

PRELIMINARY REPORT

IAPA mission calls on Nicaragua to urgently restore freedoms

The Inter-American Press Association urges international organizations to act swiftly, given the rapid advance of the repressive actions and the persecution of the press and opposition leaders.

Directors of the Inter American Press Society (SIP) collected in Nicaragua the testimony of citizens that reported on the escalation of repressive actions that have intensified in recent weeks by the regime of Daniel Ortega and his wife and Vice President, Rosario Murillo.

After a week of data collection, the IAPA mission released a preliminary report, which it will deliver to its Executive Committee on July 16. In its report, the IAPA urges international organizations, organizations that work for the enforcement of human rights and institutions that defend freedom of expression and of the press, to join forces to demand the immediate end of the crackdown in Nicaragua. The IAPA mission also calls on the government to free journalists and those arrested for political motivations, and fully restore institutional democracy.

The need for the international press to continue reporting on what is happening in the Central American country will also be raised by IAPA as a way to keep awareness about the critical situation facing the country.

The holding of free and transparent general elections on November 7, as set by the current schedule, will only be possible in an environment of restored full freedoms of expression, of the press and of assembly, and in an environment that guarantees judicial due process.

It is also essential that the government provide greater facilities for the work of national and foreign media during the electoral campaign, the Election Day and during the election results.

A country without law and without justice

In a mission carried out in virtual format, due to the sanitary restrictions and the limitations imposed to enter the Central American country, the IAPA delegation spoke with journalists, media managers, opposition leaders,

academics, businessmen and representatives of civil society and of the Catholic Church.

"Several of those interviewed reiterated a phrase that conclusively sums up the drama of the moment: Nicaragua is a country without law and without Justice," said Carlos Jornet, president of the IAPA's Commission on Freedom of the Press and Information, and director of Argentine newspaper La Voz del Interior, who led the talks together with the IAPS's executive director, Ricardo Trotti.

The contacts were made in all cases under the commitment to maintain absolute confidentiality, which reflects the prevailing climate of anxiety facing the country after the succession of raids, confiscations, open threats, illegal persecution, military espionage and arbitrary arrests.

Trotti recalled that two previous IAPA missions to Nicaragua - carried out in 2018 after street protests that left more than 300 dead and led to the arrest of journalists and social leaders - had been able to meet without any hindrance with political and social and religious leaders and the media, who at that time were able to express themselves freely and openly. "This shows the accelerated deterioration of the institutional situation since then," said the IAPA director.

The growing authoritarian drift by the Ortega-Murillo government began to set off alarms in September of last year. That month, the National Assembly dominated by the regime, enacted a dozen repressive laws that broadly and ambiguously define criminal offenses that later made it easier to charge individuals with all sorts of accusations without providing any evidence.

In just six months the Foreign Agents Regulation Law was enacted. It was passed by the Sandinista parliament, and led to the closure of non-government organizations in defense of freedoms on the basis of receiving legal funds from abroad; the Special Cyber Crimes Law, called "the Gag Law for journalism," and a law to control state employees; the implementation of life imprisonment charges for "hate crimes"; the Law in Defense of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace, which bans the selection of candidates who "exalt and applaud the implementation of international sanctions"; the reform of the Criminal Proceeding Code, to extend to 90 days the term for which a person can be detained without being accused (In this case "You are detained and they later decide the charge

against you"), and an amendment that allows people who are linked to the government to open accounts in Nicaraguan banks even though they are being investigated in the United States on charges of corruption or violation of human rights.

The onslaught

This dictatorial regulatory framework created the conditions so that in the last two months an attack was unleashed against any sector that dared to question the all-powerful power of the Nicaraguan government or that placed the new re-election of the Ortega-Murillo marriage at risk.

On May 20 the offices of "Confidential" magazine were raided as well as the installations where the television programs (directed by Carlos Fernando Chamorro) "Esta Semana" and "Esta Noche," were recorded. Journalists who reported on the raid were beaten and arrested and their equipment searched.

