

## **NICARAGUA**

### **Once again, no freedom of speech**

#### **Executive Summary**

The Chapultepec Freedom of Expression and Press Index once again shows the absence of freedom of expression in Nicaragua, which scored 6.51 out of a theoretical maximum of one hundred. The Executive, Legislative and Judiciary environments are responsible for provoking more than sixty attacks on journalists and twenty-two attacks on media outlets, evidenced by complaints, arrests, disappearances and more than fifty journalists' forced displacement, in addition to harassment and raids on the homes of relatives of journalists and opinion leaders, among other violations to freedom of expression and the press.

#### **Introduction**

The Chapultepec Freedom of Expression and Press Index is an indicator that measures how the three government branches address safeguarding full freedom of expression or not, over a theoretical maximum of one hundred. The lower the score, the “less” or “non-existent” freedom of expression and the press is. Nicaragua scored 6.51—the lowest score among the twenty-two American countries— which evinces no freedom of expression.

Daniel Ortega and Rosario Murillo’s regime keeps a strict control over what is reported and publicly expressed in Nicaragua, supporting itself on a series of excessive laws that prevent any citizenry’s attempt at freely expressing themselves in the country.

Freedom of expression monitors claim that the government branches, including the police and military forces, support and work in coordination Ortega to stem any attempt at expressing opinions or demonstrating differently from the government's narrative.

In neighborhoods, colonies, and communities, the Sandinista Front Party —controlled by Ortega and Murillo— has grassroots structures called CPCs, which serve as snitches for the regime. Any citizen having thoughts critical of the government is immediately singled out and arrested; therefore, freedom of expression is hijacked.

During this period, journalists continue to go abroad on exile, priests have been silenced, imprisoned and sent to exile, and there is a long list of blunders and human rights violations by the regime and its henchmen.

Over this year, freedom-of-the-press monitoring organizations in Nicaragua documented at least 55 cases of journalists who were forced into exile, as they faced arrest threats in the country.

At least 62 attacks on independent journalists and communicators have taken place, in addition to twenty-two attacks on media outlets, most of them perpetrated by henchmen from the government and civilian vigilantes known as mobs or paramilitaries.

The families of journalists were also subject to attacks. On August 31, 2023, Kimberly León, daughter of deceased, critical of the government journalist Sergio León, reported that the regime prevented her from returning to her country.

“When she tried to board the plane to Nicaragua, the airline informed her that the government had not authorized her entry,” reads Kimberly’s complaint, originally from the city of Bluefields in the South Caribbean; she had traveled to the United States for family matters and could not return home anymore.

The attacks against the media have continued. On September 28, 2023, the regime, through the Instituto Nicaragüense de Telecomunicaciones Telcor (a communications regulating agency for the State), ordered the closure and confiscation of two radio broadcasters belonging to the Yatama indigenous party on the North Caribbean coast (radio *Yapti Tasba Bilwi* and *Yapti Tasba Waspán*), following the arrest of Yatama Party’s indigenous leader Brooklyn Rivera.

The Freedom of Expression and Democracy Foundation (Fundación por la Libertad de Expresión y Democracia, FLED) and Voces del Sur, in 2024’s first quarterly report, expressed their concern that many of the journalists still in Nicaragua had to change jobs in order to comply with their family commitments and to avoid persecution from the government.

Between January and March, 2024, FLED documented a minimum of nine journalists pushed into exile to protect their safety in the face of arrest threats by the police.

It has been a year of continuous persecution, threats, expulsions, confiscations, arrests, intimidation, harassment, people who have had their nationality revoked and others who have been prevented from returning to their homeland, simply for having exercised the right to express themselves or for simply being related to independent journalists.

## **Results Analysis**

### **Executive environment**

The Executive branch scored 7.77, this meaning a very strong negative influence on freedom of expression. Its influence scored 8.96 at the Citizens Free to Express Themselves realm and 5.93 at Violence and Impunity Against Journalists and Media. Ultimately, it scored 8.41 in Control Over The Media and Journalism.

In general, the Executive branch has masterminded the entire official system that has designed and implemented, supported by the Judiciary and Legislative branches, all the repressive laws and policies that prevent Nicaraguan citizens from expressing themselves freely.

The regime also relies on police, military forces and henchmen to subject the population to fear, harassment and persecution at any sign of an attempt at expressing an opinion on the country’s reality, unless it is to speak of the government’s administration favorably.

### **Legislative environment**

The Legislative environment scored 7.51, with a very strong influence on situations unfavorable to freedom of expression.

It shows an unfavorable 7.52 degree of influence regarding citizen’s free speech and right to be informed, since it is in this environment where repression is applied to prevent citizens from using the right to express themselves and to be informed freely.

The Legislative got to score of 8.59 with a very strong influence in violence-against-media-and-journalists-related situations, and also a very strong level of influence at Control Over The Media and Journalism Control (score of 8.22).

