

The Erosion of Nicaraguan Democracy - A country mired in the degradation of rights under the Ortega Regime



Christians Action against Torture
Written by Charis Liu
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“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.”.

Erika Guevara-Rosas

Abstract:

The following report aims to elucidate the scope of the escalating human rights situation in Nicaragua, with particular emphasis on the socioeconomic context and political infrastructure that has created fertile ground for a repressive state to emerge as the predominant political entity. This report also highlights the testimonials and experiences of those who have endured the grave violations of human rights under the Nicaraguan government. Finally, this report provides a broad synopsis of the overwhelming international response that has condemned the actions of the Nicaraguan government, ultimately serving to be a vital call for action. While this report does not seek to serve as a proxy for definitive action, it intends to supplement the vast and growing repository of information and resources on the subject.

Presentation

We thank Charis Liu for her committed research work to prepare this report on the situation in Nicaragua, while she was a fellow at our ACAT, during the months of June and July 2023.

It is a project that helps us disseminate the abundant reports received from Nicaraguan defenders and academics, since some of them could not be published due to the serious risk to the life and integrity of their authors, as well as that of their relatives and around. For this reason, not all of them could be cited in the bibliography.

In ACAT, through this report, we renew our call to the different actors of the international community: we must keep active the monitoring and firm condemnation of the violations of civil and socio-political rights in Nicaragua and against Nicaraguan exiles. The multiple violations committed must not go unpunished.

In particular, we believe that must be guaranteed the freedom, life and integrity of the people who are social leaders (opponents, indigenous people, defenders, journalists, academics and religious...) and political prisoners must be released from the prison and from total criminalization.

Likewise, the social network must be restored. We must support Nicaraguan civil society to rebuild its so damaged social fabric and to open paths towards reconciliation, attending to the structural causes for non-repetition.

With this work, ACAT hopes to contribute to all this, so that the Nicaraguan people walk as soon as possible towards a dignified life, in justice and freedom. We feel this need as human persons and also from our Christian experience that encourages us to live together the deepest humanity, that of God incarnate that Jesus shows us in the Gospel; who takes sides with the victims and survivors, without excluding individuals or groups.

Montserrat Fenosa Choclán
Vice President ACAT Spain/Catalonia

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I. Introduction

1.1- An eerily reminiscent wave of past grievances

Subordinated to the political coup that is the powerhouse of Daniel Ortega and Rosario Murillo, Nicaraguans are experiencing a daunting recall of the dark and repressive pith of past leadership and government. After almost four decades of revolution, counterrevolution and democratic transitions, the country, under a relentlessly despotic regime now finds itself confronting a bleak political future.

From 1937 to 1979, the Somocista regime fostered some periods of economic growth and modernization, though at the expense of widespread poverty and profound social inequality. While in the political arena, supported by a Praetorian Guard and the unconditional support of the United States, the family dictatorship left no room for democratic competition, leaving rebellion as the only way out and eventually inflicting repressive rule and genocide in its final stage of governance.

Glimmers of reform emerged following the Sandinista Revolution of 1979 in which ambitious goals of democratization were set entailing a shift from a centralized to market economy, with significant safeguards to power established within the institutional level. The Supreme Electoral Council institution soon transformed into a model of great eminence both in terms of political power and faculty, while the Army and the Police depoliticized, emerging as truly impartial apparatuses of governance. Broad constitutional reform restored powers to Parliament in 1995, limiting the might of the executive and establishing stringent parameters of power. However, any potential for national and political reform were quickly shrouded by the deeply ingrained corruption within the government as intimated by the pact between the Caudillos- then President Arnoldo Alemán- and Daniel Ortega leader of the opposition between 1999 and 2000. Their electoral reform established a two-party system with political power to control and subordinate all the powers of the State, as well as public institutions as, for example, universities.

