several anecdotal reports of violence and harassment. These incidents generally went unreported because victims did not want to face the burdensome process of filing a complaint.

Other Societal Violence or Discrimination

The law provided specific protections against discrimination in employment and health services for persons with HIV or AIDS, but such persons suffered societal discrimination.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the right of all workers, except the military and police, to form and join unions without prior authorization, to bargain collectively, and to conduct strikes. The government's control of all major unions effectively nullified the right of workers to join independent unions of their own choice. The ruling party used its control over major unions to harass and intimidate workers in several sectors, including construction, education, health care, the public sector, and free trade zones.

The constitution recognized the right to strike, with restrictions. The law prohibited antiunion discrimination and provided for the right to reinstatement for workers dismissed for union activity. Burdensome and lengthy conciliation procedures and government control of all major unions impeded workers' ability to call strikes. In smaller businesses where major unions were not present, the government created government-aligned unions to diffuse efforts to organize strikes or other labor actions. In addition, if a strike continued for 30 days without resolution, the Ministry of Labor could suspend the strike and submit the matter to arbitration.

Collective bargaining agreements lasted up to two years and were

automatically renewed if neither party requested their revision. Collective bargaining agreements in the free trade zone regions, however, were for five-year periods. Companies in disputes with their employees were required to negotiate with the employees' union if one existed. By law, several unions could coexist at any one enterprise, and the law permitted management to sign separate collective bargaining agreements with each union. Although the law established a labor court arbitration process, it was subject to long wait times and lengthy, complicated procedures, and many labor disputes were resolved out of court. The government sought to foster resolution of labor conflicts through informal negotiations rather than formal administrative or judicial processes.

Freedom of association and the right to collective bargaining were not respected, and the government often intervened for political reasons. The government did not effectively enforce the laws. The law did not establish specific fines for labor law violations, and penalties imposed at the discretion of Ministry of Labor officials were commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were sometimes applied against violators.

Politically motivated firings occurred. Labor experts highlighted instances of public-sector employees being fired without receiving severance pay. FSLN party affiliation or letters of recommendation from party secretaries, family cabinet coordinators, or other party officials were allegedly required from

applicants seeking public-sector jobs or retain employment in the public sector. The government stopped retirement pension payments to several citizens it stripped of citizenship in February. Retirement pensions accumulated over time of employment and were unseizable by law.

By law, during a strike employers could not hire replacement workers, but unions alleged this practice was common. Wildcat strikes – those without union authorization – were historically common.

Employers interfered in the functioning of workers' organizations and committed other violations related to freedom of association and collective bargaining. Labor leaders noted employers routinely violated collective bargaining agreements and labor laws with impunity.

Observers accused official union federations of protecting employer interests by identifying and isolating workers who attempted to organize independent unions. The government was accused of frustrating such attempts through arbitrary procedural delays.

Many employers in the formal sector continued to blacklist or fire union members and did not reinstate them. Many of these cases did not reach the court system or a mediation process led by the Ministry of Labor. Employers often delayed severance payments to fired workers or omitted the payments altogether. Employers also avoided legal penalties by organizing employer-led unions that lacked independence and by frequently using

contract workers to replace striking employees. There were reports FSLN party dues were automatically deducted from paychecks. Workers who disagreed with government recommendations were fired.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law established a statutory minimum wage for 10 economic sectors. According to independent analysts, the average legal minimum wage covered less than 50 percent of the cost of basic goods.

The standard legal workweek was limited to 48 hours, with one day of rest. The law dictated an obligatory year-end bonus equivalent to one month's pay, proportional to the number of months worked. The law mandated

premium pay for overtime, prohibited compulsory overtime, and set a maximum of three hours of overtime per day not to exceed nine hours per week.

Occupational Safety and Health: The Ministry of Labor's occupational safety and health (OSH) experts actively identified unsafe conditions. The Ministry of Labor, through its Office of Hygiene and Occupational Safety, was responsible for enforcing wage, hour, and OSH laws. By law, workers could remove themselves from situations that endangered their health or safety without jeopardy to their employment. It was unclear whether authorities effectively protected employees in such cases. The National Council of Labor Hygiene and Safety, and its departmental committees, was responsible for implementing worker safety legislation and collaborating with other government agencies and civil society organizations in developing assistance programs and promoting training and prevention activities. According to labor contacts, the council was inactive throughout the year. Companies were required to form worker management OSH committees.

The minimum wage was generally enforced in the formal sector. Legal limitations on hours worked often were ignored by employers, who claimed workers readily volunteered for extra hours for additional pay. Compulsory overtime was reported in the private-security sector, where guards often were required to work excessive shifts without relief.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce minimum wage, overtime, and OSH laws. Penalties for violations of minimum wage and overtime laws were commensurate with those for similar crimes, such as fraud. Penalties were rarely applied against violators in the formal sector and even more rarely in the informal sector. The law allowed labor inspectors to conduct unannounced inspections and initiate sanctions for violations. Private businesses complained about arbitrary and allegedly targeted labor inspections and being pressured to pay bribes to avoid citations.

The Ministry of Labor was the primary enforcement agency. The government did not allocate adequate staff or other measures to enable the Office of Hygiene and Occupational Safety to enforce OSH provisions. Penalties for violations of OSH laws were commensurate with those for crimes such as negligence but were rarely applied.

The informal sector was estimated to be 77 percent of employment. The government did not enforce labor laws in this sector.

Nicaragua

Events of 2021

Riot police stand guard outside the house of Cristiana Chamorro, former director of the Violeta Barrios de Chamorro Foundation and opposition presidential candidate, in Managua on June 2, 2021, the day Nicaraguan police raided her home without a warrant and placed her under house arrest.

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Since taking office in 2007, the government of President Daniel Ortega has dismantled nearly all institutional checks on presidential power. The Electoral Council, stacked with the president's supporters, removed opposition lawmakers in 2016 and has barred opposition political parties ahead of the 2021 presidential elections. A constitutional amendment approved by President Ortega's party, which controls the National Assembly, abolished term limits in 2014. President Ortega was elected to a fourth consecutive term in November amid government repression of critics and the political opposition. Many governments from the region and Europe said the elections had not met minimum guarantees to be considered free and fair.

To pave the way for his re-election, authorities arbitrarily arrested and prosecuted government critics and political opponents, including presidential candidates, journalists, lawyers, and leaders of community, business, and student groups.

Persistent problems include severe restrictions on freedom of expression and association, political discrimination, and stringent restrictions on abortion.

Detention and Prosecution of Critics

Between late May and October 2021, authorities arbitrarily detained 7 presidential candidates and 32 prominent government critics. Prosecutors opened investigations against most on alleged “treason” charges.

Since February, an amendment to the Code of Criminal Procedure has allowed prosecutors to request detentions of up to 90 days without charge; in most cases involving critics, courts have permitted them.

In August, the Attorney General’s Office filed charges against most of the detainees, in criminal proceedings that lacked basic due process guarantees. Charges, carrying prison sentences of 15 to 25 years, ranged from money laundering to, most commonly, “conspiracy to undermine national integrity.” Prosecutors failed to identify specific acts by the defendants to support the charges in at least 14 cases.

Most critics have been held incommunicado and subjected to abuses in detention, including daily interrogations, prolonged solitary confinement, and insufficient food. Authorities have barred critics’ lawyers from participating in public hearings, assigning public defenders instead. Despite repeated requests, most lawyers had no access to court documents for months.

Right to Vote and Run for Office

Election-related changes and laws adopted between October 2020 and February 2021 have been used to deter critical speech, inhibit opposition participation in elections, and keep critics in prison without formal charges, to prevent or limit their political participation.

In December 2020, the National Assembly passed the Law for the Defense of People’s Rights to Independence, Sovereignty, and Self-determination for Peace, prohibiting so-called “traitors” from running for or holding public office. The law defines “traitors” in sweeping terms to include, for example, people who “undermine independence, sovereignty and self-determination” or “damage the supreme interests of the nation.”

candidates; does not require independent domestic or international electoral observation, which the Organization of American States and the United Nations Human Rights Council deemed essential to ensure credible scrutiny of the elections; and allows the National Police to authorize demonstrations in public spaces, including public campaign events.

After the National Assembly, which is allied with Ortega, appointed new Supreme Electoral Council members in May, the Council stripped legal registration from the main opposition parties.

Covid-19 Response

Denial, inaction, and opacity have characterized the government's response to the Covid-19 pandemic. The government took no emergency measures in response to the pandemic, kept schools open, and fired doctors critical of the government who disagreed with its management of the Covid-19 response.

While the government reported over 13,000 cases and more than 200 deaths, as of September 2021, the nongovernmental organization (NGO) Covid-19 Citizen Observatory registered almost twice as many suspected cases and 4,500 suspected deaths. The government has accused the organization and critical doctors of promoting "health terrorism." The Inter-American Commission on Human Rights (IACHR) reported that "state agents" were persecuting and harassing members of the Observatory, as well as from the medical associations Nicaraguan Medical Unit (UMN) and Interdisciplinary Scientific Committee.

As of October 2021, just over 8 percent of the population was fully vaccinated.

During the 2018 crackdown, at least 405 doctors, nurses, and other health workers were fired from public hospitals, seemingly for providing care to protesters or criticizing the government.

No specific policies to diminish the negative economic impact of the pandemic were enacted.

Crackdown on Protesters

Police, in coordination with armed pro-government groups, brutally repressed massive anti-government protests in 2018, leaving at least 328 dead, some 2,000 injured, and hundreds detained. Authorities reported 21 police officers killed in the context of demonstrations.

of due process and other rights marred prosecutions.

A broad amnesty that released many protestors in 2019 has contributed to immunity from prosecution for those responsible for human rights violations related to the crackdown. In 2019, President Ortega promoted top officials implicated in abuses. Impunity for human rights violations by the police continues.

In addition to the 39 detentions carried out since late May 2021, Nicaraguan rights groups reported that over 100 perceived critics detained earlier remained under custody as of October. Many had been held for over a year, under abusive conditions.

Attacks on Human Rights Defenders and Independent Media

Human rights defenders and other critics are targets of death threats, assaults, intimidation, harassment, surveillance, online defamation campaigns, and arbitrary detention and prosecution. Police frequently station themselves outside the houses of government critics, preventing them from leaving, in what amounts to arbitrary arrest. Those harassed are unable to visit friends and family, attend meetings, go to work, or participate in protests or political activities. Some have been detained repeatedly—sometimes being abused during detention—for periods ranging from several days to several months.

The government restricts freedom of expression for journalists and media outlets through threats, physical attacks, detentions, arbitrary financial investigations, arbitrary prosecutions, and forced closures.

Between July 28 and August 26, 2021, authorities ordered the closure of 45 NGOs, including women's groups, international aid organizations, and several medical associations. Ten others had been closed since 2018. In 2019, Army Commander in Chief Julio César Avilés Castillo called NGOs "coup-plotters".

Other organizations have announced their suspension of activities after the Law for the Regulation of Foreign Agents went into effect in 2020, requiring the registration of people and groups receiving foreign funding as "foreign agents" and preventing them from running for office.

Police raided the offices of the newspaper *Confidencial* in May 2021, confiscating equipment and detaining a journalist for several hours without providing warrants for the detention or

Prosecutor's Office later raided its facilities, seizing items and arresting the newspaper's general manager.

Between January and October 2021, authorities had arbitrarily arrested and prosecuted three journalists and brought charges or initiated investigations against several journalists who were abroad. At least 16 journalists have been summoned as witnesses in a money laundering investigation into Cristiana Chamorro, a detained presidential candidate who, until its closure, headed an NGO dedicated to press freedom.

Doctors and journalists have been threatened with charges under Nicaragua's cybercrime law during interviews with prosecutors, according to news media. The law, passed in October 2020, criminalizes a wide range of online communications, including by punishing with sentences of up to five years the "publication" or "dissemination" of "false" or "distorted" information on the internet that is "likely to spread anxiety, anguish or fear."

On September 7, 2021, the Attorney General's Office charged activist Amaru Ruíz under the cybercrime law. He was accused of "dissemination of false information" to "instill instability and insecurity that endangers national sovereignty" after he allegedly said "the state and its institutions had deliberately failed to investigate" the murders of Indigenous persons in the North Caribbean Coast in 2020 and 2021.

Defense lawyers have experienced escalating harassment and prosecutions. Some remain in the country, facing threats, and others have fled. Two were arrested and prosecuted for "conspiracy to undermine national integrity."

The Human Rights Collective "Nicaragua Nunca +", an NGO based in Costa Rica that documents human rights abuses in Nicaragua, reported that the Ortega government's sustained "persecution, harassment, and prosecution" had forced at least 100 journalists into exile, including 25 in 2021.

In August 2021, at least nine Indigenous persons were reportedly killed, and two women sexually abused, in an attack related to a dispute over gold mining in the Mayangna Sauni As Indigenous territory. The government granted the mining concession without prior consultation with the community. Homicides and aggressions "related to territorial disputes" in the area since January 2020 "remain unpunished," the United Nations Office of the High Commissioner for Human Rights (OHCHR) reported. Both OHCHR and the IACHR point to a larger, persistent failure of the Nicaraguan government to title and protect Indigenous territories from invasions.

Nicaragua has prohibited abortion under all circumstances since 2006, even when a pregnancy is life-threatening or results from rape or incest. Those who have abortions face prison sentences of up to two years; medical professionals who perform them can face up to six years. The ban forces women and girls confronting unwanted pregnancies to seek illegal and unsafe abortions, risking their health and lives.

Rates of domestic abuse, violence against women, and femicide, defined in Nicaraguan law as a crime committed by a man who murders a woman “in the public or private sphere,” have increased since 2019, OHCHR reported in February 2021.

Nicaraguan Asylum Seekers

From April 2018 through June 2021, more than 110,000 people fled Nicaragua, the UN High Commissioner for Refugees reported. Costa Rica hosts some 80,000 Nicaraguan refugees and asylum seekers. Thousands more live in Mexico, Panama, Europe, and the United States.

Key International Actors

No international monitoring bodies have been allowed into the country since 2018, when the government expelled the IACHR Special Monitoring Mechanism for Nicaragua, the IACHR-appointed Interdisciplinary Group of Independent Experts, and OHCHR.

In February 2021, OHCHR urged the government to enact meaningful electoral reforms, end arbitrary arrests, guarantee freedoms to civil society, investigate and prosecute rights abuses in the context of protests, and amend laws that seriously restrict rights to freedom of expression and association and could undermine free and fair elections. The IACHR has also continued to monitor the situation from afar.