### **Judiciary environment**

This environment has a strong influence 7.51 score on freedom of expression in Nicaragua, and a higher, very strong influence 8.56 score in unfavorable situations at Citizens Free to Express Themselves.

The values shown by this environment demonstrate the high degree of negative influence that the Judiciary environment exerts on freedom of expression in Nicaragua. The Judiciary is keen to prosecute anyone who dares to express an opinion about the regime and prosecutes journalists only for informing the citizens.

In this environment, legislation such as the cybercrime act, also known as the “muzzle law”, are applied, preventing the population from speaking their minds on international issues that have to do with the Government of Nicaragua, except to speak in a favorable light and defend the policies of the Ortega-Murillo dictatorship.

### **Realms**

#### **Realm Citizens Free to Express Themselves**

Of a theoretical maximum of thirty, it scored 0.93, which demonstrates the non-existent freedom of expression in Nicaragua, evidenced by the restrictive laws preventing citizens from being informed and speaking their minds in the country.

Although citizens seek ways to be informed through independent media outlets digital platforms that report from exile, they fear to have their visits recorded in these media outlets; they also do not comment on the news and if they do, they have to use aliases or fake profiles to avoid being singled out by the regime and its henchmen.

“Despite this and defying official censorship, Nicaraguan media in exile continued to report. *La Prensa* celebrated its 98th anniversary reporting from the San Juan River waters and publishing a special edition so that citizens could print it as an act of resistance”. SIP. Nicaragua, report (abril 12, 2024).

#### **Sub-realm Information flow**

The theoretical maximum is eleven and Nicaragua scored 0.57; thereby signing the low information flow in the country because the official version is the one communicated, while the regime censors information flow from independent media that broadcast from exile with limitations.

Information in the country remains scarce, no access to official sources is not provided and, as if that were not enough, the regime continued to shut down media outlets in this period, according to the report of the Independent Journalists and Communicators of Nicaragua (Periodistas y Comunicadores Independientes de Nicaragua, PCIN), which decreases possibilities from information flow.

“The country already has 56 media outlets shut down and confiscated by the Ortega-Murillo dictatorship. The most recent victim was Catholic Church’s Radio María, shut down on July 9, 2024”. (PCIN Report, 2024).

### **Sub-realm Freedom of Expression**

In this sub-realm the theoretical top score is nine; however, Nicaragua scored 0.21, thereby showing that there is no right to freedom of expression in the country, which is evidenced in many cases by the imprisonment of journalists and people for the simple fact of expressing opinions differing from the regime’s.

There can be no freedom of expression with hostility towards the press and when citizens are arrested just for demanding democracy in the country, “Daniel Ortega’s and Rosario Murillo’s Sandinista dictatorship escalated its attacks in this period, stripping departments of the country from independent journalism”, reads SIP’s report (April 12, 2024).

Journalism persecution and criminalization denote the absence of freedom of expression, to the extent that the few media outlets still standing in Nicaragua were forced to change their agenda. “In the different departments of the country, local media have removed newscasts and critical addressing to social and political issues from their programming,” says the FLED report (January-March 2024).

### **Sub-realm Disinformation**

With a maximum available of ten, the Disinformation sub-realm scored 0.14, which indicates that there is a “sea of disinformation” about what is happening in the country. The regime only reports the good deeds it does, omitting the bad ones. Possible complaints and claims from the citizens are not mentioned in the news or national communication spaces.

Government sources are not accessible, thereby existing only one-sided information which is the one broadcast by Vice President Rosario Murillo; this constantly creates disinformation for the citizenry about the real events that take place in the country, all while keeping up appearances that “everything is fine”, under the guise of happiness, prosperity, harmony. Accordingly, the citizens are not speaking up.

It is concerning that disinformation is used to cover up corruption and constantly attack independent journalism, prosecuting the men and women of the press as criminals. When arrested, journalists and opposition supporters are introduced as terrorists or linked to drug trafficking cases, in an attempt at keeping the population disinformed. To avoid disinformation, citizens resort to exiled independent media content, even if on the quiet.

### **Realm Violence and Impunity against Journalists and The Media**

Of a theoretical maximum of twenty, 0.44 was scored, which evinces the climate of hostility and impunity powered by the government against journalists and media outlets in the country. All this is reflected in imprisonments, harassment, raids and banishment of journalists.

### **Sub-realm Protection**

From the ten point theoretical top score, it scored 0.00. The data are eloquent: there is absolutely no protection policy for journalists; on the contrary, the entire system of the country is wired up to prevent the free journalism and freedom speech.

### **Sub-realm Persecution**

From a maximum fourteen, Nicaragua scores 0.25. In the country there is constant persecution of journalists, influencers, YouTubers or anyone who dares to use their right to free speech, except for government propaganda or topics that do not address the nation's reality.

On July 12, 2024, feminist journalist Fabiola Tercero vanished; she was last seen after the police raided her home in Managua, according to Voces del SUR organization. At the time this report was being written, she was still missing.