With the help of foreign investments and fostering relationships within the private sector, Ortega recaptured the presidency in 2006- following the loss of the three preceding elections. With 38% of the votes, Ortega established himself as the regime's figurehead, concentrating, even more, all powers of the State and managing them as a political extension of his party. In 2011, he unconstitutionally imposed his first consecutive re-election, owing to an already established pattern of electoral fraud that provided him with a qualified majority in Parliament. Ortega amended the Constitution three years later to establish a precedent of indefinite re-election. *"We also notice that he was tightening his control on the National Assembly, he was tightening his control on the judicial power, and right at the very top the Supreme Court. He had completely taken control of the electoral power at that point"*, remarked Francisco Aguirre Sacasa, Nicaragua's foreign minister prior to Ortega's reclaimed presidency.

In the most recent torrent of his authoritarian drift, Ortega violated the right to independent electoral observation and once again, chillingly evocative of the Somoza Family dictatorship, has closed all ingress to democratic political spaces. Participation of the opposition in the elections on November 6th, 2022, was prohibited by law. The appointment of his wife as the FSLN vice-presidential candidate only serves to reinforce Ortega's perversion of political power, though it came as no surprise to anyone in Nicaragua- both those within and outside of the political party. Such an appointment is merely the expected course of action for a more flagrant form of a hereditary dictatorship that has abandoned the Sandinista Front party, ruthlessly eliminating any internal competition and transforming the regime into a rigidly family interlude. Those who earnestly subscribed to the Orteguismo authority as ex-guerrilla Dora María Téllez has succinctly stated, contemplated that *"is a parasite that sucked the Sandinista Front"*.

Moreover, the Sandinista Front derives much of its political authority from its interdependence with for- profit and private companies. The Sandinista Front touts immense economic brawn as evinced by a colossal and illegal diversion of 3.5 billion dollars from Venezuelan cooperation, and unsurprisingly operated with a complete lack of accountability or transparency through the gigantic Albanisa consortium and other activities. By nature of the Ortega- Murillo presidential ticket and with the patrimony of akin families, brazen acts of corruption and opacity will continue to propel the ascendancy of the Sandinista Front as such practices wholly epitomize the political pair's rise to and wanton petrification of power.

Ortega's rise and unyielding seizure of power is undoubtedly beholden to a wide pattern of corruption and exploitation of the infrastructure of government. Through electoral fraud, repression, ruthless control of the media and other branches of government, and lucrative collusion between big capital and governance, Ortega has dismantled all semblance of democracy within Nicaragua's government and ultimately creating a breeding ground for the mounting crises and blatant acts of human rights violations that have since transpired in the present.

II. Current crises

2.1- A brief overview of present day Nicaragua

Since 2018, Nicaragua has been faced with severe economic duress, resulting in a sharp increase in widespread poverty and socioeconomic disparity. The economic crisis of 2018, compounded with the aggregate devastation of COVID-19, has only continued to limit any potential for economic recovery.

Indigenous and Afro-descendant peoples continue to face increasing impoverishment and violence, especially those that protect their rights and territories from extractivism and deforestation.

Escalating political tension between the current Nicaraguan government and political opposition has germinated in tandem with the heightened socioeconomic strain, engendering a climate wrought with sweeping trepidation amongst the general population.

On the political front, the ground prepared by the Alemán-Ortega pact, and with Ortega in government since 2006, has resulted in the total control and exclusion of other opponents and has caused civil conflicts on a large scale, using means of violence political and criminal, pushing countless Nicaraguans to flee the country. The Ortega government has used both parastatal shock groups formed by government-affiliated youth with the support of public officials and militarily trained and well-supplied paramilitary groups that act in collusion with the State's security forces. The opposition, divided into several parties, has not managed to present a clear candidate against Ortega.

Since 2010, people of other nationalities, such as Colombians, Haitians, and Venezuelans, have also crossed the country as a transit zone towards the US while approximately 10% of the total population of Nicaragua (680,000 people) has emigrated to Costa Rica in the south and to the US in the north by 2022.