The UN Human Rights Council adopted a resolution in March urging the government to repeal or amend legislation that undermines fundamental rights and to adopt electoral reforms to ensure free and fair elections with international oversight.

In June, the OAS Permanent Council expressed concern that the Ortega regime had not implemented electoral reforms consistent with international standards before a deadline set for May. The resolution condemned harassment and arbitrary restrictions on presidential candidates, opposition parties, and independent media. In November, the OAS Permanent Council condemned the elections saying they “were not free, fair or transparent, and lack[ed] democratic legitimacy.”

pursuant to the Global Magnitsky Act of 2016, which allows for sanctions against human rights violators. Of the 26, 6 were also sanctioned pursuant to the Nicaraguan Human Rights and Corruption Act of 2018. The Treasury Department has also sanctioned nine entities, including financial and state security institutions.

In November, the US Congress passed the RENACER Act to monitor, report on, and address corruption by the Ortega government, as well as human rights abuses by Nicaraguan security forces. The law had been approved by the Senate in August.

The European Parliament, in July, condemned the Ortega government's repression of opposition groups and other opponents and called for the release of arbitrarily detained political prisoners, including presidential candidates. In August, the EU imposed targeted sanctions on eight more Nicaraguans accused of "serious human rights violations" and undermining democracy, including Vice President Rosario Murillo, for a total of 14 Nicaraguans sanctioned since 2020. Sanctions against all 14 were renewed for another year in October 2021. Following EU foreign ministers' discussions in October, EU foreign policy chief Josep Borrell once again condemned the Nicaraguan government's repression, referring to it as 'one of the worst dictatorships in the world', whose scheduled elections were going to be 'fake'.

In July, Canada imposed targeted sanctions on 15 government officials implicated in human rights violations, for a total of 24 sanctioned.

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Nicaragua

Events of 2022

A demonstrator with a banner calling for the freedom of political prisoners in Nicaragua takes part of a march of Nicaraguans exiled in Costa Rica, in San Jose, Costa Rica, November 6, 2022.

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The government of President Daniel Ortega and his wife, Vice-President Rosario Murillo, deepened its systematic repression against critics, journalists, and human rights defenders. Dozens of people arbitrarily detained remain behind bars.

Since taking office in 2007, the government has dismantled all institutional checks on presidential power. Amid repression of critics and political opponents, President Ortega was elected, in 2021, to a fourth consecutive term.

The government closed over 2,000 nongovernmental organizations (NGOs) in 2022 and intensified its crackdown against members of the Catholic Church.

Abuses by the National Police and armed pro-government groups during a brutal 2018 crackdown that left over 300 protesters and bystanders dead remain unpunished.

Persistent problems include a total abortion ban and severe restrictions on freedom of expression and association.

As of September 2022, 209 people perceived as government critics remained in detention, according to local rights groups, including many who were arrested in the context of the 2021 elections.

Critics have been charged with undermining national integrity, propagating false news, laundering money, and related crimes. In many cases, they have been held incommunicado for weeks or months at El Chipote detention facility, some in prolonged solitary confinement. On the limited occasions when visits have been allowed, detainees have reported to family members abusive conditions, including repeated interrogations, inadequate medical attention, and insufficient food.

From February through May 2022, 50 government critics, including seven presidential candidates in the 2021 elections, received sentences of up to 13 years in prison and were disqualified from holding public office. Criminal proceedings were based on bogus charges and violated basic due process rights.

Hugo Torres, 73, a government critic, who was a guerrilla fighter in the 1970s revolution that first brought Ortega to power, died in detention in February 2022. Torres had been arbitrarily arrested in June 2021 and reportedly held in inhumane conditions, and incommunicado for prolonged periods.

In August 2022, police arbitrarily arrested Bishop Rolando Álvarez, an outspoken critic, along with five priests, two seminarians, and one cameraman, after holding them hostage at the episcopal curia of Matagalpa for two weeks. The police accused Álvarez of “acts of hatred” and “destabilizing the state.” Authorities sent him to house arrest. The others are currently being held in detention. A judge granted prosecutors’ requests to hold them 90 days in detention without charges.

In October, police arbitrarily detained Bishop Enrique Martínez Gamboa. He remained in detention at time of writing.

Freedom of Expression, Association

Human rights defenders, journalists and critics are targets of death threats, assault, intimidation, harassment, surveillance, online defamation campaigns, and arbitrary detention and prosecution.

and family, attend meetings, go to work, or participate in protests, religious events, or political activities. Some have been arrested repeatedly—sometimes abused in detention—for periods ranging from several days to several months.

Six journalists detained in the context of the 2021 elections were convicted of spreading “fake news,” money laundering, and undermining national integrity, in 2022, and sentenced to up to 13 years in prison.

Police detained two *La Prensa* workers in July 2022, and a judge granted prosecutors’ requests to hold them in detention for 90 days without charge. *La Prensa* then reported that an unspecified number of its reporters, editors, and photographers had left Nicaragua, citing constant police harassment. Since 2018, 200 journalists have reportedly gone into exile. *La Prensa* ended its newspaper’s print edition in August 2021, when the Customs Authority withheld newsprint it had imported.

Authorities closed over 2,000 NGOs in 2022, including women’s, religious, international aid, and medical groups. Many of these closures are based on abusive legislation, including a “foreign agents” law, passed 2020. At least 70 more were closed from 2018 through 2021. They also canceled the legal status of 18 universities, between December 2021 and February 2022, stranding thousands of students.

In August 2022, authorities closed at least 17 radio stations, including some run by the Catholic Church, citing, for example, lack of operating permits.

In September 2022, authorities suspended CNN’s Spanish-language service from all cable channels in the country.

Legislators have passed several laws that severely restrict freedom of expression and association and have used them to forcibly close hundreds of non-profits, universities, and media outlets and to arbitrarily detain and prosecute journalists and human rights defenders.

In April 2022, the National Assembly passed a “Regulation and Control of Non-Profit Organizations” law that allows the Interior Ministry to ask legislators to cancel the legal status of groups that “promote campaigns to destabilize the country.” Authorities can also seize the assets of associations that commit “unlawful acts,” violate “public order,” or hinder the Interior Ministry’s “control and surveillance.”

or “dissemination” of “false” or “distorted” information on the internet that is “likely to spread anxiety, anguish or fear.” The same year a “Foreign Agents” law was enacted, which allows cancellation of the legal status of organizations that obtain foreign funds for activities that “interfere in Nicaragua’s internal affairs.”

Right to Vote and Run for Office

Legislation passed between October 2020 and February 2021 has been used to deter critical speech, inhibit opposition participation in elections, and keep critics in prison without bringing formal charges.

After the National Assembly appointed Supreme Electoral Council (CSE) members loyal to President Ortega in 2021, the CSE stripped the main opposition parties’ registration.

In July 2022, authorities dismissed five elected opposition mayors, de facto, citing their party’s lack of registration, and appointed government party members to replace them.

Indigenous Peoples’ Rights

Indigenous and Afro-descendant people face discrimination, reflected in poverty rates, precarious living conditions, and persistent violence.

Investigations into homicides and attacks related to territorial disputes in the Mayangna Sauni As Territory have stalled, the UN Office of the High Commissioner for Human Rights (OHCHR) reported in 2022.

Impunity for 2018 Crackdown

Police, in coordination with armed pro-government groups, repressed massive anti-government protests in 2018, killing at least 328 people, injuring some 2,000, and detaining hundreds. Authorities reported that 21 police officers were killed in the context of demonstrations.

Many protesters were detained for months, subjected to torture and other ill-treatment including electric shocks, severe beatings, fingernail removal, asphyxiation, and rape. Serious violations of due process and other rights also marred prosecutions against protesters.

No police officer has been convicted in connection with these abuses.

Nicaragua has, since 2006, prohibited abortion under all circumstances, even when a pregnancy is life-threatening or results from rape or incest. Those who have abortions face prison sentences up to two years; medical professionals who perform them, up to six years. The ban forces those confronting unwanted pregnancies to seek illegal and unsafe abortions, risking their health and lives.

Rates of domestic abuse, violence against women, and femicide, defined as a man's murder of a woman "in the public or private sphere," increased from August 2019 to December 2020, OHCHR reported.

The government did not publish figures on femicides and other forms of violence against women in 2022. A local human rights organization [reported](#) 46 femicides between January and October 2022.

Nicaraguan Asylum Seekers

Between April 2018 and March 2022, 200,000 citizens fled Nicaragua, the UN High Commissioner for Refugees reported.

The United States Border Patrol apprehended [164,600 Nicaraguans](#) from January to September 2022, up from 50,000 in all of 2021 and only a few thousand in years prior. Many others fled to Costa Rica, Mexico, Panama, and Europe.

Key International Actors

In March 2022, the United Nations Human Rights Council established a group of human rights experts with a one-year mandate to investigate human rights violations committed in Nicaragua since April 2018.

No international monitoring bodies have been allowed to enter the country since 2018, when authorities expelled the Inter-American Commission on Human Rights (IACHR)'s Special Monitoring Mechanism for Nicaragua (MESENI), the IACHR-appointed Interdisciplinary Group of Independent Experts (GIEI), and OHCHR.

Also in March, authorities expelled Apostolic Nuncio to Nicaragua Monsignor Waldemar Stanisław Sommertag. In July, authorities cancelled the legal registration and expelled the Missionaries of Charity Association of the Order of St. Teresa of Calcutta. In August, after the

In September 2022, OHCHR reported a “deterioration of the human rights crisis,” saying the government continued “silencing critical and dissenting voices” and was “drastically reducing civic space.”

In November 2021, Nicaragua announced its withdrawal from the Organization of American States (OAS). The OAS General Assembly and Permanent Council had said that the 2021 elections were not free nor fair, and that Nicaragua had violated its commitments under the Inter-American Democratic Charter. In April 2022, the Ortega government said the withdrawal was “completed,” seized the OAS office in the country; and revoked the credentials of OAS representatives; however, the OAS says that the OAS Charter remains in effect in Nicaragua until the end of 2023, requiring Nicaragua’s compliance with obligations under the Inter-American System.

The US sanctioned additional Nicaraguan officials and the state mining company, bringing to 53 the individuals and entities sanctioned, as of September, under the Global Magnitsky Act of 2016, the Nicaraguan Human Rights and Corruption Act of 2018, and other US laws and executive orders. In October 2022, the US Department of State imposed visa restrictions on over 500 Nicaraguans and the Department of the Treasury’s Office of Foreign Assets Control imposed sanctions on the Nicaraguan mining authority, the General Directorate of Mines (DGM).

In November 2021, the US enacted a law to monitor, report on, and address corruption by the Ortega government and human rights abuses by Nicaraguan security forces.

In September 2022, the European Parliament denounced the “deterioration” of the rule of law and “escalation” of repression against the Catholic Church.

Also in September, the Ortega government expelled the European Union envoy to Nicaragua days after the EU delegation to the UN called for the restoration of democracy and the freeing of political prisoners. The government also severed diplomatic relations with the Netherlands after it cited concerns with human rights violations and deteriorating democratic institutions in Nicaragua when cancelling funding for a hospital project.

The EU maintains sanctions on 21 individuals and three state-linked entities in Nicaragua. They were renewed in October for a one-year period. The United Kingdom has sanctioned 13 individuals implicated in human rights violations, and Canada has sanctioned 35.

Nicaragua

Events of 2023

A Nicaraguan exiled in Costa Rica holds a poster with a Vatican City flag during a “Vigil of Faith and Freedom” to protest the detention of Msgr. Rolando Álvarez, bishop of Matagalpa, by Nicaraguan authorities, outside the Metropolitan Cathedral in San Jose, Costa Rica, August 19, 2022. Álvarez received a 26-year prison sentence and was stripped of his citizenship in February 2023 after he was convicted of charges that included “conspiracy to undermine national integrity.”

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The government of President Daniel Ortega and his wife, Vice President Rosario Murillo, continued to repress all forms of dissent and isolate Nicaragua.

The government has tightened its grip on power by cracking down on critics, including members of the Catholic Church, and dismantling civic space. It has massively closed media outlets, NGOs, and universities, violating freedoms of expression and association and restricting the right to education.

Other persistent problems include a total abortion ban, attacks on Indigenous and Afro-descendent communities, and widespread impunity for human rights violations.

Persecution of Critics

fake news.”

In February, the government stripped 317 people of their nationality, including 222 political prisoners the government expelled to the US, labeling them as “traitors” and confiscating their assets. The decision, which violated international human rights law, left many stateless.

Authorities removed birth certificates and academic records of some of those expelled from the civil registry, impeding the right to access personal information. They also erased critics’ personal data from the Nicaraguan Institute of Social Security, depriving many of their pensions. In May, the Supreme Court permanently suspended the licenses of 25 lawyers and notaries, ruling that because they were now considered “foreigners,” they could no longer exercise their profession in Nicaragua.

Freedom of Religion

Attacks on the Catholic Church, which began in 2018, have escalated.

In August 2022, police officers detained Bishop Rolando Álvarez, an outspoken government critic, and charged him with “undermining national integrity” and “propagating fake news.” In February, Álvarez refused to be expelled and a judge sentenced him to 26 years in prison. The UN Office of the High Commissioner for Human Rights (OHCHR) reported in June that Álvarez was being held incommunicado.

In May, the police announced that authorities were investigating the Catholic Church for alleged money laundering and had frozen several dioceses’ bank accounts.

In August, authorities canceled the legal registration of the Jesuit-run Universidad Centroamericana (UCA), seizing its assets and leaving thousands of students in limbo. The closure brings the number of universities shut down since December 2021 to 28.

In October, the government released 12 Catholic priests and sent them to Rome, following what it described as an “agreement with the Vatican.”

Authorities also banned the 2023 Easter processions and closed the Jesuit religious order in August, confiscating its properties. They also continued to expel foreign priests and nuns.

Freedoms of Expression and Association

above, arbitrary detention, prosecution, and deprivation of nationality.

Authorities had closed over 3,500 NGOs as of November 2023, including women's, religious, international aid, and medical groups. This represents roughly 50 percent of NGOs officially operative in Nicaragua before April 2018. The closures have cut off essential services to many beneficiaries.

Between 2018 and 2022, the government closed at least 57 media outlets, 30 in 2022 and 2 in 2023, the Nicaraguan Platform of NGO Networks reported.

Abusive legislation enabled many of the closures. A 2020 "foreign agents" law, for example, allows the cancelation of legal status of organizations that obtain foreign funds for activities that "interfere in Nicaragua's internal affairs."

Between April and June, 23 journalists fled the country, civil society groups reported, bringing the total of media workers who fled Nicaragua since 2018 to 208.

