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**Nicaragua**

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**CHAPTER IV. B: NICARAGUA**

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## CHAPTER IV. B

### NICARAGUA

#### I. INTRODUCTION

1. In compliance with its conventional and regulatory mandate<sup>1</sup>, the Inter-American Commission on Human Rights (“the Commission”, “the Inter-American Commission” or “the IACHR”) has been following with special attention the human rights situation in Nicaragua in the context of the protracted breakdown of the constitutional and democratic order.

2. As documented by the IACHR, the social protests of April 2018 spontaneously exposed the social discontent that had built up over several years, in response to the institutional processes that gradually co-opted public institutions and led to a concentration of state power in the hands of the executive branch. These protests were initiated by the elderly and supported by youths and university students in response to proposed reforms to the Social Security Act.<sup>2</sup>

3. In the report *Gross Human Rights Violations in the Context of Social Protests in Nicaragua*, the IACHR found that the State’s response to this expression of social dissent was the arbitrary use of violence.<sup>3</sup> The Commission also noted that the magnitude of repression by the State, as well as the strategies deployed to deter demonstrations, evidenced the government’s intention to stifle social demands and regain control of public space.<sup>4</sup> According to the findings of the Interdisciplinary Group of Independent Experts for Nicaragua (GIEI-Nicaragua, by its Spanish acronym), in the context of repression by the State, Nicaragua conducted actions that could amount to crimes against humanity, such as murder, deprivation of liberty, rape, torture, and enforced disappearance.<sup>5</sup>

4. Since then, the Commission has documented various phases of repression by the State, which is still taking place through imposition of a police state to silence any opposition to the regime. In view of the worsening political, social, and human rights crisis, and the situation of structural impunity<sup>6</sup> for human rights

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<sup>1</sup> The IACHR prepared this report by virtue of its competence and functions, as established in Article 18 of its Statute, and pursuant to Article 41 of the American Convention on Human Rights. On September 25, 1979, the State of Nicaragua ratified the American Convention on Human Rights. Despite Nicaragua having denounced the OAS Charter on November 18, 2021, the IACHR has ratified its jurisdiction over the country. See Press Release No. 312/21 “[The IACHR Stresses Its Competent Jurisdiction Concerning Nicaragua and laments Nicaragua’s Decision to Denounce the Charter of the OAS in a Context of Serious Human Rights Violations.](#)” Washington, D.C., November 20, 2021.

<sup>2</sup> IACHR, 2023 Annual Report, [Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, December 31, 2023, Original: Spanish, para. 3.

<sup>3</sup> IACHR, [Gross Human Rights Violations in the Context of Social Protests in Nicaragua](#) OAS/Ser.L/V/II Doc. 86, June 21, 2018, para. 2.

<sup>4</sup> The Commission revealed that state violence followed a common pattern, marked by: the excessive and arbitrary use of police force, including lethal force; the use of parapolice forces or shock groups with the acquiescence, tolerance and cooperation of state authorities; intimidation and threats against leaders of social movements; arbitrary arrests of young people and adolescents who were participating in protests; lack of diligence in opening investigations into the killings and bodily injuries taking place in this context; obstacles in accessing emergency medical care for the wounded, as a form of retaliation for their participation in protests; and the dissemination of propaganda and stigmatization campaigns, measures of direct and indirect censorship. IACHR, [Gross Human Rights Violations in the Context of Social Protests in Nicaragua](#) OAS/Ser.L/V/II Doc. 86, June 21, 2018, para. 2.

<sup>5</sup> This conclusion is based on the number of victims, the seriousness of the repressive actions, the existence of certain patterns of conduct that were carried out with State resources, according to a policy that was determined and supported by the State’s highest authorities. Also, the characteristics of State-sponsored violence in Nicaragua, demonstrate that there was a State decision to adopt a course of conduct which resulted in the commission of multiple criminal acts directed against protesters and political dissidents. GIEI-Nicaragua, [Report on the violent events that took place between April 18th and May 30th, 2018](#), p. 226.

<sup>6</sup> Impunity has been defined in inter-American jurisprudence as the total lack of investigation, prosecution, capture, trial and conviction of those responsible for violations of the rights protected by the American Convention, in view of the fact that the State has the

violations since 2018, the Commission has included Nicaragua in the Annual Report, Chapter IV.B, according to the grounds set forth in its Rules of Procedure.<sup>7</sup>

5. At the close of 2023, the Commission concluded that closure of civic and democratic spaces in Nicaragua constitutes one of the most serious cases in the region.<sup>8</sup> In particular, the Commission observed the radicalization of the repressive strategy to completely repress fundamental rights and freedoms that are part of civic space, through massive closures of civil society organizations, persecution of members of the Catholic Church, as well as criminalization, arbitrary deprivation of nationality, and banishment or forced expulsion as mechanisms of punishment or retaliation against dissident voices.<sup>9</sup>

6. In 2024, the Commission received information about new actions the purpose of which was to perpetuate the totalitarian regime by concentrating power in the President's family.<sup>10</sup> The new actions include the approval on November 22, 2024, of the amendments to the Political Constitution of Nicaragua that modify more than one hundred articles. The amendments establish a model of "direct democracy" that centralizes power in the presidency of the Republic, headed by a co-president and a [female] co-president.<sup>11</sup> The actions also include large-scale firings from public institutions and the de facto takeover of the judicial branch, replaced by the Mme. Vice-President's own persons of trust;<sup>12</sup> approval of new laws and reforms that seek to extend repression beyond the territory of the State, and intensifying repression during elections in the autonomous region of the Caribbean Coast, one of the last regions in the country where civic and democratic spaces have not yet been entirely suppressed.<sup>13</sup>

7. As discussed below, in 2024, the IACHR observed the persistence of serious and systematic human rights violations in Nicaragua. These human rights violations include arbitrary detentions, allegations of enforced disappearance, dire detention conditions, torture, arbitrary deprivation of nationality, prohibition of return, banishment, religious persecution, and severe restrictions on civic space, both in the physical and digital spheres. Further, this regime of repression extended beyond political opponents or their families, also reaching government sympathizers, state officials, and society in general, seeking to eliminate any space for the exercise of freedoms and autonomy of the population living in a climate of fear, surveillance, and persecution. (See *Infra*. II. Situation of Human Rights in 2024).

8. Furthermore, during the period under analysis, the IACHR took into account the reports and findings on Nicaragua by various monitoring mechanisms within the United Nations system. In 2024, the Group of Human Rights Experts on Nicaragua (GHREN) reported to the Human Rights Council that the Nicaraguan government continued to perpetrate systematic human rights violations to eliminate all critical voices and to dissuade, for the long term, any new organization and initiative for social mobilization.<sup>14</sup> The GHREN further concluded that these human rights violations would amount to crimes against humanity for persecution for

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obligation to use all the legal means at its disposal to combat that situation, since impunity fosters chronic recidivism of human rights violations, and total defenselessness of victims and their relatives. IACHR Court, *Bámaca-Velásquez v. Guatemala*. Merits. Judgment of November 25, 2000. Series C No. 70, para. 211.

<sup>7</sup> IACHR, [2018 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 30, March 17, 2019; IACHR, [2019 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 9, February 24, 2020; IACHR, [2020 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II., March 30, 2021; IACHR, [2021 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 64 rev. 1, May 26, 2022; IACHR, [2022 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II., April 1, 2023; IACHR, [2023 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, December 31, 2023.

<sup>8</sup> IACHR, [Closure of civic space in Nicaragua](#) OAS/Ser.L/V/II Doc. 212/23, September 23, 2023, para. 3.

<sup>9</sup> IACHR, [Closure of civic space in Nicaragua](#) OAS/Ser.L/V/II Doc. 212/23, September 23, 2023, para. 20.

<sup>10</sup> *Cfr.* Confidential. "[Tres desafíos para la transición democrática frente a la sucesión dinástica](#)", April 15, 2024; The Inter-American Dialogue, "Risk Mitigation Efforts for Radicalization and Dynastic Succession in Nicaragua," April 3, 2024; El Faro, "[Nicaragua: entre la sucesión dinástica y los 222](#)," February 14, 2024.

<sup>11</sup> *Cfr.* National Assembly of Nicaragua, Partial reform to the Political Constitution of Nicaragua, published in the Official Gazette No. 218, Managua, November 25, 2024.

<sup>12</sup> Human Rights Council, [Report of the Group of Human Rights Experts on Nicaragua](#), A/HRC/55/27 (Advance unedited version), February 28, 2024, para 22.

<sup>13</sup> United Nations (UN), Human Rights Council, [Human rights situation in Nicaragua, Report of the United Nations High Commissioner for Human Rights](#), A/HRC/57/20, Distr.: General, September 2, 2024, para. 10.

<sup>14</sup> UN, Human Rights Council, Statement by Jan Simon, Chair of the Group of Human Rights Experts on Nicaragua, [The situation of human rights that require the Council's attention](#), Report of the Group of Experts on Human Rights on Nicaragua, February 29, 2024.

political reasons, among others.<sup>15</sup> In 2024, the GHREN reported on the serious human rights violations systematically perpetrated against peasants,<sup>16</sup> indigenous persons and persons of African descent in the autonomous regions of the Caribbean Coast,<sup>17</sup> members of the Catholic Church and other Christian denominations in Nicaragua,<sup>18</sup> as well as against students, teachers, academic authorities and other university staff for violations of rights to education, academic freedom, and other fundamental rights.<sup>19</sup>

9. The United Nations High Commissioner for Human Rights (OHCHR) observed that the human rights situation in Nicaragua continued to seriously deteriorate.<sup>20</sup> According to the OHCHR, in 2024, the State progressively intensified persecution of opponents of the Government or those perceived as dissenting voices.<sup>21</sup> In addition, authorities continue to persecute any individual or organization that does not fall directly under their control of opponents of the Government, including human rights defenders, media outlets, non-governmental organizations and any other entity that advocates for social or political change without government oversight.<sup>22</sup>

10. After assessing the human rights situation in Nicaragua in 2024, the IACHR decided to include Nicaragua again in Chapter IV.B, because it deems that the situation falls under the grounds set forth in subparagraphs 6.a.i., 6.b. and 6.c. of Article 59 of its Rules of Procedure, which lay out the following criteria for the inclusion of a Member State in this Chapter:

(a) a serious breach of the core requirements and institutions of representative democracy mentioned in the Inter-American Democratic Charter, which are essential means of achieving human rights, including:<sup>23</sup>

i. there is discriminatory access to or abusive exercise of power that undermines or denies the Rule of Law, such as systematic infringement on the independence of the judiciary or lack of subordination of state institutions to the legally constituted civilian authority;

[...].

(b) the unlawful suspension, total or partial, of free exercise of the rights guaranteed in the American Declaration or the American Convention, by imposition of exceptional measures such as declaring a state of emergency, state of siege, suspension of constitutional guarantees, or exceptional security measures.<sup>24</sup>

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<sup>15</sup> UN, Human Rights Council, Statement by Jan Simon, Chair of the Group of Human Rights Experts on Nicaragua, [The situation of human rights that require the Council's attention](#), Report of the Group of Experts on Human Rights on Nicaragua, February 29, 2024.

<sup>16</sup> UN, Human Rights Council, [Violaciones y abusos de los derechos humanos de las personas campesinas en Nicaragua](#), Group of Experts on Human Rights on Nicaragua, A/HRC/55/CRP.4, March 4, 2024.

<sup>17</sup> UN, Human Rights Council, [Violaciones y abusos de los derechos humanos de los Pueblos Indígenas y afrodescendientes de la Costa Caribe de Nicaragua](#), Group of Experts on Human Rights on Nicaragua, A/HRC/55/CRP.7, September 10, 2024.

<sup>18</sup> UN, Human Rights Council, [Violaciones y abusos de los derechos humanos contra miembros de la Iglesia católica y otras denominaciones cristianas en Nicaragua](#), Group of Experts on Human Rights on Nicaragua, A/HRC/55/CRP.5, July 22, 2024.

<sup>19</sup> Human Rights Council, [Violaciones y abusos de los derechos humanos a la educación, la libertad académica y otros derechos fundamentales contra estudiantes, docentes, directivos académicos y otro personal universitario](#), Group of Experts on Human Rights on Nicaragua, A/HRC/55/CRP.6, November 6, 2024.

<sup>20</sup> UN, Human Rights Council, [Human rights situation in Nicaragua](#), Report of the United Nations High Commissioner for Human Rights, A/HRC/57/20, Distr.: General, September 2, 2024, para. 80.

<sup>21</sup> UN, Rights Council, [Human rights situation in Nicaragua](#), Report of the United Nations High Commissioner for Human Rights, A/HRC/57/20, Distr.: General, September 2, 2024, para. 4.

<sup>22</sup> UN, Rights Council, [Human rights situation in Nicaragua](#), Report of the United Nations High Commissioner for Human Rights, A/HRC/57/20, Distr.: General, September 2, 2024, para. 4.

<sup>23</sup> [IACHR Rules of Procedure](#), approved by the Commission at its 137<sup>th</sup> regular period of sessions, held from October 28 to November 13, 2009; and amended on September 2, 2011, and at its 147<sup>th</sup> regular period of sessions, held from March 8 to March 22, 2013, for entry into force on August 1, 2013. Article 59.6.a.

<sup>24</sup> [IACHR Rules of Procedure](#), approved by the Commission at its 137<sup>th</sup> regular period of sessions, held from October 28 to November 13, 2009; and amended on September 2, 2011, and at its 147<sup>th</sup> regular period of sessions, held from March 8 to March 22, 2013, for entry into force on August 1, 2013. Article 59.6.b.

(c) The State has committed or is committing massive, serious, and widespread violations of human rights guaranteed in the American Declaration, the American Convention, or the other applicable human rights instruments.<sup>25</sup>

11. Regarding the commission of serious and systematic human rights violations, in 2024, the IACHR noted the persistence of arbitrary detentions to repress any opposition to and criticism of the regime, as well a pattern of violations of access to justice, due process guarantees, and the right to a fair trial in a context of a complete lack of independence and impartiality of the justice system.<sup>26</sup> The IACHR also received alarming information on arrests carried out without judicial warrants, about which relatives were not informed of the whereabouts of the detainees.<sup>27</sup> According to the OHCHR, in many cases, these individuals were removed from the protection of the law for days or even months, amounting to enforced disappearance under international law.<sup>28</sup>

12. Furthermore, the IACHR observed the continuation of a repressive strategy aimed at dismantling civil society. Among other actions, the IACHR rejected the cancellation of the legal status of more than 1,500 civil society organizations and confiscation and illegitimate appropriation of their assets, as well as the approval of a legal reform that establishes a new model for the operation of organizations, called “*Alianzas de Asociación*” [Partnership Alliances], which restricts formation of new organizations and subjects the activities of the existing organizations to state control.<sup>29</sup> Since 2018, the government has cancelled the legal status of more than 5,000 of the total 7,227 registered organizations,<sup>30</sup> making it one of the most severe repressive regimes in the region.

13. The IACHR observed that restrictions persist against freedom of religion with prohibition of religious celebrations in public spaces, surveillance of celebrations of mass, and persecution of members of the Catholic Church through arbitrary detentions, criminalization, and even banishment.<sup>31</sup> In August 2024, twelve priests and two female church collaborators were arbitrarily detained. Since 2018, at least 46 priests and bishops have been detained, released, and expelled from the country.<sup>32</sup> The IACHR warned that these acts of repression and persecution have also extended to Protestant and evangelical religions. Most notably, the Ministry of the Interior cancelled the legal status of more than 60 evangelical churches or associations during 2024, including the Moravian Church, prominent on the Caribbean Coast.<sup>33</sup>

14. In 2024, the IACHR repudiated the arbitrary deprivation of Nicaraguan nationality of 135 individuals deemed to be political opponents of Daniel Ortega's regime, and described this measure as one of the most severe forms of repression employed by the regime, as it had profound consequences for these people

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<sup>25</sup> [IACHR Rules of Procedure](#), approved by the Commission at its 137<sup>th</sup> regular period of sessions, held from October 28 to November 13, 2009; and amended on September 2, 2011, and at its 147<sup>th</sup> regular period of sessions, held from March 8 to March 22, 2013, for entry into force on August 1, 2013. Article 59.6.c.

<sup>26</sup> IACHR, Thematic hearing, “[Nicaragua: Arbitrary deprivation of liberty for political reasons](#),” 189<sup>th</sup> session, Washington, D.C., March 1, 2024; IACHR, Press Release No. 181/24, [Nicaragua: IACHR urges cessation of religious persecution and release of all persons arbitrarily detained](#), Washington, D.C., August 14, 2024; IACHR, Press Release No. 132/2024, [Nicaragua: IACHR urges to guarantee the life and integrity of arbitrarily detained persons and their immediate release](#), Washington, D.C., June 11, 2024.

<sup>27</sup> IACHR, Thematic hearing, “[Nicaragua: Arbitrary deprivation of liberty for political reasons](#),” 189<sup>th</sup> session, Washington, D.C., March 1, 2024.

<sup>28</sup> UN, Human Rights Council, [Human rights situation in Nicaragua. Report of the United Nations High Commissioner for Human Rights](#), A/HRC/57/20, Distr.: General, September 2, 2024, para. 32.

<sup>29</sup> IACHR, Press Release No. 189/24, [IACHR condemns massive closure of civil society and religious organizations in Nicaragua](#), Washington, D.C., August 22, 2024.

<sup>30</sup> *Cfr.* State of Nicaragua, Note MPN-OAS-0069-100LAR, Observations of the State of Nicaragua on the preliminary document titled “[Chapter IV. B - Annual Report of the Inter-American Commission on Human Rights](#),” December 19, 2019, p. 53.

<sup>31</sup> IACHR, Thematic hearing, “[Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#),” 190<sup>th</sup> period of sessions, July 11, 2024.

<sup>32</sup> IACHR, Press Release No. 181/24, [Nicaragua: IACHR urges cessation of religious persecution and release of all persons arbitrarily detained](#), Washington, D.C., August 14, 2024.

<sup>33</sup> Voice of America, “[Iglesia Morava víctima de persecución en Nicaragua](#),” July 25, 2024; La Prensa, “[Dictadura busca exterminar las expresiones religiosas: cancela la iglesia Morava de Nicaragua y otras 168 ONG](#),” August 29, 2024; Confidencial, “[Interior continúa con la ‘barrida’ de oenegés evangélicas y gremiales](#),” August 29, 2024.



and their families, leaving them in a situation of extreme vulnerability.<sup>34</sup> These individuals who remained arbitrarily detained under dire conditions were released from prison and expelled from the country on September 5, 2024. Days later, the State of Nicaragua announced the arbitrary deprivation of these individuals' Nicaraguan nationality and confiscation of their assets. Since 2023, at least 450 people deemed political opponents have had their Nicaraguan nationality deprived arbitrarily.<sup>35</sup>

15. In addition to the arbitrary deprivation of nationality, the Nicaraguan State continued to expel nationals and foreigners from the country and restrict entry into and exit from their own country. These measures were applied indiscriminately against anyone who was perceived to be outside the regime's control, including government sympathizers or officials. Between June 2023 and June 2024, OHCHR documented 62 cases of Nicaraguan nationals who were denied entry into their own country.<sup>36</sup> In some cases, persons who were arbitrarily prevented by the State from returning reported being in a situation akin to statelessness due to their inability to renew expired passports or gain access to other identity documents because they were outside the country and because the State refused to issue said documents. According to civil society organizations, between 2021 and 2024, more than 100 Nicaraguans reported considering themselves in a condition like statelessness.<sup>37</sup>

16. Regarding the situation of persons arbitrarily deprived of their liberty in Nicaragua, the IACHR received information regarding serious human rights violations and dire conditions of detention.<sup>38</sup> Women and indigenous detainees face harsher treatment on the basis of their gender and cultural identities.<sup>39</sup> Additionally, the testimonies from some of the 135 individuals released from prison and expelled to Guatemala on September 5, 2024, revealed the persistence of cruel, inhumane, or degrading treatment or punishment committed by the regime, including beatings and electric shocks, prolonged isolation, sleep deprivation, continuous interrogation, and restricted access to daylight.<sup>40</sup> According to the records of the Mechanism for the Recognition of Political Prisoners, as of September 25, 2024, at least 45 persons were still being arbitrarily deprived of their liberty.<sup>41</sup>

17. In 2024, the IACHR received information on the situation of violence that indigenous and Afro-descendant communities continue to face in the Caribbean Coast of Nicaragua, including murders, kidnappings, threats, sexual violence, and attacks by armed settlers seeking to dispossess them of their ancestral territories.<sup>42</sup> In March 2024, the IACHR condemned the holding of regional elections despite the proven absence of an independent electoral system, in a context of state repression and actions aimed at preventing the opposition from political participation.<sup>43</sup> The outcome was that the Sandinista National Liberation Front

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<sup>34</sup> IACHR, Press Release No. 217/24, [IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua](#), Washington, D.C., September 13, 2024.

<sup>35</sup> IACHR, Press Release No. 217/24, [IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua](#), Washington, D.C., September 13, 2024.

<sup>36</sup> UN, Human Rights Council, [Human rights situation in Nicaragua. Report of the United Nations High Commissioner for Human Rights](#), A/HRC/57/20, Distr.: General, September 2, 2024, para. 55.

<sup>37</sup> Colectivo Nicaragua Nunca más, [Boletín 5. Libertad de Religión en Nicaragua](#), 2024.

<sup>38</sup> IACHR, Thematic hearing, ["Nicaragua: Arbitrary deprivation of liberty for political reasons,"](#) 189<sup>th</sup> session, Washington, D.C., March 1, 2024; Mechanism for the Recognition of Political Prisoners, ["Lista de personas presas políticas en Nicaragua,"](#) Press Release, July, 2024.

<sup>39</sup> IACHR, Thematic hearing, ["Nicaragua: Arbitrary deprivation of liberty for political reasons,"](#) 189<sup>th</sup> session, Washington, D.C., March 1, 2024.

<sup>40</sup> IACHR, Press Release No. 244/24, [IACHR condemns grave human rights violations against people deprived of their freedom in Nicaragua](#), Washington, D.C., October 9, 2024.

<sup>41</sup> Mechanism for the Recognition of Political Prisoners, ["Lista de personas presas políticas en Nicaragua,"](#) Press Release, September 25, 2024.

<sup>42</sup> IACHR, Thematic hearing, ["Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion,"](#) 190<sup>th</sup> period of sessions, July 11, 2024; IACHR, Press Release No. 121/24, ["IACHR concludes visit of the Special Follow-Up Mechanism for Nicaragua to Costa Rica,"](#) Washington, D.C., May 31, 2024.

<sup>43</sup> IACHR, Press Release No. 40/24, ["Nicaragua: IACHR warns international community about lack of conditions for free and fair elections in autonomous regions of the Caribbean Coast,"](#) Washington, D.C., February 23, 2024.

(FSLN) won every position,<sup>44</sup> further concentrating its power in that area of the country, to the detriment of the autonomy of the communities of the Caribbean Coast.