Since December of 2018, at least 3,144 civil society organizations have been shut down- including 100 NGOs and several other social, religious and political groups. In the year 2022 alone, 2,972 civil society organizations (CSOs) were closed down, including 314 foreign NGOs- they include Nicaraguan and foreign private universities, cultural associations, medical associations, institutions linked to the Catholic Church, human rights organizations, women's organizations, charitable organizations for children. Such large-scale closures have affected not only members of CSOs, but also the thousands of Nicaraguans who benefit from their work.

Virtually all independent media and human rights organizations have been forced to operate from abroad. In February 2023, Nicaraguan authorities deprived 222 individuals of various profiles of their nationality and expelled them from the country, accusing them of being "traitors to the homeland." The same month, the Court of Appeals of Managua declared another 94 persons residing in Nicaragua and abroad as traitors to the homeland, imposing the loss of nationality and ordering the confiscation of their assets in favor of the State.

In March of 2023, a report written and disseminated by the Group of Human Rights Experts on Nicaragua of the (GHREN) appointed by the resolution 49/3, submitted their findings to the United Nations Human Rights Council. The report offers an overview of the Group's discoveries concerning the dire violations and abuses of human rights perpetrated in Nicaragua since April 2018, including extrajudicial executions, arbitrary detentions, torture and cruel, inhuman or degrading treatment, arbitrary deprivation of nationality and violations of the right to remain in one's country. The Group found *"reasonable grounds to believe that such*

violations and abuses were perpetrated in a generalized and systematic manner following a political agenda, and that, verified in all its elements, bears out their codification as crimes against humanity.”

The cases documented in the report corroborated the manner in which the Nicaraguan government has weaponized the criminal justice system, manipulating its power as a tool of control and repression against any individuals considered to be dissidents or opponents of the political party. Such disfigurement of the criminal justice system has led to the imprisonment of hundreds of people for merely exercising their right to freedom of peaceful assembly- denouncing abuses committed by the authorities and defending and promoting human rights in Nicaragua. Primary tools of the political party have involved excessive use of force, use of criminal laws to unjustly criminalize activists and dissidents, attacks on civil society and the forced exile that the government has used to gradually shut down civic space. Among the most frequent methods that the Nicaraguan government has used in its crackdown on these actors have been the stripping of their legal status, raids on offices and the seizure of private property, and severely limiting their ability to carry out their work.

In a similar vein, human rights defenders, activists of various kinds and journalists have been subjected to harassment, threats and attacks on physical integrity. 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. Subsequently, many have been given no choice but to flee the country or halted work of fear for their safety.

“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 draconian conditions and unabated pattern of abuse and violations perpetrated by the Nicaraguan government are both widespread and systematic in nature, intimating signs of the deeply entrenched issues of corruption and exploitation of power under Ortega's rule. The repeated perversion of political power at the expense of the Nicaraguan people serves to be the product of the deliberate disintegration of democracy throughout the country. Developing countries have borne the brunt of the adverse socio-economic effects of the COVID-19 pandemic, multiple crises linked to the current global tension, climate change and environmental degradation and Nicaragua proves to be no exception. The declining socio- economic context of Nicaragua serves as both a symptom of its repressive

government and cause for an inveterate system of corruption. Rather than initiating efforts to enact substantive and wide- ranging socio- economic reform, the Nicaraguan government has leveraged the vulnerability of the aggregate to hasten the iniquity of their political agenda. *“The Nicaraguan population lives in fear of the actions that the Government itself may take against them.”*

2.2- A chokehold on freedom

Akin to the unfounded basis of the 2022 presidential elections in which the ruling party declared itself the “ONLY WINNER”, inherent corruption has undoubtedly permeated through all levels of government in a manner which has proven to be top- down, inflicting even the most local of governance.

Over the past five years, the government has created a series of laws intended 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. Significant human rights violations have documented in 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; transnational repression against individuals located in another country; arbitrary and unlawful interference with privacy; punishment of family members for alleged offenses by a relative; harsh 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; severe restrictions on religious freedom; restrictions on freedom of movement and residence within the country and the right to leave the country.

