

Legal framework

The Constitution of the Republic of Nicaragua stipulates in Article 69 of Chapter III on Social Rights, in Title IV Rights and Guarantees of the Nicaraguan people, that all people, individually or collectively, have the rights to express their religious beliefs in private or in public, through worship, practices and teaching. No one can evade the observance of the laws or prevent others from exercising their rights and fulfilling their duties, invoking religious beliefs or provisions.

Violations of freedom of religion or belief

Despite constitutional guarantees for freedom of religion or belief, religious leaders have found themselves targeted by the government, which views them as a threat due to their broad social influence.

Religious leaders who stand up for human rights in the country have faced harassment, arbitrary detention, physical violence and threats, while foreign religious leaders have had their residence visas arbitrarily cancelled or have been prevented from returning to the country. CSW has also received reports that church services and special celebrations have been surrounded or arbitrarily cancelled by police. Some church-run institutions have also been forced to shut down or had their budgets dramatically cut by the government.

In its 2021 [annual report](#), the United States Commission on International Religious Freedom (USCIRF) recommended that the US State Department retain Nicaragua on a Special Watch List “for engaging in or tolerating severe violations of religious freedom.”

During the 2018 protests, sparked when the government modified the pension system for the elderly, prompting a series of demonstrations throughout the country, leaders of the Roman Catholic Church attempted to mediate between the government and protesters, and some of its religious and lay leaders received death threats from the police and paramilitary forces. The government used the media to generate a campaign against the Roman Catholic Church and its leadership, while Ortega also activated shock troops that attacked churches, cathedrals and places of worship, including the main cathedral in the country’s capital, Managua.

Fearing similar reprisals, only a few Protestant churches spoke out in support of the protests. On 15 December 2020, Protestant Pastor Wilber Alberto Pérez was arbitrarily detained for promoting the ‘Navidad sin Presos Políticos’/‘Christmas without Political Prisoners’ campaign. In March 2021, he was sentenced to 12 years in prison.

Church leaders and congregations are cautious, as preaching about unity or justice is considered criticism of the government and therefore a crime. Churchgoers are not allowed to hang religious symbols such as crosses, or the Star of David, outside their homes, nor are they permitted to display banners alluding to peace, justice, unity or democracy.

The government has also targeted foreign priests residing in the country by denying them re-entry if they leave the country or revoking their visas.

Church run private schools have also suffered discrimination. Every educational entity must renew its academic permit each year, but the government has begun to deny the renewal of permits to private schools with a religious identity, or those considered to be an opponent of the government, in an effort to force them to close. The government also announced that it would not recognise the academic accreditations of students enrolled in these schools, potentially blocking their entry to state-run universities in future.

Ongoing human rights crisis

There has been growing international scrutiny and pressure on the Nicaraguan government to promote democracy, to release all political prisoners, and to grant justice to all victims of the human rights crisis that began in April 2018.

The protests were met with brutal repression from the government, which only stoked the fire of further protests. The Guardian [reports](#) that 300 people were killed, 2,000 injured and hundreds of people arbitrarily detained and prosecuted in the violent crackdown against the nationwide anti-government protests. The Inter-American Commission on Human Rights (IAHCR) documented 777 arrests, with many detainees subjected to torture, electric shocks, asphyxiation and rape in prison.

A [report](#) by the Interdisciplinary Group of Independent Experts (GIEI), commissioned by the IAHCR to investigate these acts of violence, concluded that the crimes committed by the Nicaraguan state amounted to crimes against humanity, and that there was significant evidence that police and paramilitaries had directly shot at citizens during the protests, using lethal weapons, including weapons of war, as part of “a well-defined plan devised by the State’s highest authorities for the commission of these crimes.”

In addition, the government has jailed more than 150 government opponents, including seven potential opposition presidential candidates, and forced many more into exile. It is estimated that more than 100,000 Nicaraguans have sought asylum abroad, with Costa Rica alone [receiving](#) 53,000 refugee applications in 2021. In 2020, the UNHCR noted that approximately 4,000 Nicaraguans sought asylum abroad per month, including students, human rights defenders, journalists and farmers. The Nicaraguan government approved a Special Cybercrime Law in 2020 which introduced penalties of up to ten years in prison for anyone who posts news online that the government deems false. This restriction on freedom of expression follows other measures against the press such as customs limits on the availability of ink and paper in 2018, which led to the eventual closure in 2019 of the 40-year-old “El Nuevo Diario,” one of the newspapers most critical of the government.

In February 2022 the government revoked the legal status of a number of private universities and aid organisations, several of which were affiliated with the Roman Catholic Church.

Elections

Daniel Ortega was inaugurated as President of Nicaragua on 10 January 2022, following his re-election on 7 November 2021, which was marred by months of government repression and the arrest of political opponents, including opposition candidates, in the preceding months. His wife, Rosario Murillo, serves as vice president.

International condemnation was swift. On 12 November 2021, a resolution entitled, “The situation in Nicaragua”, was adopted at the 51st regular session of the General Assembly of the Organisation of American States (OAS), and stated that the Nicaraguan presidential elections had “no democratic legitimacy.”

In response, on 19 November 2021, the government of Nicaragua announced its decision to withdraw from the OAS. It is not yet clear what the repercussions of withdrawal will be, but it seems likely to have a negative impact on the economy and wider society.

On 15 November 2021, the United States approved new sanctions against the Nicaraguan government, as did the government of United Kingdom. The EU has also imposed some restrictions on the Nicaraguan regime.

The Permanent Council of the OAS adopted a second resolution on the human rights situation in Nicaragua in a special meeting held on 8 December 2021, which recalled all previous resolutions made since 2018 that expressed grave concern about the deterioration of democratic conditions in Nicaragua and urged the government “to urgently and as a first step, release all political prisoners.” It also called for “the immediate return of international human rights bodies, such as the Inter-American Commission on Human Rights and the Office of the United Nations High Commissioner for Human Rights,” which were expelled from the country in 2018.

One of Nicaragua’s many political prisoners is Edgard Francisco Parrales Castillo, 79, who was detained after criticising President Daniel Ortega’s decision to withdraw Nicaragua from the OAS. Parrales Castillo has worked as a Roman Catholic priest and as Ambassador of Nicaragua to the OAS. He is currently being held in Managua in the ‘Dirección De Auxilio Judicial’ (Judicial Assistance Department), commonly referred to as ‘El nuevo Chipote’.

Recommendations

To the government of Nicaragua:

- Release Edgard Parrales, Pastor Wilber Alberto Pérez and all political prisoners unjustly detained in the country.
- Allow international human rights bodies, including the Inter-American Commission on Human Rights and the Office of the United Nations High Commissioner for Human Rights, unhindered access to Nicaragua.

To the United Nations and Member States:

- Urge Nicaragua to uphold, in law and in practice, guarantees to the right freedom of religion or belief for all in line with the constitution and International Covenant on Civil and Political Rights (ICCPR) to which the State is party.
- Support the Office of the High Commissioner for Human Rights (OHCHR) monitoring and reporting on the situation of human rights in Nicaragua and maintain pressure on the government to protect human rights including the right to freedom of religion or belief in accordance with the International Covenant on Civil and Political Rights to which the State is party.
- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on Nicaragua, addressing the vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Monitor reports of arbitrary detention and call on Nicaragua to protect all persons from arbitrary detention and guarantee the right to a fair trial.

To the European Union and Member States:

- Consider the addition of new individuals to the sanctions list already imposed on human rights violators in Nicaragua, in keeping with the European Parliament’s resolution of 16 December 2021.

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