Authorities have imposed restrictions to hinder several outlets' operations, including censorship and blocking access to printing materials. Police have raided and seized assets from *Confidencial*, *100% Noticias*, and *La Prensa*.

In August, a court sentenced journalist Victor Ticay to eight years in prison on charges of undermining national integrity and disseminating false news.

Indigenous Peoples' Rights

Indigenous and Afro-descendant peoples face discrimination, reflected in disproportionate poverty rates, illegal encroachment on their traditional territories, and persistent violence.

In October, the Supreme Electoral Council stripped the legal status of the Indigenous political party YATAMA, accusing the party of "undermining Nicaragua's national integrity." Police had detained two of YATAMA's main leaders, Brooklyn Rivera and Nancy Henríquez, in late September. The whereabouts of Rivera, YATAMA's only representative in Congress, remained unknown at time of writing, according to family members.

Between August 2022 and June 2023, OHCHR recorded eight violent attacks on Indigenous peoples, especially in the Mayangna Sauni As territory of the Bosawás Biosphere Reserve.

Settlers have taken approximately 21,000 hectares from the Miskitu people and forcibly displaced around 1,000, presumably serving forestry and mining interests. Death threats have forced some Indigenous authorities into exile, and the government has prevented some from returning to Nicaragua.

The Rama Kriol autonomous territory, which makes up two-thirds of the Indio Maiz biological reserve and is home to the Rama Indigenous people and Kriol Afro-descendant people, is also under heavy pressure from illegal cattle ranchers.

Impunity for 2018 Crackdown

Police, in coordination with armed pro-government groups, repressed massive anti-government protests in 2018, killing at least 328 people, injuring some 2,000, and detaining hundreds. Authorities reported that 21 police officers were killed in the context of demonstrations.

Many protesters were detained for months, subjected to torture and ill-treatment, including electric shocks, severe beatings, fingernail removal, asphyxiation, and rapes. Serious violations of due process and other rights marred prosecutions against protesters.

No police officer has been convicted in connection with abuses related to the crackdown.

Women's and Girls' Rights

Nicaragua has, since 2006, prohibited abortion under all circumstances. Those who have abortions face prison sentences of up to two years; medical professionals who perform them face up to six years. The ban forces women and girls to continue unwanted pregnancies, putting their health and lives at risk.

Restrictive abortion laws, compounded by the lack of information and comprehensive sexuality education, impose barriers to identifying sexual violence. In May 2019, NGOs submitted the cases of “Susana” and “Lucía,” two girls who survived sexual violence and were forced to become mothers, to the UN Human Rights Committee.

Rates of domestic abuse, violence against women, and femicide—legally defined in Nicaragua as “the murder of a woman in the public or private sphere”—increased from August 2019 to December 2020, OHCHR reported.

including the 4 murders of girls under age 16.

Disability Rights

Discrimination against people with disabilities in Nicaragua is widespread. People with disabilities face severe problems in accessing schools, public health facilities, and other institutions. Under Nicaraguan law, 2 percent of public officials should be people with disabilities, but the quota is not respected, and there are few employment opportunities for people with disabilities.

Nicaraguan Asylum Seekers and Migrants

Between 2018 and June 2022, more than 260,000 Nicaraguans, over 4 percent of the estimated population, fled, mostly to Costa Rica and the United States.

Many have been forced to leave their country due to political persecution and the lack of opportunities.

Key International Actors

In April, the United Nations Human Rights Council renewed for two years the mandates of the Group of Human Rights Experts on Nicaragua and the reporting mandate of the OHCHR. Previously, the Group of Experts had released a report in March finding reasonable grounds to believe that the authorities had committed crimes against humanity, including murder, imprisonment, torture, sexual violence, forced deportation, and persecution on political grounds.

Pope Francis called Ortega's government a "grotesque dictatorship" in March. The Vatican closed its embassy in Nicaragua in April after the government suggested suspending diplomatic relations.

In September, UN High Commissioner for Human Rights Volker Türk reported a "continued and widespread deterioration of human rights" and that the government keeps "punishing and locking out those who voice their views" and "intensifying the country's isolation."

No international monitoring bodies have been allowed to enter Nicaragua since 2018, when the authorities expelled the Inter-American Commission on Human Rights (IACHR) Special

In July, Nicaragua participated in the European Union-Community of Latin American and Caribbean States (EU-CELAC) summit. It was the only country that did not support a paragraph in the summit's final resolution expressing concern about the war in Ukraine. Russia has supplied Nicaragua with military equipment and security infrastructure in the past years.

In September, the board of the UN Green Climate Fund (GCF) temporarily suspended disbursements for Bio-CLIMA, an environmental project, citing "instances of policy non-compliance." Bio-CLIMA had the stated objective of reducing deforestation and strengthening resilience in Bosawás and Río San Juan Biospheres, but the Nicaraguan NGO Fundación del Río reported a lack of free, prior, and informed consent from Indigenous and Afro-descendant communities. A final decision regarding the suspension of funds is expected earlier in 2024.

The US State Department's *Corrupt and Undemocratic Actors Report*, released in July, imposed sanctions on the attorney general and parliamentary leaders. As of March 2023, the US Treasury Department had imposed asset-blocking sanctions on 11 entities and 43 people, including members of the government, legislature, and judiciary. In April, the US State Department sanctioned three judges who had helped strip the aforementioned 317 Nicaraguans of their citizenship; between August and September, it sanctioned 200 municipal officials accused of human rights violations in connection with the closures of UCA and the Central American Institute of Business Administration (INCAE).

The EU renewed sanctions on 21 individuals and 3 state-linked entities in October. In June, the European Parliament strongly condemned "the Nicaraguan regime's widespread perpetration of systematic and deliberate human rights violations against its population for purely political reasons" and called for the release of all arbitrarily detained political prisoners.

The United Kingdom and Canada have respectively sanctioned 13 and 35 individuals implicated in human rights violations.

In November 2021, Nicaragua announced its withdrawal from the Organization of American States (OAS). Nicaragua withdrew from the OAS in 2021. The decision took effect in November 2023. The OAS Permanent Council said in a resolution adopted in November that it will continue "paying special attention to the situation in Nicaragua."

LATINO

Nicaragua accused by human rights experts of abuses 'tantamount to crimes against humanity'

According to a panel of U.N.-backed human rights experts, repression has expanded to large swaths of society with a focus on "incapacitating any kind of opposition in the long term."



— Daniel Ortega, left, and Julio Aviles during a ceremony in Managua, Nicaragua, on Feb. 21, 2020.

Into Ocon / AFP via Getty Images file

Feb. 29, 2024, 10:00 AM PST / Source: [The Associated Press](#)

By The Associated Press

MEXICO CITY – A panel of U.N.-backed human rights experts on Thursday accused [Nicaragua](#)’s government of systematic human rights abuses “tantamount to crimes against humanity,” implicating a range of high-ranking officials in the government of [President Daniel Ortega](#).

The allegations follow an investigation into the country’s expanding crackdown on political dissent. The Ortega government has gone after opponents for years, but it hit a turning point with mass protests against the government in

2018 that resulted in violent repression by authorities.

In the past year, repression has expanded to large swaths of society with a focus on “incapacitating any kind of opposition in the long term,” according to the independent group of U.N. experts investigating the issue since March 2022.

The experts do not speak for the world body, but work under a mandate from the Human Rights Council.

“Serious systematic human rights violations, tantamount to crimes against humanity, continue to be perpetrated by the Nicaraguan government for political reasons,” the group said in a statement.

Jan Simon, an expert who headed the investigation, said at a news conference Thursday in Geneva that the Nicaraguan government’s persecution targets “all forms of opposition, whether real or perceived, both domestically and abroad.”

The state has targeted civilians, including university students, Indigenous and Black Nicaraguans, and [members of the Catholic Church](#). Children and family members are now targeted simply for being related to people who raise their voices against the government.

Ortega’s government has repeatedly said that the mass demonstrations against it in 2018 constituted a failed coup attempt orchestrated by the United States, and typically defends any repression as a crackdown on anti-government plots.

The government did not immediately respond to emailed request for comment on the report Thursday.

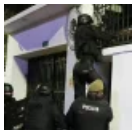
The human rights report, which came after hundreds of interviews, implicated a number of high ranking officials in crackdowns that have firmly consolidated power in the hands of Ortega and his Vice President Rosario Murillo.

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LETHAL INJECTION

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LATINO

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The report says Gustavo Porras, the head of the country’s National Assembly, pushes through legislation to facilitate repression. It says Marvin Aguilar García, the head of the Supreme Court, takes direct orders from Ortega’s government, and commands lower level judges to fall in line. Meanwhile, Chief Prosecutor Ana Julia Guido Ochoa’s office fabricates evidence against real or perceived opponents, the report says.

The experts also cite high-ranking officials in the country’s interior ministry, the governmental body regulating migration and the body regulating non-governmental organizations.

Simon said the government’s “centralization of power not only ensures impunity for perpetrators, but also undermines efforts towards accountability.”

“The government has ensured that it remains in an increasingly solid bubble to perpetuate itself in power and annihilate anyone attempting to break that bubble,” he said.

In December, police charged the director of the Miss Nicaragua pageant of a “beauty queen coup” plot, saying she rigged the competition against pro-government beauty queens. In February, the government shut down yet another round of social groups, including the country’s scouting organization and a rotary club.

The report says the crackdown has expanded past Nicaragua’s borders to the hundreds of thousands of people who have fled government repression, largely landing in the United States and Costa Rica. Hundreds of Nicaraguans have been stripped of their citizenship and left stateless, unable to access fundamental rights.

The U.N. report urges the Ortega government to release “arbitrarily” detained Nicaraguans and calls on global leaders to expand sanctions on “individuals and institutions involved in human rights violations.”

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April 18, 2023

Nicaragua: A continuum of repression and systematic human rights violations under the Ortega-Murillo government

Five years on, far from ending its policy of repression to subdue dissenting voices and any kind of criticism, the Nicaraguan government continues to expand and reinvent it and incorporate new patterns of violations, said Amnesty International in a new report today.

A cry for justice: 5 years of oppression and resistance in Nicaragua documents the human rights crisis that the country has experienced since people took to the streets to protest peacefully against reforms to the social security system on 18 April 2018. Brutal repression was the tool that President Daniel Ortega decided to use to control this social discontent, leaving more than 300 people dead, more than 2,000 injured and hundreds arbitrarily detained.

“Through the documentation of emblematic cases, we’ve shown the continuum of repression to which Nicaraguan society has been subjected and the different patterns of human rights violations inflicted on people who dare to raise their voices to denounce the crisis that the country is experiencing and demand respect and full enjoyment of rights in Nicaragua,” said Erika Guevara-Rosas, Americas director at Amnesty International.

The report explains the main tactics – excessive use of force, use of criminal laws to unjustly criminalize⁰⁰⁰¹⁷³ activists and dissidents, attacks on civil society and forced exile – that the government of President Daniel Ortega and Vice President Rosario Murillo has used to gradually shut down civic space; to silence human rights defenders, activists, journalists and any dissident voices or voices critical of the government; and to operate without any control or accountability. The implementation of these methods has resulted in a wide range of human rights violations, including arbitrary detention, torture, enforced disappearance, extrajudicial executions and arbitrary deprivation of nationality.

According to information gathered by Amnesty International, police forces have resorted to excessive use of force – often in coordination with pro-government armed groups – and have been responsible for thousands of arbitrary detentions at various times over the past five years. These repressive forces have also been characterized by the use of lethal weapons in contexts not permitted under international law, which has resulted in the deaths of hundreds of people, some of which have already been classified by human rights monitoring bodies as extrajudicial executions, a crime under international law.

Using information provided by Nicaraguan civil society organizations and the direct documentation of cases at different times between 2018 and 2023, Amnesty International has been able to confirm how the judicial system has been co-opted and, in collaboration with other national authorities, has pursued unfair trials of people merely because they were considered critical of the government. In the cases documented in the report, it was verified how the government has used the criminal justice system as a tool of control and repression against people considered dissidents or opponents. This weaponizing of the criminal justice system has led to the imprisonment of hundreds of people just for exercising their right to freedom of peaceful assembly, for denouncing abuses committed by the authorities and for defending and promoting human rights in Nicaragua.

“

Through the documentation of emblematic cases, we've shown the continuum of repression to which Nicaraguan society has been subjected and the different patterns of human rights violations inflicted on people who dare to raise their voices.

Erika Guevara-Rosas, Americas director at Amnesty International

The organization also details acts of harassment and repression that the Nicaraguan government has carried out against human rights organizations and the independent media. Over the past five years, the government has created a series of laws to restrict freedom of association and expression and has subjected human rights organizations and the media to smear campaigns, unlawful interference in their operation and the unjust criminalization of their members.

Among the most frequent methods that the Nicaraguan government has used in its crackdown on these actors have been stripping them of their legal status, raids on their offices and the seizure of their property, severely limiting their ability to carry out their work. In addition, human rights defenders, activists of various

000174
kinds and journalists have been subjected to harassment, threats and even attacks on their physical integrity. Many have had to flee the country or have decided to temporarily stop their work out of fear for their safety.

The report also describes how the social and economic instability caused by the relentless repression and the human rights crisis which has engulfed Nicaragua since 2018, has forced thousands of people to leave the country. Amnesty International explains that, in the Nicaraguan case, people who have been forcibly displaced in the last five years must receive international protection.

Finally, the report addresses the arbitrary deprivation of nationality to which more than 300 people have been subjected, many of whom were left stateless, a status that places them in a situation of greater vulnerability and creates serious obstacles to the exercise of other rights such as health, education and decent employment. Given this context, Amnesty International reminds the international community of the shared responsibility to provide protection to these people.

“Five years since it began, the human rights crisis in Nicaragua is perpetuated by the undermining of the rule of law, the approval of changes to the law that have eroded the independence of the judiciary and the closure of the country to scrutiny by human rights oversight mechanisms, both regional and universal,” said Erika Guevara-Rosas.

“Today, more than ever, the international community must continue to act in a coordinated and decisive manner. Not only by recognizing and condemning the systematic nature of the human rights violations being committed under the government of Daniel Ortega and Rosario Murillo, but also in the way in which the rights to justice, truth and reparation are promoted and guaranteed for the thousands of victims the very repressive policy that crushes human rights has claimed – and continues to claim.”

Read more:

[🔗 A cry for justice: 5 years of oppression and resistance in Nicaragua \(Research, 18 April 2023\)](#)

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Nicaragua: Crackdown on Critics Ahead of Election

United Nations Should Escalate Pressure to Protect Rights, Ensure Free Elections



National police officers beat opposition member Valeska Valle and other demonstrators taking part in a "National sit-in" protest against President Daniel Ortega's government in Managua on March 30, 2019. © 2019 Maynor Valenzuela/AFP via Getty Images

(Washington, DC) – The Ortega government's intensifying campaign of violence and repression against the opposition and civil society in [Nicaragua](#) requires escalating involvement by the United Nations to address the situation, Human Rights Watch said in a report released today.