From then on, 21 people were imprisoned and placed in incommunicado or subjected to house arrest, including five presidential candidates. Furthermore, immigration restrictions were put in place against journalists, businesspeople and social leaders without an open judicial process.

In his homily on June 27, the Bishop of Matagalpa, Monsignor Rolando Álvarez Lagos, said that "there are Nicaraguans who are not only afraid: they already live in terror, with anguish, with anxiety." Two weeks earlier, on June 11, the Nicaraguan Episcopal Conference had warned about "the arbitrary and illegal restriction of civil liberties, the persecution of opponents and the media, the persistent situation of injustice, and implementation of laws to the detriment of human rights, siege and political harassment." In addition, the Justice and Peace Commission of the Archdiocese of Managua warned on June 8 "no-one has the authority to arbitrarily deprive any person of his rights, including those to express himself, and to move and act freely."

On November 7, elections will be held in which Daniel Ortega will attempt to reach his fifth term in government. If successful this will mean his fourth consecutive term in office. But with less than a month of the deadline to present candidacies (procedure that must be fulfilled between July 28 and August 2), the main opposition candidates are deprived of liberty, without being able to appoint a defense lawyer. They are also prohibited from being visited and receive food and medicine.

“We consider that they are being kidnapped because we know nothing about them. It is like living in a novel by George Orwell,” said one of the leaders consulted. He added that the detainees' regular lawyers are threatened and in some cases have had to emigrate.

The arrests were carried out in operations that in some cases took place at night and on weekends, without presenting court orders and with blatant display of violence that reveal the real intention to intimidate and silence critical voices. "There are people willing to break into homes, break the doors and windows and enter with assault rifles," he told the IAPA mission. Authorities record confiscated items but residents are not provided with a copy of the raided property.

This purpose of these actions is to instill terror. Regime officials daily broadcast threats on state radios and inform that the Danto operation is being carried out, in reference to the largest military offensive by the Sandinista Popular Army against counterrevolutionaries in 1988.

“People are arrested without being informed of the charges. Police issue statements stating that they broke the law, which violates the presumption of innocence. Only later on does a judge acknowledge the charges and gives his support to the operation,” said one of the interviewees.

The IAPA mission collected complaints about the actions of para-police and paramilitary groups, who are often hooded and carry out excesses in homes that have already been raided. They also put pressure on relatives and people connected to the detainees or those who had to go into exile after receiving intimidating messages. These relatives are summoned to appear at precincts without a court order. The IAPA also collected testimonies on illegal groups who persecute exiles outside Nicaragua.

Dozens of businessmen, politicians and journalists left the country in June, in many cases from border blind spots with Costa Rica. Immediately thereafter, this country provided them with the status of refugees although they must wait for a work permit.

The exodus of staff and media directors have added to the difficulties in accessing essential supplies; pressures on advertisers; police checkpoints in

front of newsrooms or journalists' homes; stigmatizations and threats to generate self-censorship; reduction in the activity of social networks for fear of being persecuted; lack of access to public information; concentration of the media in the hands of the state or the ruling family, and the growing request by the sources not to mention them is restricting the access to a free press. As a result, public debate is being deteriorated, a fundamental part of our democratic life.

“Not only journalists feel threatened: so do their sources; even those who are in exile, for fear that pressure will be placed on their families,” said one of the people who provided his testimony to the IAPA mission. “Providing information is viewed as a criminal offense even if the information we provide is about the weather,” said ironically the same interviewee. In addition, he added, “There is no apathy: there is horror. The street speak volumes with their silence.”

The interviewees had also different views regarding the possible effect of excluding Nicaragua from the Organization of American States or applying economic sanctions by keeping the country out of CAFTA (Central America-United States Free Trade Agreement) and the EEC-Central American Framework Cooperation Agreement.

While greater international scrutiny as a result of the complaints on the critical institutional crisis facing Nicaragua may not completely affect the regime, there is, however, consensus that such pressure would force Nicaragua to reduce the intensity of its crackdown. In the current context, this would allow the country to regain some sort of normalcy.