The UN’s GHREN report identified a pattern of extrajudicial executions carried out by agents of the National Police and members of pro-government armed groups who acted in *“a joint and coordinated manner”* during protests that took place between April 18 and September 23, 2018. The government has since occluded any investigations into these cases and other deaths, gratuitously using arbitrary detention as a tool to silence critics. Many arrests were characterized by excessive use of force by the police and violence at the hands of pro-government armed groups; many people were detained without warrants and held incommunicado. Additionally, high-level authorities were accused of having used the judicial and electoral branches of power to *“implement a legal framework aimed at repressing the exercise of fundamental freedoms”* aiming at eliminating *“any opposition in the country.”*

“All these actions are possible because the State has been used as a weapon of persecution against the population,” said expert Angela Maria Buitrago.

2.3- A glaring hallmark of repressive governance

While the overwhelming existence and countless human right charges bears unmitigated witness to the continuous subversion of justice within the Ortega Regime, the duplicitous exploitation of the judicial system serves to be another apparatus of the government's malfeasance. In 2022, 46 detainees faced trial in DAJ facilities, the well-known and notorious *El Nuevo Chipote*, with the result of 35 people being imprisoned and 11 under house arrest. Most political prisoners were charged with conspiracy against the government, undermining national integrity, money laundering and committing cybercrimes. Operating under the guise of impartiality, the "mistrials" or mock trials took place amidst numerous legal aberrations and human rights violations documented and later published by The Nicaraguan Center for Human Rights (CENIDH).

The CENIDH found that leaders of the Ortega Murillo regime had committed 16 various human rights violations during such quasi trials including the following:

1. Right to physical, mental and moral integrity
2. Right to individual liberty
3. Respect for honor and reputation
4. Respect for inviolability of the home and communications of all kinds
5. Right to equality before the law
6. Principle of legality
7. Arbitrary imprisonment (searches can only be carried out with a written order from a competent judge)
8. Right to due process
 - a. Presumption of innocence: the Public Prosecutor's Office issued a statement prior to the start of the trials in which it referred to the prisoners of conscience as criminals.
 - b. Right to trial without delay by competent authority: In October 2021 trials were suspended citing judicial burden.
 - c. Publicity and place of the trials: all procedural acts were carried out in private and in the DAJ facilities (Nuevo Chipote).
 - d. Right to be represented by a defense counsel of one's choice and right to effective judicial protection.
 - e. Right to a defense: the lawyers were only allowed to communicate with their clients for approximately three minutes each day of the hearings.
 - f. Substitute defense counsel: the judge imposed public defenders as substitutes for private defense counsel, even against the wishes of defendants and their lawyers.
 - g. To have adequate time and means to prepare a defense.

h. Principle of equality: the partiality of the judicial authorities was evident

Those in the upper echelon of Government have ultimately instrumentalized the Executive, Legislative, Judicial, and Electoral Branches to develop and implement a legal framework aimed at quelling the exercise of fundamental freedoms and persecuting any individual or entity considered a threat to their power. Glaring themes of suppression of all forms have emerged as the chief doctrine as manifested by the deluge of human rights violations that have ensued since the precipice of Ortega's presidency. All forms of harassment both in terms of human rights violations and judicial harassment have inevitably become the reality of countless Nicaraguans who continue to live in dogged consternation, deprived of even the most basic freedoms and civil liberties.

III. Testimonials

3.1 The arbitrary detention and maltreatment of political prisoners as a case study

As of Feb 9th, 2023, there are currently 230 political prisoners in Nicaragua subjected to harsh conditions, 222 of which were exiled. Those imprisoned included protesters, political leaders, potential political candidates, social activists, students, farmers, human rights defenders, journalists and, more recently, priests of the Catholic Church as well as relatives of those persecuted- in essence, anyone considered to be a dissident of the Ortega Regime. The violations that such individuals and their families have suffered only serve to demonstrate the despotic and arbitrary nature of the regime's actions. All committed human rights violations as documented by FIDH and CENIDH herein, must not be met with impunity.

Vilma Núñez de Escorcía



"Every time I set free political prisoners and they left the prison to be reunited with their families, it moved me deeply. Especially as I, myself, have also been a political prisoner."

