

NICARAGUA ADDED TO CIVICUS MONITOR WATCHLIST

OVERVIEW OF RECENT RESTRICTIONS TO CIVIC FREEDOMS





In April 2018, widespread protests for social rights set off a crisis in Nicaragua which persists to date. Systematic repression of demonstrations has effectively suppressed mass mobilisations. Human rights defenders, journalists and perceived political opponents face criminalisation and harassment from security agents and civilian pro-government groups. In addition, Nicaraguan authorities have sought to silence independent press, including through the detention of journalists, financial strangulation and even by refusing to release major news outlets' paper and ink imports from customs. Since the end of 2020, pro-government legislators have doubled down on civil society, enacting a series of laws designed to reduce the space for freedoms of association, assembly and expression.

ONSLAUGHT OF RESTRICTIVE LEGISLATION

Within a few months, legislators from the governmental caucus proposed and approved four laws which significantly reduce civic space in Nicaragua. In October 2020, Nicaragua's lawmakers approved a "[Foreign Agents Law](#)" which expands government powers to control and muzzle civil society. The legislation requires organisations that receive funding from abroad to register as "foreign agents" and prohibits them from participating in domestic politics. Non-compliance could result in cancellation of legal personality, asset freezes and other sanctions on organisations and individuals. At least two organisations, PEN and the Violeta Chamorro Foundation, have announced they would end operations in Nicaragua due to the law. The period for organisations to register comes to an end in February 2021.

Also in October 2020, legislators approved a [Special Cybercrimes Law](#) which creates multiple broad, vague and imprecise offences, such as "transfer of reserved public information" and "propagation of fake news" that could be used to criminalise expression and legitimate activities carried out online. With general elections on the horizon in 2021, yet another law was [introduced](#) in December 2020 to ban "traitors to the homeland" from public service. With "traitors" again defined in broad terms, the legislation is likely to be used to block political opponents from running for office. In January 2021 lawmakers increased maximum penalty for "hate crimes", allowing life imprisonment sentences. While the legislation is allegedly aimed at perpetrators of homicides or sexual crimes, opposition groups expressed concern that the change could also be used against political opponents and prisoners – who have sometimes been accused of "hate crimes" by authorities.

Finally, in February 2021, the National Assembly approved a reform to the country's Criminal Code which allows preventive detention without charges for up to 90 days. This latest legislation, which the United Nations already [said](#) is not in line with international human rights standards, shows the slew of restrictive legislation may not yet be over.

HARASSMENT AND PERSECUTION

Nearly three years into the crisis, persecution and human rights violations have forced more than [100,000 people](#) to flee Nicaragua. Victims of repression have been denied justice, with a blanket Amnesty Law passed in June 2019 effectively preventing investigation into those who perpetrated human rights violations during

ABOUT THE CIVICUS MONITOR

The CIVICUS Monitor is a research tool that provides quantitative and qualitative data on the state of civil society and civic freedoms in 196 countries. The data is generated through a collaboration with more than 20 civil society research partners, and input from a number of independent human rights evaluations.

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED

REPRESSED

OBSTRUCTED

NARROWED

OPEN

Nicaragua is rated "**Repressed**" by the CIVICUS Monitor



the crackdown that left at least 328 protesters dead. Journalists, former political prisoners and human rights defenders who remain in the country [continue](#) to face harassment and persecution, including through house sieges, arbitrary detention and threats to themselves and their families. Indigenous communities of Nicaragua have denounced an upsurge in attacks, with at least 10 Indigenous people killed in 2020.

Those who still dare to express dissatisfaction through alternative forms of protest, such as [flyer distribution](#), [satirical performances](#) and [one-person demonstrations](#), are quickly repressed by police and parapolice and subjected to assaults, detention and persecution.

While hundreds of political prisoners were released in 2019 and 2020, many of them still report being subjected to surveillance, reprisals and [reincarceration](#). In recent months there has been an increase in the use of common criminal charges, such as drug and arms possession, to convict those perceived as government opponents while denying their status as political prisoners. At the end of 2020, the Inter-American Commission on Human Rights [reported](#) that there were still over 100 political prisoners in Nicaragua.

ATTACKS ON MEDIA

Authorities have continued to target the few remaining independent media outlets. In September 2020, a court ruling [ordered](#) the seizure of Nicavision Canal 12's assets after a tax assessment by Nicaragua's tax regulator. The country's largest independent broadcaster, Canal 10, also received a similar tax assessment declaring it 110 million córdobas (over USD 3 million) in debt.

Throughout 2020, free press advocates also [alerted](#) that the Ortega government had launched a disinformation campaign and obstructed the work of the independent press during the pandemic, seeking to minimise the impact of COVID-19 in the country.

RECOMMENDATIONS

To Nicaragua's government:

- Drop charges against and release detained human rights defenders, political opposition and journalists, and take steps to ensure their protection

To the international community:

- Support multilateral initiatives, including at the Human Rights Council, which ensure international scrutiny on Nicaragua, particularly ahead of elections, and further accountability and justice for crimes under international law.
- Urge Nicaragua to implement the recommendations of OHCHR, the precautionary measures and recommendations of the Inter-American Commission on Human Rights (IACHR), and the recommendations of the Interdisciplinary Group of Experts (GIEI), and allow them access to the country.
- Express support for human rights defenders and provide material and diplomatic support to civil society, journalists and activists at risk.