Due to censorship, persecution and harassment, "the independent press continues to go through a real nightmare", as indicates the 2024 Reporters Without Borders (Reporteros Sin Fronteras, RSF)'s World Freedom of the Press Index (Confidencial, May 2024).

### **Sub-realm Impunity**

Nicaragua scored 1.5 of a theoretical maximum of sixteen; this reflects the existing level of lack of protection for journalists or any citizen who pursues their freedom of expression; in this case, they will be subjected to abuses by government henchmen and clash groups from the regime and will not be able to rely on anyone to report or assert their right to speak their minds.

### **Realm Control Over The Media and Journalism**

This category scored 3.36 out of thirty, and was distinguished by the absolute control that the regime has over the media. The country is defined as a cluster of government-supporting media and few private media; these are governed by the regime's communicational policies. Any media outlet expressing grievance on the economic, political, environmental or social reality is shut down and confiscated.

President Ortega's speeches are always broadcast on an Telcor-ordered official network, as Telcor is the nation's agency in charge of controlling the media. Pay television must also merge in the networks.

There is no independent journalism in Nicaragua, there is even control over journalists who live in the country; at least 55 went into exile during this period analyzed, and the few remaining have changed jobs; they fear identifying themselves as journalists because this makes them a target for constant surveillance and harassment by the police. In July 2024, PCIN reported that at least ten journalists, mostly retirees and veterans, were visited by the police, who warned them that they had to report any outing from their homes and were also prohibited from publishing on social media.

### **Sub-realm Direct Control Over The Media**

The score was 1.36 out of a theoretical maximum of fourteen, thereby reflecting the absolute control that the regime has over the media, not only those that it owns, but also the private media that must submit to the regime's editorial line to avoid censorship and confiscation.

Independent media in exile do not escape the dictatorship's control. They are monitored, surveilled and attacked from within Nicaragua. "From FLED we report that, in this quarter, the Nicaraguan government used their party's political agitators with greater force, who are present in the media, to attack, slander and try to disqualify independent media and journalists in Nicaragua", says FLED's and Voces del Sur's report (July to September 2023).

### **Sub-realm Indirect Control Over The Media**

The score was 0.00 out of a theoretical maximum of six, showing that in addition to the direct control that the regime has over the media, it also exerts control indirectly.

Indirect control manifests because the few media outlets remaining in Nicaragua have to submit to the regime's editorial line, pro-government propaganda journalism, and rebroadcast official information; otherwise, they are risk sanctions, shutdown and confiscation.

### **Sub-realm Control of the Exercise of Journalism**

The maximum was ten and the score was 2.00. The regime has such control over the exercise of journalism that in the country it is posted only what the dictatorship wants disclosed.

The exercise of journalism is regulated by such repressive legislation as the cybercrime act. Criticism of the government's administration cannot be posted, and citizens' human rights cannot be talked about. These words are implicitly prohibited within the nation.

Control is observed when listening to the radio or watching television, where the information is the same, talking about a "wonderful" country and all the good deeds the government accomplishes.

### **Conclusions**

The conclusion for Nicaragua is, once again that freedom of expression and of the press is non-existent, which affects journalists, opinion leaders, influencers, YouTubers and all citizens who need to make use of the human right to speak their minds. According to 2024 Chapultepec Freedom of Expression and Press Index, out of a theoretical maximum of one hundred, Nicaragua scored 6.51, occupying the last place of the twenty-two countries analyzed.

The three Executive, Legislative and Judicial environments directly influence the non-existence of freedom of expression and the press in Nicaragua; thoroughly controlled by Daniel Ortega's and Rosario Murillo's regime, they do not give respite to any attempt at using that right in the country.

These environments work under the coordination the dictatorial couple, to create and apply laws that criminalize people who use of their right to freedom of expression, supported by the police, military and clash-group organizations, to monitor citizens, arrest and prosecute people who try to freely express their opinion.

"Nicaragua closes 2023 with new forms of repression, attacks and threats to freedom of the press, noteworthy: banishments, confiscations, illegal arrests, harassment and surveillance to the families of journalists". This is a statement from the Nicaragua 2023 report by FLED and Voces del Sur (January 2024).

Not satisfied with the muzzle it keeps on journalists and citizens in Nicaragua, the regime uses its official spokespersons to verbally attack and slander exiled journalists. In the 2024's first quarter, 34 attacks on freedom of the press were recorded, mainly stigmatizing and offensive speeches.

"I am afraid to answer an unknown number, I feel that it will be one of them to investigate me", said an anonymous Nicaraguan journalist from exile, published in FLED and Voces del Sur quarterly report (April-June 2024).

Despite the hostile outlook for journalism in Nicaragua, newsmen and newswomen, from exile, remain committed to keep reporting, creating public opinion, reinventing themselves to raise the quality of journalism, resist and combat censorship, said in an interview Martha Irene Sánchez, chair of the news platform República 18, and PCIN member, from exile, published in the Nicaragua 2023 Report by FLED and Voces del Sur (January 10, 2024).

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