June 22, 2021



Critics Under Attack

Harassment and Detention of Opponents, Rights Defenders and Journalists Ahead of Elections in Nicaragua



Download the full report in English

The 37-page report, “[Critics Under Attack: Harassment and Detention of Opponents, Rights Defenders, and Journalists Ahead of Elections in Nicaragua](#),” found that in the run-up to presidential elections set for November 7, 2021, high-profile arrests and other serious human rights violations against critics appear to be part of a broader strategy to eliminate political competition, stifle dissent, and pave the way for President Daniel Ortega’s re-election to a fourth consecutive term. Between June 2 and 20, Nicaraguan authorities detained and opened seemingly politically motivated criminal investigations against five leading opposition presidential candidates and at least nine prominent government critics.

“The gravity and intensification of the Ortega government’s brutal crackdown on critics and members of the opposition in recent weeks requires a redoubling of international pressure,” said [José Miguel Vivanco](#), Americas director at Human Rights Watch. “It is essential for the UN secretary-general to build on existing UN action by bringing this situation to the attention of the Security Council.”

The Nicaraguan crisis has troubling regional dimensions. More than 108,000 Nicaraguans [have been forced to flee](#) their country since the 2018 crackdown, with two-thirds seeking refuge in neighboring Costa Rica, according to the United Nations High Commissioner for Refugees. The Covid-19 pandemic has exacerbated the vulnerabilities and needs of Nicaraguan refugees and asylum seekers.

Between January and June 2021, Human Rights Watch interviewed 53 people in Nicaragua by telephone, including 46 activists, lawyers, journalists, human rights defenders, and political opponents who were victims of harassment and/or had been subjected to arbitrary detention. We also reviewed photos and videos taken during arrests, as well as media reports and publications by local and international human rights organizations. On May 14, Human Rights Watch requested information from Nicaraguan authorities on the status of investigations into these types of cases, but it had not received a response at time of writing.

Ortega closely controls the security forces. Police officers – and, at times, members of the military – frequently station themselves outside the houses of government critics, preventing them from leaving their homes in circumstances that amount to arbitrary arrest, Human Rights Watch found. Many victims said they were unable to visit friends and family, attend meetings, go to work, or participate in protests or political activities. Some were unable to take their children to school or doctors’ appointments. Three women suffered sexual harassment and assault while being under arrest.

Some have been arbitrarily detained repeatedly, for periods ranging from several days to several months. Several detainees described abusive treatment in detention which, in at least two cases documented by Human Rights Watch, likely amounts to torture.

Nicaraguan rights groups report that [124 people perceived as critics](#) remained arbitrarily detained as of June 2021. Many had been in prison for over a year.

Valeska Sandoval, a 22-year-old human rights activist and university student, was forced into a police vehicle without explanation on April 24, 2021. At El Chipote prison, she said, “two officers took me to a warehouse and tied my hands with wire to the ceiling, forcing me to stand with my hands stretched over my head.” An officer asked her “what she had said in the United States,” where she had unsuccessfully sought asylum before being deported back to Nicaragua. She told Human Rights Watch that anti-riot officers slapped her in her face, punched her in the stomach, and took her to a water tank. “They forced my head under water on and off over a period of 20 minutes,” she said. Upon release officers warned her: “The next time we see you, we are going to kill you.”

A UN spokesperson [said on June 9](#) that Secretary-General António Guterres was “very concerned by the recent arrests and detentions, as well as the invalidation of candidacies of opposition leaders in Nicaragua.” In the spirit of his [Call to Action on Human Rights](#), the secretary-general should invoke Article 99 of the UN Charter to raise this issue in the UN Security Council and present it as a growing crisis involving grave human rights abuses which could undermine stability in the region, Human Rights Watch said. UN Security Council members should also request briefings from both the secretary-general and the Office of the High Commissioner for Human Rights (OHCHR).

The Security Council last held a meeting on the worrying human rights situation in Nicaragua [in September 2018](#), at the request of the United States. At that time, [Human Rights Watch urged UN member countries](#) to press Nicaragua to end its brutal crackdown on protesters, dismantle armed pro-government gangs, and hold perpetrators accountable.

The OHCHR has repeatedly condemned abuses in Nicaragua. In March, the UN Human Rights Council [adopted a resolution](#) urging the government to “repeal or amend legislation that may unduly restrict the rights to the freedoms of expression and association, to privacy and to take part in the conduct of public affairs,” and to “adopt...electoral and institutional reforms to ensure free, fair, transparent, representative and credible elections in accordance with international standards, that include the presence of independent national and international electoral observers.”

President Ortega has been in power since 2007. In 2009, the Supreme Court of Justice [issued a resolution](#) allowing Ortega to circumvent a constitutional prohibition on re-election and run for a second term. Then, a constitutional amendment approved by his party, which controlled – and still controls – the National Assembly, abolished term limits in 2014, [allowing him to run again](#) in 2016. His

administration exerts full control over every branch of government, including the judiciary and the Electoral Council.

Ortega has long relied on repression to stay in power. The National Police and armed pro-government groups [brutally cracked down on protesters](#) in 2018, arbitrarily arresting and prosecuting hundreds and leaving over 300 people dead and 2,000 injured. Serious human rights violations, including torture and killings, have gone unpunished.

The recent wave of arrests and harassment has been enabled by [repressive new laws](#) that violate due process under international human rights law and are being used to deter critical speech, give a legal veneer to arbitrary detentions, and [keep critics in prison to prevent their political participation](#), Human Rights Watch said.

President Ortega has also used his majority in the National Assembly to approve electoral changes that prevent opposition candidates from participating in the elections. Additionally, the National Assembly [appointed](#) seven new members sympathetic to his party to the Supreme Electoral Council. On May 18, the Council [banned the party](#) that had functioned as the electoral vehicle of one of the two main opposition coalitions from participating in the November elections.

“There is virtually no chance Nicaraguans can exercise their fundamental rights to freedom of expression, assembly, and association, nor to vote and run for public office, if they are seen as opposing the ruling party,” Vivanco said. “Top UN officials and UN member countries that care about human rights have an opportunity to prevent a regional crisis by pressuring Ortega to end his repression now. They should seize it.”

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February 15, 2021

Nicaragua: Government tactics to silence criticism and social demands deepen human rights crisis

Since the current human rights crisis erupted in Nicaragua in 2018, the government has clamped down on all forms of dissent or criticism. The authorities have pursued a policy of eradicating, at any cost, activism and the defence of human rights, said Amnesty International in a new report published today. In ***Silence at any cost: State tactics to deepen the repression in Nicaragua***, Amnesty International exposes the strategies used by the Nicaraguan authorities responsible for one of the darkest chapters in the country's recent history, where anyone who opposes government policies may lose their freedom and even their lives.

"For almost three years, Daniel Ortega's government has shown time and again that it is willing to do anything to prevent human rights from becoming a reality in Nicaragua. The Nicaraguan authorities must stop continuously trampling on the dignity of thousands of victims of repression," said Erika Guevara-Rosas, Americas director at Amnesty International.

“

For almost three years, Daniel Ortega's government has shown time and again that it is willing to do anything to prevent human rights from becoming a reality in Nicaragua.

Erika Guevara-Rosas, Americas director at Amnesty International

"When images of the violent crackdown on mass protests, which broke out in response to a series of reforms to the social security system, made the front pages of major newspapers around the world in 2018, it seemed that the human rights crisis in the country had reached its peak. Yet the nightmare continues."

Local organizations continue to criticize the government's use of the justice system to imprison activists following arbitrary proceedings. At the end of November 2020, when the report was finalized, more than 100 people remained behind bars solely for exercising their rights to freedom of expression and peaceful assembly.

People detained for their activism continue to report ill-treatment and harassment in prisons, as additional punishment measures. The COVID-19 pandemic aggravated long-standing problems related to prison conditions in Nicaragua and has caused alarm among the families of those held and human rights organizations concerned about the conditions for detainees.

Local organizations interviewed by Amnesty International reported that dozens of people detained for political reasons suffer from medical conditions that put them at particular risk from COVID-19. According to statements gathered by Amnesty International, despite some detainees having shown symptoms that could be consistent with the virus, testing is practically non-existent, as are medical treatment and health care.

Even after leaving prison, their situation does not improve significantly. Released activists and their families report that the level of harassment experienced after they return home is such that it prevents them from carrying out their daily activities, such as working or studying, and that continuing their activism entails a high risk to their lives and freedom.

Types of harassment have included excessive checks by immigration and police officials at the borders with neighbouring countries, a heavy police presence at religious events, continuous surveillance of their homes by police officers, arrests, physical attacks, direct verbal threats from police officers, their homes being daubed with threats and attacked, and damage to their belongings and livelihoods.

In December 2020, local organizations estimated that 31 people who had been released were rearrested and detained for exercising their rights.

Journalists and human rights defenders are living in an environment of permanent harassment by the authorities. For many, this includes the cancellation of their legal registration, seizure of their property and, recently, the destruction of their premises. In addition, in October 2020 the state began a process to approve a package of laws that threaten the exercise of human rights, including the right to freedom of association and freedom of expression.

“

The international community must take decisive steps to put an end to the nightmare in which the population is living and take action to provide full support to all those who continue to fight for a Nicaragua free of repression

Erika Guevara-Rosas, Americas director at Amnesty International

“What they are approving are instruments of repression to legalize all the attacks that, for a long time, have been committed against human rights,” Vilma Nuñez, a human rights defender at the Nicaraguan Center for Human Rights, told Amnesty International.

The constant threats and harassment have caused hundreds of thousands of people, including journalists and human rights defenders, to flee to other countries to safeguard their freedom and lives. “The options

were: jail, the cemetery or exile,” Gonzalo Carrión, a human rights defender who now lives outside Nicaragua, told Amnesty International. 000181

Human rights defenders fear the worst is yet to come. They maintain that, in the run-up to the November 2021 presidential elections, human rights violations, which have not stopped, will intensify as the government seeks to silence any form of opposition or criticism.

“Achieving justice in Nicaragua seems impossible. The international community must take decisive steps to put an end to the nightmare in which the population is living and take action to provide full support to all those who continue to fight for a Nicaragua free of repression. We will not stop our work exposing this until the Nicaraguan government is held accountable for its actions and puts an end to human rights violations,” said Erika Guevara-Rosas.

For more information or to arrange an interview, please contact Amnesty International press office: press@amnesty.org

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Nicaragua: Rights experts decry persecution of government opponents



UN Photo/Jean Marc Ferré | Jan-Michael Simon, chair of the Human Rights Experts on Nicaragua, addresses the the 54nd session of the Human Rights Council in Geneva.

29 February 2024 | **Human Rights**

The Nicaraguan Government continues to perpetrate “serious systematic human rights violations, tantamount to crimes against humanity”, an expert group appointed by the UN Human Rights Council said on Thursday.

President Daniel Ortega and other high-level officials should be held accountable “as should Nicaragua, **as a State that goes after its own people** targeting university students, indigenous people, people of African descent, *campesinos* and members of the Catholic Church and other Christian denominations,” they said in [a statement](#) .

The accusation comes in their latest report detailing how the situation in the country has deteriorated over the past year.

Long-term objective

The report found that violations, abuses and crimes have been perpetrated not only to dismantle active opposition efforts, but also to eliminate all critical voices and dissuade any new organization and initiative to mobilize society in the long term.

“Nicaragua is caught in a spiral of violence marked by the persecution of all forms of political opposition, whether real or perceived, both domestically and abroad,” said Jan Simon, the group’s chair.

As the government has moved closer to its goal of total destruction of critical voices in the country, patterns of violations of the right to life and personal security are less prevalent today, the experts noted.

Instead, there has been an exponential increase of patterns of violations focusing on incapacitating any kind of opposition in the long term.

‘Violations by extension’

People who have left Nicaragua have also been affected as they have been deprived of nationality and access to official documentation as well as consular support.

Nicaraguan citizens have been left **stateless and devoid of access to legal remedies**. Relatives of victims of human rights violations are also victimized by the government for their connections to real or perceived opponents.

The experts said these “violations by extension” are particularly serious when they affect children, many of whom have been separated from parents who were deported or banned from entering Nicaragua. Some have been denied valid passports to join their parents.

Centralization of State power

The report also highlighted the consolidation and centralization of all State powers in the hands of President Ortega and his Vice-President Rosario Murillo, particularly the total control exerted over the judicial branch.

“Centralization of power not only ensures impunity for perpetrators, but also undermines efforts towards accountability,” said Ariela Peralta, one of the experts.

They urged the Government to immediately release all persons who have been arbitrarily detained while also calling for expanding sanctions against individuals and institutions involved in human rights violations.

“Sanctions are a minimum form of accountability in a country where impunity and criminalizing democracy is the rule,” they said.

The Group of Human Rights Experts on Nicaragua is an independent body mandated by the UN [Human Rights Council](#).



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Nicaragua's grim reality: Investigation by UN experts reveals crimes against humanity targeting civilians, including children and students, for political ends

29 February 2024

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GENEVA (29 February 2024) – Serious systematic human rights violations, tantamount to crimes against humanity, continue to be perpetrated by the Nicaraguan Government for political reasons, the Group of Human Rights Experts on Nicaragua said in their latest **report** today, detailing how the situation has deteriorated over the last year.

“President Ortega, Vice-President Murillo and the high-level State officials identified in the investigation should be held accountable by the international community, as should Nicaragua as a State that goes after its own people, targeting university students, Indigenous people, people of African descent, *campesinos*, and members of the Catholic Church and other Christian denominations,” said Jan Simon, the Chair of the Group of Experts.

The report found that the persecution by the Government of Nicaragua of real or perceived opponents has become more refined. Violations, abuses and crimes have been perpetrated not only to dismantle active opposition efforts, but also to eliminate all critical voices and dissuade, in the long term, any new organization and initiative of social mobilization.

As the Government has neared its goal of total destruction of critical voices in Nicaragua, patterns of violations of the right to life, security and integrity of the person have grown less prevalent. Instead, in 2023, there has been an exponential increase of patterns of violations focusing on incapacitating any kind of opposition in the long term.

“Nicaragua is caught in a spiral of violence marked by the persecution of all forms of political opposition, whether real or perceived, both domestically and abroad,” said Simon. “In addition, the Government has solidified a spiral of silence incapacitating any potential opposition.”