Vilma Núñez de Escorcía

On 15 February 2023, human rights defender Vilma Núñez de Escorcía, along with 93 others, was accused and convicted of "treason" on a complete lack of legal grounds. The decision permanently annulled their Nicaraguan nationality, prohibiting them from holding any position of public office and a subsequent confiscation of their assets were ordered in favor of the Nicaraguan state. Among the 94 individuals sentenced were renowned members of Nicaraguan civil society, who since 2018 have advocated for human rights and democracy in Nicaragua. Currently, an overwhelming majority have left Nicaragua out to protect the safety of their families and themselves.

The FIDH and CENIDH have since called for the safety and security of Vilma Núñez de Escorcía, who has remained in Nicaragua and continues vigilantly defending the victims of human rights violations. President and founder of CENIDH, Escorcía has been a fierce defender and proponent of human rights for more than 60 years. Not a stranger to peril, she has defied and endured the brutality of the Somoza dictatorship, surviving the Student Massacre of 1959. Imprisoned, tortured and tried by a military tribunal at that time, Escorcía later rose in accolade after becoming one of the first women judges in the Nicaraguan High Courts.

Dora María Téllez

"We all resisted. It's time to reorganize and keep fighting. I'm going to return Nicaragua. I don't know when, but I'm going to do it and recover my freedoms. No one can take away my nationality –which I have as a birthright – for a crime I did not commit."

Dora María Téllez

Arrested on June 23rd, 2021 for denouncing abuses committed by the Ortega regime, Dora María Téllez has long served as a figure emblematic of the Sandinista revolution and political leader of the Nicaraguan opposition. Téllez has endured over 18 months of torture and solitary confinement in El Chipote, the DAJ prison notorious for its macabre conditions and treatment of prisoners. The activist has withstood consistent confinement in a permanent dark cell, sometimes being sojourned in the men's block, severe deprivation of food, limited access to sunlight or adequate medical care. In September of 2022, Téllez went on hunger strike in an effort to

demand for access to reading material and the end of her solitary confinement. Téllez was finally exiled on February 9th, 2023.

Former Minister of Health, Téllez's imprisonment and lived mistreatment while in prison is reflective of the immense disregard the Nicaraguan government has for the health of the general population. As reflected by the government's heedless approach to mitigating the damage of COVID- 19 and deliberate shut down of over 1,900 NGOs dedicated to serving the health of Nicaraguans, Ortega-Murillo regime will continue to drive their political agenda at the expense of their citizens' well-being.

Jamie Navarrete

"I want to leave here but, when? Mama, I do what you said: every morning I ask God, but they took away my Bible. Every morning I read Psalm 91 in a little booklet of proverbs they left me."

Jaime Navarrete

While born in Managua, Nicaragua, Jamie Navarrete has spent the majority of his life in the United States. After actively participating in the protests of 2018, he was imprisoned under the false pretense of the murder of a municipal worker during the "Clean- Up Operation". Though Navarrete was released in 2019, he was recaptured a year later on June 24th, 2020, for the alleged possession of illegal arms. The nature of Navarrete's second arrest and the arrest of his uncle, Rodrigo Navarrete, is wholly characteristic of the Ortega-Murillo regime's exploitation of power as he was brutally mistreated by the authorities. Navarrete has since remained in isolation in one of La Modelo's maximum security cells where he continues to suffer from severely inhumane conditions and treatment. He has been denied access to a Bible and has not received medical attention despite numerous petitions from his lawyer and family.

However, there emerges a greater implication of hope within the endless persistence of Margine Blandón, Navarrete's mother, in a lawsuit against the Nicaraguan state. Blandon's resolute demands for her son's freedom serves not only as a beckon to those in the upper- echelons of power within the international community but a testament of the tenacious spirit of those who continue to fight for justice in Nicaragua and on behalf of Nicaragua's citizens.