18. The IACHR, through the Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights (REDESCA), received information on the persistence of serious and systematic violations of the economic, social, cultural, and environmental rights of the population with regard to violations of the right to social security of persons arbitrarily deprived of their nationality in Nicaragua, labor rights for those persons expelled from the country, academic freedom, among others (see *Infra*. IV Economic, social, cultural, and environmental rights).

19. The Commission and the Office of the Special Rapporteur for Freedom of Expression (RELE) noted with extreme concern the steady deterioration of the situation of freedom of expression, freedom of peaceful assembly, and freedom of association in Nicaragua. Documented information in 2024 shows the continuation of a pattern of persecution against journalists, human rights defenders, artists, opponents, and religious leaders for merely expressing their ideas and opinions, which is indicative of the intolerance towards any opinion that questions or contradicts the official narrative. As discussed below, these actions are part of a deliberate State strategy to silence critical voices, stifle dissent, and strengthen a state monopoly over information through various tactics that include manipulation of the criminal justice system, administrative and fiscal harassment, and strict control over the digital sphere (see *Infra*. IV. Situation of freedom of expression).

20. Based on the circumstances described, the Inter-American Commission deemed that the situation in Nicaragua also meets the criteria set forth in subparagraphs 6.d.i, 6.d.ii, 6.d.iii of Article 59 of its Rules of Procedure, which read as follows:

- (a) The presence of other structural situations that seriously affect the use and enjoyment of fundamental rights recognized in the American Declaration, the American Convention or other applicable instruments. Factors to be considered shall include the following, among others:<sup>45</sup>
- i. serious institutional crises that infringe the enjoyment of human rights;
  - ii. systematic noncompliance of the State with its obligation to combat impunity, attributable to a manifest lack of will;
  - iii. serious omissions in the adoption of the necessary measures to make fundamental rights effective, or in complying with the decisions of the Commission and the Inter-American Court;

21. For Nicaragua's inclusion in this chapter, the IACHR took into consideration the persistent unwillingness of the Nicaraguan State to overcome the social, political, and human rights crisis impacting the country. Specifically, this is evidenced by the lack of comprehensive reform of Nicaragua's state institutions; its failure to comply with the recommendations of the IACHR and the Inter-American Court of Human Rights (I/A Court H.R.);<sup>46</sup> its withdrawal from the Organization of American States since November 18, 2023, as well as its failure to take actions to foster an inclusive, broad and effective dialogue to restore the Rule of Law and

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<sup>44</sup> El 19 Digital, "[Consejo Supremo Electoral brinda informe preliminar de las Elecciones Victoriosas Caribe 2024](#)", March 3, 2024; Supreme Electoral College, "[Boletín Informativo N°10: Elecciones Victoriosas Caribe 2024](#)", March 11, 2024.

<sup>45</sup> IACHR Rules of Procedure, approved by the Commission at its 137<sup>th</sup> regular period of sessions, held from October 28 to November 13, 2009; and amended on September 2, 2011, and at its 147<sup>th</sup> regular period of sessions, held from March 8 to March 22, 2013, for entry into force on August 1, 2013. Article 59.6.d.

<sup>46</sup> The State has repeatedly stated its rejection of the I/A Court's orders and, after its last communication on April 11, 2022, it refused to respond to the Court's requirements. The Court declared Nicaragua in a state of permanent contempt. *Cf.* I/A Court H.R., [Matter of Juan Sebastián Chamorro et al. regarding Nicaragua](#). Provisional Measures. Order of the Inter-American Court of Human Rights of November 22, 2021 (Only in Spanish), and [Matter of Juan Sebastián Chamorro et al. regarding Nicaragua](#). Extension of Provisional Measures. Order of the Inter-American Court of Human Rights of July 2, 2024 (Only in Spanish), para. 17.



human rights. In this regard, on June 29, 2024, the OAS General Assembly recognized that the democratic and human rights crisis in Nicaragua was affecting the stability and security of other countries in the region.<sup>47</sup>

22. Similarly, the IACHR took into consideration Nicaragua's persistent lack of cooperation with the human rights mechanisms within the United Nations system. According to the information gathered and prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) for the Universal Periodic Review of Nicaragua, six treaty bodies indicated that, since 2019, Nicaragua had ceased to cooperate and had neither submitted replies or participated in constructive dialogues with those treaty bodies, which include the Committee on the Rights of Persons with Disabilities,<sup>48</sup> the Committee on the Elimination of Discrimination against Women,<sup>49</sup> the Committee on the Elimination of Racial Discrimination,<sup>50</sup> the Human Rights Committee,<sup>51</sup> the Committee against Torture,<sup>52</sup> as well as the Committee on Economic, Social and Cultural Rights.<sup>53</sup> In 2022, the Human Rights Council expressed concern at Nicaragua's ongoing refusal to cooperate with international and regional human rights mechanisms, in particular the Office of the United Nations High Commissioner for Human Rights (OHCHR), including its regional office for Central America, and the special procedures of the Council, and recognized that its refusal continued to create a protection deficit in the country.<sup>54</sup> Further, the Group of Human Rights Experts on Nicaragua has also regretted the lack of cooperation from Nicaragua, in particular the lack of access to the country.<sup>55</sup> The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that Nicaragua had not submitted national reports to either the ninth or tenth consultations on the Convention against Discrimination in Education.<sup>56</sup>

23. Lastly, the IACHR evaluated the widespread situation of impunity<sup>57</sup> for serious human rights violations committed since 2018, in the context of concentration of power and undermining of the rule of law. As the IACHR has extensively documented, the violent and repressive state response against dissent and political opposition has resulted in the deaths of at least 355 persons; more than 2,000 persons arbitrarily detained since 2018; more than 2,000 persons injured during social protests; more than 450 persons deprived of their nationality; as well as the closure of more than 5,000 civil society organizations. Between 2018 and 2023, more than 250,000 persons had allegedly been forcibly displaced to other countries.<sup>58</sup>

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<sup>47</sup> OAS, Resolution AG/RES. 3022 (LIV-O/24), [Follow up to the situation in Nicaragua, adopted at the first plenary session, held on June 27, 2024, Fifty-fourth regular session](#), OEA/Ser.P AG/doc.5871/24, Asunción, Paraguay, June 29, 2024.

<sup>48</sup> UN, Committee on the Rights of Persons with Disabilities, [Concluding observations on the combined initial and second and third periodic reports of Nicaragua](#), CRPD/C/NIC/CO/1-3, Distr.: General, April 23, 2024, paras. 2 and 3.

<sup>49</sup> Committee on the Elimination of Discrimination against Women, [Provisional concluding observations on the combined seventh to tenth periodic reports of Nicaragua](#), CEDAW/C/NIC/PCO/7-10, Distr.: General, November 14, 2023, para. 3.

<sup>50</sup> Committee on the Elimination of Racial Discrimination, [Concluding observations on the combined fifteenth to twenty-first periodic reports of Nicaragua](#), CERD/C/NIC/CO/15-21, Distr.: General, December 22, 2023, paras. 6 and 7.

<sup>51</sup> Human Rights Committee, [Concluding observations on the fourth periodic report of Nicaragua](#), CCPR/C/NIC/CO/4, Distr.: General, November 30, 2022, para. 2.

<sup>52</sup> Committee against Torture, [Concluding observations on the second periodic report of Nicaragua](#), CAT/C/NIC/CO/2, December 7, 2022, para. 2.

<sup>53</sup> Committee on Economic, Social and Cultural Rights, [Concluding observations on the fifth periodic report of Nicaragua](#), E/C.12/NIC/CO/5, November 11, 2021, paras. 2 and 3.

<sup>54</sup> Human Rights Council, [Resolution 49/3. Promotion and protection of human rights in Nicaragua](#), adopted by the Human Rights Council on March 31, 2022, A/HRC/RES/49/3, Forty-ninth session, 28 February-1 April 2022, Distr.: General, April 7, 2022.

<sup>55</sup> Human Rights Council, Report of the Group of Human Rights Experts on Nicaragua, A/HRC/55/27, February 28, 2024, para. 4 and 5.

<sup>56</sup> UN, General Assembly, Human Rights Council, Nicaragua: Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights, Asamblea General, Consejo de Derechos Humanos, Working Group on the Universal Periodic Review, Forty-seventh session, A/HRC/WG.6/47/NIC/2, Geneva, November, 4-15, 2024.

<sup>57</sup> Impunity has been defined in inter-American jurisprudence as the total lack of investigation, prosecution, capture, trial and conviction of those responsible for violations of the rights protected by the American Convention, in view of the fact that the State has the obligation to use all the legal means at its disposal to combat that situation, since impunity fosters chronic recidivism of human rights violations, and total defenselessness of victims and their relatives. IAHR Court, [Bámaca-Velásquez v. Guatemala](#), Merits. Judgment of November 25, 2000. Series C No. 70, para. 211.

<sup>58</sup> According to the UNHCR, as of June 2022, more than 260,000 Nicaraguans had been forced to flee their country, including 191,875 to Costa Rica, 30,937 to Mexico, 21,556 to the United States of America, 8,124 to Guatemala, 6,774 to Spain, and 5,170 to Panama. UN High Commissioner for Refugees (UNHCR), International Protection Considerations with Regard to People Fleeing Nicaragua, HCR/PC/NIC/2023/01, January 2023, p. 32.

24. In accordance with Article 59.5 of the IACHR Rules of Procedure, this report was prepared using information from primary and secondary sources. Regarding the primary sources, the IACHR analyzed the testimonies received through MESENI; information available from cases, petitions, and precautionary and provisional measures; information presented at public hearings; and well as the information obtained and documented in the Commission's press releases and annual and thematic reports.

25. Regarding secondary sources, the report took into account the following: official acts of all levels and branches of government, including constitutional amendments, legislation, decrees, judicial decisions, official statements; findings of other international human rights bodies, including treaty bodies, Rapporteurs, working groups, the Human Rights Council and other United Nations bodies and specialized agencies; human rights reports issued by governments and regional bodies; reports by civil society organizations and information submitted by those organizations and by individuals; public information widely disseminated in the media; and relevant legal and academic research.

26. In 2024, the IACHR issued nine press releases<sup>59</sup> and held three public hearings on the human rights situation in Nicaragua.<sup>60</sup> Additionally, the Commission adopted 13 precautionary measure resolutions aimed at protecting persons whose rights were at serious and irreparable risk.<sup>61</sup> Taking into account the extremely serious and urgent situation of some of the beneficiaries, the IACHR submitted several requests for the extension and/or granting of provisional measures to the Inter-American Court of Human Rights,<sup>62</sup> which were granted.<sup>63</sup>

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<sup>59</sup> IACHR, Press Release No. 18/24, [IACHR Welcomes Release from Prison of Bishop Rolando Álvarez and Other Priests But Rejects Their Expulsion from Nicaragua](#), Washington, D.C., January 18, 2024; Press Release No. 40/24, [Nicaragua: IACHR warns international community about lack of conditions for free and fair elections in autonomous regions of the Caribbean Coast](#), Washington, D.C., February 23, 2024; Press Release No. 121/24, [IACHR concludes visit of the Special Follow-Up Mechanism for Nicaragua to Costa Rica](#), Washington, D.C., May 31, 2024; Press Release No. 132/24, [Nicaragua: IACHR urges to guarantee the life and integrity of arbitrarily detained persons and their immediate release](#), Washington, D.C., June 11, 2024; Press Release No. 181/24, [Nicaragua: IACHR urges cessation of religious persecution and release of all persons arbitrarily detained](#), Washington, D.C., August 14, 2024; Press Release No. 189/24, [IACHR condemns massive closure of civil society and religious organizations in Nicaragua](#), Washington, D.C., August 22, 2024; Press Release No. 217/24, [IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua](#), Washington, D.C., September 13, 2024; and Press Release No. 244/24, [IACHR condemns grave human rights violations against people deprived of their freedom in Nicaragua](#), Washington, D.C., October 9, 2024.

<sup>60</sup> IACHR, Thematic hearing, "[Nicaragua: Arbitrary deprivation of liberty for political reasons](#)", 189<sup>th</sup> session, Washington, D.C., March 1, 2024; Thematic hearing, "[Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#)", 190<sup>th</sup> session, Washington, D.C., July 11, 2024; and Thematic Hearing, "[Nicaragua: International financial support and its impact on human rights](#)", 191<sup>st</sup> session, Washington, D.C., November 14, 2024.

<sup>61</sup> IACHR, Press Release No. 4/24, [IACHR Grants Precautionary Measures in Favor of Freddy Antonio Quezada in Nicaragua](#), Washington, D.C., January 2, 2024; Press Release No. 3/24, [IACHR Grants Precautionary Measures in Favor of Abdul Montoya Vivas and His Family in Nicaragua](#), Washington, D.C., January 2, 2024; Press Release No. 8/24, [IACHR Grants Precautionary Measures in Favor of Eight Individuals Who Are Deprived of Liberty in Nicaragua](#), Washington, D.C., January 4, 2024; Press Release No. 44/24, [IACHR Grants Precautionary Measures to Eddy Castillo Muñoz, Nelly López García, and Juan Carlos Baquedano in Nicaragua](#), Washington, D.C., March 2, 2024; Press Release No. 47/24, [IACHR Grants Precautionary Measures in Favor of Carlos Alberto Bojorge Martínez in Nicaragua](#), Washington, D.C., March 6, 2024; Press Release No. 78/24, [IACHR Grants Precautionary Measures in Favor of Walner Blandón and Other Members of the Puerta de la Montaña Church Leadership in Nicaragua](#), Washington, D.C., April 25, 2024; Press Release No. 127/24, [IACHR Grants Precautionary Measures to Walner Ruiz Rivera in Nicaragua](#), Washington, D.C., June 5, 2024; Press Release No. 142/24, [IACHR Grants Precautionary Measures in Favor of Nine Individuals Who Are Deprived of Liberty in Nicaragua](#), Washington, D.C., June 18, 2024; Press Release No. 177/24, [IACHR Grants Precautionary Measures in Favor of Three Individuals Who Are Deprived of Liberty in Nicaragua](#), Washington, D.C., August 6, 2024; Press Release No. 188/24, [IACHR Grants Precautionary Measures to Three Individuals Being Deprived of Their Freedom in Nicaragua](#), Washington, D.C., August 20, 2024; Press Release No. 243/24, [IACHR grants precautionary measures in favor of Eddie Moisés González Valdivia in Nicaragua](#), Washington, D.C., October 7, 2024; Press Release No. 263/24, [IACHR grants precautionary measures in favor of Gersom Antonio Zeledón and three other individuals in Nicaragua](#), Washington, D.C., October 25, 2024; and Press Release No. 270/24, [IACHR grants precautionary measures in favor of Steadman Fagot Muller in Nicaragua](#), Washington, D.C., October 30, 2024.

<sup>62</sup> IACHR, Press Release No. 241/24, [IACHR requests from Inter-American Court an extension of provisional measures in favor of four individuals who are deprived of liberty in Nicaragua](#), Washington, D.C., October 4, 2024; and Press Release No. 145/24, [IACHR Requests from Inter-American Court of Human Rights An Extension of Provisional Measures in Favor of 25 Individuals Who Are Deprived of Liberty in Nicaragua](#), Washington, D.C., June 20, 2024.

<sup>63</sup> Cfr. I/A Court H.R., [Matter of Juan Sebastián Chamorro et al. regarding Nicaragua. Extension of Provisional Measures \(Only in Spanish\)](#), Order of the Inter-American Court of Human Rights of July 2, 2024; [Matter of Juan Sebastián Chamorro et al. regarding Nicaragua. Extension of Provisional Measures. \(Only in Spanish\)](#), Order of the Inter-American Court of Human Rights of October 15, 2024.

27. On December 3, 2024, the Inter-American Commission on Human Rights approved this report. Subsequently, on January 24, 2025, the Commission sent the preliminary draft of the report to the Nicaraguan State in accordance with Articles 59.7 and 59.10 of the IACHR Rules of Procedure. Allowing a month for the receipt of observations from the State, which, however, did not present any information.

## II. SITUATION OF HUMAN RIGHTS IN 2024

28. As the IACHR has indicated, the principle of separation of powers that governs democratic states has been violated in Nicaragua. The various functions of the state are not conducted by independent bodies whose powers are balanced, but instead, all powers of the state are aligned with or directed by the executive branch, and therefore do not represent checks and balances that limit the exercise of power or prevent arbitrariness; on the contrary, they facilitate or consolidate it.<sup>64</sup> Below, the IACHR addresses the events of 2024 that demonstrate the democratic breakdown in the country has been perpetuated through measures that seek to strengthen the long-term concentration and centralization of power in the hands of the head of the executive branch.

### A. Concentration and centralization of power

29. In the context of severe undermining by the democratic State, during 2024 the IACHR observed a set of actions that aimed to perpetuate the totalitarian regime to concentrate power in the family of President Daniel Ortega in the run-up to the elections scheduled for 2026, specifically through measures that reinforce the repressive apparatus and the coopting of every state institution.<sup>65</sup>

30. On November 22, 2024, “the National Assembly approved the bill, Law on Partial Reform of the Political Constitutions of the Republic of Nicaragua, which modifies more than 100 articles of the constitutional text to modernize and update “the Revolutionary State to continue strengthening the fight against poverty and guaranteeing the new times of Security, Prosperity, and Peace with Well-being,”<sup>66</sup> as well as to reaffirm the nation’s “Independence, Sovereignty, and Self-determination.”<sup>67</sup>

31. Among the most worrisome changes to the Constitution, this reform established a model of “direct democracy” that centralizes power in the Presidency of the Republic, now headed by a Co-President and a [female] Co-President with six-year terms.<sup>68</sup> According to the IACHR, this model eliminates the principle of separation of powers, further subordinating the legislative, judicial, and electoral bodies to the control of the Executive. Additionally, it grants discretionary powers to the Executive Branch to remove public officials who fail to align with the “fundamental principles” of the Constitution.<sup>69</sup> Other concerning aspects of the amendments included a reduction in the composition and alteration of the functions of the Supreme Court of Justice, deepening its lack of independence, as well as modifications that expand the powers of the Executive to arbitrarily deprive Nicaraguans of their nationality and, at the same time, confiscate their assets.<sup>70</sup>

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<sup>64</sup> IACHR, Nicaragua: [Concentration of Power and the Undermining of the Rule of Law](#), OAS/Ser.L/V/II Doc. 288, October 25, 2021, para. 174.

<sup>65</sup> According to analysis by the Inter-American Dialogue, since 2019, Daniel Ortega’s total control in Nicaragua is sustained by five pillars: international isolation, monopoly of force, state capture, criminalization of democracy and propaganda. In 2024, the strengthening of these pillars would point to a dynastic succession plan. Inter-American Dialogue, [State Capture in Nicaragua - The Case for International Pressure](#), April 2024; Inter-American Dialogue, [Risk Mitigation Efforts for Radicalization and Dynastic Succession in Nicaragua](#), April 3, 2024.

<sup>66</sup> National Assembly, [“Aprobamos en primera legislatura reforma parcial a nuestra Constitución Política”](#), November 22, 2024.

<sup>67</sup> National Assembly, [“Aprobamos en primera legislatura reforma parcial a nuestra Constitución Política”](#), November 22, 2024.

<sup>68</sup> IACHR, Comunicado de Prensa No. 295/24, [“Nicaragua: CIDH condena la aprobación de la reforma constitucional que elimina los contrapesos democráticos”](#), Washington, D.C., 27 de November de 2024.

<sup>69</sup> IACHR, Press Release No. 295/24, [“Nicaragua: IACHR condemns constitutional amendments that eliminates democratic checks and balances”](#), Washington, D.C., November 27, 2024.

<sup>70</sup> IACHR, Press Release No. 295/24, [“Nicaragua: IACHR condemns constitutional amendments that eliminates democratic checks and balances”](#), Washington, D.C., November 27, 2024.

32. According to the IACHR, these modifications contravene the fundamental principles of the rule of law, representative democracy, and separation of powers established in the Inter-American Democratic Charter, thus formalizing the absolute concentration of power in the Executive.<sup>71</sup> In the same vein, the Group of Human Rights Experts on Nicaragua stated that the bill grants the government of President Daniel Ortega “virtually unlimited power over the nation’s people.”<sup>72</sup>

33. Previously, on December 28, 2023, the National Assembly approved, as a matter of urgency, a bill to replace the Ministry of Governance with a Ministry of the Interior<sup>73</sup> to prevent, neutralize, and put an end to any activity aimed at destroying or undermining the constitutional order and institutions of the country, which were established by the Revolution.<sup>74</sup> According to available information, this Ministry operated in the 1980s to repress political opposition to the Sandinista Revolution, thus its creation had the intention of reinforcing repression and persecution.<sup>75</sup> For instance, among the Ministry of Interior’s responsibilities are the supervision and regulation of non-governmental organizations.<sup>76</sup> In this regard, President Ortega said that by “coming back to life”, “we once again have two great instruments with which we defeated the counterrevolution: the Army and the Ministry of the Interior.”<sup>77</sup>

34. Furthermore, the IACHR received information on massive firings within state institutions with the aim of placing and/or maintaining in public positions only persons loyal to the Vice President of the Republic, as well as imposing a climate of fear and anxiety in the public administration.<sup>78</sup> According to the information available, more than 2,000 persons have been dismissed since 2023, including more than 100 top-level officials,<sup>79</sup> such as, presidential advisors, ministers, deputy ministers, police commissioners, army officials, as well as 13 mayors and three acting deputy mayors.<sup>80</sup> In this regard, the Vice President stated that these actions are part of the “ordering, restructuring, and redesigning”<sup>81</sup> of institutions to “promote savings and efficiency in public spending and management.”<sup>82</sup>

35. Regarding the judiciary, the information available indicates that, since October 2023, more than 1,000 officials have been arbitrarily terminated, including judges and both the President and Vice President of the Supreme Court of Justice, the former also having been detained under house arrest.<sup>83</sup> According to the GHREN, these actions constituted a *de facto* takeover of the judicial branch to ensure total

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<sup>71</sup> IACHR, Press Release No. 295/24, “[Nicaragua: IACHR condemns constitutional amendments that eliminates democratic checks and balances](#)”, Washington, D.C., November 27, 2024.

<sup>72</sup> UN, Human Rights Council, Press Release, “[Nicaragua: UN Group of Experts alarmed by far-reaching change to the Constitution](#)”, November 25, 2024.

<sup>73</sup> National Assembly, “[Aprueban Ley del Ministerio del Interior que fortalece orden constitucional e institucional](#),” December 28, 2023.

<sup>74</sup> National Assembly, [Ley que establece las funciones y estructura del Ministerio del Interior, Ley N.º. 1184](#), approved on December 28, 2023, published in the Official Gazette No. 237, December 29, 2023, Article 5.

<sup>75</sup> Divergentes, “[Ortega revive Ministerio del Interior para ‘eliminar planes’ de conspiración en contra de la dictadura](#),” December 28, 2023; Confidencial, “[MINT: Rosario Murillo manda, Rocha y Cañas ejecutan, y Francisco Díaz huérfano](#),” January 11, 2024.