Angela Buitrago, a member of the Group of Human Rights Experts, said “the persecution extends beyond Nicaragua's borders, with Nicaraguans abroad facing deprivation of nationality and legal identity, lack of access to official documentation and consular support, as well as other

violations impeding family reunification and affecting extensively conditions for earning a living.”

Nicaraguan citizens have been left stateless and devoid of access to legal remedies, and many Nicaraguans are suffering from similar conditions caused by statelessness. Family members of victims of human rights violations are themselves victimized by the Government only for being related to real or perceived Government opponents.

These “violations by extension” are particularly serious when they affect children, who have been subjected to violations due to their relationship with, or the activities, and/or opinions expressed by their parents or family members. Many children have been separated from parents who were deported or banned from entering Nicaragua, and some have been denied valid passports to join their parents.

The report also highlights the consolidation and centralization of all State powers in the hands of President Ortega and Vice-President Murillo, particularly the total control exerted over the judicial branch.

“Centralization of power not only ensures impunity for perpetrators, but also undermines efforts towards accountability, said Ariela Peralta, another independent expert. “The Government has ensured that it remains in an increasingly solid bubble to perpetuate itself in power and annihilate anyone attempting to break that bubble.”

The Group of Experts said that the enacted Amnesty Law further entrenches impunity by shielding serious human rights violations, including extrajudicial executions, arbitrary detention, and torture, from prosecution. The Group of Experts said that such amnesty provisions are incompatible with Nicaragua's obligations under international human rights law, particularly the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Group called on the Government to immediately release all persons arbitrarily deprived of their liberty, cease violations, abuses and crimes, particularly persecution on politically motivated grounds, and undertake

exhaustive, independent, and transparent investigations of documented violations, abuses, and crimes to hold perpetrators accountable.

The Group urged the international community to take immediate action by expanding sanctions against individuals and institutions involved in human rights violations. Sanctions are a minimum form of accountability in a country where impunity and criminalizing democracy is the rule.

Other recommendations included ensuring fair access to identification and status determination procedures for Nicaraguans deprived of their nationality, those forced to leave or those who have been denied entry into the territory of Nicaragua. The Group called on the International Community to make use of its findings in security, financial and trade relations and policies, be it within the framework of Financial Action Task Force, the International Monetary Fund, or when conditioning preferential access of Nicaragua to markets on compliance with Non-Trade Policy Objectives, inter alia.

“The effect on the Nicaraguan population is devastating,” said Simon. “It will take the people of Nicaragua and the international community a significant amount of time and resources to recover everything lost under the rule of President Ortega and Vice President Murillo.”

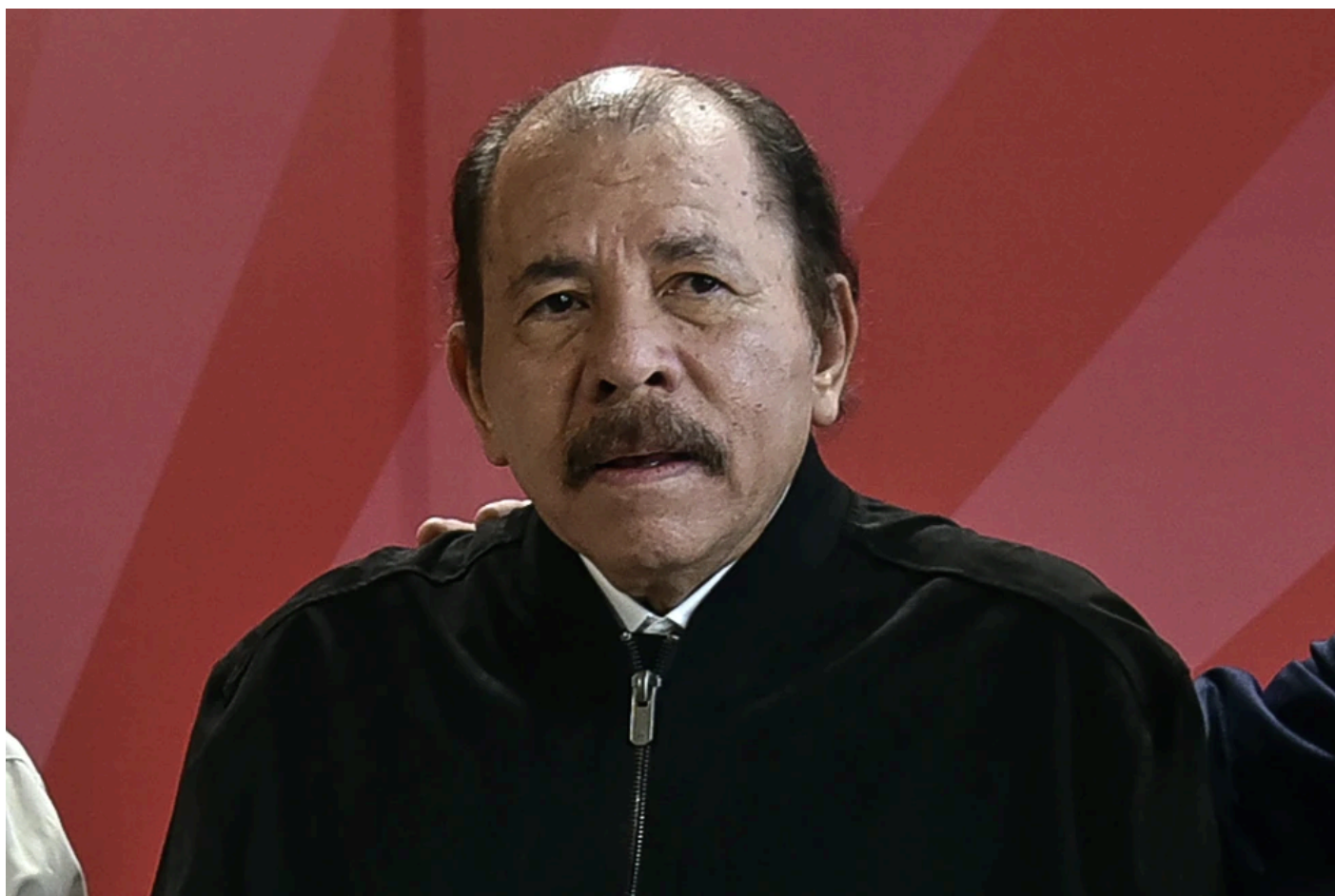
Background: The Group of Human Rights Experts on Nicaragua is an independent body mandated by the UN Human Rights Council. Established in March 2022, it is tasked to conduct thorough and independent investigations into all alleged human rights violations and abuses committed in Nicaragua since April 2018.

For more information about the Group of Human Rights Experts on Nicaragua, see its [webpage](#).

For media queries, please contact: In Geneva: Todd Pitman, Media Adviser for the Human Rights Council’s Investigative Missions: todd.pitman@un.org or +41 76 691 1761; or Pascal Sim, Human Rights Council Media Officer: simp@un.org or +41 22 917 9763; or in Panama:

WORLD NEWS

UN experts accuse Nicaragua's government of abuses 'tantamount to crimes against humanity'



FILE - Nicaragua's President Daniel Ortega poses for a photo during the ALBA Summit at the Palace of the Revolution in Havana, Cuba, Tuesday, Dec. 14, 2021. Nicaragua's government has shut down the country's scouting organization and seven other nongovernmental organizations, state media La Gaceta reported Friday, Feb. 16, 2024, the latest in an ongoing crackdown that has seen the government toss out religious orders, charities and civic groups. (Adalberto Roque, Pool Photo via AP, File)

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BY MEGAN JANETSKY AND GABRIELA SELSER

Updated 11:49 AM PDT, February 29, 2024

MEXICO CITY (AP) — A panel of U.N.-backed human rights experts on Thursday accused [Nicaragua](#) 's government of systematic human rights abuses “tantamount to crimes against humanity,” implicating a range of high-ranking officials in the government of [President Daniel Ortega](#).

The allegations, fiercely rejected by Nicaragua's government, follow an investigation into the country's expanding crackdown on political dissent. The Ortega government has gone after opponents for years, but it hit a turning point with mass protests against the government in 2018 that resulted in violent repression by authorities.

In the past year, repression has expanded to large swaths of society with a focus on "incapacitating any kind of opposition in the long term," according to the independent group of U.N. experts investigating the issue since March 2022.

The experts do not speak for the world body, but work under a mandate from the Human Rights Council.

"Serious systematic human rights violations, tantamount to crimes against humanity, continue to be perpetrated by the Nicaraguan government for political reasons," the group said in a statement.

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Jan Simon, an expert who headed the investigation, said at a news conference Thursday in Geneva that the Nicaraguan government's persecution targets "all forms of opposition, whether real or perceived, both domestically and abroad."

The state has targeted civilians, including university students, Indigenous and Black Nicaraguans, and [members of the Catholic Church](#). Children and family members are now targeted simply for being related to people who raise their voices against the government.

Ortega's government has repeatedly said that the mass demonstrations against it in 2018 constituted a failed coup attempt orchestrated by the United States, and typically defends any repression as a crackdown on anti-government plots.

The government responded to the report Thursday by saying it was "manipulated" by a group of imperialist powers paid to "distort the reality of our country."

“We will not accept these self-proclaimed human rights experts,” Attorney General Wendy⁰⁰⁰¹⁹¹ Morales said in a video, accusing them of bias and of basing their conclusions on “unreal and irrational” criteria.

The human rights report, which came after hundreds of interviews, implicated a number of high ranking officials in crackdowns that have firmly consolidated power in the hands of Ortega and his Vice President Rosario Murillo.

The report says Gustavo Porras, the head of the country’s National Assembly, pushes through legislation to facilitate repression. It says Marvin Aguilar García, the head of the Supreme Court, takes direct orders from Ortega’s government, and commands lower level judges to fall in line. Meanwhile, Chief Prosecutor Ana Julia Guido Ochoa’s office fabricates evidence against real or perceived opponents, the report says.

The experts also cite high-ranking officials in the country’s interior ministry, the governmental body regulating migration and the body regulating non-governmental organizations.

Yader Morazán, an exiled former official of the Nicaraguan judiciary, hailed the report saying it could help combat impunity in Nicaragua.

“This report presents a well-documented work that for the first time identifies the main

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In December, police charged the director of the Miss Nicaragua pageant of a [“beauty queen coup” plot](#), saying she rigged the competition against pro-government beauty queens. In February, the government [shut down yet another round of social groups](#), including the country’s scouting organization and a rotary club.

The report says the crackdown has expanded past Nicaragua’s borders to the hundreds of thousands of people who have fled government repression, largely landing in the United States and Costa Rica. Hundreds of Nicaraguans have been [stripped of their citizenship and left stateless](#), unable to access fundamental rights.

The U.N. report urges the Ortega government to release “arbitrarily” detained Nicaraguans and calls on global leaders to expand sanctions on “individuals and institutions involved in human rights violations.”

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UN rights chief reports on intensified ‘climate of oppression’ in Nicaragua



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15 December 2022 | [Human Rights](#)

The “climate of oppression” in Nicaragua has only intensified in recent months, UN High Commissioner for Human Rights, Volker Türk, said on Thursday.

Addressing the UN [Human Rights Council](#) in Geneva, Mr. Türk reported that the number of people arbitrarily detained - either for expressing their

political views, or for being perceived as critics of the Government - **rose from 195 in September to 225 today.**

"This includes **relatives of detained political opponents**, allegedly to coerce the latter into surrendering," he **said**

Precarious detention conditions

These persons – 26 women and 199 men – are being held in precarious conditions, something which his predecessor, Michelle Bachelet, had noted.

Those detained in the infamous El Chipote prison continue to suffer inhuman conditions, with limited access to medical care, balanced diets, or regular family contact.

Mr. Türk also highlighted other developments of concern.

Civil society clampdown

He said **more than 3,000** national and international non-governmental organizations have been shut down, almost half since September alone.

As a result, countless people are now without access to important services or assistance.

The authorities have also closed 29 local and international media outlets, effectively muzzling the press.



Additionally, a new law adopted in October requires registration and government authorization for the production, filming and exhibition of any audio-visual material.

“Human rights defenders, journalists, clergy or those perceived to be political opponents, are **arrested, harassed, intimidated**,” said Mr. Türk.

“Some are prosecuted for the offences of conspiracy to undermine national integrity or for ‘false news’. All part of a systematised effort to stifle opposition and dissent.”

Election-related arrests

The lead up to, and holding of, municipal elections in November “had the trappings of an exercise in autocracy,” he said.

The months prior to the voting were marked by “a wave of arrests and dismissals of political opponents.”

Political parties that had their legal status revoked last year were also excluded from participating.

“Reportedly, election day was **ripe with intimidation**, with checkpoints set up around the polling stations to track voters. People perceived as political opponents were denied access to the polling stations,” Mr. Türk told the Council.

“After the elections, riot police reportedly repressed supporters of the indigenous political party YATAMA, who claimed having won in the municipality of Waspam, in the Northern Caribbean Coast. We were told that at least 19 people, mostly young indigenous people, were arrested and detained for several days.”

Asylum and isolation

Meanwhile, the crisis continues to ripple beyond the country’s borders.

Between January and October of this year, Costa Rica received **70,000 new asylum applications** from Nicaraguans, while **more than 147,000 citizens** showed up at the United States border.

Nicaragua also continues to isolate itself from the international community.

000195

The country has failed to engage with several UN human rights bodies and has not cooperated with the Inter-American system of human rights.

Engagement and commitment

Addressing the situation will require concerted engagement and commitment at national, regional and international levels, grounded in international human rights standards, said Mr. Türk.

He urged the authorities to immediately release all persons who have been arbitrarily detained.

The High Commissioner also appealed for those who have been excluded from the political and social spheres, to be allowed to participate freely again in public life.

Mr. Türk emphasized that the fundamental freedoms of expression, association and assembly, must be respected.

“My Office is ready to work with the authorities in these areas, and **I request access to the country for my staff**,” he said.

The UN rights chief added that it is important for the international community to ensure **sustained backing for Nicaragua’s civil society organisations**, many of which continue to operate from exile.

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News | Human Rights

UN rights panel warns Nicaragua is being 'stripped' of critical voices

The panel estimated that 27 private universities have had their legal status revoked under President Daniel Ortega.



A panel of human rights experts has alleged the government of Nicaraguan President Daniel Ortega 'seriously stifled' perceived dissent, in violation of human rights law [File: Alberto Roque/Reuters pool]

By Al Jazeera Staff

12 Sep 2023



A United Nations panel warned that the human rights situation in Nicaragua has worsened in the six months since it concluded that crimes against humanity had been committed in the Central American country.

