

Nicaragua 2023 Human Rights Report

Executive Summary

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

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

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

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

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

Section 1. Respect for the Integrity of the Person

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

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

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

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

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

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

b. Disappearance

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

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

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

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

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

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

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

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

Prison and Detention Center Conditions

Prison conditions were harsh and potentially life threatening.

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

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

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

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

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

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

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

d. Arbitrary Arrest or Detention

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

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

Arrest Procedures and Treatment of Detainees

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

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

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

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

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

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

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

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

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

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

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

e. Denial of Fair Public Trial

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

NGOs complained of delayed justice caused by judicial inaction and

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

Trial Procedures

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

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

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

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

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

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

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

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

Political Prisoners and Detainees

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

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

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

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

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

f. Transnational Repression

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

embassy in Costa Rica.

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

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

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

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

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

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

g. Property Seizure and Restitution

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

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

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

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

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

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

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

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

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

FSLN grassroots organizations such as the Citizen Power Councils colluded

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

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

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

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

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

Section 2. Respect for Civil Liberties

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

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

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

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

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

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

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

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

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

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

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

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

threats.

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

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

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

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

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

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

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

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

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

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

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

Internet Freedom

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

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

b. Freedoms of Peaceful Assembly and Association

The government restricted the freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

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

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

Freedom of Association

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

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

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

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

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

c. Freedom of Religion

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

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

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

these rights.

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

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

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

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

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

e. Protection of Refugees

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

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

f. Status and Treatment of Internally Displaced Persons

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

g. Stateless Persons

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

Section 3. Freedom to Participate in the Political

Process

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

Elections and Political Participation

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

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

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

Observers noted the government pressured public servants into affiliating

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

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

Section 4. Corruption in Government

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Discrimination and Societal Abuses

Women

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

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

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

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

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

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

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

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

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

political leaders.

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

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

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

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

a greater extent in urban areas than in rural areas.

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

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

Systemic Racial or Ethnic Violence and Discrimination

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

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

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

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

Indigenous Peoples

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

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

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

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

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

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

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

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

Children

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

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

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

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

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

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

The country was a destination for child sex tourism.

Antisemitism

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

Trafficking in Persons

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

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

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

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

such cases when they occurred.

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

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

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

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

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

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

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

Persons with Disabilities

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

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

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

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

Discrimination against persons with physical, sensory, intellectual, and

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

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

Other Societal Violence or Discrimination

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

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

Collective bargaining agreements lasted up to two years and were

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

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

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

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

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

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

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

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

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

b. Prohibition of Forced or Compulsory Labor

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

c. Prohibition of Child Labor and Minimum Age for Employment

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

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

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

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

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

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

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

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

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

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