<sup>76</sup> National Assembly, [Ley que establece las funciones y estructura del Ministerio del Interior, Ley N.º. 1184](#), approved on December 28, 2023, published in the Official Gazette No. 237, December 29, 2023, Article 5.

<sup>77</sup> El 19 Digital, “[Acto de conmemoración del 44 Aniversario de Fundación del Ministerio del Interior y el 49 Aniversario de la Gesta Heroica del Comando ‘Juan José Quezada’ – Palabras de Daniel](#),” December 27, 2023.

<sup>78</sup> Confidencial “[Zozobra y silencio de trabajadores públicos tras anuncio de ‘reestructuración’ estatal](#)”, 10 de agosto de 2024; Confidencial, “[Trabajadores públicos: ‘Sabemos que cualquiera puede irse en la barrida’](#)”, 21 de agosto de 2024; Divergentes, “[La unidad ejecutora de las barridas de empleados públicos que opera en la Contraloría](#)”, 3 de octubre de 2024; Divergentes, “[Entre la gran purga y la compactación](#)”, 4 de octubre de 2024.

<sup>79</sup> Divergentes, “[Entre la gran purga y la compactación](#),” October 4, 2024.

<sup>80</sup> Confidencial, “[Encubren ‘pasadas de cuentas’ con señalamientos de corrupción contra alcaldes](#),” October 18, 2024; Confidencial, “[Van 18 alcaldes y tres vicealcaldes destituidos en Nicaragua](#),” October 28, 2024.

<sup>81</sup> Government of Reconciliation and National Unity of Nicaragua, “[Gobierno de Reconciliación y Unidad Nacional evaluará programas para brindar mejor servicio al Pueblo nicaragüense](#),” August 2, 2024.

<sup>82</sup> Government of Reconciliation and National Unity of Nicaragua, “[Gobierno de Reconciliación y Unidad Nacional evaluará programas para brindar mejor servicio al Pueblo nicaragüense](#),” August 2, 2024.

<sup>83</sup> Divergentes, “[Nueva sacudida en el Poder Judicial: magistrado Marvin Aguilar destituido como secretario político y bajo investigación](#),” February 21, 2024. Confidencial. “[Barrida en el Poder Judicial lleva más de 900 despedidos en toda Nicaragua](#),” November 11, 2023.



control by the Vice President of the Republic.<sup>84</sup> In July 2024, more than 50 individuals considered to be persons of trust of the Vice President were allegedly appointed as judges without any legal procedure and despite not having careers in the judiciary.<sup>85</sup> The Supreme Court of Justice, with 10 of its 16 seats remaining unfilled, continued to operate under the direct orders of the Executive.<sup>86</sup>

36. The IACHR has noted that Nicaragua has not had an impartial and independent justice system for several years. On the contrary, following the onset of the April 2018 crisis, the breakdown of the principle of separation of powers has paved the way for criminalization of persons identified as opponents of the regime, and for perpetrating impunity for human rights violations.<sup>87</sup> In this regard, the IACHR considers that the actions described further undermine the conditions necessary to guarantee access to justice and restoration of the checks and balances of a democratic State.

37. The IACHR also learned of the approval of a set of amendments to reinforce the legal framework imposed in 2018, which has been used to criminalize and persecute any form of opposition to the government. Specifically, amendments to laws such as Law No. 977, against money laundering, financing of terrorism, and the financing of proliferation of weapons of mass destruction; Law No. 976, of the financial Analysis Unit and Law No. 1042, on cybercrime, among others.<sup>88</sup>

38. On September 3, 2024, the National Assembly approved Law No. 1216, which reforms the Nicaraguan Penal Code.<sup>89</sup> Among other modifications, Article 16 of the Penal Code expanded the application of criminal laws to Nicaraguans or foreigners who have committed serious crimes outside the country, such as: money laundering, terrorism, financing of terrorism, organized crime, cybercrimes, crimes against public administration, among others.<sup>90</sup> Law No. 1216 also established criminal liability of juridical persons<sup>91</sup> and the penalties applicable to offenses committed by them, which include the confiscation of assets, both for natural and juridical persons, and forced dissolution.<sup>92</sup> According to the National Assembly, these reforms comply with the recommendations of the Financial Action Task Force (FATF) and the Financial Action Task Force of Latin America (GAFILAT), as well as those of multilateral international organizations and United Nations agencies committed to combating transnational. Thus, the State positions Nicaragua “as a model country and leader in the fight against international crime, given the emergence of transnational organized crime in the trafficking of virtual and digital forms of currency.”<sup>93</sup>

39. In turn, civil society organizations have pointed out that the amendments to the Penal Code allow the State’s control to reach across national borders, based on “transnational” repression and persecution

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<sup>84</sup> Cfr. Human Rights Council, [Report of the Group of Human Rights Experts on Nicaragua](#), A/HRC/55/27, February 28, 2024, paras. 20-22.

<sup>85</sup> Nicaragua Investiga, “¿Quiénes son los 50 leales a Murillo nombrados como jueces en la CSJ?” June 5, 2024; Confidencial, “Después de la barrida en la CSI, nombran a más de 60 jueces sin carrera judicial,” July 8, 2024; 100% Noticias, “La Corte Suprema de Justicia está paralizada, es un adorno, la tienen muerta”, dice exmagistrado Rafael Solís,” May 25, 2024.

<sup>86</sup> Nicaragua Investiga, “¿Quiénes son los 50 leales a Murillo nombrados como jueces en la CSJ?” June 5, 2024; Confidencial, “Después de la barrida en la CSI, nombran a más de 60 jueces sin carrera judicial,” July 8, 2024; 100% Noticias, “La Corte Suprema de Justicia está paralizada, es un adorno, la tienen muerta”, dice exmagistrado Rafael Solís,” May 25, 2024.

<sup>87</sup> IACHR, [Annual Report 2018, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 30, March 17, 2019; para. 86 ff.; and [Annual Report 2023, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, December 31, 2023, para. 32.

<sup>88</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, adopted on September 23, 2023, para. 22.

<sup>89</sup> National Assembly, [Ley N°. 1216, Ley de Reforma a la Ley N°. 641, Código Penal](#), published in the Official Gazette No. 166, September 6, 2024.

<sup>90</sup> National Assembly, [Ley N°. 1216, Ley de Reforma a la Ley N°. 641, Código Penal](#), published in the Official Gazette No. 166, September 6, 2024, article 16.

<sup>91</sup> National Assembly, [Ley N°. 1216, Ley de Reforma a la Ley N°. 641, Código Penal](#), published in the Official Gazette No. 166, September 6, 2024, article 45.

<sup>92</sup> National Assembly, [Ley N°. 1216, Ley de Reforma a la Ley N°. 641, Código Penal](#), published in the Official Gazette No. 166, September 6, 2024, article 49.

<sup>93</sup> National Assembly, “[Aprueban reformas a la Ley contra el Lavado de Dinero y Financiamiento al Terrorismo](#),” September 3, 2024; National Assembly, “[Reformas al Código Procesal Penal agilizan persecución y judicialización contra la delincuencia nacional y transnacional](#),” September 10, 2024.

of persons identified as political opponents in exile, and their families.<sup>94</sup> These organizations also indicated that, in practice, the inclusion of forfeiture as a serious penalty against individuals or legal entities legalizes the forfeiture of assets conducted by the State since 2018 against organizations, universities, forcibly dissolved churches, and political opponents and their families, the value of which is \$250 million.<sup>95</sup>

40. In this context, on September 10, 2024, the National Assembly also amended Law No. 1042 on Cybercrimes extending its scope of application to crimes committed outside the nation's territory,<sup>96</sup> escalating the persecution of journalists, communicators, human rights defenders and activists who are abroad.<sup>97</sup> That same day, September 10, the National Assembly amended the Code of Criminal Procedure enabling the National Police to request information from information technology or telephone service providers without a court order,<sup>98</sup> expanding the regime's surveillance and control capacity to penalize any criticism or dissent in the digital sphere (see *Infra*. IV.B. Laws restricting freedom of expression).

41. In its report *Closure of Civic Space in Nicaragua*, the IACHR expressed its concern about the implementation of certain laws that, based on the alleged compliance with international recommendations on the fight against organized crime, have been deployed to consolidate the regime power concentration in the Executive branch, criminalize political opponents, and dismantle organized civil society, affecting the exercise of freedom of expression, to peaceful assembly and of association.<sup>99</sup> In this context, the IACHR is concerned that this set of approved reforms is intended to perpetuate executive control, expand repression against dissenting voices, and ultimately restrict the possibility of any process for rebuilding democracy in the run-up to the presidential elections scheduled for 2026. The IACHR urges repeal of laws limiting civic space, and measures to restore the principles of separation of powers and rule of law, particularly as a necessary condition for the holding of the next presidential elections.

## B. Closure of civic space

42. According to the IACHR, the closure of civic and democratic spaces in Nicaragua is one of the most serious scenarios in the region.<sup>100</sup> Since 2018, Nicaragua has been a police state, characterized by the executive branch directing control, surveillance, and repression through state security institutions and para-state groups, against anyone considered to be its opposition.<sup>101</sup> At present, there are no conditions for civil society to participate freely and safely in social and political life.<sup>102</sup>

43. In 2024, the IACHR observed that restrictions of civic and democratic spaces increased with the announcement of the forced dissolution of any civil society organizations still operating in the country, even including those with ties to segments of the population or groups that sympathize with the Sandinista National Liberation Front; the sustained prohibition of social protest, as well as the measures adopted to suppress any area of civic, social, and religious participation, in both the physical and digital spheres.

44. According to MESENI records, in 2024, a total of 1,600 non-governmental organizations had their legal status canceled, in most cases this action was accompanied by the confiscation and illegitimate

<sup>94</sup> AP News, "[Nicaragua reforma su Código Penal para permitir juicios y confiscación de bienes extraterritoriales](#)," September 3, 2024; DW, "[Nicaragua juzgará actos contra el gobierno desde el exterior](#)," September 3, 2024; El País, "[Ortega y Murillo agrandan los colmillos de su 'ley mordaza' para controlar las redes sociales en Nicaragua](#)," September 12, 2024.

<sup>95</sup> Observatorio Pro Transparencia y Anticorrupción (OPTA), *La Punta del Iceberg de la nueva piñata Ortega-Murillo: más de 250 millones de dólares en Confiscaciones Ilegales*, 2024, p. 28.

<sup>96</sup> El 19 Digital, "[Asamblea Nacional aprueba reformas a Ley Especial de Cibercrimitos](#)," September 11, 2024; National Assembly, [Ley N.º 1219, Ley de Reformas y Adiciones a la Ley N.º 1042, "Ley Especial de Cibercrimitos"](#), adopted on September 11, 2024.

<sup>97</sup> Article 19 MX-CA, "[Nicaragua refuerza entramado legal en contra de voces críticas y periodistas independientes](#)," September 13, 2024.

<sup>98</sup> National Assembly, [Ley N.º 1218, Ley de Reformas y Adiciones a la Ley N.º 406, Código Procesal Penal de la República de Nicaragua](#), published in the Official Gazette No. 170, September 12, 2024, Article 230.

<sup>99</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 22.

<sup>100</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 3.

<sup>101</sup> IACHR, [Annual Report 2022, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II., April 1, 2023, para. 11; and [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 20.

<sup>102</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 229.



appropriation of their assets. At least 700 of these organizations are religious, with 500 or so affiliated with evangelical congregations. Additionally, 56 associations deemed loyal to the current government and historically known as FSLN-party groups were closed.<sup>103</sup> According to available information, most cancellations of these organizations were conducted on a massive scale, without due process, through ministerial agreements issued by the Ministry of the Interior. For instance, on August 19, 2024, the Ministry of the Interior canceled the legal status of 1,500 organizations, by way of Agreement No. 38-2024-OSFL, on the purported grounds that these organizations had failed to submit financial statements.<sup>104</sup> The ministerial agreement further ordered the transfer of the organizations' real and personal property to the Attorney General's office.<sup>105</sup>

45. The Commission reiterates that the involuntary dissolution of an association through cancellation of its legal status constitutes one of the most severe forms of restriction on freedom of association, and therefore these limitations should be used only when other less restrictive measures are insufficient, and should be governed by the principles of proportionality and necessity.<sup>106</sup> For instance, dissolution should not be the measure used for "minor" administrative sanctions. In this regard, Principle 12 of the *Inter-American Declaration of Principles on the Creation, Operation, Financing, and Dissolution of Non-Profit Civil Entities* recognizes that forced dissolution, as a legal sanction, is an exceptional measure for the most serious cases involving a threat to a legitimate interest recognized in international human rights instruments.<sup>107</sup>

46. Since 2018, the Commission has noted the cancellation of the legal status of more than 5,000 organizations in Nicaragua out of a total of 7,227 registered organizations in the country.<sup>108</sup> This massive closure has severely limited the ability of civil society actors to actively participate in political, social, cultural, and religious life, or in activities that promote and defend human rights.

47. At the same time, the IACHR warned about other measures that would not only hinder the creation and operation of new organizations but also consolidate the Executive's control over civil society in the long term. On August 22, 2024, the National Assembly approved a series of amendments to Law No. 115, to establish a new model for the operation of non-governmental organizations, called "*Alianzas de Asociación*."<sup>109</sup> This model requires non-profit organizations to implement and develop their activities, projects, and programs in collaboration with state institutions, and only with prior approval of the Ministry of the Interior or the Ministry of Foreign Affairs, in the case of organizations identified as foreign agents.<sup>110</sup>

48. The IACHR recalls that the protection afforded to freedom of association is not limited only to establishment of the organization, but rather endures for the entire life of the association.<sup>111</sup> In this regard, in addition to facilitating registration of an organization, freedom of association includes the right to "set into motion their internal structure, activities and action programme, without any intervention by the public

<sup>103</sup> Confidencial, "[Borran a más de 90 grupos del sandinismo histórico en dos años](#)," October 3, 2024.

<sup>104</sup> Ministry of the Interior, [Acuerdo Ministerial N° 38-2024-OSFL](#), adopted on August 16, 2024, published in the Official Gazette N° 152, August 19, 2024.

<sup>105</sup> Ministry of the Interior, [Acuerdo Ministerial N° 38-2024-OSFL](#), adopted on August 16, 2024, published in the Official Gazette N° 152, August 19, 2024.

<sup>106</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 174.

<sup>107</sup> OAS, [Inter-American Declaration of Principles on the Creation, Operation, Financing, and Dissolution of Nonprofit Civil Entities](#), CJI/RES. 282 (CII-O/23) corr.1, March 9, 2023, Principle 12.

<sup>108</sup> *Cfr.* State of Nicaragua, Note MPN-OAS-0069-100LAR, Observations of the State of Nicaragua on the preliminary document titled "Chapter IV. B - Annual Report of the Inter-American Commission on Human Rights," December 19, 2019, p. 53.

<sup>109</sup> National Assembly, [Ley N° 1212. Ley de Reformas y Adiciones a la Ley N° 1115. Ley General de Regulación y Control de Organismos sin Fines de Lucro; Ley N° 1040. Ley de Regulación de Agentes Extranjeros; y de Reformas y Derogaciones a la Ley N° 822. Ley de Concertación T](#), published in the Official Gazette No. 155, August 22, 2024, Article 4; in addition, on September 13, 2024, the regulations to implement these reforms were approved. Presidential Decree No. 13-2024, [Reglamento Especial para la Regulación de las Alianzas de Asociación y las Alianzas de Agentes Extranjeros](#), adopted on September 11, 2024, published in the Official Gazette No. 171, September 13, 2024.

<sup>110</sup> National Assembly, [Ley N° 1212. Ley de Reformas y Adiciones a la Ley N° 1115. Ley General de Regulación y Control de Organismos sin Fines de Lucro; Ley N° 1040. Ley de Regulación de Agentes Extranjeros; y de Reformas y Derogaciones a la Ley N° 822. Ley de Concertación T](#), published in the Official Gazette No. 155, August 22, 2024, Article 4.

<sup>111</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 174.

authorities that could limit or impair the exercise of the respective right.”<sup>112</sup> Furthermore, Principle 6 of the *Inter-American Declaration of Principles on the Creation, Operation, Financing, and Dissolution of Non-Profit Civil Entities* recognizes that nonprofit civil society entities may pursue broad mission functions, with no restrictions, other than those permissible under international human rights treaties, or illegal or arbitrary interference.<sup>113</sup>

49. Lastly, as noted by the IACHR, the escalation of repression against civil society has resulted in dozens of human rights defenders being forced to work in exile owing to relocation of their organization’s structure, the creation of new entities, or individuals acting on their own behalf. The organizations that remain in the country, even after having their legal status revoked, work clandestinely, in a climate of fear of criminalization, persecution, and self-censorship.

50. In this regard, in the first half of 2024, the Mesoamerican Initiative of Women Human Rights Defenders documented a total of 1,534 assaults against 121 women defenders and 6 organizations, representing an increase of almost double the number of assaults reported for the same period in 2023.<sup>114</sup> Additionally, the organization documented an upward trending number of digital attacks against women defenders who have been banished or live in exile and continue their activities, using social media to denounce the situation. Specific patterns include spreading fake news, challenging or questioning women defenders’ leadership, professionalism or ethics, ridiculing women defenders and their activities, and verbal and psychological violence. Gender discrimination was identified in 58% of the documented digital attacks.<sup>115</sup>

51. The IACHR notes that these actions are additional evidence of the repressive policy to completely control civic and democratic spaces in Nicaragua, facilitated by subordinating all branches of government to the Executive, with no checks and balances in place.

52. By virtue of the general obligation to provide guarantees recognized in the ACHR, States are obligated to conduct positive actions that create environments that are favorable to and safe for civil society, which also includes measures to suppress scenarios that are hostile or dangerous to protection of human rights.<sup>116</sup> This includes the obligation of States to prevent and protect civil society actors from violence, threats, and attacks in retaliation for their work, to ensure accountability by conducting independent, timely, and effective investigations into all alleged acts of violence that occur within their jurisdiction, and to ensure access to justice, truth, and reparations for victims and their families.<sup>117</sup>

53. In this context, the IACHR recalls that the participation of civil society in all its diversity, in both physical and digital environments, is a crucial element for strengthening democracy and the rule of law. Particularly, freedom of association is an appropriate way for people to participate and act collectively in all matters that interest or affect them. Combined with the rights of assembly and freedom of expression, these

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<sup>112</sup> IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/II. Doc. 66, December 31, 2011, para. 175.

<sup>113</sup> OAS, [Inter-American Declaration of Principles on the Creation, Operation, Financing, and Dissolution of Nonprofit Civil Entities](#), CJI/RES. 282 (CII-O/23) corr.1, March 9, 2023, Principle 6.

<sup>114</sup> According to the report, these aggressions include surveillance and harassment against women defenders and activists who were released from prison, digital patrolling, forced displacements and new patterns of migration repression. There have also been collective attacks, that is, attacks directed simultaneously against a group of women defenders, such as online smear and stigmatization campaigns, as well as the continuation of cruel, inhuman and degrading treatment of women political prisoners. IM-Defensoras, [“Nicaragua keeps on hurting us,”](#) September 2024.

<sup>115</sup> According to the report, verbal violence, misogynistic expressions and hate messages based on women defenders’ sexuality, sexual orientation, physical appearance and age were identified (“fat clown”, “old mustachioed woman”, “coup-leading bitch”, “slut”, “dyke”, “sham of a woman”, “sex changed”) [“Nicaragua keeps on hurting us. Preliminary data on attacks against women defenders, 1 January-19 July, 2024,”](#) September, 2024.

<sup>116</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 54; also Cfr. CIDH, [Criminalization of Human Rights Defenders](#), OEA/Ser.L/V/II. Doc. 49/15, December 31, 2015, para. 285, recommendation 7; See: [Joint declaration on protecting and supporting civil society at-risk](#), The United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), the Special Rapporteur on Human Rights Defenders and focal point for reprisals in Africa of the African Commission on Human and Peoples’ Rights (ACHPR), and the OSCE Office for Democratic Institutions and Human Rights (ODIHR), 2021.

<sup>117</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 55.

constitute a democratic vehicle for the collective expression of peaceful dissent and criticism of the government. In the case of Nicaragua, they are essential for demanding a return of democracy.<sup>118</sup>

### C. Criminalization

54. In 2024, the IACHR noted the persistence of arbitrary detentions and the use of deprivation of liberty to maintain a climate of fear among the population, in a context of a lack of independence of the justice system that allows for manipulation of criminal law to criminalize anyone who exercises or attempts to exercise their rights and freedoms that are part of the civic space.

55. At the hearing “*Arbitrary deprivation of liberty for political reasons*,” civil society organizations informed the IACHR about the ongoing practice of arbitrary detentions and other patterns of repression, such as withholding information on the whereabouts of detained persons and their status. In these cases, the arrests have been carried out without a court order, and detained persons have been moved without formal charges being lodged, and without their families or legal defense being notified. As they reported, legal remedies such as habeas corpus were rejected outright by the courts, having no effect.<sup>119</sup> According to the OHCHR, in many of these cases, detainees were deprived of protection of the law for days or even months, which under international law is the equivalent of enforced disappearance.<sup>120</sup>

56. In this regard, on July 2, 2024, the Inter-American Court granted provisional measures in favor of Freddy Antonio Quezada, detained on November 29, 2023, and Carlos Alberto Bojorge Martínez, detained on January 1, 2024, considering the serious risk to their lives after being missing for several months, until they were released on September 5, 2024.<sup>121</sup> In October, the IACHR granted precautionary measures in favor of five persons, considering the risk to their lives and personal integrity and having received no official information on their whereabouts or situation. These include: Lesbia del Socorro Gutiérrez, administrator of the Caritas Association of Matagalpa, detained on August 10, 2024; Eveling Carolina Matus, detained on July 25, 2024; Gersom Zeledón Mott, detained on March 5, 2024; Carmen Sáenz, member of the Diocese of Matagalpa<sup>122</sup>; as well as Steadman Fagot Muller, 71 years old, Miskito indigenous leader, detained on September 14, 2024.<sup>123</sup> As of the closing date of this report, Mr. Brooklyn Rivera, YATAMA indigenous leader and beneficiary of provisional measures, was also still missing.

57. Additionally, the IACHR was informed about continuous roadblocks to legal representation, the impossibility of accessing court files and conviction rulings. In addition, hearings for arbitrarily detained persons were held by videoconference, which limited the possibility of contact with a lawyer.<sup>124</sup> Another pattern reported and documented by the IACHR between 2019 and 2020, was that individuals were charged with common crimes, such as drug trafficking, aggravated robbery or sexual crimes, to conceal politically motivated prosecutions.<sup>125</sup>

58. The IACHR recalls that immediate judicial oversight helps prevent arbitrary or unlawful detention, since it is incumbent on the judge to guarantee the rights of the detainee, authorize adoption of

<sup>118</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 54 and 233.