3.2 Persecution of the church

Yet another glaring violation of human rights has manifested in the unabating persecution of the Catholic Church under Ortega's rule. Researcher and lawyer Martha Patricia Molina detailed at least 529 attacks perpetrated by the Ortega dictatorship within the last five years in her report *"Nicaragua: A Persecuted Church?"*. Such attacks include the ill-founded sentencing of Bishop Rolando Álvarez to 26 years and four months in prison, the expulsion of 32 religious figures and leaders from the country, the confiscation of seven Church-owned buildings, and the forceful termination of several media forums and channels of communication. The government has sought to impose harsher measures against Catholic-affiliated organizations with the shutting down of charities, expulsion of workers, stripping universities of funding and legal status and the elimination of non-governmental organizations (NGOs). *"It's important to highlight the work of the laity to support their Church under attack, following up on each incident of damage done to the churches, the attacks on priests and nuns, and day-to-day occurrences in their parishes,"* Molina stresses.

The particular case of the government's attack on the Catholic Clergy and Church wholly encapsulates the breadth of depravity that drives Ortega's Regime and the systemic nature in which such coercion is executed. In addition, such harring of the Church has been echoed in the past as seen in the maltreatment of multiple religious figures and the church as an institution during the Sandinista regime. Miguel Obando y Bravo, former Archbishop of Managua, particularly outspoken in relation to the multiple human rights violations committed during the Somoza dictatorship a particularly outspoken actor of the multiple human rights violations committed under the Somoza Dictatorship, served as the target of multiple smear campaigns and general torment. Another vocal critic of Daniel Ortega's rule, Bishop Rolando José Álvarez Lagos of Matagalpa was convicted of treason, undermining national integrity and spreading false news, among other charges in February of 2023. Bishop Álvarez was among 222 detained opponents intended to be expelled to the United States after being declared *"traitors of the homeland"* and *"committing acts that undermine independence, sovereignty, and self-determination of the people, and for inciting violence, terrorism, and economic destabilization."* Thus far, nine priests have been convicted and members of the Missionaries of Charity, Mother Teresa of Calcutta Order were expelled from the country on 6 July 2022.

Such a crackdown on the Catholic Church has undoubtedly escalated tensions between the government and both the Church as an institution and the overwhelming number of people who continue to seek out the Church and religion as a source of solace and refuge. With the halt of all institutional faculty and democratic spaces within the country- political parties, media, NGO's- the church has emanated as the remaining bastion for the Nicaraguan people and subsequently defied an onslaught of desperate attempts of retaliation from the Ortega Regime.



IV. Timeline or recent events

Since taking office in 2007, the Nicaraguan 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.

April 2018 - Abuses by the National Police and armed pro-government groups during a brutal crackdown left over 300 protesters and bystanders dead, with an additional 2,000 injured and hundreds detained. Such armed forces that were found to be working in collusion with the government have yet to be faced with any legal punitive measures.

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

August 2019 - 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. Since 2006, the government has prohibited abortion under all circumstances, including rape, incest or a life threatening pregnancy. Those who have abortions face prison sentences up to two years; medical professionals who perform them, up to six years. While 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.

October 2020 - Nicaragua's unicameral legislature approved a cybercrime law criminalizing 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." 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."

October 2020 - 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.

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.

January 2022 - 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.

February 2022 - 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 the "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.

February 2022 - From February to May, 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.

March 2022 - The United Nations Human Rights Council established the Group of Human Rights Experts on Nicaragua (GHREN) with a one-year mandate to investigate human rights violations committed in Nicaragua since April 2018.

March 2022 - The National Assembly canceled the legal registration of a global medical charity that provided free healthcare to children and adults.

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."

April 2022 - The Ortega government said the withdrawal of OAS was "completed," seizing the office in the country and revoking the credentials of OAS representatives. The OAS maintains that the OAS Charter shall remain in effect in Nicaragua until the end of 2023, requiring Nicaragua's compliance with obligations under the Inter-American System.

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.

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

September 2022 - As of September 2022, 209 people considered critics of the Ortega Regime remained in detention, including many who were arrested in the context of the 2021 elections.