“Today, the overall human rights situation has aggravated,” Jan-Michael Simon, the panel’s chair, wrote in a statement. “We observe an escalation of persecution of dissent by the government.”

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Five years since a crackdown began, what’s next for Nicaragua?

US sanctions Nicaraguan judges who removed dissident citizenship

Nicaragua orders closure of Red Cross in continuing crackdown

The [statement](#), presented to the UN Human Rights Council on Tuesday, placed particular emphasis on the erosion of academic freedom, predicting dire consequences if the situation was left unchecked.

“Today, the university sector of Nicaragua as a whole no longer has independent institutions,” Simon wrote. “Nicaragua is being stripped of its intellectual capital and critical voices, leaving the country’s prospects and development on hold.”

The report comes less than a month after the government of President Daniel Ortega seized property and assets belonging to one of the country’s foremost academic institutions, the Central American University (UCA).

University officials said their institution had been accused of functioning as a “[centre of terrorism](#)”. But the UCA was only the latest in a string of higher-education institutions to have their property seized and academic independence quashed.

A total of 27 private universities, including the Jesuit-run UCA, have seen their⁰⁰⁰¹⁹⁸ legal status cancelled in recent years, the UN panel noted. Many now operate under the authority of the federal government.

“Many students are unable to carry on with their studies due to the lack of valid paperwork,” Simon explained. “Academic staff has been dismissed, had pension payments withheld, and have also been forced to leave their country.”

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Simon and the two other members of the panel concluded that these violations against human rights “are perpetrated at the highest level of the State”, with the collaboration of government-controlled ministries and education councils.



Earlier this year, the Nicaraguan government seized the property of the Jesuit-run Central American University in Managua [File: Stringer/Reuters]

Why target academics?

Ortega, a former revolutionary with the left-wing Sandinista movement, has been in and out of power since 1979, when he helped lead the overthrow of the Somoza family dictatorship.

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He served a term as president in the 1980s. Then, after 17 years out of office, he was reelected in 2006 — and has remained in power ever since.

Critics have accused him of consolidating power under his command, dismantling Nicaragua's fragile democracy along the way.

A turning point came in 2018, when [anti-government protests](#) broke out. Though they started as a response to social security cuts, the protests quickly evolved into a broad — and bloody — clash with the Ortega government. At least 355 people were killed.

Youth leaders were pivotal to the protest movement. Some used [the universities themselves](#) as locations to organise or barricade themselves against government forces.

In the years afterwards, the Ortega government took steps to dismantle these independent universities, passing reforms to cut their funding and bring them under state management.

“In our last report, we documented how students were murdered, illegally imprisoned, and tortured,” Simon wrote on Tuesday.

“Since then and to date, many have been expelled from their universities. They are among those deported, stripped of their nationality, and forced to leave their country.”

Reprisals abroad

But even abroad, the panel alleged that the Ortega government is exercising its authority to silence critics.

More than 300 citizens have been stripped of their nationality so far this year⁰⁰⁰²⁰¹, the panel said, in violation of international law. They include many of the 222 political prisoners placed on a plane and flown into exile in February.

“They are being denied re-entry into their country and deprived arbitrarily of their nationality,” Simon wrote.

One of those exiled prisoners, [Tamara Dávila](#), told Al Jazeera earlier this year that the loss of her citizenship had more of a practical toll than an emotional one.

“For me, it was like: I don’t care if they do that. I’m still a Nicaraguan woman,” Dávila said. “But in practical, day-to-day life, you need your documents for living these days.”

The UN panel also noted that the dissidents’ birth certificates had been eliminated, and assets like their homes had been seized, giving them little to return to.

“We also have information on how authorities threaten relatives in Nicaragua,” the panel added, describing a tactic used to muzzle overseas critics by intimidating the loved ones they left behind.

Panel recommendations

For critics who remain in the country, the panel said “daily threats and surveillance” have become the norm in recent months, with many living in “constant fear”.

“They need to report daily to the authorities and are being followed, pho-⁰⁰⁰²⁰²tographed, and harassed in public and private spaces.”

The panel pointed to the example of [Bishop Rolando Álvarez](#), a well-known critic of the Ortega government.

Leaders in Nicaragua’s Catholic Church had also been involved in the 2018 protests, acting as intermediaries and, in some cases, supporting the demonstrators.

Since then, church members say they have been harassed by pro-government forces. Álvarez criticised the 2018 crackdown on protesters and was ultimately arrested during a pre-dawn church raid in 2022 for allegedly “organising violent groups”.

In February, a court declared him a traitor to Nicaragua on state television.

The [three-member UN panel](#), which was formed in March 2022 and saw its mandate renewed in April, has called on the international community to extend sanctions against Nicaraguan entities involved in the human rights violations.

It also pushed for countries to help Nicaraguan dissidents and students access the resources they need.

Meanwhile, it called for the Nicaraguan government to “allow unconditional access by neutral and independent verification bodies” to detention centres and other places where perceived dissidents were being held.

WORLD NEWS

UN says Nicaragua's human rights violations and persecution of dissidents are on the rise



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FILE - Nicaragua supporters protest outside of the Organization of the American States asking that political prisoners be freed and against the government's human rights violations, during a rally in Washington, June 23, 2021. Nicaragua has increased human rights violations and persecution of the opposition as it ratchets up its efforts to stifle dissent, a United Nations group of experts monitoring the country said Tuesday, Sept. 12, 2023. (AP Photo/Jose Luis Magana, File)

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BY GABRIELA SELSER

Updated 11:43 AM PDT, September 12, 2023

MEXICO CITY (AP) — Nicaragua has increased human rights violations and persecution of the opposition as it ratchets up its efforts to stifle dissent, a United Nations group of experts monitoring the country said Tuesday.

The Group of Human Rights Experts on Nicaragua told the U.N. Human Rights Council in Geneva, Switzerland, that the government continues increasing pressure on human rights defenders to force them to leave the country.

That persecution has extended to the education sector, where the government has systematically cancelled the legal status of private universities and [seized their campuses](#).

"We have observed the intentional and severe deprivation of economic and social rights, in particular the right to education and academic freedom," said Jan-Michael Simon, chair of the group. "Today, the university

sector of Nicaragua as a whole no longer has independent institutions. Nicaragua is being stripped of its intellectual capital and critical voices, leaving the country's prospects and development on hold." 000204

Last month, the government [confiscated the prestigious Jesuit-run University of Central America](#) in Nicaragua. It was the latest in a series of actions by authorities against the Catholic Church, but also among some 27 higher education institutions that have been cancelled and confiscated.

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Germany rejects allegations that it's facilitating acts of genocide in Gaza at UN court

The group noted that religious figures, in particular from the Catholic Church, are increasingly targets of attacks and some have been forced to leave the country. Once abroad they are sometimes stripped of their nationality and have their assets in Nicaragua confiscated.

The university and other education institutions were important centers of dissent during the popular protests in April in 2018 that became a referendum on President Daniel Ortega's administration. [Ortega was re-elected](#) after jailing seven potential competitors in 2021.

The government's pursuit of the opposition has continued and intensified. Students and other opposition figures have been imprisoned or forced into exile.

In February, the Nicaraguan government [put 222 prisoners on a plane to the United States](#), declaring them traitors.

"The seriousness of these violations, in conjunction with the other crimes documented to date, perpetrated by reason of the political identity of the group targeted, leads the Group of Experts to conclude that these constitute prima facie the crime against humanity of persecution on political grounds," the group said.

The group asked the Nicaraguan government to allow independent and neutral organizations such as the International Committee of the Red Cross into prisons where opponents are being held.

The Office of the High Commissioner for Human Rights also confirmed Tuesday that the human rights situation in Nicaragua continues deteriorating.

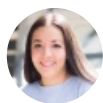
It said it had documented 27 cases in the past year of Nicaraguans who left the country briefly for travel and were not allowed to return to the country in violation of international treaties. The practice has separated families, the office said.

RELIGION

Alumni grieve for Jesuit-run university seized by Nicaraguan government that transformed their lives



FILE - Demonstrators protest outside the Jesuit-run Universidad Centroamericana (UCA) demanding the university's allocation of its share of 6% of the national budget in Managua, Nicaragua, Aug. 2, 2018. Founded by Jesuits in 1960, UCA has historically rejected authoritarianism and offered support for students committed to fighting for deep social transformations. (AP Photo/Arnulfo Franco, File)

[Read More](#)

BY **MARÍA TERESA HERNÁNDEZ**

Updated 5:00 AM PDT, August 29, 2023

MÉXICO CITY (AP) — Long before it was confiscated by President Daniel Ortega's government in mid-August, the Jesuit-run University of Central America in Nicaragua was a special place for the thousands whose minds and lives it transformed.

"The university was the only center of independent thought left in the country," said Juan Diego Barberena, a lawyer who fled to Costa Rica. He studied at the institution, known as UCA, between 2014 and 2017.

Ortega's government described the university as a "center of terrorism" and seized its property, buildings and bank accounts on August 16. A week later, the Jesuit religious order was declared illegal and all of its assets were confiscated. A new institution would replace UCA, though further details are still unclear.

"This is a government policy that systematically violates human rights and appears to be aimed at consolidating a totalitarian state," the Society of Jesus of Central America said in a statement.

000207

Since December 2021, at least 26 Nicaraguan universities have been closed in a similar manner.

"UCA's closure responds to the position it took during protests in 2018: to be on the side of the people who were suffering repression and demanding substantial changes," Barberena said.

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Mexico saw a huge increase in migrants from Africa and Venezuela in 2023, authorities say

Founded by Jesuits in 1960, UCA had historically rejected authoritarianism and offered support for students committed to fighting for deep social transformations.

"The Revolution (1979-1990) cannot be explained without the universities, UCA included," said Daisy Zamora, a poet and former vice minister of culture who currently lives in the United States. She became a student at UCA in 1967.

Zamora recalls that, even after receiving her primary education in a religious school, UCA expanded her social vocation and political awareness. Eager to fight for her country and overthrow Anastasio Somoza's dictatorship, she and fellow classmates joined a student branch of the Sandinista National Liberation Front, which ended the Somoza dynasty in 1979 and established a revolutionary government.

“The Jesuits were very open to students expressing themselves politically,” Zamora said. “UCA was a hotbed where resistance actions against the dictatorship were being developed. It was like a small republic where students exercised democracy.”

Four decades later, in 2018, UCA became a hub for protests against Ortega, and its rector participated in peace talks that eventually failed. The recent confiscation of the university, which enrolled more than 8,000 students, follows a series of increasingly authoritarian actions by the government [against the Catholic Church](#) and opposition figures.

A human rights organization, Nicaragua Nunca Más, estimates that more than 50 [religious leaders have fled](#) in the last five years. In 2022, two congregations of nuns were expelled, and in February, an outspoken critic of Ortega's government, Bishop [Rolando Álvarez](#), was sentenced to 26 years in prison. A month later, the Vatican closed its embassy after Nicaragua proposed suspending diplomatic relations.

“When I found out about the closure of UCA, I started crying,” said María Gómez, a journalist who fled to Spain. She graduated with a communications degree in 2017.

She first heard about UCA at age 11 and becoming a student was her lifelong dream. When she got in with a full scholarship, she was overcome with joy. “I couldn't pay the tuition despite the fact that it was cheap, about 2 or 3 dollars, but for a family with limited resources, that was a lot of money.”

In 2018, she joined protests in which peasants and former students demanded government action to stop the burning of an environmental reserve.

“We felt safe because the teachers didn't interfere, but they gave us freedom to create banners, to gather, and even protected us,” Gomez said. “When the police began to attack the demonstrators, they opened the gates of UCA for us.”

“Some of my professors — who were Jesuits — approached refugees in the cathedral and other universities to pray, to bless them,” she added. “And they told us: You are the future of this country. Do not be discouraged.”

UCA's influence on youth went beyond its classrooms. Ernesto Medina, a past student and former rector at the National Autonomous University of Nicaragua in the city of León, said that colleagues from UCA changed the way he thought about his own Christianity more than 50 years ago.

“I had social concerns, but they were the traditional ones that Catholic schools instilled in us,” said Medina, who now lives in Germany. “We would go to a poor neighborhood to distribute food, clothes, to talk to people. But the comrades from Managua seriously questioned the dictatorship and the need for a deep social transformation.”

According to Medina, the 1970s were decisive for his country. The military stopped attempts to develop guerrilla groups inspired by the Cuban Revolution in the mountains. Therefore, the FSLN penetrated urban areas.

“UCA played a crucial role back then, because a generation of boys were influenced by the Jesuits of the time,” Medina said. “What mobilized the majority of the Nicaraguan population was a combination of Christian ideas that were highly committed to the people and revolutionary ideas that ended up prevailing.”

For retired military member Roberto Samcam, who served as major in the Sandinista Popular Army and became an engineer at UCA in the 1970s, the university is woven into the fabric of Nicaraguan society.

Ortega himself spent a few months as a student at UCA before devoting himself to the revolution. And in an event that now seems ironic, the university granted him an honorary doctorate for his “contribution to peace and democracy” after accepting an electoral defeat in 1990. He came back to power in 2007 and has governed Nicaragua ever since.

“What he’s stealing is more than a campus, more than university degrees,” Samcam said.

Other former students agree. Barberena fears for the fate of the Institute of History of Nicaragua and Central America, which was housed by UCA and is considered the main documentation and memory center in the country. Gómez worries the press clippings that documented the revolution, which she read endlessly during her spare time at UCA, might be lost.

“For me, it was the only university that taught students how to become critical and respect each other,” Gómez said. “And by losing that, we lose everything.”

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Associated Press religion coverage receives support through the AP’s [collaboration](#) with The Conversation US, with funding from Lilly Endowment Inc. The AP is solely responsible for this content.

**MARÍA TERESA HERNÁNDEZ**

Hernández is a reporter on the AP’s global religion team. She is based in Mexico City and covers Latin America.



Nicaragua - Statement on the Situation of the Universities and the Central American University

September 5, 2023



Students protest the government takeover of the University of Central America by the Nicaraguan government.

August 21, 2023 -The cry of alarm of academics, teachers and university workers (including CETRI - Tricontinental Center*) in the face of the new escalation of the offensive of the Ortega-Murillo regime against Nicaraguan universities. *First signatories below.*

As academics, teachers and university workers, we would like to make public our deep concern at the alarming news reaching us from Nicaragua that shows a new escalation of the offensive that the Ortega-Murillo regime has launched against Nicaraguan universities.