<sup>119</sup> IACHR, Thematic hearing, “[Nicaragua: Arbitrary deprivation of liberty for political reasons](#)”, 189<sup>th</sup> session, Washington, D.C., March 1, 2024.

<sup>120</sup> UN, Human Rights Council, [Human rights situation in Nicaragua. Report of the United Nations High Commissioner for Human Rights](#), A/HRC/57/20, Distr.: General, September 2, 2024, para. 32.

<sup>121</sup> Cfr. I/A Court H.R., [Matter of Juan Sebastián Chamorro et al. regarding Nicaragua. Extension of Provisional Measures](#), Order of the Inter-American Court of Human Rights, July 2, 2024.

<sup>122</sup> IACHR, Press Release No. 263/24, “[IACHR grants precautionary measures in favor of Gersom Antonio Zeledón and three other individuals in Nicaragua](#),” Washington, D.C., October 25, 2024; Press Release No. 270/24, “[IACHR grants precautionary measures in favor of Steadman Fagot Muller in Nicaragua](#),” Washington, D.C., October 30, 2024.

<sup>123</sup> IACHR, Press Release No. 270/24, “[IACHR grants precautionary measures in favor of Steadman Fagot Muller in Nicaragua](#),” Washington, D.C., October 30, 2024.

<sup>124</sup> IACHR, Thematic hearing, “[Nicaragua: Arbitrary deprivation of liberty for political reasons](#)”, 189<sup>th</sup> session, Washington, D.C., March 1, 2024.

<sup>125</sup> IACHR, [Persons deprived of liberty in Nicaragua in connection with the Human Rights Crisis that began on April 18, 2018](#), OEA/Ser.L/V/II. Doc. 287, October 5, 2020, para. 222.

precautionary or coercive measures when strictly necessary, and ensure that the accused is treated in a manner consistent with the presumption of innocence.<sup>126</sup> Under the American Convention, States have the obligation to immediately inform detainees, their families, and their legal counsel of the reasons for their detention. The State must also inform the location of detention. This is “a mechanism to avoid illegal or arbitrary detentions from the very moment of arrest and, at the same time, ensures the individual’s right to defense.”<sup>127</sup>

59. The IACHR urges that persecution of people deemed political opponents cease, and, especially, that all persons arbitrarily detained in the context of the crisis that began in 2018 be immediately released.

#### **D. Arbitrary deprivation of nationality, prohibition of return, and risk of statelessness**

60. In 2024, the IACHR received information and documented new incidents of arbitrary deprivation of Nicaraguan nationality, as well as reports of expulsion from the country and arbitrary restrictions on leaving or returning to Nicaragua. These actions resulted in serious violations of the human rights of the affected persons and profound consequences for their families, perpetuating a climate of fear and persecution against all [Nicaraguan citizens] living outside its borders.

61. On September 10, 2024, the Supreme Court of Justice (CSJ) reported on the judicial resolution adopted by the Criminal Chamber One of the Court of Appeals, Managua jurisdiction, which ordered revocation of the nationality of 135 individuals “convicted of criminal acts that threatened the Sovereignty, Independence, and Self-Determination of the Nicaraguan People, by inciting and promoting violence, hatred, terrorism, and economic destabilization, altering the peace, security, and constitutional order.”<sup>128</sup> The resolution also provided for “the confiscation of all the assets of the convicted persons, in order to respond for the severe material and immaterial damages that their criminal activities caused to the population and to the country, thus providing effective justice to the victims of these crimes.”<sup>129</sup>

62. The IACHR notes that this decision was announced days after this group of persons was released from prison and banished to Guatemala. In this regard, the Commission repudiated the decision of the CSJ and reaffirmed that nationality is a fundamental right and is irrevocable, and therefore its arbitrary deprivation, especially as a sanction imposed for political reasons, contravenes the norms of international law recognized in the American Convention on Human Rights and the Convention on the Reduction of Statelessness.<sup>130</sup>

63. Since 2023, at least 450 persons identified as political opponents have been arbitrarily deprived of Nicaraguan nationality.<sup>131</sup> In this regard, the IACHR has been informed that, in addition to being deprived of their status as Nicaraguan nationals, some of the affected persons are in a situation of “legal non-existence” or “civil death” based on the annulment of their civil identity records, birth certificates, academic records and, in general, the loss of their civil, political, social, and property rights, as well as the forfeiture of their assets and pensions. These persons have also reported that the cancellation of their records could affect

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<sup>126</sup> I/A Court H.R., [Case of the Gómez-Paquiyaauri Brothers v. Peru](#), Merits, Reparations and Costs, Judgment of July 8, 2004, Series C No. 110, para. 96; [Case of Maritza Urrutia v. Guatemala](#), Merits, Reparations and Costs, Judgment of November 27, 2003, Series C No. 103, para. 66, and [Case of Bulacio v. Argentina](#), Merits, Reparations and Costs, Judgment of September 18, 2003, Series C No. 100, para. 129.

<sup>127</sup> IACHR, Annual Report 2015, Chapter IV.A. Use of Force, para. 122.

<sup>128</sup> 19 digital, “[CSJ informa sobre resolución judicial ordenando la pérdida de la nacionalidad nicaragüense a 135 personas](#),” Press Release, September 10, 2024.

<sup>129</sup> 19 digital, “[CSJ informa sobre resolución judicial ordenando la pérdida de la nacionalidad nicaragüense a 135 personas](#),” Press Release, September 10, 2024.

<sup>130</sup> IACHR, Press Release No. 217/24, [IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua](#), Washington, D.C., September 13, 2024.

<sup>131</sup> IACHR, Press Release No. 217/24, [IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua](#), Washington, D.C., September 13, 2024.

the identity rights of their children under the age of 18, being that the non-existence of the parents could have the legal effect of rendering the children “without parents.”<sup>132</sup>

64. At the hearing “Nicaragua: Arbitrary deprivation of liberty for political reasons,” civil society organizations reported that at least 36 elderly persons deprived of nationality have been affected, by removal of their records from the Nicaraguan Social Security Institute (INSS) and forfeiture of their pensions, and now find themselves in a situation of greater vulnerability, given the intersection of factors such as age and gender.<sup>133</sup> These organizations highlight the specific case of human rights defender Vilma Núñez de Escorcia, a beneficiary of provisional measures granted by the I/A Court H.R., who is in a situation of extreme defenselessness, within Nicaraguan territory in a condition of “in situ” statelessness, under police siege and without access to effective appeals against the arbitrary exercise of public power.<sup>134</sup>

65. Furthermore, in 2024, an arbitrary policy continues to be in place regarding the freedom to leave the country, through arbitrary passport retention and refusal to issue of documents, as a mechanism to prevent individuals from leaving the country. These measures equally affect political opponents or their families and government sympathizers, civil servants, and the population in general, imposing a climate of total control. Between June 2023 and June 2024, the OHCHR recorded 62 cases of Nicaraguan nationals, including 33 women and 29 men.<sup>135</sup> Further, Nicaraguan nationals have reported patterns of repression to prevent them from returning to Nicaragua. In some cases, these persons reported finding themselves in a situation akin to statelessness, facing the impossibility of renewing expired passports or obtaining other identity documents because they are outside the country and because of the State's refusal to issue such documentation.<sup>136</sup> According to civil society organizations, between 2021 and 2024, more than 100 Nicaraguans reported being in a situation akin to statelessness.<sup>137</sup>

66. In 2024, the United Nations Group of Human Rights Experts on Nicaragua concluded that, from April 2018 to February 2024, a widespread and systematic attack has been organized, directed against a segment of the population that includes people expelled from the country.<sup>138</sup> In this regard, the GHREN indicated that it has reasonable grounds to believe that the expulsions of Nicaraguans and foreigners who

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<sup>132</sup> International Federation for Human Rights (FIDH), “[Exile and Civil Death. Serious impacts of arbitrary deprivation of nationality on individuals defending human rights and opposing the dictatorship in Nicaragua](#),” December 18, 2023.

<sup>133</sup> IACHR, Thematic hearing, “[Nicaragua: Arbitrary deprivation of liberty for political reasons](#)”, 189<sup>th</sup> session, Washington, D.C., March 1, 2024.

<sup>134</sup> International Federation for Human Rights (FIDH), “[Exile and Civil Death. Serious impacts of arbitrary deprivation of nationality on individuals defending human rights and opposing the dictatorship in Nicaragua](#),” December 18, 2023.

<sup>135</sup> United Nations (UN), Human Rights Council, [Human rights situation in Nicaragua. Report of the United Nations High Commissioner for Human Rights](#), A/HRC/57/20, Distr.: General, September 2, 2024, para. 55.

<sup>136</sup> In this regard, in the first half of 2024, the Mesoamerican Initiative of Women Human Rights Defenders recorded 16 cases of migration repression against women human rights defenders and members of their families. Among the patterns registered in these cases is “de facto banishment”, which consists of denying a women defender and/or her family member entry into the country; coercive mechanisms and threats to make the defender decide not to enter the country for fear of reprisals against her or her family; as well as the expulsion of a woman defender by migration authorities. The report also highlights as another relevant form of attack the non-renewal of their identity documents, “which places them in a de facto situation of civil death and forces them to stay in their homes isolated, at times without being able to work.” IM-Defensoras,”) “[Nicaragua keeps on hurting us. Preliminary data on attacks against women defenders. 1 January-19 July 2024](#),” September, 2024.

<sup>137</sup> Colectivo Nicaragua Nunca más, [Boletín 5. Libertad de Religión en Nicaragua](#), 2024.

<sup>138</sup> In the Report, [the GHREN] documented that, since 2022, 263 Nicaraguan persons have been expelled from Nicaragua: 1 person expelled by land to Honduras on April 14, 2022; 222 persons expelled by plane to the United States on February 9, 2023; 4 persons expelled by plane to the United States on March 25, 2023; 12 priests expelled by plane to the Vatican on October 19, 2023; 2 women expelled on a plane to Mexico on November 24, 2023; 2 men expelled on a plane to Mexico on January 7, 2024; 19 religious persons expelled on a plane to the Vatican on January 13, 2024; and 1 priest expelled on January 19, 2024. The Group also documented the expulsion by land of 21 foreign nationals who were legally in Nicaragua at the time of their expulsion: 1 music producer on 12 April 2022; 18 nuns of the Order of Mother Teresa of Calcutta on 7 July 2022; 1 priest on 4 April 2023; and 1 journalist on 8 August 2023. UN, Human Rights Council, [Violations of the human rights to freedom of movement and nationality](#), Group of Human Rights Experts on Nicaragua, A/HRC/55/CRP.3, February 29, 2024, para. 187.



oppose or are perceived as opponents are related to this widespread and systematic attack and constitute the crimes of deportation and persecution, which are tantamount to a crime against humanity.<sup>139</sup>

67. The GHREN further concluded that the serious and systematic violations of the rights to nationality and freedom of movement in Nicaragua constitute another mechanism to “persecute and silence any person who is seen as a critical or opposing voice of the Government, real or perceived, and thus guarantee its stay in power.”<sup>140</sup> These violations have also led to multiple additional human rights violations that are impossible to quantify, including violations of the rights to recognition as a person before the law, to participate in public affairs, to work, to social security, and other economic and social rights.<sup>141</sup>

68. The IACHR has recognized that nationality is an irrevocable right of all persons, and arbitrary deprivation of it, especially as a punishment or sanction for political reasons, is contrary to international human rights law. In this regard, it urges Nicaragua to guarantee full access to and enjoyment of the right to nationality in accordance with its international obligations, to cease arbitrary expulsions of nationals and foreigners, and to guarantee the right of its nationals to return to the country.

69. Lastly, the IACHR recalls that, pursuant to its *Resolution No. 2/23 on the right to nationality, prohibition of arbitrary deprivation of nationality, and statelessness*, States must extend recognized rights of stateless persons to those individuals who have no possibility of returning to their country of nationality due to a legal and/or practical impediment that is attributable to the authorities of said State.<sup>142</sup> In the case of persons who are in a situation similar to that of stateless persons and who cannot return to their countries of nationality, the IACHR encourages States to consider authorizing temporary residence to those individuals, for humanitarian reasons. Likewise, the States must consider issuance of a special travel document for foreigners who cannot obtain a valid travel document from the authorities of their country of nationality.<sup>143</sup>

## E. Freedom of religion and religious persecution

70. In 2024, the Inter-American Commission observed the persistence of acts of repression and persecution against members of the Catholic Church, which extended to other religious denominations, tightening restrictions against freedom of religion in Nicaragua.

71. At the hearing “*Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion*,” civil society organizations reported that the prohibition of Catholic processions or celebrations in public spaces is still in effect, as is surveillance of religious services and homilies and sermons by priests, which severely limits the expression of Catholic worship and practices. They also reported that members of the Catholic Church continue to be subjected to harassment, siege, intimidation, monitoring, surveillance, physical attacks, arbitrary detentions, and even the banishment.<sup>144</sup>

72. Among other events, on January 14, 2024, the IACHR learned of the release from prison and transfer to the Vatican of two bishops, 15 priests and two seminarians of the Catholic Church. Among them, Monsignor Rolando Álvarez Lagos, beneficiary of provisional measures granted by the Inter-American Court, who was arbitrarily deprived of his liberty in August 2022, and was sentenced to 26 years in prison in 2023,

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<sup>139</sup> UN, Human Rights Council, [Violations of the human rights to freedom of movement and nationality](#), Group of Human Rights Experts on Nicaragua, A/HRC/55/CRP.3, February 29, 2024, para. 180 ff.

<sup>140</sup> UN, Human Rights Council, [Violations of the human rights to freedom of movement and nationality](#), Group of Human Rights Experts on Nicaragua, A/HRC/55/CRP.3, February 29, 2024, para. 74.

<sup>141</sup> UN, Human Rights Council, [Violations of the human rights to freedom of movement and nationality](#), Group of Human Rights Experts on Nicaragua, A/HRC/55/CRP.3, February 29, 2024, para. 74.

<sup>142</sup> *Cfr.* IACHR, [Resolution on the right to nationality, prohibition of arbitrary deprivation of nationality and statelessness](#), Resolution No. 2/23, adopted by the IACHR on December 4, 2023, Principle 50.

<sup>143</sup> *Cfr.* IACHR, [Resolution on the right to nationality, prohibition of arbitrary deprivation of nationality and statelessness](#), Resolution No. 2/23, adopted by the IACHR on December 4, 2023, Principle 51.

<sup>144</sup> IACHR, Thematic hearing, “[Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#),” 190<sup>th</sup> period of sessions, July 11, 2024.



without a trial or due process of law.<sup>145</sup> Since the beginning of the crisis, in 2018, this Monsignor was considered one of the most critical voices speaking about the deteriorating situation and serious human rights violations in Nicaragua. He also played a leading role in the mediation efforts by the Nicaraguan Bishops' Conference during the talks that followed social protests, and he constantly demanded the release of all political prisoners.<sup>146</sup>

73. Between August 1 and 10, 2024, the IACHR received information on the deployment of operations and raids conducted by the national police in various curial houses and properties of the Catholic Church. As a result, twelve priests and at least two other church collaborators were detained, most of them linked to the Dioceses of Matagalpa or Estelí. On August 8, seven of these priests were expelled from the country and transferred to the Vatican State.<sup>147</sup> In total, since 2018, at least 46 priests and bishops have been detained, released from prison and expelled from the country.<sup>148</sup>

74. The IACHR warned that these acts of repression and persecution also extended to evangelical denominations. In April 2024, the IACHR granted precautionary measures in favor of ten people from the "Puerta de la Montaña" church ministry, who were deprived of their liberty and placed under dire conditions of detention<sup>149</sup> until their release from prison and banishment in September. Likewise, during 2024, the State canceled the legal status of more than 60 evangelical churches or associations; on August 29, the legal status of the Moravian Church, one of the predominant religions in the Caribbean Coast, was also canceled.<sup>150</sup> In total, 311 evangelical associations have been dissolved since 2019.<sup>151</sup>

75. In 2024, the GHREN published a report on systematic and widespread violations and abuses of international human rights law committed against members of the Catholic Church and other Christian denominations, documented between 2018 and March 2024.<sup>152</sup> According to the GHREN, the documented violations and abuses are part of a policy to suppress all current or potential forms of criticism or autonomous social mobilization capacity against the government that could generate a change in the status quo in Nicaragua and that are considered a threat to the control exercised by the Executive branch.<sup>153</sup> In that regard, the United Nations High Commissioner for Human Rights noted that the events of 2024 are a "disturbing symbol of the ruling party's efforts to consolidate its control across all spheres of society and to crackdown on any independent voice."<sup>154</sup>

76. Article 12 of the American Convention on Human Rights (ACHR) recognizes the right of all persons to freedom of conscience and of religion, which entails "freedom to profess or disseminate one's religion or beliefs, either individually or together with others, in public or in private."<sup>155</sup> It further provides that

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<sup>145</sup> *Cfr.* I/A Court H.R., [Matter of Monsignor Rolando José Álvarez Lagos regarding Nicaragua](#). Adoption of Provisional Measures. Order of the Inter-American Court of Human Rights of June 27, 2023. (Only in Spanish)

<sup>146</sup> IACHR, Press Release No. 18/24, [IACHR Welcomes Release from Prison of Bishop Rolando Álvarez and Other Priests But Rejects Their Expulsion from Nicaragua](#), Washington, D.C., January 18, 2024.

<sup>147</sup> Aica, [La persecución a la Iglesia no cesa en Nicaragua: detienen a otros dos sacerdotes](#), August 12, 2024; Confidential, "[Nueve sacerdotes detenidos en diez días en Nicaragua](#)", August 7, 2024.

<sup>148</sup> IACHR, Press Release No. 181/24, [Nicaragua: IACHR urges cessation of religious persecution and release of all persons arbitrarily detained](#), Washington, D.C., August 14, 2024.

<sup>149</sup> IACHR, Press Release No. [IACHR Grants Precautionary Measures in Favor of Walner Blandón and Other Members of the Puerta de la Montaña Church Leadership in Nicaragua](#), Washington, D.C., April 25, 2024.

<sup>150</sup> Voz de América, "[Iglesia Morava víctima de persecución en Nicaragua](#)," July 25, 2024; La Prensa, "[Dictadura busca exterminar las expresiones religiosas: cancela la iglesia Morava de Nicaragua y otras 168 ONG](#)," August 29, 2024; Confidential, "[Interior continúa con la 'barrida' de oenegés evangélicas y gremiales](#)," August 29, 2024.

<sup>151</sup> UN, Office of the High Commissioner for Human Rights (OHCHR), Oral update on promotion and protection of human rights in Nicaragua, June 20, 2024.

<sup>152</sup> UN, Human Rights Council, [Violaciones y abusos de los derechos humanos contra miembros de la Iglesia católica y otras denominaciones cristianas en Nicaragua](#), Group of Human Rights Experts on Nicaragua, A/HRC/55/CRP.5, July 22, 2024, para. 2.

<sup>153</sup> UN, Human Rights Council, [Violaciones y abusos de los derechos humanos contra miembros de la Iglesia católica y otras denominaciones cristianas en Nicaragua](#), Group of Human Rights Experts on Nicaragua, A/HRC/55/CRP.5, July 22, 2024, para. 343.

<sup>154</sup> Office of the High Commissioner for Human Rights (OHCHR), "[High Commissioner presents updates on human rights in Colombia, Guatemala, Honduras, Nicaragua, Cyprus and Sri Lanka](#)," 55<sup>th</sup> session of the Human Rights Council, March 1, 2024.

<sup>155</sup> American Convention on Human Rights, Article 12.1.

“freedom to manifest one's religion and beliefs may be subject only to the limitations prescribed by law that are necessary to protect public safety, order, health, or morals, or the rights or freedoms of others.”<sup>156</sup>

77. The Commission has pointed out that the exercise of freedom of religion depends on the existence of an inclusive, free, and pluralistic environment in which different religious expressions coexist and contribute to the cultural and social enrichment of a community. In other words, an open and plural civic space is an essential element to guarantee that people have the freedom to profess, manifest, and practice their religion or beliefs without discrimination.<sup>157</sup> Regarding the relationship between the right to freedom of expression and freedom of religion, the IACHR has even recognized that religious speech enjoys a “special level of protection because it expresses an integral element of personal identity and dignity”.

78. Further, the Commission warns that the *de facto* prohibition of Catholic processions and celebrations in public spaces since 2018, as well as the restrictions on religious celebrations through surveillance, siege, and harassment, the persecution of priests, the cancellation of the legal status of congregations, among other acts, would constitute an affectation of the collective dimension of the right to religious freedom recognized in Article 12 of the ACHR, by hindering and preventing the Nicaraguan population from freely manifesting their Catholic faith.<sup>158</sup>

79. Likewise, the IACHR notes with concern that the cancellation of the legal status of congregations and associations in charge of schools and study centers since 2018, and the arbitrary confiscation of their assets, affects the rights of parents and their children to access religious education in accordance with their own convictions, in keeping with Article 12.4 of the ACHR. Among other cases, in 2024, the IACHR became aware of the confiscation of the *Escuela Casa Nazareth* belonging to the Congregation of Our Lady of Charity of the Good Shepherd,<sup>159</sup> as well as the school *Colegio Madre Divino Pastor* administered by the religious congregation *Madre Divino Pastor* in Diriamba.<sup>160</sup>

## F. Persons deprived of liberty

80. In 2024, the IACHR received information and testimonies about the persistence of deplorable detention conditions, which resulted in the granting of precautionary measures to protect more than 40 persons detained in a situation of heightened risk to their lives and personal integrity.<sup>161</sup> Following the release

<sup>156</sup> American Convention on Human Rights, Article 12.3.

<sup>157</sup> IACHR, [Closure of civic space in Nicaragua](#), OEA/Ser.L/V/II. Doc. 212/23, September 23, 2023, para. 127.

<sup>158</sup> In the same regard, in 2024, the GHREN concluded that “Nicaraguan security forces and authorities, as well as individuals, pro-government armed groups and Sandinista mobs, acting with the connivance of the State” had committed systematic and widespread violations of the right to freedom of religion. It noted that “the repeated assaults against temples, images, symbols, processions and other forms of religious celebrations constitute arbitrary restrictions on the religious freedom of Catholic and other Christian faithful and religious, who were unable to freely manifest their faith and had places and objects, essential for their worship, be affected. UN Human Rights Council, Violations and abuses of human rights against members of the Catholic Church and other Christian denominations in Nicaragua, Group of Experts on Human Rights in Nicaragua, A/HRC/55/CRP.5, 22 July 2024, paras. 133-135.

<sup>159</sup> Radio Veritas, [“71 años de servicio de Casa Nazareth en Managua se acaba con toma de colegio por la dictadura.”](#) August 26, 2024.

<sup>160</sup> Onda Local, [“Dictadura despoja a monjas Capuchinas de colegio con casi 100 años de historia.”](#) August 23, 2024.