September 2022 - Authorities suspended CNN's Spanish-language service from all cable channels in the country.

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*.”

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

February 2023 - 222 persons who had been arbitrarily detained in Nicaragua were released from their detention center and house arrest, and taken aboard a flight to Washington DC. The judiciary announced that these persons had been “deported”, and that they had breached law 1055 and were therefore considered “traitors to the homeland”. The judicial decision stripped all 222 individuals of their civil and political rights. The same morning, the National Assembly of Nicaragua swiftly approved a constitutional reform and a law establishing that those who were sentenced as “traitors to the homeland” lost their Nicaraguan nationality.

February 2023 - The State of Nicaragua had arbitrarily declared 94 other individuals “traitors to the homeland” without any trial, thereby stripping them of their nationality and assets, and declared them “fugitives”. Those detained included human rights defenders, journalists, activists, and social and political leaders in exile and in Nicaragua.

April 2023 – On April 3, 2023, the United Nations Human Rights Council extended the mandate of the GHREN, the Group of Experts on Human Rights on Nicaragua, for another two years.

July 2023 - As of July 31, 2023, the Mechanism for the Recognition of Political Prisoners reported 78 prisoners, 12 women and 66 men, as well as the continuation of the criminalization of freedom of worship. So, in July 2023, the capture of a priest and - at least - 10 other people from the church or workers of Catholic NGOs were recorded. All of them are still subjected to harsh detention conditions in La Model prison.

Presently - As of August 17, while we are reviewing the report, we add that on the afternoon of August 15, the Universidad Centroamericana de la Compañía de Jesús -UCA- in Managua, received an official letter from Judge Gloria María Saavedra of the Tenth District Criminal Court of Hearings Managua Circumscription. She notified “*the seizure of real estate, furniture, money in national or foreign currency from immobilized bank accounts, financial products in national or foreign currency owned by the UCA*”. Several leaders of it, included in the accusation, have gone into exile in order to protect their life and freedom. The UCA joins the other 26 private universities already confiscated. Several leaders of it, included in the accusation, have gone into exile in order to protect their life and freedom. The UN Secretary General, Antonio Guterres, and USA authorities, among others, have shown their

grave concern. And, on August 23, the government canceled the legal status of the Society of Jesus in Nicaragua and ordered the confiscation of all its assets.



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. Likewise, the government has canceled the registration of more than 950 organizations since 2018.

Since June 6, 2022, Nicaraguan authorities have passed laws and resolutions canceling the legal registration of over 770 nongovernmental organizations and foundations, effectively forcing them to shut down their operations in the country. Such associations include medical organizations working on a range of issues from child protection to women's rights to climate change mitigation.

V. International response

5.1- International condemnation and subsequent action

Some in the international community have denounced Nicaragua's recent repression with the United States emerging as a particularly forthright actor. Alongside Venezuela and Cuba, former U.S. National Security Advisor John Bolton classified the Ortega-Murillo regime in Nicaragua as part of the "*Troika of Tyranny*." In November 2018, President Trump declared Nicaragua's regime to be a threat to national security in Executive Order 13851 though any substantial action failed to occur with few sanctions and diplomatic pressure against the regime. In a similar vein, Canada has also been a vocal and consistent critic with a list of sanctions that closely approximates that of the U.S. However, diplomatic action from Latin America and the Caribbean has proven to be vapid, emblematic of the region's lack of response and discourse concerning the consolidation of yet another dictatorship in the heart of Central America.

Multiple OAS resolutions have lent fervid denunciation of the crackdown, demanding tangible reforms to the electoral system in Nicaragua. At the U.N. Human Rights Council in Geneva, 59 countries signed a joint statement demanding the release of all political prisoners and national access to technical elections observers.

The European Parliament has passed several resolutions and urged for the ratification of a “democracy clause” in the E.U.-Central America Association Agreement, which would potentially suspend Nicaragua from trade between the blocs. Likewise, Pope Francis described the government of Nicaragua as a “*rude dictatorship*”.