Since the end of 2020, taking advantage of reforms to the General Law on Education and the Law on the Autonomy of Higher Education Institutions, more than 26 universities have been closed and their property confiscated. Together with the assets of some of these universities, new public universities were created without following the procedures established for this purpose, which aggravated the situation of confusion and anxiety for students that already existed in the country's higher education subsystem. This time, a new threshold has been crossed in the actions carried out for years to threaten, weaken, isolate and finally close one of the most important universities in the country, the *Universidad Centroamericana (UCA)*.

As reported by the Central American Province of the Society of Jesus in a statement dated August 16, 2023, “the *serious accusations brought against the UCA in the official notice issued by the Tenth Criminal Court of the District of Managua on August 15, 2023, in which it is described as a ‘center of terrorism’ and accused of having ‘betrayed the trust of the Nicaraguan people’ and of having ‘transgressed the constitutional order, the legal order and the order governing the country’s institutions of higher education’ are absurd and deceptive.* We share this view all the more because no fair and independent judicial body has presented evidence to support these accusations.

On the basis of these accusations, the order was given to freeze bank accounts, expropriate property and the *de facto* takeover by the National Council of Universities (CNU), which has become the state organ of repression and submission of universities to absolute political control. Not content with disrespectfully and irresponsibly endorsing *the extinction* of the UCA, the CNU rushed to appoint new authorities to run the university without the support or agreement of the UCA academic community.

In its 63 years of existence, UCA has become one of Nicaragua’s leading and even the leading university and is considered a model of the kind of university that should be established in poor countries with poor education systems, weak democracies and development models based on extractivism and the supply of cheap labour. UCA has demonstrated that it is possible to provide quality higher education to all sectors of the population and to contribute to the creation of a truly humane and sustainable development model.

Since its foundation in 1960, UCA has contributed to the development of science and research at national and international level, offering young people and professionals a comprehensive academic training with criteria of excellence and based on humanistic values. This vision led this institution to become a space for open debate and promotion of social and political rights during the years of the Somoza dictatorship.

During the 1980s, the UCA preserved its founding principles and maintained a relationship of respect with the new authorities, while some of the decisions taken by the higher education governing bodies of the time had undermined the structure and functioning of the UCA. Since its inception, the UCA has been the headquarters and actively supported the work of the Nicaraguan Academy of Sciences, which never received state support and was eventually closed along with thousands of other civil non-profit organizations.

Through its research and social intervention centres and institutes, UCA has invested in areas such as education, sustainable development, regional history, science and has provided social services such as legal advice and psychological support, both to the educational community and to society at large.

It also played an important role in the processes of dialogue, promotion of peace and recognition of multiculturalism after the armed conflict of the 1980s. Its rector had been invited, with the agreement of Daniel Ortega’s government, to participate in the search for a peaceful solution to the serious socio-political crisis that erupted in April 2018.

In 2010, the *World University Ranking*, published annually by the Spanish National Research Council, ranked the Central American University of Nicaragua first among the 52 institutions and centers of higher education operating in Nicaragua. It is also among the top ten on the long list of universities in Central America.

In 2012, UCA achieved another important academic recognition when it was included by the *Quacquarelli Symonds* (QS) ranking in the list of 250 institutions considered the most prestigious

centers of higher education in the Latin American region, where more than 7,000 higher education institutions operate, of which nearly 2,000 are universities. UCA is the only Nicaraguan university to be included in this list. Throughout its history, UCA has been an internationally recognized space for knowledge production, connected to different international networks that connect academic centers in Latin America, North America, Europe and Asia.

All of the above highlights the intentions of the Ortega-Murillo regime to close all spaces that encourage critical thinking, the free exchange of ideas and informed debate on issues of concern to the country. Ortega's plan to establish a dynastic dictatorship in Nicaragua, equal to or worse than those that plunged Latin American countries into pain and doldrums for many decades, is no longer in doubt. Free and autonomous universities have no place in this project and that is why they want to destroy the UCA.

As academics, Nicaraguans or from other countries, we, who have had the privilege of knowing and working with colleagues of the UCA or who know its trajectory, because it has been an example for those who want to build free educational institutions committed to the future of our countries, we want to make our protest heard against what is currently happening in Nicaragua and we call on university organizations, rectors' conferences, professors and students from all over the world, men and women who love justice, peace and freedom, to condemn the Ortega-Murillo regime for its senseless attacks on Nicaraguan universities.

We support and take up the requests of the Central American Province of the Society of Jesus addressed to the Ortega-Murillo regime:

that the severe, abrupt and unjust measure adopted by "justice" be immediately annulled and corrected;2. an end to the growing government aggression against the University and its members;3. that a rational solution be sought in which truth, justice, dialogue and the defence of academic freedom prevail.

Given the arrogant and disrespectful manner in which the CNU-appointed authorities presented themselves on the UCA campus, we demand respect for the physical integrity and freedom of all UCA staff. We demand respect for the job stability of all academic and administrative staff and the prompt delivery of academic records to all students who request them.

We call on the international academic community to be attentive to the events in Nicaragua, to raise their voices in protest and to express their solidarity with the UCA through concrete actions.

Today, more than ever, the motto with which Dr. Mariano Fiallos Gil, "father of university autonomy" in Nicaragua, undertook the struggle for the autonomy of universities and for their transformation into institutions committed to the nation that welcomes and supports them must be heard:

"FOR THE FREEDOM OF THE UNIVERSITY".

University centres, groups and collectives

Institute of Regional Studies of the University of Antioquia (Colombia)

Institute of Social and Human Sciences of the Rafael Landívar University (Guatemala)

Institute for Development Policy, University of Antwerp, Belgium



News | Human Rights

Nicaragua seizes Catholic university accused of being 'centre of terrorism'

Critics have accused the government of President Daniel Ortega of continuing its attacks on education and religion.



Students file past the Central American University in March 2022, shortly after the government of Daniel Ortega instituted reforms designed to increase his control over the education system [File: Maynor Valenzuela/Reuters]

17 Aug 2023



The Nicaraguan government has seized a prominent Jesuit-run university in the capital Managua, in [President Daniel Ortega's](#) latest effort to lash out against the [Catholic Church](#).

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The Society of Jesus, the Jesuit order that runs the school, told reporters that the government had accused the university of being “a centre of terrorism organised by criminal groups”.

02:42

United Nations denounces seizure

In the wake of the announcement, the Office of the United Nations High Commissioner for Human Rights (OHCHR) [issued a statement](#) condemning the university's confiscation.

“The impact of this measure with the suspension of classes seriously affects the right to education, which is essential for the fulfilment of other human rights,” the OHCHR wrote.

The agency called on Nicaragua to respect its obligations under the International Covenant on Economic, Social and Cultural Rights, which protects the right to education.

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“The unjust and illegal confiscation of the UCA by the Sandinista dictatorship is outrageous,” exiled Nicaraguan bishop Silvio Jose Baez [wrote on social media](#).

“In this way, they demonstrate their contempt for intellectual freedom, quality education and critical thinking. Every day, they sink deeper into their irrationality, their wickedness and their fear.”

Another exiled Nicaraguan, historian Dora Maria Tellez, also [denounced the move](#) as an act of “dictatorship”.

“The university with the highest academic quality in the country has been liquidated,” Tellez, an alumna, said. But, she added, the classrooms will open again when the country is free.

The opposition movement Tellez is a part of – the Union Democratica Renovadora or UNAMOS – released a statement decrying the end of “the last bastion of critical thinking and freedom of education in Nicaragua”.

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Attacks on higher education

The university's seizure is part of a pattern under the Ortega administration, which has faced international criticism for its heavy-headed approach to stifling dissent.

Starting in February 2022, the country's legislature, dominated by Ortega loyalists, revoked the legal status of several private universities, perceived to be hotbeds for government opposition.

Other campuses – the overseas branches of foreign universities – were likewise shuttered.

Those institutions were subsequently placed under state authority through the National Council of Universities.

Nicaragua's legislature followed that move with reforms to limit the independence of universities and cut government funding to institutions like the Central American University.

Critics believe Ortega and his allies have targeted universities for their role in the [widespread antigovernment protests](#) that jolted the country in 2018. Proposed cuts to social security brought tens of thousands of protesters into the streets, [many of them youth](#).

Those young protest leaders often used [universities as spaces to organise](#). The Polytechnic University in the capital Managua – one of the institutions whose legal status was later cancelled – was among the institutions that saw [young people occupy its campus](#), building barricades and amassing medical supplies and equipment.

[Clashes with government forces](#) ultimately left at least 355 people dead over the following year, some of whom were killed at the university itself.

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02:06

Catholic Church a target

Since the 2018 protests, the Ortega administration has ramped up efforts to crack down on its critics by imprisoning political rivals and closing nongovernmental groups.

The UN estimates more than 3,200 organisations have been forced to shutter between June 2022 and June 2023 alone, including the [local branch of the Red Cross](#).

Among those institutions are radio stations, schools and other groups associated with the [Catholic Church](#). Ortega has been an outspoken critic of the church, particularly since 2018, when the Catholic leaders attempted to serve as mediators between the government and protesters.

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In 2022, Ortega expelled the Vatican's ambassador from Nicaragua, and police arrested a prominent Catholic leader, [Bishop Rolando Alvarez](#), for "destabilising and provocative" activities. ⁰⁰⁰²¹⁸

When Nicaragua flew [222 political prisoners](#) to the United States in February, Alvarez was anticipated to be among the deported. But he refused to board the plane and was subsequently sentenced to [26 years in prison](#).

He was also stripped of his Nicaraguan citizenship, as were the political prisoners flown into exile.

Central American University, the institution targeted on Wednesday, was not only a prominent Catholic institution in Nicaragua, but it was also a springboard for some of the country's most influential voices.

Ortega himself briefly attended in the early 1960s to study law.

SOURCE: AL JAZEERA AND NEWS AGENCIES

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LATINO

Nicaragua seizes private universities to stifle dissent

The seizure of a dozen private institutions and more state control over education are part of Pres. Daniel Ortega's pursuit against those believes conspire against the government.



— Demonstrators protest outside the Jesuit run Universidad Centroamericana, UCA, demanding the university's allocation of its share of 6% of the national budget, in Managua, Nicaragua, on Aug. 2, 2018.

Arnulfo Franco / AP file

April 22, 2022, 6:05 AM PDT / Source: [The Associated Press](#)

By Associated Press

MEXICO CITY – Four years after university students led protests against Nicaraguan President Daniel Ortega, his government is minimizing chances of a reoccurrence by seizing a dozen private universities and closing them or shifting control to the state. 000220

A generation of students who participated in the April 2018 protests saw their education interrupted. Many were forced into hiding, jailed or exiled when Ortega's police cracked down. Now others who managed to resume their studies worry they won't be able to finish or have finished but can't find work because the now state-run schools haven't given them diplomas.

The seizure of the private universities in recent months and the passage of education reforms that increase state control are the latest examples of Ortega's relentless pursuit of those he believes conspired to try to overthrow his government.

"In April 2018, the regime took the repression to limits never seen in recent years," said Ernesto Medina, who led American University in Managua for 11 years until the end of 2018 and who is in exile in Germany. "That's when we realized that Ortega would not stop until he punished the universities and the students."

A request for comment to first lady and Vice President Rosario Murillo, who is also the government's spokeswoman, was not answered.

Earlier this year, dozens of leading opposition figures were tried, convicted and sentenced for allegedly trying to destabilize Ortega's government. Nongovernmental organizations that worked on a range of issues were closed – including 25 more on Wednesday – along with independent media outlets.

The Sandinista-controlled congress in late March passed reforms to two education laws that reduce university autonomy and increase government control, experts say. The changes also cut government funding to the Jesuit-led Central American University in Managua, another center of protest in April 2018. Those government funds had been used to offer scholarships to low-income students.

Ortega has sought "revenge" against the schools, Medina said. "Ortega's objective is to consolidate the government's and the Sandinista Front's political control over universities."

Ortega recognizes how university campuses can generate social upheaval. Many of the Sandinista guerrillas who fought beside him to overthrow dictator Anastasio Somoza in 1979 came from the universities as leaders of similar movements in Latin America and around the world have.

Nicaraguan universities lost their autonomy temporarily after the revolution as well when the junta that governed the transition chose university administrators. 000221

“We were responsible for that abuse and now we are paying for it,” said Medina, who at that time supported the Sandinistas.

Of the 12 universities seized, seven are based in Nicaragua and five were the virtual campuses of foreign universities. In each case, congress alleged administrative failures and financial incomppliance as justification for the seizures.

The universities’ property was transferred to the state and three new large universities with a combined enrollment of 18,000 were created using that infrastructure.

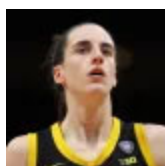
For weeks in 2018, students occupied Nicaragua Polytechnic University in Managua, fearful they would be killed if they left. There were frequent skirmishes with police and Sandinista youth. They treated their wounded while trying to coordinate with students at other universities.

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Now the school, known as UPOLI with an enrollment of 8,000, has been renamed National Polytechnic University or UNP. The new university’s Facebook page is full of comments from students or recent graduates worried about getting the paperwork they need to find jobs in their fields.

One, a recent nursing graduate who asked not to be identified because she feared retaliation, said despite graduating in November, she was still waiting on documents necessary to find a job.

The woman had gone to public hospitals, the medical workers union and private clinics⁰⁰⁰²²² and in each instance was told she could not be employed until she had her degree and a code given to graduates.

Her pursuit of answers from university administrators has been a frustrating series of deflections and delays.

“A week passed, then two weeks. We went to the nursing school, we don’t have an answer,” she said. “They just told us that they were going to change the leadership.”

To get by, when COVID-19 cases were surging, she cared for those infected in their homes. Now she cares for an elderly patient.

Another seized university was Paulo Freire University founded in 2007 by the lawyer Adrián Meza, a well-known Sandinista militant during the revolution, who later distanced himself from Ortega.

Meza moved to Costa Rica shortly after the government seized his university’s two buildings and all of the equipment at five sites around the country in February. He said there was an order for his arrest. The government had been hostile toward the university because of its defense of human rights, especially after Meza denounced the arrest of one its students late last year, he said.

What will happen to the university’s 1,500 students is unclear, despite the government’s promises of continuity, Meza said. The school’s political science department had not been approved to resume classes since the takeover.

The seizures have set the country’s education system back decades, he said.

“In fact we’re already in the Middle Ages where any expression of inconformity leads to jail,” he said.

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Associated Press

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The Washington Post

Democracy Dies in Darkness

Nicaragua strips universities' legal status in new attack on dissent

By Ismael López and [Mary Beth Sheridan](#)

February 3, 2022 at 6:38 p.m. EST

MANAGUA, Nicaragua — Nicaragua's authoritarian government has stripped several universities of their permission to operate in what analysts called a sweeping attack on higher education and an escalation of the repressive tactics that have driven the country toward dictatorship.