<sup>161</sup> IACHR, Press Release No. 243/24, [IACHR grants precautionary measures in favor of Eddie Moisés González Valdivia in Nicaragua](#), Washington, D.C., October 7, 2024; Press Release No. 188/24, [IACHR Grants Precautionary Measures to Three Individuals Being Deprived of Their Freedom in Nicaragua](#), Washington, D.C., August 20, 2024; Press Release No. 177/24, [IACHR Grants Precautionary Measures in Favor of Three Individuals Who Are Deprived of Liberty in Nicaragua](#), Washington, D.C., August 6, 2024; Press Release No. 145/24, [IACHR Requests from Inter-American Court of Human Rights An Extension of Provisional Measures in Favor of 25 Individuals Who Are Deprived of Liberty in Nicaragua](#), Washington, D.C., June 20, 2024; Press Release No. 142/24, [IACHR Grants Precautionary Measures in Favor of Nine Individuals Who Are Deprived of Liberty in Nicaragua](#), Washington, D.C., June 18, 2024; Press Release No. 127/24, [IACHR Grants Precautionary Measures to Walner Ruiz Rivera in Nicaragua](#), Washington, D.C., June 5, 2024; Press Release No. 78/24, [IACHR Grants Precautionary Measures in Favor of Walner Blandón and Other Members of the Puerta de la Montaña Church Leadership in Nicaragua](#), Washington, D.C., April 25, 2024; Press Release No. 47/24, [IACHR Grants Precautionary Measures in Favor of Carlos Alberto Bojorge Martínez in Nicaragua](#), Washington, D.C., March 6, 2024; Press Release No. 44/24, [IACHR Grants Precautionary Measures to Eddy Castillo Muñoz, Nelly López García, and Juan Carlos Baquedano in Nicaragua](#), Washington, D.C., March 2, 2024; Press Release No. 8/24, [IACHR Grants Precautionary Measures in Favor of Eight Individuals Who Are Deprived of Liberty in Nicaragua](#),

from prison and expulsion from the country of 135 people on September 5, 2024, the Mechanism for the Recognition of Political Prisoners in Nicaragua reported that at least 46 people still remained arbitrarily detained in the country in the context of the crisis that began in 2018.<sup>162</sup>

81. At the hearing “Arbitrary deprivation of liberty for political reasons in Nicaragua,” civil society organizations reported on the dire conditions of detention because of unsanitary cells, lack of access to drinking water, insufficient and poor-quality food, negligent medical care and lack of access to medicines, as well as restrictions on the reception of parcels and family visits, particularly in “*La Modelo*” prison. They also reported torture and ill-treatment by prison authorities, including sexual violence, as well as the pattern of concealment of information on the whereabouts and situation of detainees.<sup>163</sup>

82. In September 2024, testimonies collected by the Special Follow-up Mechanism for Nicaragua (MESENI) regarding those individuals who were released from prison and expelled to Guatemala confirmed a systematic pattern of torture and cruel treatment of persons considered to be political prisoners, through beatings and electric shocks, prolonged isolation, sleep deprivation, interrogations, and limited access to sunlight.<sup>164</sup>

83. Regarding women deprived of their liberty, in 2024, the United Nations Committee on the Elimination of Discrimination against Women expressed concern about gender-based violence, solitary confinement, and poor conditions of detention, including overcrowding, inappropriate prison infrastructures for women and their children, and lack of access to clean drinking water, hygiene products, and adequate health care. In addition, the CEDAW notes with concern the degrading treatment of lesbian, bisexual, and transgender women in detention due to the disregard for their specific needs.<sup>165</sup> These conditions are aggravated in the case of women identified as political prisoners, as has been widely documented by the IACHR.

84. Also concerning is the situation of 24 older persons who are being arbitrarily detained, some of them suffering from chronic diseases such as hypertension, diabetes, Parkinson’s, allergies, and other severe illnesses that place their lives and integrity at even greater risk due to the precarious conditions of detention and the lack of medical care.<sup>166</sup> In addition to not receiving adequate medical treatment, detainees do not receive a diet suitable to their health condition, leading to further deterioration of their health.<sup>167</sup>

85. The Commission urges the Nicaraguan authorities to guarantee dignified treatment and access to adequate medical care, sufficient nutritious food, and healthy conditions of detention for all persons in their custody. The IACHR emphasizes that providing adequate medical care to persons deprived of liberty is an obligation that directly stems from the State’s duty to guarantee the right to humane treatment set forth in Articles 1.1 and 5 of the American Convention, and Article I of the American Declaration.<sup>168</sup>

86. Similarly, the IACHR recalls that the State’s obligation to respect physical integrity, not to engage in cruel and inhumane treatment, and to respect the inherent dignity of human beings, includes ensuring access to adequate medical care for persons deprived of liberty. Additionally, given that incarceration of women takes on a dimension of its own that results in particular violations of their rights based on gender

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Washington, D.C., January 4, 2024; Press Release No. 4/24, [IACHR Grants Precautionary Measures in Favor of Freddy Antonio Quezada in Nicaragua](#), Washington, D.C., January 2, 2024; Press Release No. 3/24, [IACHR Grants Precautionary Measures in Favor of Abdul Montoya Vivas and His Family in Nicaragua](#), Washington, D.C., January 2, 2024.

<sup>162</sup> Mechanism for the Recognition of Political Prisoners, “[Lista de personas presas políticas en Nicaragua](#),” Press Release, September 25, 2024.

<sup>163</sup> IACHR, Thematic hearing, “[Nicaragua: Arbitrary deprivation of liberty for political reasons](#)”, 189<sup>th</sup> session, Washington, D.C., March 1, 2024.

<sup>164</sup> IACHR, Press Release No. 244/24, [IACHR condemns grave human rights violations against people deprived of their freedom in Nicaragua](#), Washington, D.C., October 9, 2024.

<sup>165</sup> UN, Committee on the Elimination of Discrimination against Women, [Concluding observations on the combined seventh to tenth periodic reports of Nicaragua\\*](#), CEDAW/C/NIC/CO/7-10, February 14, 2024, para. 47.

<sup>166</sup> Mechanism for the Recognition of Political Prisoners, [Lista personas presas políticas de Nicaragua](#), Press Release, June 2024.

<sup>167</sup> UN, Human Rights Council, Report of the United Nations High Commissioner for Human Rights, [Human rights situation in Nicaragua](#), A/HRC/57/20, September 2, 2024, para. 49.

<sup>168</sup> IACHR, 2022 Annual Report. [Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 50 rev. 1, April 1, 2023, para. 102.

and intersectionality with other factors such as age, the IACHR urges the State to adopt with due diligence all necessary and comprehensive measures to ensure that their full rights are effectively respected and guaranteed.

87. Based on the foregoing, the IACHR reiterates its call on the State of Nicaragua to guarantee the right to life and to humane treatment of all persons in its custody, as well as to comply with the precautionary and provisional measures granted by the IACHR and the I/A Court H.R., respectively. In this regard, it reiterates its call to immediately release all persons arbitrarily deprived of their liberty in the context of the crisis that began on April 18, 2018.

## **G. Situation of the indigenous and Afro-descendant peoples in the Caribbean Coast**

88. Throughout 2024, the IACHR received information about the intensification of a repressive strategy deployed in the Caribbean Coast [autonomous regions] in the context of regional elections held in March to renew the positions of 90 authorities. The goal was to convey a message of control and fear against indigenous and Afro-descendant movements and to limit their participation.

89. In this regard, in February 2024, the IACHR warned of the absence of conditions for holding free, fair, and competitive elections, given the closure of civic spaces, state repression, police sieges, and militarization in the territories of the Caribbean Coast. Among other events, since 2023, the IACHR documented the closure and confiscation of the headquarters of the indigenous community radio stations Yapti Tasba Bila Baikra Bilwi and Waspam; the cancellation of the legal status of the indigenous party Yapti Tasba Masraka Nanih Asla Takanka (YATAMA) and the seizure of its regional facilities; the detention of the deputy of the National Assembly and president of the YATAMA party, Brooklyn Rivera, as well as the legal representative and alternate deputy of YATAMA, Nancy Elizabeth Henríquez; both beneficiaries of provisional measures by the Inter-American Court.<sup>169</sup>

90. On March 3, 2024, the Nicaraguan observatory *Urnas Abiertas* noted that these elections displayed serious irregularities such as vote-buying in exchange for gifts or favors and promises of participation in welfare programs; massive get-out-the-vote efforts, which included voting by nonresidents of the autonomous regions, among other things.<sup>170</sup> In addition, for the first time since 1990, no indigenous or Afro-descendant party headed an electoral ballot.<sup>171</sup> Finally, on March 4, 2024, the Supreme Electoral Council reported that the Sandinista National Liberation Front (FSLN) won 88,95% of the votes and all elected positions.<sup>172</sup>

91. The IACHR emphasized that the regional elections in Nicaragua were the result of historical demands and the struggle for recognition of the autonomy of indigenous peoples and Afro-descendant communities in Nicaragua, leading to the approval of the “Statute of Autonomy of the Atlantic Coast Regions” (Law No. 28) and other national laws. In this regard, the IACHR noted that the absence of conditions for holding free elections in 2024 was a significant setback to the rights to self-determination of indigenous and Afro-descendant communities.<sup>173</sup>

92. According to the OHCHR, these results led the Executive to further tighten its improper control over the autonomous regions of the Caribbean Coast, the only remaining regions where independent political

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<sup>169</sup> Cfr. IACHR, Press Release No. 40/24, “[Nicaragua: IACHR warns international community about lack of conditions for free and fair elections in autonomous regions of the Caribbean Coast](#),” Washington, D.C., February 23, 2024.

<sup>170</sup> Urnas Abiertas, “[Informe de Elecciones Regionales](#),” 2024, page 6.

<sup>171</sup> Urnas Abiertas, “[Informe de Elecciones Regionales](#),” 2024, page 6.

<sup>172</sup> El 19 Digital, “[Nicaragua: Frente Sandinista gana con el 88.95% de votos en las Elecciones Victoriosas Caribe 2024](#),” March 4, 2024.

<sup>173</sup> Cfr. IACHR, Press Release No. 40/24, “[Nicaragua: IACHR warns international community about lack of conditions for free and fair elections in autonomous regions of the Caribbean Coast](#),” Washington, D.C., February 23, 2024.

activity in public spaces had not yet been completely suppressed.<sup>174</sup> Further, civil society organizations noted that the total control of the autonomous regional governments and councils would increase the Executive's decision-making power over the use of natural resources and other political, social, and cultural aspects of those communities.<sup>175</sup>

93. The IACHR also received information on the persistent situation of violence faced by indigenous and Afro-descendant peoples due to incidents of murder, kidnapping, threats, sexual violence, and attack by armed settlers seeking to deprive them of their ancestral lands. The impunity of these acts, framed in a historical context of marginalization, exclusion, and increasing violence since 2018, have subjected the communities to forced migration.

94. At the hearing "*Indigenous peoples in the Northern Caribbean Coast region and violations of the right to freedom of religion*," civil society organizations reported that, "since 2015, systematic attacks against indigenous peoples, especially the Miskitu and Mayangna communities of the Northern Caribbean Coast, have increased exponentially." As indicated, in the first half of 2024, there were 643 documented cases of violations of the rights of indigenous peoples, 682 victims in all, due to the burning of homes, threats, kidnappings, and attacks. Additionally, in 2024, four murders of indigenous people were recorded, for a total of 75 documented deaths since 2013. The organizations emphasized that 78% of the cases are related to attacks that occurred in communities for which precautionary measures had been granted by the Commission and the Inter-American Court of Human Rights.<sup>176</sup>

95. The upsurge in violence against indigenous communities resulted in the criminalization of leaders and defenders of the land, especially in the Mayangna Sauni As and Wangki Li Aubra territories. In the first half of 2024, indigenous organizations registered 37 cases of the government charging forest rangers with crimes.<sup>177</sup> According to available information, at least 11 traditional leaders and forest rangers of the Mayangna people have been convicted and remain in detention, four of which have been granted precautionary measures by the Inter-American system.<sup>178</sup> On August 15, 2024, the Commission learned of the arrest of Steadman Fagoth by the Nicaraguan Army, the day after he publicly denounced the invasion and destruction of indigenous land on the Caribbean Coast.<sup>179</sup>

96. The IACHR also received information about violations of due process and their specific effects on indigenous persons detained, because of trials held outside the jurisdiction of the Caribbean Coast, private hearings with no access to relatives or counsel of choice, and the refusal to hand over copies of the conviction rulings.<sup>180</sup> According to testimonies received by the MESENI, indigenous persons deprived of liberty suffer inhumane treatment in prisons and find themselves in conditions more dire than other persons identified as political prisoners. Of particular concern is the concealment of the whereabouts and health conditions of Mr. Brooklyn Rivera, leader of YATAMA, previously mentioned in this report.

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<sup>174</sup> UN, Human Rights Council, Report of the United Nations High Commissioner for Human Rights, [Human rights situation in Nicaragua](#), A/HRC/57/20, September 2, 2024, para. 10.

<sup>175</sup> Urnas Abiertas, "[Informe de Elecciones Regionales](#)," 2024, page 6.

<sup>176</sup> IACHR, Thematic hearing, [Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#), 190<sup>th</sup> Period of Sessions, Washington, D.C., July 16, 2024.

<sup>177</sup> IACHR, Thematic hearing, [Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#), 190<sup>th</sup> Period of Sessions, Washington, D.C., July 16, 2024.

<sup>178</sup> IACHR, Thematic hearing, [Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#), 190<sup>th</sup> Period of Sessions, Washington, D.C., July 16, 2024.

<sup>179</sup> IACHR, Press Release No. 270/24, [IACHR grants precautionary measures in favor of Steadman Fagoth Muller in Nicaragua](#), Washington, D.C., October 30, 2024.

<sup>180</sup> IACHR, Thematic hearing, [Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#), 190<sup>th</sup> Period of Sessions, Washington, D.C., July 16, 2024.



97. Regarding the right to communal property, in 2024, the IACHR learned that mining concessions had been granted on indigenous lands without a consultation process that adheres to international standards.<sup>181</sup>

98. On March 1, 2024, various United Nations mandates expressed their concern about alleged violations of the rights of indigenous peoples and Afro-descendant communities, including the rights to land, territory, and resources, prior, free, and informed consultation and consent, due to the implementation of the “Bio-CLIMA” reforestation project, financed by the Green Climate Fund (GCF), the Central American Bank for Economic Integration (CABEI) and the Global Environment Facility (GEF).<sup>182</sup> On March 7, 2024, the Green Climate Fund terminated the project due to non-compliance with its policies and procedures on socio-environmental safeguards.<sup>183</sup>

99. Lastly, in 2024, the United Nations Committee on the Elimination of Discrimination against Women expressed its concern about the multiple forms of discrimination faced by indigenous and Afro-descendant women in Nicaragua. It highlighted the higher vulnerability and impunity of gender-based violence, including sexual violence, murder, internal displacement, forced eviction, and an alarming situation regarding Wilú indigenous women in the Bosawás reserve and in the Mayangna Sauni territory. It also highlighted the lack of progress in land demarcation and the issuance of land titles, which impact the livelihoods of indigenous women.<sup>184</sup>

100. The IACHR urges the State of Nicaragua to cease repression against indigenous and Afro-descendant communities. In addition, it reiterates its call to the State to adopt urgent and differentiated measures aimed at protecting the territories and natural resources, and that these be developed in consultation and coordination with them. In particular, the IACHR urges compliance with the precautionary measures granted under the Inter-American system of human rights.

### III. ECONOMIC, SOCIAL, CULTURAL, AND ENVIRONMENTAL RIGHTS

101. Through the Office of the Special Rapporteur on Economic, Social, Cultural, and Environmental Rights (REDESCA), the IACHR received information on the persistence of serious and systematic violations of the economic, social, cultural, and environmental rights (ESCER) of the population.

102. First, the IACHR is concerned about the situations of people expelled from the country and arbitrarily deprived of their liberty, since they find themselves in situations of extreme vulnerability, deprived of fundamental rights essential to guarantee their dignity, well-being, and personal development. Documented violations include the loss of the rights to access social benefits, to legally exercise a profession, or to access quality education because of the elimination of professional or academic records.

103. Additionally, in 2024, the United Nations Group of Human Rights Experts on Nicaragua identified three types of violations of social security rights of persons arbitrarily deprived of their nationality in Nicaragua. First, there are cases of elderly retirees whose pensions were confiscated; secondly, there are persons of retirement age with weeks of contributions who are unable to apply for their pension due to deprivation of their nationality; and lastly, there are people who had been contributing to the Nicaraguan

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<sup>181</sup> According to public information, in April 2024, the regime granted a concession of 36,610 hectares for 25 years in the municipalities of Siuna and Mulukukú, in the North Caribbean Coast Autonomous Region (RACCN for its Spanish acronym). The concession was awarded to the company Nicaragua Xinxin Linze Minera Group, S.A., for the exploitation of metallic and non-metallic minerals in the zone called Nuevo Bijagual. Confidencial, “[Ortega entrega gigantesca concesión minera a empresa china en el Caribe Norte](#),” April 23, 2024; Infobae, “[El Gobierno de Nicaragua otorga concesión minera a empresa china en Región Autónoma](#),” April 22, 2024.

<sup>182</sup> UN, Working Group of Expert on People of African Descent, Working Group on the issue of human rights and transnational corporations and other business enterprises, Special Rapporteur on the human right to a clean, health and sustainable environment, and Special Rapporteur on the rights of Indigenous Peoples, Communication Ref.: AL NIC 1/2024, March 1, 2024.

<sup>183</sup> Green Climate Fund (GCF), “[Update on FP146: Bio-CLIMA Integrated climate action to reduce deforestation and strengthen resilience in BOSAWÁS and Rio San Juan Biospheres](#),” March 7, 2024.

<sup>184</sup> UN, Committee on the Elimination of Discrimination against Women, [Concluding observations on the combined seventh to tenth periodic reports of Nicaragua\\*](#), CEDAW/C/NIC/CO/7-10, February 14, 2024, para. 45(c).



Institute of Social Security, not yet of retirement age, who lost both their contributions and the number of contribution weeks.<sup>185</sup>

104. Regarding labor rights guarantees for persons expelled from the country, the IACHR learned of the decision of the National Council for Judicial Administration and Career within the Supreme Court of Justice, to permanently suspended the licenses of exiled lawyers and notaries public who, after being deprived of their nationality, are considered “foreigners” by the government and do not have the legal capacity to practice their profession in the country.<sup>186</sup>

105. The IACHR notes that deprivation of nationality and exile have forced victims to rebuild their lives away from their families, facing extreme vulnerability with little or no support from host countries. This situation is especially serious for people in vulnerable situations, such as children whose mental health is compromised by not being able to see their banished parents, as well as people with chronic illnesses and older adults who require medical care and adequate psychological support.<sup>187</sup>

106. The lack of support networks and legal uncertainty in their new surroundings heighten their vulnerability, hindering their integration with and access to essential services. REDESCA has pointed out that it is the responsibility of the States to adopt effective measures to guarantee protection of the ESCER of the entire population under their jurisdiction, regardless of their migratory status. This includes implementing inclusive policies that promote equity and social justice, as well as strengthening human rights protection mechanisms to prevent abuses and ensure access to essential resources and services.

107. Additionally, the IACHR and REDESCA noted with concern that the university sector is in a critical situation, marked by severe restriction of academic freedom. In particular, the IACHR found constant harassment and intimidation of student groups opposed to the government, creating an atmosphere of fear that undermines participation and the free exercise of their rights. Additionally, academic authorities and faculty who denounce abuses and indoctrination by the government are persecuted in retaliation for their efforts to promote critical thinking and freedom of thought.<sup>188</sup> This situation not only significantly compromises the educational development of present and future generations but also violates the fundamental principles of university autonomy and the right to quality education.

108. During 2024, the Commission rejected the closure of more than 1,600 civil society and religious organizations in Nicaragua, many of which engaged in social and education issues. Most of these closures resulted in confiscation and illegitimate appropriation of assets.<sup>189</sup> Furthermore, the legal status of the *Universidad de Ciencias de la Salud y Energías Renovables* (UCSER) was canceled due to alleged non-compliance with regulatory laws.<sup>190</sup> According to the conclusions and recommendations of the Group of Human Rights Experts, “[t]here are no longer any autonomous institutions in the university sector of Nicaragua. The authorities have suppressed any organized movements and critical voices from university students and faculty members.”<sup>191</sup>

109. The IACHR learned of two amendments to Law No. 89 “Law on the Autonomy of Higher Education Institutions.” The first reform grants broad powers to the National Council of Universities (CNU by its Spanish acronym) over decisions made in higher education institutions, such as in budgetary matters. In

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<sup>185</sup> UN, Human Rights Council, [Violations of the human rights to freedom of movement and nationality](#), Group of Human Rights Experts on Nicaragua, A/HRC/55/CRP.3, February 29, 2024, para 161.

<sup>186</sup> Confidential, [“Justicia suspende de “forma definitiva” a 25 abogados desnacionalizados por Ortega,”](#) May 11, 2023.

<sup>187</sup> UN, Human Rights Council, [Human rights situation in Nicaragua. Report of the United Nations High Commissioner for Human Rights](#), A/HRC/57/20, Distr.: General, September 2, 2024, para. 56.

<sup>188</sup> Confidential, [“Aulas de Nicaragua se quedan sin maestros: “Todos los días hay renunciaciones,”](#) July 6, 2024.

<sup>189</sup> IACHR, Press Release No. 189/24, [IACHR condemns massive closure of civil society and religious organizations in Nicaragua](#), August 22, 2024; Press Release No. 217/24, [IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua](#), September 13, 2024.

<sup>190</sup> Ministry of the Interior, [Acuerdo Ministerial No. 08-2024-OSFL](#), published in the Official Gazette N° 30, February 16, 2024.

<sup>191</sup> UN, General Assembly, Human Rights Council, [Report of the Group of Human Rights Experts on Nicaragua](#), A/HRC/55/27, February 28, 2024, para. 111

this regard, insufficient budget allocations to higher education in Nicaragua is a matter of concern, given that the CNU saw its 2024 budget reduced by 56%.<sup>192</sup> The second reform is tied to the Nicaraguan government's decision to impose on public universities and technical education centers the obligation to pay for public services, such as water and electricity, thus altering fundamental spending and operational-related aspects of educational institutions.<sup>193</sup> In this regard, by transferring costs to universities, the reform not only compromises their financial stability, but also significantly undermines their autonomy, limiting their ability to operate independently and to adapt to the academic needs of their communities.