The Spanish government criticized the Ortega government's decision to annul the legal personality of the opposition party Ciudadanos Por La Libertad and the arrest of the main opposition leaders and candidates for the November 2021 elections. A diplomatic tension since the Ortega government considered it an interference in internal affairs and the Spanish government has continued to demand that Nicaragua comply with its international commitments in terms of human rights and those of its Constitution. In March 2022, Nicaragua withdrew the Ambassador in Madrid months after having prevented the return of the Spanish Ambassador to the Spanish Foreign Ministry in Managua. In February 2023, President Pedro Sánchez reaffirmed the resounding commitment of the Spanish State to democracy and freedom in Nicaragua and opened Spanish citizenship to Nicaraguans who have been left stateless by his government's decision.

The inundation of human rights violations under the Ortega Administration has since been met with immediate and unyielding condemnation among the international community from actors such as the Nicaragua’s Human Rights Watch, amongst countless other international entities.

The Commission and the OHCHR Regional Office, as well as the IACHR, have expressed their profound solidarity and commitment to the victims and relatives of victims persecuted in the name of defending human rights in the country and have maintained unwavering support for the crucial efforts of these people in restoring the rule of law. Likewise, ACAT as an entity, or together with other organizations, has been supporting and accompanying defenders who carry out their work at the expense of their own well-being and their lives, in the country or from forced exile, and has denounced the violations that have been taking place.



VI. Memory

6.1- *Ama y No Olvida* as a model of memorization

Established in 2019, *AMA y No Olvida*, (*Love and Don't Forget*) *Museum of Memory Against Impunity*, has served as one of the most prominent and worthy depictions of memorialization for those that grieve the loss of the victims from the Nicaraguan government crackdown in 2018. While the museum patently serves as an eminent source of education and the dissemination of truth, the museum also signifies an even greater conviction- the intersection between memory, justice and reparations.

It is an archive that contains more than 200 video testimonies, photographic archives, memory artifacts and hand-drawn maps converted into digital maps -with geographic information systems (GIS)- that geolocate the narratives of the murder of 100 victims, and includes the Interactive Art Book with the objects of the victims in 3D.

"LOVE and Don't forget, the Museum, is an expression of resistance in itself. The voice and the memory of the absent are reborn here" says Francys Valdivia, sister of Franco Valdivia Machado, one of the young people murdered. *"Memory has been a collective path for resistance and caring for life"*, remarked Emilia Yang, Director of the Association of Mothers of April, more commonly referred to as AMA, word that, in turn, in Spanish means love. The crux of *AMA* however is rooted in both the solace provided to those memorializing the victims and through the preservation of memory itself.



Members of *AMA* are comprised of family members and close friends of victims. Through initiatives such as *AMA* and the construction of memory, family and friends are able to forge a community through the potency of commemoration and rectification of the legacy of lives lost. *"The identity of being the family*

member of victims is a powerful one", said Kai Thaler, a professor of Global Studies at University of California Santa Barbara. *"For organizing and also for calling out governments or other groups for oppression and organizing members of society in protest."*

Akin to the act of memorialization, *AMA* is dependent on the active efforts and dedication of those who continue to revitalize the legacy of victims. As attested by the *AMA y No Olvida, Museum of Memory Against Impunity's* committed resistance against the Nicaraguan government's official narrative, such a pursuit is undoubtedly driven by a creed of justice. As the Nicaraguan government continues to maintain their tone of impunity and diffuse their fallacious rendering of the country's civil decline, those within the international community must heed to the resolve for justice and verity demonstrated by *AMA* and so many others.

"I remember, we remember, until justice sits among us."

VII. Conclusion

This report was designed to contextualize the internal and external socioeconomic strife both within and outside the Nicaraguan government that has thus led to the country's existing serious human rights crisis. While civil acrimony and socioeconomic turmoil has undoubtedly imbued the country and all levels of government, this report has focused on the efforts and instances in which the strength and narrative of the commemoration of the victims and some actions carried out for justice and non-repetition are emphasized.



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