The most prominent target of the measures is the Polytechnic University of Nicaragua, an epicenter of [anti-government demonstrations in 2018](#). More than 350 people were killed in the nationwide protests, mostly by security forces, according to human rights groups.

The National Assembly, loyal to President Daniel Ortega, on Wednesday canceled the operating licenses of five private universities, including the Polytechnic, founded in Managua in 1967 with the assistance of Baptist missionaries. The government's National Council of Universities will take over management of the institutions, authorities said.

On Thursday, the Government Ministry announced it was canceling operating permits for seven foreign academic programs in Nicaragua, including those associated with Florida International University, Michigan State and Wake Forest University. The immediate impact of that action was not clear, as many of those programs appeared to have stopped functioning years ago.

"This is the gravest attack on institutions of higher education in the history of Nicaragua, and probably in the history of Central America," Ernesto Medina, the former rector of the country's largest university, the National Autonomous University of Nicaragua, said in a Facebook message.

Authorities said the universities' licenses had been canceled because they violated laws that require nonprofit groups to present detailed information on their finances and directors. The universities said they had fulfilled all necessary requirements. "They are shutting us down because in 2018 we took the side of the students," said Adrián Meza, rector of the Paulo Freire University.

Nicaragua has become the most dramatic example of the erosion of democracy in Central America. After ⁰⁰⁰²²⁴crushing the 2018 demonstrations, Ortega's government steadily raised the heat on critics, news organizations and human rights groups. Last year, authorities jailed all of Ortega's serious challengers in the run-up to the November presidential election that gave him a fourth straight term.

As repression has intensified, tens of thousands of people have fled the country. U.S. Border Patrol agents detained more than 50,000 Nicaraguans in 2021, a record.

Tamara Taraciuk Broner, the acting Americas director at Human Rights Watch, said the takeover of the private universities signaled an effort to extinguish remaining opposition to the government.

"At the heart of these measures is a blatant attempt to undermine the student movement, one of the pillars fighting for democracy in Nicaragua," she said.

The government recently slashed subsidies to the prestigious Jesuit-run Central American University in Managua. It was the cradle of the student movement that erupted in 2018, initially to oppose a social security reform. The demonstrations ignited mass anti-government protests. Some students fought security forces from behind barricades they erected on campuses.

Ortega, a onetime Marxist guerrilla who led a 1979 revolution, has accused the political opposition and foreign powers of trying to topple him.

María Asunción Moreno, a professor of constitutional law at three of the universities taken over by the government, said she feared authorities wanted to "impose an educational system aimed at indoctrinating young people."

"The assault on the universities shows a government strategy aimed at exterminating university autonomy, the goal of a historic battle in the lives of Nicaraguans," she said.

Sheridan reported from Mexico City.

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WORLD NEWS

Nicaraguan government seizes highly regarded university from Jesuits



FILE - Demonstrators protest outside the Jesuit-run Universidad Centroamericana, UCA, demanding the university's allocation of its share of 6% of the national budget in Managua, Nicaragua, Aug. 2, 2018. The Jesuits announced Wednesday, Aug. 16, 2023, that Nicaragua's government has confiscated the UCA, one of the region's most highly regarded co

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Updated 7:57 PM PDT, August 16, 2023

MEXICO CITY (AP) — Nicaragua's government has confiscated a prestigious Jesuit-run university alleging it was a "center of terrorism," the college said Wednesday in announcing the latest in a series of actions by authorities against the Catholic Church and opposition figures.

The University of Central America in Nicaragua, which was a hub for 2018 protests against the regime of [President Daniel Ortega](#), called the terrorism accusation unfounded and the seizure a blow to academia in Nicaragua.

The government did not confirm the confiscation or comment on the Jesuits' statement.

The Jesuit order, known as the Society of Jesus, said it received a judicial order Tuesday notifying it of the confiscation. It said the government seized all the university's property, buildings and bank accounts.

"With this confiscation, the Ortega government has buried freedom of thought in Nicaragua," said María Asunción Moreno, who was a professor at the university until she was forced into exile in 2021.

The order quoted the government as claiming the university “operated as a center of terrorism.”

“This is a government policy that systematically violates human rights and appears to be aimed at consolidating a totalitarian state,” the Society of Jesus of Central America said in a statement.

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Assistant Secretary of State for the Bureau of Western Hemisphere Affairs, Brian A. Nichols, said in a tweet⁰⁰⁰²²⁷ that the seizure of the university “represents further erosion of democratic norms and a stifling of civic space by Ortega-Murillo,” referring to vice president and first lady Rosario Murillo.

The university, known as the UCA, has been one of the region’s most highly regarded colleges. It has two large campuses with five auditoriums, engineering laboratories, a business innovation center, a library with more than 160,000 books in Spanish and English, a molecular biology center and facilities for 11 sports. Of the 200,000 university students in Nicaragua, an estimated 8,000 attend UCA.

Founded 63 years ago, UCA also houses the Institute of History of Nicaragua and Central America, which is considered the main documentation and memory center in the country, equipped with its own library, a newspaper library and valuable photographic archives.

The university’s seizure “represents further erosion of democratic norms and a stifling of civic space by Ortega-Murillo,” U.S. Assistant Secretary of State for the Bureau of Western Hemisphere Affairs, Brian A. Nichols, said in a tweet, referring to vice president and first lady Rosario Murillo.

Since December 2021, at least 26 Nicaraguan universities have been closed and their assets seized by order of the Ortega government with a similar procedure. Seven of those were foreign institutions.

In April, the Vatican [closed its embassy](#) in Nicaragua after the country’s government proposed suspending diplomatic relations.

Two congregations of nuns, including from the Missionaries of Charity order founded by Mother Teresa, were expelled from Nicaragua last year.

The expulsions, closures and confiscations have not just targeted the church. Nicaragua has outlawed or closed more than 3,000 civic groups and non-governmental organizations.

In May, the government ordered the Nicaraguan Red Cross shut down, accusing it of “attacks on peace and stability” during antigovernment demonstrations in 2018. The local Red Cross says it just helped treat injured protesters during the protests.

In June, the government [confiscated properties belonging to 222 opposition figures](#) who were forced into exile in February after being imprisoned by Ortega’s regime.

Those taken from prison and forced aboard a flight to the United States on Feb. 9 included seven presidential hopefuls barred from running in the 2021 election, lawyers, rights activists, journalists and former members of the Sandinista guerrilla movement.

Thousands have fled into exile since Nicaraguan security forces violently put down mass antigovernment protests in 2018. Ortega says the protests were an attempted coup with foreign backing, aiming for his overthrow.



WORLD & NATION

Nicaragua's government seizes prized University of Central America from Jesuits



Demonstrators protest outside the Jesuit-run University of Central America in a 2018 file photo. The Jesuits announced Wednesday that Nicaragua's government has confiscated the college. (Arnulfo Franco / Associated Press)

Associated Press

Aug. 16, 2023 3:13 PM PT

MEXICO CITY — The Jesuits announced Wednesday that [Nicaragua's government](#) has confiscated the University of Central America in Nicaragua, one of the region's most highly regarded colleges.

It was the latest in a series of expulsions, closures and confiscations by the regime of President Daniel Ortega targeting the Roman Catholic Church and opposition figures.

The order, known as the Society of Jesus, said the government seized all of the university's property, buildings and bank accounts.

It quoted the government as claiming the university "operated as a center of terrorism." The Jesuits say the accusation is unfounded.

"This is a [government policy](#) that systematically violates human rights and appears to be aimed at consolidating a totalitarian state," the Society of Jesus of Central America said in a statement.

It was a serious blow to the country's academic sector.



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"With this confiscation, the Ortega government has buried the freedom of thought in Nicaragua," said María Asunción Moreno, who was a professor at the university until she was forced into exile in 2021.

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Nicaraguan government seizes University of Central America from Jesuits

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Demonstrators protest outside the Jesuit-run Universidad Centroamericana, UCA, demanding the university's allocation of its share of 6% of the national budget in Managua, Nicaragua, on Aug. 2, 2018. The Jesuits announced Wednesday, Aug. 16, 2023, that Nicaragua's government has confiscated the UCA, one of the region's most highly regarded colleges. (AP Photo/Arnulfo Franco, File)

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Mexico City — August 17, 2023

Nicaragua's government has confiscated a prestigious Jesuit-run university alleging it was a "center of terrorism," the college said Aug. 16 in announcing the latest in a series of actions by authorities against the Catholic Church and opposition figures.

The University of Central America in Nicaragua, which was a hub for 2018 protests against the regime of President Daniel Ortega, called the terrorism accusation unfounded and the seizure a blow to academia in Nicaragua.

The government did not confirm the confiscation or comment on the Jesuits' statement.

The Jesuit order said it received a judicial order Aug. 15 notifying it of the confiscation. It said the government seized all the university's property, buildings and bank accounts.

"With this confiscation, the Ortega government has buried freedom of thought in Nicaragua," said María Asunción Moreno, who was a professor at the university until she was forced into exile in 2021.

The order quoted the government as claiming the university "operated as a center of terrorism."

"This is a government policy that systematically violates human rights and appears to be aimed at consolidating a totalitarian state," the Society of Jesus of Central America said in a statement.

Assistant Secretary of State for the Bureau of Western Hemisphere Affairs, Brian A. Nichols, said in a tweet that the seizure of the university "represents further erosion of democratic norms and a stifling of civic space by Ortega-Murillo," referring to vice president and first lady Rosario Murillo.

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Ortega Dictatorship in Nicaragua Freezes Bank Accounts and Assets of Jesuit University

On Aug. 9, the regime frozen the bank accounts of the Central American University, run by the Society of Jesus.



Students protest on the campus of the Central American University (UCA) in support of the mothers of political prisoners who are on hunger strike at the San Miguel Church in Masaya, in Managua on Nov. 22, 2019. On Aug. 9, the Daniel Ortega regime froze the assets of the Jesuit university. (photo: Inti Ocon / AFP via Getty Images)

The government of Nicaragua froze the bank accounts and assets of the Central American University (UCA), run by the Society of Jesus, a move that has been condemned by a bishop and multiple organizations.

“As a former student of the Central American University of Managua, I repudiate the aggression of the dictatorship against this center of studies,” Auxiliary Bishop Silvio Báez of Managua wrote Aug. 10 on his personal X (formerly Twitter) account.

The prelate, living in exile in the United States since April 2019 due to persecution by the dictatorship of President Daniel Ortega and his wife, Vice President Rosario Murillo, stated that “the freezing of accounts is an outrage against higher education, intellectual freedom, culture, and the whole of society.”

Sources connected with the university told the Nicaraguan newspaper *El Confidencial* that the regime has blocked the university from making any kind of real estate transactions. 000237

This action follows what happened two days before on Aug. 9 when it came out that the Ortega government had frozen the UCA bank accounts, according to various local sources.

So far, the authorities of that educational institution have not issued an official statement.

El Confidencial revealed on Aug. 10 an email sent by the UCA to the university community stating that it is going through “adverse situations” and at the same time is working to solve the problems that prevent them from carrying out banking operations.

Regarding the freezing of its assets, the Nicaraguan media outlet *Divergentes* reported Thursday that the UCA was not notified of this action and that it may have stemmed from a request from the attorney general’s office, the body in charge of representing the state in legal matters.

The media outlet’s source close to the university reported that the Jesuit officials “realized that all their real estate had been frozen when they were going to make some property transactions.” The source also hinted that in the near future, the UCA could be confiscated by the government in its entirety.

There is currently no information available on possible police investigations to support the decision to freeze the university’s bank accounts and block its assets.

Organizations Condemn the Move

After confirming that UCA’s accounts and assets had been frozen, six student movements in the Central American country condemned what they consider an “outrage” and “a direct attack on education and intellectual freedom.”

“It is alarming and reprehensible that the Sandinista dictatorship has frozen the bank accounts of the UCA as well as the accounts of the members of the university council and of some directors. These unfounded actions, based on alleged charges of money laundering and the financing of terrorists, lack foundation and are part of a strategy to stifle dissent and silence critical voices,” charged the organizations that signed the statement posted Aug. 10 on the social media site X.

“We demand the immediate lifting of the freezing of the bank accounts of the UCA and of all affected members,” the student organizations stated.

The group of 222 Nicaraguans who were deported to the United States by the dictatorship in February has also spoken out. In an Aug. 10 statement posted on X, this community described the government’s action as “arbitrary and illegal.”

“We denounce this new violation of article 125 of the Political Constitution of the Republic of Nicaragua, which enshrines the protection of the rights of university educational communities and other centers of higher technical education.”

Likewise, the critics affirmed that this measure against the UCA is part of a process of undermining the independence of the universities, which has been underway since 2007 under the Ortega government and “which intensified beginning in 2018 with the confiscation of private universities.”

Felix Maradiaga, a former Nicaraguan political prisoner and former presidential candidate, said in an X video message⁰⁰⁰²³⁸ that “independent educational institutions have been the main threats to the prevailing tyrannies in every era” and that “is the reason why the Ortega–Murillo dictatorship has launched an attack against the UCA.”

Another pronouncement came from the Monteverde Process, a political opposition group whose members fled the country or were forcefully exiled. In an Aug. 9 press release posted on X, the organization expressed its solidarity with the UCA and denounced the “government repression.”

The group described the banking and real estate freeze as “revenge for the university’s commitment to denounce the murders perpetrated by the regime since 2018, as well as for its courageous work in the defense of human rights and its contribution in the search for a peaceful and democratic solution in the face of repression and the political conflict that Nicaragua has been experiencing for more than five years.”

Likewise, its members recalled that the repression “against the UCA has been manifested since 2007, with the progressive reduction of the budget which by a regulation in the constitution, the universities in Nicaragua must receive.”

“The repression against education, culture, and critical thinking in Nicaragua has been reflected in the cancellation of more than 30 universities by the Ortega and Murillo dictatorship until the present year 2023,” they charged.

Established in 1960 by the Society of Jesus, the UCA is the first private university in Nicaragua. Throughout its history, it has taught more than 12 generations of professionals and was home to opposition to the dynastic Somoza dictatorship until the dictatorship’s demise in 1979. It also contributed to the process of returning to democracy in the 1990s and denounced the injustices and repression during the anti–government protests in Nicaragua in 2018, in which at least 300 people lost their lives.

This story was first published by ACI Prensa, CNA’s Spanish–language news partner. It has been translated and adapted by CNA.

Keywords: Daniel Ortega regime Nicaragua society of jesus