110. Regarding the Nicaraguan public health system, REDESCA received information that shows marked deterioration since 2018, caused by massive dismissals, the exodus of specialists, and health personnel being trained by non-academic faculty.<sup>194</sup> Additionally, there are still situations in which health personnel are being controlled and surveilled by both pro-government unions and Ministry of Health officials, in deteriorating working conditions, with salaries being lower than the cost of a basic food basket, incentives being removed, and exploitative labor conditions.<sup>195</sup>

111. Regarding the guarantee of the indigenous peoples' ESCER, during the IACHR's 190<sup>th</sup> period of sessions, the petitioning organizations denounced the increase in violence against the Miskitu and Mayangna communities on the Northern Caribbean Coast of Nicaragua due to increased mining activity by public and private mining companies. The organizations highlighted the ways these large and small-scale activities have affected the lives of these communities, limiting their access to economic, social, cultural, and environmental rights.<sup>196</sup> The organizations also pointed to the out-of-control increase in the number of mining concessions the State has granted to foreign companies in indigenous territories without a prior consultation process. In areas such as Mayangna Sauni As, mining concessions encompass 41% of the territory. They also indicated that the State has allowed the expansion of large-scale farming of cattle and crops, in many cases oil palm monoculture. Additionally, forestry and mining companies with government ties have been promoted, resulting in environmental degradation and paving the way for colonization of indigenous territories.

112. In the context of the global climate emergency, the Commission and REDESCA express their concern over information that reveals a loss of 650,000 hectares of primary rainforest in Nicaragua, equivalent to 36% of its total tree coverage loss over the same period. The total area of primary rainforest in Nicaragua decreased by 32% during this time.<sup>197</sup> The IACHR and REDESCA recall the State's duty to "consult and seek the consent of persons whose rights could be violated by programmes and projects that involve a risk of significant environmental damage. Such programmes and projects include those aimed at mitigating greenhouse gases and adapting to the impacts of climate change."<sup>198</sup>

#### IV. SITUATION OF FREEDOM OF EXPRESSION

113. The Inter-American Commission and its Office of the Special Rapporteur for Freedom of Expression (SRFOE) observed with extreme concern the steady deterioration of the situation of freedom of

<sup>192</sup> Aula Abierta, [Boletín Informativo](#), June, 2024.

<sup>193</sup> 100% Noticias, "[Universidades estatales de Nicaragua pagarán servicios públicos, tras reforma a Ley de Educación Superior](#)," September 25, 2024.

<sup>194</sup> Centro de Asistencia Legal Interamericano en Derechos Humanos (CALIDH), Report on the situation of human rights in Nicaragua: January-July 2024, August 2024, para 104.

<sup>195</sup> Centro de Asistencia Legal Interamericano en Derechos Humanos (CALIDH), Report on the situation of human rights in Nicaragua: January-July 2024, August 2024, paras. 105-114.

<sup>196</sup> IACHR, Thematic hearing, "[Nicaragua: Indigenous peoples in the Northern Caribbean Coast Region and violations of the right to freedom of religion](#)," 190<sup>th</sup> period of sessions, July 16, 2024.

<sup>197</sup> In this regard, in June 2021, the GCF, Independent Redress Mechanism (IRM) received complaints alleging, among others, the lack of adequate consultation with indigenous and Afro-descendant communities, and non-compliance with accredited standards by both the accredited entity (Central American Bank for Economic Integration) and the executing entity (the Nicaraguan State). In its decision, the GCF Secretariat decided to work together with the entities to develop a clear strategy to bring the project to an orderly and responsible conclusion that includes informing all stakeholders on the ground and managing the expectations of those who would have been beneficiaries had the project been implemented. Global Forest Watch, [Forest Change](#), last accessed on October 15, 2024.

<sup>198</sup> IACHR-REDESCA, [Resolution 3/2021](#), Climate Emergency: Scope of Inter-American Human Rights Obligations, adopted by the IACHR on December 31, 2021, para. 13.

expression, peaceful assembly, and association in Nicaragua. The information documented during 2024 shows a pattern of continued persecution of journalists, human rights defenders, artists, opponents, and religious leaders for merely expressing their ideas and opinions, which is indicative of the intolerance towards any opinion that questions or contradicts the State's narrative.

114. These actions are part of a deliberate state strategy to silence critical voices, stifle dissent, and consolidate a state information monopoly, conducted through various mechanisms that include manipulation of the criminal justice system, administrative and fiscal harassment, and strict control over the digital sphere. This, together with a regulatory framework that restricts fundamental freedoms, has institutionalized a system of censorship that is incompatible with the basic pillars of a democratic society.

115. The comprehensive and sustained deployment of abusive institutions has contributed to the progressive closure of civic and democratic spaces where self-censorship is prevalent, as has been widely documented by the IACHR. Citizens in general refrain from expressing opinions or participating in debates on matters of public interest for fear of retaliation. With more than 270 journalists exiled from the country in the last six years, organizations that defend journalism and freedom of expression report that the government continues to “purge” the country's political system and that the “siege of freedom of the press and expression continues to escalate.”<sup>199</sup>

#### **A. Attacks, threats, and intimidation against journalists and media outlets**

116. The Inter-American Commission and the Office of the Special Rapporteur for Freedom of Expression continued to monitor the serious situation for journalism in Nicaragua, characterized by a pattern of repression that affects multiple aspects of the right to freedom of expression. In 2024, persistent and intensifying practices have been documented, including: (i) arbitrary arrests and criminalization; (ii) expulsions and arbitrary deprivation of nationality; (iii) closure and confiscation of media outlets; iv) police surveillance and harassment; (v) threats on social media; (vi) use of stigmatizing and violent discourse from the highest levels of state power; (vii) widespread self-censorship, which mainly affects journalists and sources on the ground; and, (viii) an intensive official propaganda campaign.

117. Journalists who attempt to report on matters of public interest face imminent risk of arrest. Against this backdrop, the Commission is concerned about the case of journalist Fabiola Tercero Castro, who was reported missing on July 12, 2024. At the time of this report, more than 100 days have passed without authorities providing any information on her whereabouts.<sup>200</sup> According to available information, seven police officers raided her Managua home without a warrant, confiscating electronic equipment and work-related materials. It was reported that the journalist had previously been subjected to repressive measures such as house arrest and the obligation to report daily to a police station.<sup>201</sup>

118. Civil society organizations have labeled this case an enforced disappearance and have demanded clear information about her situation and respect for her physical integrity.<sup>202</sup> The Inter-American Commission and its Office of the Special Rapporteur urge the State of Nicaragua to adopt urgent measures to locate her, protect her physical integrity, and cease these repressive practices, in accordance with applicable standards and recommendations under international law.

<sup>199</sup> Confidencial, [El “cerco” de la libertad de prensa se cierra en Nicaragua, advierte la SIP](#), October 18, 2024; Voice of America, [SIP: “El cerco sobre el periodismo libre se va cerrando día a día en Nicaragua”](#), July 13, 2021.

<sup>200</sup> Volcánicas, [Nicaragua: la periodista Fabiola Tercero Castro sigue desaparecida](#), August 13, 2024; Reporteros sin Fronteras (RSF), [Nicaragua sigue atacando al periodismo: ¿dónde está Fabiola Tercero?](#), 18 de septiembre de 2024.

<sup>201</sup> Reporters without Borders (RSF), [Journalist disappears amid Ortega's siege of what is left of independent journalism in Nicaragua](#), July 29, 2024; Article 66, [“¿Dónde está la periodista Fabiola Tercero? El Estado la ha desaparecido”, denuncia Calidh](#), July 20, 2024.

<sup>202</sup> Article 19, [Se cumplen 17 días de la desaparición forzada de la periodista y activista nicaragüense Fabiola Tercero](#), July 30, 2024; RSF, [Journalist disappears amid Ortega's siege of what is left of independent journalism in Nicaragua](#), July 29, 2024; 100% Noticias, [PCIN demanda respeto a la integridad de periodista Fabiola Tercero en caso que esté detenida](#), July 21, 2024.

119. Another reported detention was that of journalist Orlando Chávez Esquivel, director of the news program “El Metropolitano” at *La Consentida* radio station in the city of León. According to available information, Chávez was arrested by police on May 19, 2024, following a raid at his home where his siblings, Obed and Merary Chávez, were also arrested on charges of obstruction. Reports indicate that the operation was in retaliation for his participation in presenting the book “*Los Brujos y sus prodigios.*” Orlando Chávez was allegedly interrogated and released days later.<sup>203</sup>

120. The IACHR and RELE also followed up on the situations of the politically imprisoned journalists Víctor Ticay Ruiz and Sergio Catarino Castiblanco Hernández. Ticay, a correspondent for *Canal 10*, was arrested on April 6, 2023, after covering a religious procession that is prohibited in Nicaragua.<sup>204</sup> According to information documented by the IACHR, while detained he was tortured by state agents with electric shocks to his feet, and was interrogated repeatedly in the early hours of the morning, in addition to beatings and death threats.<sup>205</sup> Ticay was sentenced to eight years in prison for the crime of spreading fake news.<sup>206</sup>

121. Further, Sergio Catarino Castiblanco Hernández, teacher, journalist, broadcaster, and member of political groups, was arrested along with his wife, Jacqueline Rodríguez Herrera, on April 22 and 23, 2023, respectively, and sentenced to eight years in prison for the crimes of conspiracy to undermine national integrity and spreading fake news.<sup>207</sup> According to information provided to the IACHR, Sergio Catarino was allegedly assaulted by state agents, leaving him in constant pain; he was also diagnosed with diabetes, neuralgia and fluid retention in his lower limbs.<sup>208</sup> Despite these health problems, he reportedly has not received adequate medical care.<sup>209</sup>

122. In 2024, the IACHR granted precautionary measures, and the I/A Court H.R. issued provisional measures in favor of both, recognizing that they were in a serious and urgent situation that threatened their rights to life, to humane treatment, and to health due to the dire conditions of detention they faced.<sup>210</sup> As part of the release of 135 political prisoners on September 5, 2024, Víctor Ticay Ruiz and Sergio Catarino Castiblanco Hernández were released from prison and sent to Guatemala.<sup>211</sup> This release was part of a humanitarian agreement brokered by the U.S. government.<sup>212</sup>

123. The IACHR and RELE recall that the detention of journalists for the legitimate exercise of their profession constitutes a restriction incompatible with the right to freedom of expression. This type of intimidating action not only violates the right of these individuals to express and impart ideas, opinions, and information, but also violates the rights of citizens and societies as a whole to receive and seek information and ideas of any nature.<sup>213</sup> As the Inter-American Court has held, “journalism can only be exercised freely when

<sup>203</sup> Nicaragua Actual, [Tras intenso interrogatorio son liberados un periodista y un escritor en León](#), May 23, 2024.

<sup>204</sup> Committee to Protect Journalists (CPJ), [Journalist Víctor Ticay arrested over coverage of Easter ceremony in Nicaragua](#), April 7, 2023.

<sup>205</sup> IACHR, [Resolution 89/2023](#), Precautionary Measure No. 1022-23 and 1025-23, Kevin Emilio Castillo Prado et al. regarding Nicaragua, December 30, 2023, paras. 20-22.

<sup>206</sup> Confidencial, [Periodista Víctor Ticay condenado a 8 años de prisión](#), 17 de agosto de 2023; Artículo 19, Office for Mexico and Central America, [Nicaragua: La condena de 8 años contra el periodista Víctor Ticay se suma a la lista de violaciones a los derechos humanos](#), August 18, 2023.

<sup>207</sup> La Prensa, [Preso político en el quinto aniversario de protestas de abril cumple 215 días privado de libertad](#), November 23, 2023.

<sup>208</sup> IACHR, [Resolution 89/2023](#), Precautionary Measure No. 1022-23 and 1025-23, Kevin Emilio Castillo Prado et al. regarding Nicaragua, December 30, 2023, paras. 24-27.

<sup>209</sup> 100% Noticias, [Preso político Sergio Castiblanco enfermo y sin medicinas en la cárcel La Modelo](#), February 10, 2024.

<sup>210</sup> Matter of Juan Sebastián Chamorro et al. regarding Nicaragua. Extension of Provisional Measures. Order of the Inter-American Court of Human Rights of July 2, 2024; IACHR, [Resolution 89/2023](#), Precautionary Measure No. 1022-23 and 1025-23, Kevin Emilio Castillo Prado et al. regarding Nicaragua, December 30, 2023.

<sup>211</sup> Nicaragua Investiga, [Esta es la lista parcial de los presos políticos liberados y enviados a Guatemala](#), September 5, 2024.

<sup>212</sup> El País, [United States announces the release of 135 Nicaraguan political prisoners](#), September 5, 2024; The New York Times, [Nicaragua releases 135 political prisoners on humanitarian grounds](#), September 5, 2024.

<sup>213</sup> I/A Court H.R., Case of Vélez Restrepo and family v. Colombia. Preliminary Objection, Merits, Reparations, and Costs. Judgment of September 3, 2012. Series C No. 248, paras. 142-149; IACHR, Special Rapporteurship for Freedom of Expression, [Special study on the status of investigations into murder of journalists during the 1995-2005 period for reasons that may be related to their work in journalism](#), OEA/Ser.L/V/II.131 Doc. 35, March 8, 2008, para. 67.

those who carry out this work are not victims of threats or physical, mental, or moral attacks or other acts of harassment.”<sup>214</sup>

124. Further, the IACHR and RELE also learned of the detention and subsequent expulsion from the country of journalist Nohelia González Valdivia, on July 9, 2024.<sup>215</sup> Police agents reportedly arrived at her home in Veracruz at 6:00 a.m. and forcibly transferred her to the Augusto C. Sandino international airport to be expelled. Initially it was reported that her destination was Panama, however, it was later confirmed that she was expelled to the United States.<sup>216</sup> With almost 28 years of experience as head of information at the newspaper *La Prensa*, Nohelia González had opted to retire from active journalism to avoid persecution by the regime, after having also worked at the now closed *Canal Católico* (Catholic channel of Nicaragua), where she had collaborated closely with Monsignor Rolando Álvarez in the interview program “*Pueblo de Dios*” (People of God).<sup>217</sup> This program addressed the country’s political crisis, the role of the Church, and other socio-political issues, criticizing government actions. According to civil society reports, her connection to Monsignor Alvarez and her coverage of these issues may have been one of the reasons she was persecuted.<sup>218</sup>

125. The IACHR and RELE also express their concern about government actions aimed at dismantling the ecosystem of independent media and civil society organizations associated with freedom of expression in Nicaragua.<sup>219</sup> Since 2018, the Office of the Special Rapporteur has observed a systematic attempt by the government to put pressure on and interfere with news reporting by the media, with the aim of directing information policy.<sup>220</sup> In its previous annual reports, this Office warned about the consolidation of a duopoly over Nicaragua’s communications media, which controls the majority of television and radio media. In practice, “most of the audiovisual media is under the political control of the presidential family or of a businessman related to the government.”<sup>221</sup>

126. Those who still engage in independent journalism in Nicaragua have been forced to radically modify their approach to news reporting or engage in self-censorship due to the risk of retaliation and criminalization.<sup>222</sup> In a scenario of massive closure of media outlets and non-governmental entities, confiscations, and fiscal and administrative harassment by institutions such as the General Revenue Directorate (DGI), the Nicaraguan Social Security Institute (INSS) and the Ministry of the Interior, many media outlets have opted to completely alter their programming towards a non-news content – mainly music, entertainment or religious content – in order to protect their collaborators.<sup>223</sup>

127. In this context, in 2024, *Radio Maria*, a radio station that operated for over 40 years, was reportedly closed down after the Ministry of the Interior canceled its legal status on July 9.<sup>224</sup> The measure, announced through a ministerial agreement published in the official gazette *La Gaceta*, is based on an alleged “breach of obligations,” including the failure to submit financial statements and the expiration of the term of its

<sup>214</sup> I/A Court H.R., [Case of Vélez Restrepo and family v. Colombia](#), Preliminary Objection, Merits, Reparations, and Costs. Judgment of September 3, 2012. Series C No. 248, para. 209.

<sup>215</sup> 100% Noticias, [Detienen a periodista Nohelia González en Nicaragua](#), July 9, 2024; Fuentes Confiables, [Incertidumbre por paradero de periodista Nohelia González](#), July 10, 2024.

<sup>216</sup> Nicaragua Investiga, [Régimen destierra a periodista Nohelia González](#), July 9, 2024.

<sup>217</sup> Despacho 505, [La periodista Nohelia González fue detenida y expulsada a Estados Unidos, confirma su hermano](#), July 10, 2024.

<sup>218</sup> The Coalition for Women in Journalism (CFWIJ), [Nicaragua: Regime Expels Nohelia González from the Country](#), July 10, 2024.

<sup>219</sup> Artículo 66, [Nicaragua ha sufrido un total “desmantelamiento de la prensa independiente”, denuncia SIP](#), April 20, 2024.

<sup>220</sup> IACHR, Annual Report 2018, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/SER.L/V/II Doc. 30, March 17, 2019, para. 770.

<sup>221</sup> IACHR, Annual Report 2018, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/SER.L/V/II Doc. 30, March 17, 2019, para. 768.

<sup>222</sup> Fundación por la Libertad de Prensa y Democracia (FLED), [Represión y problemas financieros forjan el camino hacia el abandono de la práctica periodística en Nicaragua](#), January-March, 2024.

<sup>223</sup> Onda Local, [Periodismo independiente en Nicaragua continúa viviendo su peor momento](#), April 10, 2024; Fundación por la Libertad de Prensa y Democracia (FLED), [Represión y problemas financieros forjan el camino hacia el abandono de la práctica periodística en Nicaragua](#), January-March, 2024; Deutsche Welle (DW), [Nicaragua sin ONG: réquiem para la sociedad civil](#), February 17, 2023; Despacho 505, [“Los nicaragüenses estamos con las manos atadas”, alerta el Cosep](#), October 8, 2020.

<sup>224</sup> Reuters, [Nicaragua shuts Catholic radio formerly run by prominent critic](#), July 9, 2024.



Board of Directors.<sup>225</sup> The Nicaraguan Ministry of Governance canceled the legal status of *Radio María* along with that of 11 other non-governmental organizations.<sup>226</sup> A few months earlier, the station reported that its bank accounts had been blocked and frozen “without justification” and that its broadcasting schedules had been restricted.<sup>227</sup> The station’s assets were subsequently transferred to the State.<sup>228</sup>

128. Likewise, according to public information, *Radio Mujer* and *Radio Cepad* are at risk of closure following the cancellation of the legal status of their parent organizations by the Ministry of the Interior in August 2024.<sup>229</sup> Both outlets could face confiscation of assets by the Attorney General’s Office, following the documented trend in prior cases where non-profit organizations were canceled by the State.<sup>230</sup>

129. The IACHR and the Rapporteurship also documented the cancellation of the legal status of the Nicaraguan Association of Parliamentary Journalists (ANPP) on August 19 and, subsequently, on August 22, of the Nicaraguan Chamber of Radio Broadcasters (CANIRA).<sup>231</sup> According to information received by the Office of the Special Rapporteur, the Association of Parliamentary Journalists played a fundamental role in the training and specialization of journalists who provided coverage of the National Assembly, where they tracked the legislative cycle and the work of parliamentary committees.<sup>232</sup> CANIRA sought to promote the growth and strengthening of radio broadcast and production services and the defense of free competition and fundamental freedoms in the sector.<sup>233</sup>

130. These conditions have led to the current predominance of musical, religious, and pro-government radio stations, while the few remaining independent radio stations have been forced to self-censor.<sup>234</sup> RELE notes that, in departments such as Granada, stations such as *Radio Volcán* (102.9 FM), *Bahía Azul* (96.5 FM) and *La Gran Sultana* (107.7 FM) have limited their coverage to news of events and social services, avoiding any content critical of the authorities.<sup>235</sup> This Office is concerned that several radio station owners have been pressured to sell their media outlets to religious associations, as has been the case with *Radio Bethel* and *Radio Restauración*, a trend also observed in the department of Masaya.<sup>236</sup>

131. According to what the IACHR and RELE have been able to document, media outlet closures have left at least nine departments within the country without journalism and independent media: Carazo, Chontales, Jinotega, Madriz, Nueva Segovia, Granada, both the Northern and Southern Caribbean Coast regions, and most recently León.<sup>237</sup> The Rapporteurship finds that the concentration of media outlets in state-owned or pro-government hands, together with the elimination of independent voices, has created a monopoly of official news in those regions, or what this Office calls “zones of media silence.”<sup>238</sup> This has a particularly serious impact

<sup>225</sup> Voice of America, [Gobierno nicaragüense cancela Radio María, perteneciente a la Iglesia católica](#), July 9, 2024.

<sup>226</sup> 100% Noticias, [Cancelan personería a Radio María junto a 12 ONG más en Nicaragua](#), July 9, 2024.

<sup>227</sup> Confidencial, [Banco de la Producción bloquea dos cuentas a Radio María Nicaragua](#), April 11, 2024.

<sup>228</sup> Confidencial, [Ministerio del Interior cancela a Radio María y otras 12 oenegés](#), July 9, 2024.

<sup>229</sup> La Prensa, [Dos emisoras en riesgo de cierre por cancelación de personería jurídica](#), August 22, 2024.

<sup>230</sup> La Prensa, [Dos emisoras en riesgo de cierre por cancelación de personería jurídica](#), August 22, 2024.

<sup>231</sup> Confidencial, [Eliminan Amcham, UNAG, y otras 149 cámaras y asociaciones empresariales en Nicaragua](#), August 22, 2024.

<sup>232</sup> Fundación por la Libertad de Expresión y Democracia (FLED), [Libertad de prensa cada vez más cercada debido a la escalada represiva del gobierno nicaragüense](#), September 3, 2024.

<sup>233</sup> Fundación por la Libertad de Expresión y Democracia (FLED), [Libertad de prensa cada vez más cercada debido a la escalada represiva del gobierno nicaragüense](#), September 3, 2024.

<sup>234</sup> Onda Local, [Mapa de radios en Nicaragua: Musicales, religiosas y oficialistas](#), August 15, 2024.

<sup>235</sup> Fundación por la Libertad de Expresión y Democracia (FLED), [Nicaragua: amenazas de cárcel y censura no se limita a periodistas independientes: los oficialistas también están en la mira](#), April-June, 2024.

<sup>236</sup> Fundación por la Libertad de Expresión y Democracia (FLED), [Nicaragua: amenazas de cárcel y censura no se limita a periodistas independientes: los oficialistas también están en la mira](#), April-June, 2024.

<sup>237</sup> Nicaragua Investiga, [Mayoría de zonas geográficas de Nicaragua no cuentan con periodistas independientes](#), October 7, 2024; La Prensa, [Nueve departamentos en Nicaragua se quedan sin periodistas independientes, según informe](#), October 7, 2024.

<sup>238</sup> IACHR, Annual Report 2023, [Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, December 31, 2023, para. 99; IACHR, Special Rapporteur for Freedom of Expression, [The SRFOE urges the State of Nicaragua to cease repressive actions against journalists](#), Press Release No. 168/24, July 23, 2024.



in regions distant from the capital since, in these territories where internet access is limited or practically non-existent, radio has historically been the main source of information for the communities.<sup>239</sup>

132. The cancellation of media and closure of civil society organizations are part of a repressive strategy of the Government to consolidate a regime of concentration of power.<sup>240</sup> The IACHR and RELE are of the view that this is the most illustrative and drastic pattern of attacks on pluralism, and on the State's intention to completely shut down civic and democratic spaces in Nicaragua.<sup>241</sup>

133. In view of the foregoing, the IACHR and its Rapporteurship emphasize that ownership and control of the media by monopolies or oligopolies are violations of freedom of expression, as they threaten democracy by restricting the plurality and diversity which ensure the full exercise of the right to information. Without plurality of voices and opinions, the media cannot fulfill their contributory role in democracy, given that “[p]luralism is a thus a basic general rule of [...] media policy.”<sup>242</sup>

134. They also warn that these acts of administrative and financial harassment constitute forms of indirect censorship, prohibited by international human rights law. According to Principle No. 13 of the Declaration of Principles on Freedom of Expression: “[t]he exercise of power and the use of public funds by the state, the granting of customs duty privileges, the arbitrary and discriminatory placement of official advertising and government loans; the concession of radio and television broadcast frequencies, among others, with the intent to put pressure on and punish or reward and provide privileges to social communicators and communications media because of the opinions they express threaten freedom of expression, and must be explicitly prohibited by law. The means of communication have the right to carry out their role in an independent manner. Direct or indirect pressures exerted upon journalists or other social communicators to stifle the dissemination of information are incompatible with freedom of expression<sup>243</sup>.”

135. Therefore, they reiterate to the State of Nicaragua its duty to ensure respect for the independence of the media and to refrain from imposing prior censorship by any State body, as well as any type of prior conditioning that could imply censorship of the information content.

136. In addition to the above, the Commission and its Rapporteurship note the persistence of official discourse that identifies journalists and the media as adversaries of the State and domestic enemies seeking to carry out a “coup d'état,” labels used to justify judicial persecution and expulsion from the country of any person critical of the administration.<sup>244</sup> In 2024, Vice President and government spokesperson Rosario Murillo, on several occasions, called journalists and opponents “stateless fools,” “enemies of peace,” “enemies of humanity,” “traitors,” “terrorists,” “brainless,” “false slanderers,” “not-yet-buried criminals of history,” and “pure scum,” among others things.<sup>245</sup> This Office expresses its concern over the explicit threats made by the Vice President against journalists, human rights defenders, and opposition members in exile, warning that she will not “hesitate” to take action against those who “dare touch our soil” and return to Nicaragua, referring to those who have been exiled.<sup>246</sup>

137. This type of discourse from the highest levels of public power, not only incites animosity, violence and hostility toward the press, but also legitimizes the government's repressive tactics, creating an

<sup>239</sup> Voice of America, [¿Qué pasa en el Occidente de Nicaragua tras el cierre masivo de estaciones de radio?](#), August 18, 2022.

<sup>240</sup> IACHR, Annual Report 2023, [Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, December 31, 2023, para. 18.

<sup>241</sup> IACHR, [Closure of civic space in Nicaragua](#) OAS/Ser.L/V/II Doc. 212/23, approved on September 23, 2023, para. 70.

<sup>242</sup> IACHR, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression 2004](#), Chapter V: Indirect Violations of Freedom of Expression: The Impact of the Concentration of Media Ownership, OEA/Ser.L/V/II.122 Doc. 5 rev. 1, February 23, 2005, para. 33.

<sup>243</sup> IACHR, [Declaration of Principles on Freedom of Expression](#), 2000.

<sup>244</sup> Swissinfo, [Ortega dice que hace cinco años derrotaron el intento de «golpe de Estado»](#), April 16, 2023.

<sup>245</sup> 100% Noticias, [Rosario Murillo carga otra vez contra opositores, los tilda de “mentecatos apátridas”](#), July 3, 2024; Fuentes Confiables, [Vocera del régimen continúa destilando odio contra opositores](#), April 19, 2024; 100% Noticias, [Rosario Murillo amenaza a quienes “se atreven a tocar nuestro suelo sagrado”](#), July 18, 2024.

<sup>246</sup> La Prensa, [Rosario Murillo lanza advertencia a opositores desterrados: “Que se atreven a tocar nuestro suelo”](#), July 18, 2024; Nicaragua Actual, [Rosario Murillo amenaza a opositores: “menos que se atreven a tocar nuestro suelo sagrado”](#), July 18, 2024.

environment where the exercise of freedom of expression is threatened. For the IACHR and RELE, the stigmatizing and violent discourse of the authorities against critics has resulted in a climate of fear that has almost completely inhibited the exercise of freedom of expression and has undermined the practice of journalism in the country.

138. The Commission and its RELE call attention to the impact that these repressive strategies have had on training new journalists. In this regard, reports indicate that the country's universities have stopped training communications professionals, given that journalism is currently perceived as a "career prone to criminalization" and a high-risk activity.<sup>247</sup> According to civil society reports, the few institutions that still offer training have become centers of agitation, indoctrination, and propaganda in favor of the governing party, with a curriculum that is far removed from journalistic principles, values, and ethics.<sup>248</sup> Given this scenario, there are those who propose building partnerships between Nicaraguan media in exile and universities in neighboring countries to train new journalists.<sup>249</sup>

139. The lack of educational institutions to train new communicators not only affects the right to academic freedom but also contributes to perpetuating the information siege imposed by the State in Nicaragua.<sup>250</sup> In this regard, the Commission and its Office of the Special Rapporteur urge the States of the region and the international community to support initiatives that ensure the continuity of journalism training for Nicaraguans.

140. Attacks on freedom of expression have also extended to international media correspondents. Several journalists and photojournalists from media outlets such as *El País*, and the AFP, Reuters and EFE agencies have been forced to leave the country due to government harassment. In 2024, RELE learned of the case of photojournalist Oswaldo Rivas, of the *Agence France-Presse* (AFP), who had to leave the country in June 2024 after police agents raided his home.<sup>251</sup> According to the information received, Rivas was alerted while covering an event that he was "surrounded" by the authorities, that there were vehicles outside his house, and that he would probably be arrested, so he decided not to return home. The next day, he was informed that police patrols had entered his home and were taking his belongings, from computers and televisions to bicycles and a pick-up truck.<sup>252</sup> Given this situation, Rivas remained in hiding for several days before leaving the country through unmarked border crossings, finally arriving in the United States, where he has requested political asylum.<sup>253</sup> In previous years, there had been reports that international media had been blocked, especially during the 2021 electoral process.<sup>254</sup>

141. Finally, the Commission and its RELE emphasize that the repression of fundamental freedoms and the hostile climate directed against the independent press has led to a historic exodus of journalists. According to available information, between April 2018 and June 2024, at least 278 journalists and communicators have reportedly fled Nicaragua in search of protection.<sup>255</sup> In this regard, civil society reports that "there are almost no independent journalists left" in the country and an exiled press is now a "permanent condition."<sup>256</sup>

142. The IACHR and its Office of the Special Rapporteur are particularly concerned that transnational repression and fear of reprisals against family members who remain in Nicaragua have led to

<sup>247</sup> Nicaragua Investiga, [Un país que se queda sin periodistas y unos periodistas que se quedan sin país](#), May 12, 2024.

<sup>248</sup> Fundación por la Libertad de Prensa y Democracia (FLED), [Represión y problemas financieros forjan el camino hacia el abandono de la práctica periodística en Nicaragua](#), January-March, 2024.

<sup>249</sup> Nicaragua Investiga, [Un país que se queda sin periodistas y unos periodistas que se quedan sin país](#), May 12, 2024.

<sup>250</sup> IACHR, [Inter-American Principles on Academic Freedom and University Autonomy](#), December, 2021.

<sup>251</sup> Swisinfo, [El «cerco» de la libertad de prensa se sigue cerrando en Nicaragua](#), warns the IAPA, October 18, 2024; Confidencial, [Fotoperiodista Oswaldo Rivas: La Policía se "robó" mi casa y vehículos que no eran míos](#), July 26, 2024.

<sup>252</sup> Voice of America, [Represión a periodistas en Nicaragua alcanza a corresponsales de prensa extranjera](#), August 5, 2024.

<sup>253</sup> La Prensa, [Fotorreportero de AFP obligado al exilio para evitar ser detenido por dictadura](#), July 26, 2024

<sup>254</sup> Confidencial, [Ortega niega a la prensa extranjera entrar al país a cubrir las elecciones](#), November 3, 2021.

<sup>255</sup> Deutsche Welle (DW), [Unos 278 periodistas huyeron de Nicaragua en seis años](#), October 8, 2024.

<sup>256</sup> Infobae, [Uno de los últimos periodistas dejó Nicaragua: "Trabajé tres años mudándome y usando seudónimos hasta que me tuve que ir"](#), July 21, 2024.

self-censorship continuing even in exile.<sup>257</sup> Likewise, independent media operating from outside the country have had to significantly reduce their operations due to challenges accessing collaborative resources, maintaining secure contact with sources within Nicaragua, and accessing information about what is happening on the ground.<sup>258</sup> This situation has led some journalists in exile to temporarily pause their work or leave the profession altogether.<sup>259</sup>

143. RELE emphasizes that the set of tactics used by the Government to silence independent and critical voices contravene the State's international obligations to respect and ensure the right to freedom of expression and freedom of the press. The Rapporteurship urges the State to immediately cease persecution of journalists and media outlets, and to adopt urgent measures to ensure the full exercise of freedom of expression in the country. It also calls on the States of the region and the international community to support initiatives that ensure the continuity of independent Nicaraguan journalism and the training of new professionals.

## B. Laws restricting the right to freedom of expression

144. In the last five years, the IACHR and RELE have been documenting a pattern of criminalization of statements regarding matters of public interest using laws that directly restrict freedom of expression, peaceful assembly and association, and seek to make an example of the situation at hand in Nicaraguan society.<sup>260</sup> In particular, the approval of Law No. 1042 “Special Cybercrimes Act” in October 2020 has allowed the Government of Nicaragua to arbitrarily exercise control over information and expressions on the internet.<sup>261</sup> Since then, the authorities have used the law to censor journalists, media outlets, human rights defenders, artists, students and religious leaders, generating a climate of fear of reprisals that has led many people to opt for anonymity on social media.<sup>262</sup>

145. In this context, the Commission and its RELE note with concern a series of amendments to this law, approved as a matter of urgency by the National Assembly on September 11, 2024.<sup>263</sup> Among the amendments is the expansion of Article 1 to explicitly include “the use of social media and mobile applications”, thus expanding State control over the dissemination of ideas and opinions in the digital space.<sup>264</sup> Additionally, Article 2 extends application of the law beyond the national territory, to “material or intellectual authors, aiders and abettors, accomplices, or any person who facilitates or encourages the commission of enumerated crimes,” whether committed within or outside the national territory.<sup>265</sup>

146. Further, prison sentences were increased for crimes related to dissemination of information on social media. Article 30 increases the penalties for “publishing or disseminating false or misleading information” from two to four years to three to five years of imprisonment.<sup>266</sup> It also raises penalties to up to ten years of imprisonment when publications allegedly “incite discrimination, hatred, and violence” or

<sup>257</sup> Information sent by civil society organizations in the context of a public hearing before the IACHR on the exile of journalists at its 190<sup>th</sup> period of sessions, April and June, 2024.

<sup>258</sup> Infobae, [Nicaragua se va quedando sin periodismo: medios y cronistas no logran sobrevivir en el exilio](#), August 17, 2024; International Symposium on Online Journalism (ISOJ), [Exile, prison and death: Challenges for journalists in Nicaragua topic of discussion at Ibero-American Colloquium](#), April 14, 2024.

<sup>259</sup> Infobae, [Nicaragua se va quedando sin periodismo: medios y cronistas no logran sobrevivir en el exilio](#), August 17, 2024.

<sup>260</sup> IACHR, [2023 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, December 31, 2023, para. 5; IACHR, [2022 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II., April 1, 2023, paras. 46-48 and 52; IACHR, [2021 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 64 rev. 1, May 26, 2022, paras. 4, 13 and 55; ; IACHR, [2020 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II., March 30, 2021, para. 27.

<sup>261</sup> IACHR, [The IACHR and its Office of the Special Rapporteur for Freedom of Expression express concern about new legal threats to freedom of expression and indirect measures against the media and journalists in Nicaragua](#), Press Release No. R246/20, October 7, 2020.

<sup>262</sup> IACHR, [2023 Annual Report, Chapter IV.B Nicaragua](#), OEA/Ser.L/V/II. Doc. 386 rev. 1, December 31, 2023, para. 112; Special Rapporteurship for Freedom of Expression, [Joint statement by the OHCHR for Central America and the IACHR's SRFOE on Journalist's Day in Nicaragua](#), Press Release R47/21, March 2, 2021.

<sup>263</sup> Gobierno de Nicaragua, [La Gaceta No. 170](#), 12 de septiembre de 2024; Asamblea Nacional de Nicaragua, [Aprobada reformas y adiciones a la Ley Especial de Ciberdelitos y Acuerdos de Créditos con Belarús](#), 11 de septiembre de 2024.

<sup>264</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law 1.219, Article 1, September 12, 2024.

<sup>265</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law 1.219, Article 2, September 12, 2024.

<sup>266</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law 1.219, Article 30, September 12, 2024.

“jeopardize economic and social stability, public order, sovereign security, or public health.”<sup>267</sup> These penalties may be increased by up to two thirds for those who “organize, finance, carry out, collaborate and/or facilitate the creation or mass dissemination” of such information.<sup>268</sup>

147. In the opinion of the Commission and its Special Rapporteurship, the Law on Cybercrime expands the State’s law enforcement apparatus to punish legitimate expression, in contravention of international standards on the matter.<sup>269</sup> As noted above, “when a state’s law enforcement apparatus seeks the criminal punishment of statements on [*sic*] regarding matters of public interest, the legitimacy of the criminal penalty is weakened, either because there is no pressing social interest to justify it, or because it becomes a disproportionate response, or it constitutes an indirect restriction.”<sup>270</sup>

148. The application of criminal law in these cases, as a tool to silence public debate and punish criticism, contravenes the fundamental principles of international human rights law. Any limitations on freedom of expression must meet certain requirements to avoid arbitrary controls on speech: it must be precise, pursue a legitimate aim, and be necessary and proportional to achieve that aim.<sup>271</sup> Further, it must be subjected to strict scrutiny, particularly when it affects specially protected speech such as that related to matters of public interest or criticism of public officials.<sup>272</sup>

149. In addition to the above, a series of amendments to the Code of Criminal Procedure were approved almost simultaneously, on September 10, 2024, through Law No. 1218.<sup>273</sup> In particular, the IACHR and the Rapporteurship note their concern about Article 230, which gives the National Police broad surveillance and investigation powers without prior judicial oversight. These powers include the ability to: (a) require and access information from computer service providers; (b) extract information from electronic and computer systems; (c) conduct searches, raids, and seizures; d) obtain sensitive data from telephone companies on users’ communications, such as data about telephone line account holders, call records, text and voice messages, geolocation, location of transmitting and receiving antennas, subscriber identity module (SIM) number, internet protocol (IP) addresses, international mobile equipment identifiers (IMEI) and user data across all devices.<sup>274</sup>

150. The Commission and its Office of the Special Rapporteur recall that any interference with the right to privacy must strictly abide by the principle of legality, that is, it must be specifically authorized by a law that is precise and that clearly establishes the scope of circumstances and conditions under which authorities may implement such measures.<sup>275</sup> In this case, the breadth of the powers granted to the National Police allows excessive discretion to access personal data and private communications. Moreover, it does not specify the circumstances that would justify such interference, nor does it establish temporal or material limits for its exercise.

151. Further, although the law establishes that these measures must be subject to review by the judiciary within three business days, the absence of prior judicial oversight eliminates an essential safeguard against abuse of power. As noted by the UN Special Rapporteur on the promotion and protection of the right to

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<sup>267</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law 1.219, Article 30, September 12, 2024.

<sup>268</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law 1.219, Article 30, September 12, 2024.

<sup>269</sup> IACHR, Annual Report 1994, [Chapter V: Report on the Compatibility of “Desacato” Laws with the American Convention on Human Rights](#), OEA/Ser. L/V/II.88, doc. 9 rev., February 17, 1995.

<sup>270</sup> IACHR, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression 2004](#), Chapter IV: Report on Access to Information in the Hemisphere: Access to Information and Economic Development, OEA/Ser.L/V/II.122, Doc. 5 rev. 1, February 23, 2005, para. 18.

<sup>271</sup> IACHR, Office of the Special Rapporteur for Freedom of Expression, [The Inter-American Legal Framework regarding the Right to Freedom of Expression](#), OEA/Ser.L/V/II CIDH/RELE/INF. 2/09, December 30, 2009, para. 221.

<sup>272</sup> I/A Court H.R., Case of Álvarez Ramos v. Venezuela. Preliminary Objection, Merits, Reparations, and Costs. Judgment of August 30, 2019, Series C No. 380, para. 104.

<sup>273</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law No. 1218, September 12, 2024.

<sup>274</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law No. 1218, September 12, 2024.

<sup>275</sup> I/A Court H.R., Case of Escher et al. v. Brazil, Preliminary Objection, Merits, Reparations, and Costs. Judgment of July 6, 2009, Series C No. 200, para. 116; and Case of Tristán Donoso v. Panama, Preliminary Objection, Merits, Reparations, and Costs. Judgment of January 27, 2009, Series C No. 193, para. 56.

freedom of opinion and expression, measures involving interference with the privacy of individuals must be subject to authorization by an independent and impartial judicial body, granted in accordance with due process of law, and with all appropriate limitations on time, manner, place, and scope.<sup>276</sup> In this regard, the Commission and RELE emphasize that the three business day period established by law is inadequate as control mechanism, given that during that time frame authorities might have already accessed, collected, and processed the data in an irreversible manner.

152. Another aspect of concern is the risk that such extraordinary police powers could pose to the confidentiality of journalistic sources, a fundamental component of freedom of the press, enshrined in Principle 8 of the IACHR Declaration of Principles on Freedom of Expression.<sup>277</sup> The Commission and RELE warn that the possibility of authorities gaining access to communications records, notes, files, and other information on journalists, without prior judicial oversight, can have an intimidating effect on sources.

153. The Commission and RELE call attention to Article 211, which empowers the Director General of the National Police and the Attorney General to “seize, restrain or freeze assets, securities, certificates of deposit, documents and bank accounts” and to suspend financial operations without prior judicial order.<sup>278</sup> This provision, combined with the possibility of executing the measures without notifying the person under investigation, could be used to economically suffocate independent media and civil society organizations.

154. Lastly, they call attention to the approved bill [to modify] the Law on General Convergent Telecommunications.<sup>279</sup> In its explanatory statement, the Executive argued that this law needs to be updated because it is totally anachronistic and obsolete and its “extreme longevity” cannot keep pace with rapid technological advances.<sup>280</sup> According to the Legislative Assembly, this law “establishes a modern regulatory framework adapted to the technological advances in the field, in order to guarantee families efficient access to the internet, telephone, radio and other services associated with information technologies.”<sup>281</sup>

155. The Commission and RELE note that this bill would grant additional control and oversight powers to the Nicaraguan Regulatory Entity of Telecommunications and Postal Services (TELCOR).<sup>282</sup> According to Article 110 of the bill would compel telecommunications operators to “provide all the information required, including georeferenced and statistical data” to the regulator, without establishing adequate safeguards for the protection of personal data.<sup>283</sup>

156. Additionally, Article 20 establishes a prior authorization regime for assignment or transfer of public telecommunications and audiovisual communications services licenses, granting broad powers to TELCOR to authorize the transfer of licenses and the rights conferred therein.<sup>284</sup> The bill would also seek to impose a licensing system for local channel operators and creators of audiovisual content over the internet, as provided in Articles 5 and 16.<sup>285</sup>

157. The Commission and its Rapporteurship find it problematic that the proposed bill lacks clear parameters for the granting or revoking licenses and, due to its broad language and the discretion granted to TELCOR, could be used to hinder the transfer of licenses to independent or critical media. It is of particular

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<sup>276</sup> UN, [Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Surveillance and human rights](#), A/HRC/41/35, May 28, 2019, para. 50.

<sup>277</sup> IACHR, [Declaration of Principles on Freedom of Expression](#), 2000.

<sup>278</sup> Government of Nicaragua, [La Gaceta No. 170](#), Law No. 1218, September 12, 2024.

<sup>279</sup> Government of Nicaragua, [Ley No. 1223 de Telecomunicaciones Convergentes](#), October 31, 2024.

<sup>280</sup> Government of Nicaragua, [Iniciativa de Ley de Telecomunicaciones Convergentes](#), March 5, 2024.

<sup>281</sup> National Assembly of Nicaragua, [We approve the General Law on Convergent Telecommunications](#), October 31, 2024.

<sup>282</sup> 100 % Noticias, [Ley de telecomunicaciones convergentes: Más control, vigilancia de datos personales de usuarios y censura](#), March 12, 2024.

<sup>283</sup> Government of Nicaragua, [Ley No. 1223 de Telecomunicaciones Convergentes](#), October 31, 2024.

<sup>284</sup> Government of Nicaragua, [Ley No. 1223 de Telecomunicaciones Convergentes](#), October 31, 2024.

<sup>285</sup> Government of Nicaragua, [Ley No. 1223 de Telecomunicaciones Convergentes](#), October 31, 2024.



concern that the law could be used to prevent the transmission of content from independent media operating from exile, currently reaching the country over the internet.

158. Furthermore, they consider it important to highlight that this entity has been used by the executive branch as an instrument for exerting control over independent media. In recent years, TELCOR has intensified the arbitrary use of its regulatory powers to cancel licenses and close media outlets critical of the government.<sup>286</sup> In this context, the IACHR and its RELE warn that the proposed bill to modify the Law on General Convergent Telecommunications would significantly expand these control capacities.

159. The Commission and its Office of the Special Rapporteur maintain that these laws, as a whole, comprise a legal framework that institutionalizes censorship and transnational persecution of critical voices, and allows for an environment where violations of freedom of expression are legitimized under the premise of public safety. Further, they deepen a state of fear and self-censorship, which not only affects the media and journalists, but also has a paralyzing effect on various sectors of Nicaraguan civil society.<sup>287</sup>

160. In view of the foregoing, the IACHR and RELE urge the State of Nicaragua to immediately repeal the Special Cybercrimes Act and the amendments to the Code of Criminal Procedure, as they are manifestly incompatible with international standards on the right to freedom of expression. They also urge the State to refrain from passing new telecommunications legislation that could be used to unduly restrict the flow of information and hinder the operation of independent media.

161. Furthermore, they reiterate that the State must immediately cease the use of criminal law as a mechanism of intimidation and reprisal against journalists, human rights defenders and dissident voices, and urge the adoption of all necessary measures to ensure that individuals can exercise their right to freedom of expression without fear of being criminalized and harassed, an indispensable condition for the reestablishment of the rule of law in Nicaragua.

### C. Freedom of expression on the internet

162. The Inter-American Commission and its Office of the Special Rapporteur note that during 2024, surveillance and control over the digital sphere has intensified in Nicaragua.<sup>288</sup> The information gathered shows that the State, coordinated from the highest levels of government, continues to use legal and technological tools to restrict public debate on the internet, criminalize critical expressions, and promote propaganda operations, disinformation, and manipulation of information.<sup>289</sup>

163. In this regard, the IACHR and RELE take note of investigations by independent media and civil society organizations that reveal the existence of “digital mobs” or “troll farms” in various public institutions, including the Nicaraguan Post Office, the Office of the Mayor of Managua, the Youth Institute (Injuve) and the offices of the Supreme Court of Justice.<sup>290</sup> These operations are allegedly dedicated to producing and disseminating pro-government content and attacking opponents on digital platforms such as TikTok, Instagram, Facebook, and X (formerly Twitter).<sup>291</sup> Further, they point out that the Nicaraguan government has a network of at least 13 Telegram channels dedicated to the dissemination of government propaganda and attacks against people deemed to be opponents.<sup>292</sup> Analysis of 162,580 messages posted between 2018 and

<sup>286</sup> Voice of America, [Telcor: El arma que utiliza Ortega para cerrar medios de comunicación](#), August 17, 2022.

<sup>287</sup> Artículo 19 Office for Mexico and Central America, [Nicaragua refuerza entramado legal en contra de voces críticas y periodistas independientes](#), September 13, 2024; El País, [Nicaragua tightens control of social media to censor dissent](#), September 12, 2024.

<sup>288</sup> Freedom House, Freedom on the Net 2024, [Nicaragua Country Report](#), 2024.

<sup>289</sup> Connectas, [Propaganda, noticias falsas y manipulación tras la “verdad”, de Ortega y Murillo](#), December 6, 2023; Cazadores de Fake News, [Cuentas Lázaro del régimen nicaragüense reviven tras la suspensión de Meta](#), August 4, 2023; University of Oxford, Reuters Institute, [“Los periodistas no deberíamos desviarnos hacia el activismo sino preservar nuestra autonomía para fiscalizar al poder”](#), February 28, 2023; Freedom House, Freedom on the Net 2024, [Nicaragua Country Report](#), 2024.

<sup>290</sup> Connectas, [Propaganda, noticias falsas y manipulación tras la “verdad”, de Ortega y Murillo](#), December 6, 2023.

<sup>291</sup> Connectas, [Propaganda, noticias falsas y manipulación tras la “verdad”, de Ortega y Murillo](#), December 6, 2023.

<sup>292</sup> Connectas, [Propaganda, noticias falsas y manipulación tras la “verdad”, de Ortega y Murillo](#), December 6, 2023.

2023 reveals a coordinated pattern of disinformation and stigmatization against human rights defenders, journalists, religious leaders, and political opponents.<sup>293</sup>

164. The Commission and RELE emphasize that, in recent years, the State has strengthened its control capacity over the digital sphere through various legislative amendments. As noted above, the proposed bill to modify the Law on General Convergent Telecommunications, introduced by the executive branch in March 2024, and the amendments to the Special Cybercrimes Act could serve as the legal basis for greater control over speech in the digital sphere and to criminalize legitimate expressions. The IACHR and its Rapporteurship note with concern that this regulatory framework has an intimidating effect that has led to widespread self-censorship among citizens.<sup>294</sup>

165. Regarding the foregoing, several cases have been documented that illustrate the seriousness of persecution in the digital sphere. On November 29, 2023, writer, sociologist, and former lecturer Freddy Quezada was arrested for criticizing on social media the manner in which authorities showed Bishop Rolando Álvarez in prison and for “liking” a post related to Miss Universe Sheynnis Palacios.<sup>295</sup> Since 2018, Freddy Quezada had publicly criticized the government's management multiple times, especially through social media, where he has expressed his critical opinions and remarks about the situation in the country.<sup>296</sup> In this context, Quezada was subjected to a judicial process without due process guarantees, conducted through a video call, without meaningful access to a fair trial, and was convicted for allegedly committing the crime of “incitement to hatred.”<sup>297</sup> In December 2023, The Commission granted precautionary measures in favor of Freddy Quezada, in the belief that he faced a serious, urgent risk of suffering irreparable harm to his rights in Nicaragua.<sup>298</sup> In September, he was expelled from the country along with another 134 political prisoners, including journalists Victor Ticay and Sergio Catarino Castiblanco.<sup>299</sup>

166. Along the same lines, information was received about the case of content creator Cristóbal Geovanny López Acevedo, known as “Tropi Gamer,” who was arrested on November 22, 2023 after a live broadcast where he celebrated the victory of Miss Nicaragua Sheynnis Palacios and defended her against criticism from pro-government media.<sup>300</sup> López Acevedo was allegedly tried for various crimes, including child pornography, drug trafficking, and organized crime, where the evidence against him included videos downloaded from the internet and testimonies of police officers. According to public reports, he was transferred to the maximum-security area of “La Modelo” prison, where he spent nine months in solitary confinement in a cell measuring three meters by two meters, with no ventilation.<sup>301</sup> López Acevedo was released from prison and expelled from the country in the same way as Freddy Quezada.<sup>302</sup>

167. These cases are part of a series of repressive acts targeting any expression of support for Miss Universe, including artistic and cultural expressions, as evidenced by the case of two artists who were prevented by the authorities from making a mural in her honor in the city of Estelí, and were even arrested for

<sup>293</sup> Connectas, [Propaganda, noticias falsas y manipulación tras la “verdad”, de Ortega y Murillo](#), December 6, 2023.

<sup>294</sup> Voces del Sur, [Libertad de Prensa en Nicaragua sin respiro: Ortega no deja de atacar](#), April 10, 2023; RFI, [‘En Nicaragua hay un gran temor de denunciar las agresiones contra periodistas’](#), July 12, 2024.

<sup>295</sup> Confidencial, [Detienen al exprofesor de la UNAN-Managua, Freddy Quezada](#), November 30, 2023; Despacho 505, [Freddy Quezada el intelectual desaparecido por el régimen por ridiculizar “la pasarela de los presos políticos”](#), July 25, 2024.

<sup>296</sup> IACHR, [Resolution 82/2023](#), Precautionary Measure No. 1091-23, Freddy Antonio Quezada regarding Nicaragua, December 27, 2023, para. 14.

<sup>297</sup> Divergentes, [El filósofo juzgado vía Zoom: profesor Freddy Quezada declarado culpable por “incitación al odio”](#), February 22, 2024; Confidencial, [Juicios “virtuales” aíslan más a los presos políticos en Nicaragua](#), July 4, 2024.

<sup>298</sup> IACHR, [Resolution 82/2023](#), Precautionary Measure No. 1091-23, Freddy Antonio Quezada regarding Nicaragua, December 27, 2023.

<sup>299</sup> Pen Internacional, [Nicaragua: Writer and academic Freddy Quezada released and forced into exile along with 134 political prisoners, including journalists and artists](#), September 13, 2024.

<sup>300</sup> Confidencial, [¿Quién es el ‘tiktok’ preso en Nicaragua por defender a Miss Universo 2023?](#), November 24, 2023; Infobae, [Las absurdas razones que Daniel Ortega usa para encarcelar a los ciudadanos en Nicaragua](#), September 28, 2024.

<sup>301</sup> Divergentes, [Tiktok “Tropi Gamer”, el nuevo sandinista arrepentido: “Me arrestaron por apoyar a Sheynnis Palacios”](#), September 8, 2024.

<sup>302</sup> Confidencial, [“Tropi Gamer”, el tiktok desterrado “por defender a Sheynnis Palacios” en Nicaragua](#), September 7, 2024.

it.<sup>303</sup> The Commission and the Rapporteurship find that the criminalization of such basic acts of expression on social media, such as “liking” a post or making critical remarks, is a testament to the level of control and censorship that currently exists in the digital sphere in Nicaragua.<sup>304</sup>

168. In this regard, the Commission and the Rapporteurship note that the internet is no longer a medium for the free exercise of the right to express oneself in Nicaragua. Far from being an alternative platform to share opinions and information as was the case in previous years, social media has become a space under surveillance and control by the State, where any critical expression or even interaction can result in criminal action against its author.

169. Against this backdrop, individuals find themselves forced to resort to anonymity or to directly refrain from expressing opinions on social media for fear of criminal reprisals. The Commission and RELE are concerned that this climate of fear has created an inhibiting effect that impacts not only journalists and human rights defenders, but also society in general, seriously hindering public debate on issues of public interest. In this regard, a 2023 Digital Rights report documented that, since 2021, many journalists have stopped attaching bylines to their articles due to concerns for their own safety and that of their families and opting to carry out their journalistic work anonymously.

170. Some media outlets have sought alternative ways to circumvent these restrictions. The IACHR takes note of initiatives such as the campaign launched by the media outlets *100% Noticias* and *Despacho 505* to promote the use of virtual private networks (VPNs) among their audiences. However, even these digital protection measures are insufficient given the risk of criminalization faced by individuals who attempt to speak out publicly, particularly in a context where the slightest interaction with content deemed contrary to the official narrative can have serious legal implications.

171. The Commission and its Office of the Special Rapporteur emphasize that the use of cybercrime legislation to criminalize political criticism and dissent contravenes human rights standards, given that any measure that could affect the exercise of freedom of expression on the internet must be established by law, pursue a legitimate aim, and be necessary to accomplish such aim.<sup>305</sup> They also emphasize that public policy and internet regulations seek to preserve and promote “the open, distributed, and interconnected nature of the internet.”<sup>306</sup>

172. In its report “*Freedom of Expression and the Internet*,” RELE stated that “maximizing the number and diversity of voices able to participate in the public debate is both a means and an end of the democratic process. In this sense, robust guarantees of the exercise of freedom of expression through the Internet are currently a condition for opening the public sphere. It is up to the State to preserve ideal internet conditions for promoting and maintaining informational pluralism. This means ensuring that changes are not made to the Internet that result in a reduction of the number of voices and amount of content available. Public policies on these subjects should protect the multidirectional nature of the Internet and promote platforms that allow for the search for and circulation of information and ideas of all kinds, without regard to borders.”<sup>307</sup>

173. Furthermore, the IACHR and its Rapporteurship recall that, according to Principle 5 of the IACHR Declaration of Principles on Freedom of Expression, “[p]rior censorship, direct or indirect interference in or pressure exerted upon any expression, opinion or information transmitted through any means of oral,

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<sup>303</sup> La Prensa, [Impiden a artistas pintar mural en homenaje a Miss Universo, Sheynnis Palacios, en Estelí](#), November 21, 2023; BBC, ["Pasé 9 meses en una cárcel de Nicaragua por celebrar el triunfo de Miss Universo y ahora me han desterrado y quitado la nacionalidad"](#), September 13, 2024.

<sup>304</sup> Freedom House, *Freedom on the Net 2024*, [Nicaragua Country Report](#), 2024.

<sup>305</sup> IACHR, Office of the Special Rapporteur for Freedom of Expression, [Freedom of expression and the internet](#), OEA/Ser.L/V/II, CIDH/RELE/INF. 11/13, December 31, 2013, para. 122.

<sup>306</sup> IACHR, Office of the Special Rapporteur for Freedom of Expression, [Freedom of expression and the internet](#), OEA/Ser.L/V/II, CIDH/RELE/INF. 11/13, December 31, 2013, para. 13; Organisation for Economic Co-operation and Development (OECD), *Recommendations of the Council on Principles for Internet Policy Making*, December 13, 2011, Principle 2.

<sup>307</sup> IACHR, Office of the Special Rapporteur for Freedom of Expression, [Freedom of expression and the internet](#), OEA/Ser.L/V/II, CIDH/RELE/INF. 11/13, December 31, 2013, paras. 18-19.

written, artistic, visual, or electronic communication must be prohibited by law. Restrictions to the free circulation of ideas and opinions, as well as the arbitrary imposition of information and the imposition of obstacles to the free flow of information violate the right to freedom of expression.”<sup>308</sup>

174. Considering the foregoing, the IACHR and RELE urge the State of Nicaragua to cease criminal prosecution of persons exercising their right to freedom of expression on the Internet and to repeal or modify regulations that allow for criminalization of legitimate online expression. Lastly, they call attention to the urgent need to ensure a pluralistic and diverse digital environment, which are of utmost importance in those areas of the country where access to alternative sources of information is already severely limited by closures of traditional media.

## V. CONCLUSIONS

175. In 2024, the IACHR observed the persistence of repression and the instrumentalization of the entire state apparatus with the long-term goal of suppressing any space for pluralism, expression, practice of faith, dissent, and democratic participation. This has been achieved through the approval of new laws that are contrary to international human rights law and through criminalization of the population, in an effort to maintain a regime of total concentration of power in the Executive in the run-up to the elections scheduled for 2026.

176. In particular, the IACHR found that the repressive regime in place in the country extended beyond political opponents or their families, but also to government sympathizers or officials and to the population in general. Primarily, through arbitrary detentions, dismissals or expulsions, restrictions on entering and leaving the country, among other measures, seeking to impose the subjugation of Nicaraguan society under a climate of fear, surveillance and persecution.

177. The IACHR warned that the closure of civic and democratic spaces in Nicaragua remains one of the most serious scenarios in the region. In 2024, the number of closed organizations amounted to more than 5,000 out of a total of 7,200 registered before 2018, representing the almost total dismantling of organized civil society. At the same time, the amendments approved in this area eliminated any possibility of autonomy in the creation of new organizations. Additionally, the systematic repression against the Catholic Church, which extended to other religious denominations, reveals the regime’s intention to eliminate any space for thought or expression outside its control.

178. In 2024, the IACHR observed the persistence of serious and systematic human rights violations, such as arbitrary detentions and allegations of enforced disappearance. Additionally, it documented new cases of arbitrary deprivation of nationality and banishment as mechanisms of repression and silencing of people abroad, placing them in a situation of extreme vulnerability and civil death. These repressive practices, typical of authoritarian regimes, are contrary to international human rights law.

179. In 2024, the Executive consolidated its absolute control of the autonomous regions of the Caribbean Coast, by way of reported actions of electoral fraud, repression, and violence, to the detriment of the free self-determination of indigenous and Afro-descendant communities. This would increase the risk to the cultural survival of these communities by facilitating the dispossession of their territories, forced displacement, and impunity. At the same time, the detention of indigenous people and leaders for their work in defense of their land, territory, and collective rights, or for opposing the government, would have a chilling effect on the population of the Atlantic Coast region.

180. The IACHR reaffirms its competent jurisdiction over the State of Nicaragua and will continue to exercise its monitoring mandates through MESENI, which includes following up on compliance with the recommendations issued by its various mechanisms, analyzing and processing cases and petitions, supervising

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<sup>308</sup> IACHR, [Declaration of Principles on Freedom of Expression](#), 2000.

recommendations issued in its reports on merits, and active analysis and oversight of compliance with the precautionary measures in force.

## VI. RECOMMENDATIONS

181. Based on the foregoing analysis, the Inter-American Commission renews its call for the State to comply with and implement the recommendations issued in the Final Report of its working visit to the country, the recommendations issued by the Interdisciplinary Group of Independent Experts (GIEI), and the recommendations issued under Chapter IV.B of the annual reports published since 2018, all of which are still pending compliance. These include:

### General recommendations

1. Adopt the necessary measures to overcome the human rights crisis by reestablishing democratic institutions, the full validity of the Rule of Law and fundamental freedoms, including freedom of expression.
2. Promote and sustain an effective, legitimate and inclusive dialogue with civil society. To this end, the State must foster the necessary conditions for building trust among the population by ceasing repression, the recognition of the facts that occurred and complying with its international obligations in matters of truth, justice and reparation.
3. Release all people that have been arbitrarily detained in the context of the crisis that began in 2018.
4. Restore nationality to all Nicaraguan persons affected by the arbitrary deprivation of their nationality since 2018.
5. Initiate processes that promote truth, justice and reparations for the victims of the serious crisis that the country is experiencing.
6. End impunity for human rights violations since the beginning of the crisis in 2018.

### Civic and democratic space

7. Overrule all decrees and acts of authority related to the cancellation of the legal status of civil society organizations that have been approved without guaranteeing due process of law. Where applicable, give back all the confiscated assets and premises to the members of these organizations, in the same conditions in which they were at the time of the search of the organizations' facilities.
8. Immediately cease all judicial persecution, repression, stigmatization, attacks, threats, and intimidation against civil society actors on and offline, including journalists, human rights defenders, activists, artists, members of the academia, political opponents and members of religious communities and the Catholic Church.
9. Cease persecution against the Catholic Church, arbitrary arrests, confiscations, and all acts that curtail freedom of religion for the population.
10. Lift obstacles to the legitimate exercise of the right to protest, in particular, through the elimination of the requirement of prior authorization for holding demonstrations and the express establishment of a general presumption in favor of the exercise of the right of assembly and freedom of expression.



**Persons deprived of liberty**

11. Effectively comply with the precautionary measures granted by the Inter-American Commission and the provisional measures of the Inter-American Court in favor of persons deprived of liberty.
12. Guarantee due process of law for detained persons. In particular, immediately inform the detainees, their family members and representatives of the grounds and reasons for the detention. Likewise, the right to a fair trial must be ensured, so that defendants have regular contact with their legal representatives and are involved in the preparation for their respective hearings. In addition, it is essential for legal representatives to have unrestricted access to the detainees.
13. Guarantee the dignified treatment of persons in the custody of the State pursuant to international standards. In particular, ensure that they receive medical attention in line with their specific health conditions, are given sufficient food with high nutritional value, and are housed in good sanitary conditions.
14. Create the necessary conditions to ensure effective contact between persons deprived of their liberty with their families, by implementing an adequate, regular and predictable visitation schedule. In that regard, visits must be held with the frequency stipulated in the Penitentiary Regulations and take place in a decent manner and in conditions that are in no way degrading to the persons deprived of liberty. The State must also guarantee the delivery of medicines, food and personal hygiene items.
15. Use the solitary confinement in maximum security centers on an exceptional basis and following an individualized risk assessment and implement it for the shortest amount of time possible and as a last resort. Solitary confinement orders must be authorized by a competent authority and must be subject to independent review.
16. Adopt all necessary and comprehensive measures for the rights of women detainees to be effectively respected and guaranteed, so that they do not suffer from discrimination and are protected against any form of violence that may arise because of their gender.

**Indigenous and Afro-descendant communities**

17. Guarantee the right of indigenous and Afro-descendant peoples to territory as the first step to safeguard their basic rights. In particular, guarantee the complete and effective demarcation, titling and clearance of their territories in accordance with international standards and the recommendations issued by the bodies of the inter-American system.
18. Adopt all legislative measures to ensure the effective exercise of the right to prior, free and informed consultation and consent of the indigenous communities, pursuant to international standards, particularly regarding development projects or for the exploitation of natural resources that could affect their rights.
19. Guarantee the right of indigenous and Afro-descendant communities and their defenders to a life without violence, in the face of threats, attacks and other acts of intimidation by third parties or companies in their territories.

20. Adopt measures to guarantee the right of indigenous and Afro-descendant peoples to exercise self-determination in a practical and effective manner, in accordance with international standards.
21. Effectively comply with the precautionary measures granted by the Inter-American Commission and the provisional measures of the Inter-American Court in connection with indigenous and Afro-descendant communities of the Caribbean coast. This entails facilitating 710 and guaranteeing the participation of the representatives of the beneficiary communities and their defenders in the enforcement of said measures.

### **Economic, Social, Cultural, and Environmental Rights**

22. Restore the property rights over the retirement and pension accounts of persons who have been affected by the arbitrary confiscation of these accounts. The State must guarantee that these persons can access and make use of their funds, by ensuring their registration and inclusion in INSS records.
23. Comply with the terms of the provisional measures requested by the Commission to the Inter-American Court to guarantee medical care and adequate nutrition to persons deprived of liberty at different detention facilities in the country.
24. Stop all acts of harassment and persecution against any civil society organization that engages in activities aimed at guaranteeing the respect for ESCERs, such as health, education and labor rights, especially those targeting persons in vulnerable situations.
25. The State must also cease all acts of persecution against the staff and faculty of higher education establishments. In that same regard, it must guarantee the right to academic freedom at all schools of all levels, avoiding any attempt to indoctrinate and fostering educational environments that are participatory, inclusive and diverse.
26. Guarantee access to participation, information and justice in environmental-related matters, so that civil society organizations engaging in environmental defense are able to carry out their activities without any type of intimidation by the State, taking into consideration inter-American standards, Resolution 3/2021 by the Commission and the REDESCA, and the provisions of the Escazú Agreement to which the State is a party.
27. Refrain from harassing and persecuting public officials who do not belong to the incumbent party, respecting their fundamental freedoms and the right to work in safe and dignified conditions.

### **Freedom of Expression**

28. Immediately cease all judicial persecution, repression, stigmatization, attacks, threats and intimidation against individuals and groups who exercise their right to freedom of expression, both on and offline, including journalists, human rights defenders, activists, artists, members of the academia, political opponents and members of religious communities.
29. Provide full judicial guarantees to persons subjected to criminal proceedings for reasons related to the exercise of their right to freedom of expression. Likewise, guarantee the rights to life and humane treatment of persons deprived of liberty who face criminal proceedings, with due respect for the dignity inherent to human beings, pursuant to international human rights standards.

30. Fully, exhaustively and impartially investigate reports of human rights violations of persons deprived of their liberty for reasons related to the exercise of their right to freedom of expression.
31. Refrain from enforcing the law and using the resources and powers of the State in an arbitrary, selective and exemplary manner, and from engaging in abusive government practices to hinder or restrict the exercise of the rights to freedom of expression, freedom of peaceful assembly and freedom of association. In particular, cease any kind of pressure against journalists and the media, especially pressure aimed at punishing and silencing those who investigate and report on matters of public interest.
32. Refrain from exerting pressure on or interfering with the media and cable operators, both in terms of news content and editorial policy, as well as operation.
33. Refrain from retaliating against persons who file complaints or report information on matters of public interest, especially those associated with the human rights crisis in Nicaragua.
34. Refrain from arbitrarily hindering - even by indirect means - journalistic activities, including those of the local press and international correspondents. In particular, restore the Powers of operation of the international press in Nicaragua, as applicable, wherever they have been arbitrarily restricted.
35. Guarantee the right of access to public information, observing the guiding principles of maximum disclosure and good faith. In particular, guarantee the right of the citizenry to access State information related to allegations of human rights violations and to judicial investigations into such violations.
36. Bring domestic legislation into line with international human rights standards. In particular, repeal all laws that are contrary to the principles and standards on freedom of expression, peaceful assembly and association, including the Special Cybercrimes Act, the Law on Foreign Agents, the Law of Defense of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace, and the Law on Regulation and Control of Non-Profit Organizations.
37. Refrain from taking measures that impede Nicaraguans' entry into or departure from the country for reasons related to the exercise of the right to freedom of expression, such as the withholding of passports or the denial of any type of migration documentation.
38. Facilitate the operation of international observation mechanisms with respect to the situation of the right to freedom of expression in Nicaragua, which includes providing all official information that is deemed relevant.