

Introduction

CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB).

This submission seeks to draw the Council's attention to the situation of FoRB in Nicaragua, which forms part of a wider crackdown on independent civil society following widespread protests in 2018. The situation became more severe over the course of 2022.

Under the leadership of President Daniel Ortega, leader of the Sandinista National Liberation Front (FSLN) and his wife, vice-president Rosario Murillo, the Nicaraguan government has intensified efforts to eradicate independent voices. With the abolition of term-limits by the FSLN-controlled National Assembly in 2014, Ortega has entered his fourth term as President and the human rights situation remains bleak.

Crackdown on religious leaders and faith communities

FoRB violations involving threats and harassment at the hand of government officials and/or their surrogates in the form of pro-government activists and paramilitaries are among the most reported over the past year.

Roman Catholic and Protestant religious leaders are regularly monitored, harassed and threatened, with the government placing informants in congregations to report on the content of prayers and sermons, for example.

Many reported being followed or receiving visits from government agents, some in uniform and others in civilian clothes, who threatened them with violence or imprisonment. In one case, a call to 'pray for the situation in Nicaragua' during a religious service was interpreted as critical of the government.

Over the past 12 months, the government has warned some individuals that they should not participate in any religious activities. In most, but not all, such cases, the person targeted was either considered by the government to be a pro-democracy activist or someone with close ties, usually family ties, to well-known activists or human rights defenders. In one such case a member of the Constitutionalist Liberal Party was stopped on his way home after attending Sunday morning Mass in the South Caribbean Coast Autonomous Region (SCCAR) in November 2021. He was arbitrarily detained for a few hours by police and military officers who, before releasing him, warned him that if they saw him at church again, he would be imprisoned or forcibly disappeared.

At least 12 Roman Catholic priests and lay leaders were

arbitrarily detained and imprisoned or put under house arrest in 2022, including Bishop Álvarez Lagos of Matagalpa, who on 10 January 2023, was ordered by Judge Maria Gloria Saavedra Corrales to be put on trial on charges of conspiracy and spreading false information following his detention on 19 August 2022.¹ Bishop Álvarez Lagos, together with eleven priests and lay leaders, had been forcibly confined in the Matagalpa curia for 15 days before their detention. On 26 January 2023, Judge Nadia Camila Tardencilla found seven of those who were detained with Bishop Álvarez Lagos - four Roman Catholic priests, two seminarians and a church cameraman - guilty of conspiracy against the state. In addition, a Protestant pastor Wilber Alberto Pérez, who was detained and imprisoned in December 2021, is reportedly being held in isolation in a punishment cell.

CSW has also received reports that political prisoners are not permitted to have a Bible or other religious literature in prison or receive pastoral visits.

Entire communities of faith, including nuns affiliated with the Missionaries of Charity² and the Cross of the Sacred Heart of Jesus orders, were expelled from the country in June and September 2022 respectively. A number of religious leaders holding Nicaraguan citizenship were prevented from boarding return flights home after traveling abroad when the government informed the airlines that the targeted individuals would not be allowed entry.

In 2022, the legal status of more than 2900 civil society organisations (CSOs) was cancelled.³ While CSOs linked to religious groups were not exclusively targeted, the legal cancellations have had a devastating effect on the ability of both domestic and international organisations of a religious nature or with historical links to a religious group, to operate in the country. In February 2022, the government revoked the legal status of a number of private universities affiliated with Roman Catholic and Protestant religious groups.

CSW also noted an increase in the number of documented cases involving the arbitrary cancellation by the government of religious services or activities and violations of freedom of assembly. In some cases, these targeted specific congregations and those affected were unsure of the reasons for the government's actions.

For example, in January 2022, police ordered a Protestant church pastor to immediately suspend a worship service taking place on a basketball court, claiming that religious worship in public areas is prohibited. The pastor, who reported the case to CSW, had not been informed of this prohibition and noted that although there had been no problem with such activities taking place outside the church building in the past, from this point on there was a total ban on any public religious activity.

1 Christian Solidarity Worldwide, 'Roman Catholic priests and lay leaders found guilty', 30 January 2023, <https://www.csw.org.uk/2023/01/30/press/5922/article.htm>

2 FoRB in Full, 'From Nicaragua to India, the global community must stand up for the work of independent civil society', 28 July 2022 <https://forbinfull.org/2022/07/28/from-nicaragua-to-india-the-global-community-must-stand-up-for-the-work-of-independent-civil-society/>

3 Expediente Publico Daniel Ortega cierra roba y confisca mas de tres mil ONGs en Nicaragua, 7 December 2022 <https://www.expedientepublico.org/daniel-ortega-cierra-roba-y-confisca-mas-de-tres-mil-ongs-en-nicaragua/>

In September, the police stopped a Roman Catholic lay leader and missionary and warned to stop holding Sunday worship services in the region or ‘face the consequences’. The police searched him, took his Bible and destroyed it.

In another example, on 14 October, police and 20 trucks with officers in riot gear were deployed outside the San Miguel Arcángel Roman Catholic Church in Masaya in order to prevent the annual procession of Saint Michael the Archangel.

Crackdown on media outlets

Between November 2021 and November 2022, the Nicaraguan government also continued its crackdown on freedom of expression. Government attempts to limit this right extended from the targeting of specific individuals to the mass closures of independent media outlets, including television and radio channels linked to Roman Catholic and Protestant groups.

Channel 21, the only private television and one of the most important radio channels linked to Protestant Evangelicals, was forcibly shut down on 9 November 2021 by the Nicaraguan Institute of Telecommunications and Postal Services (TELCOR), the regulatory body for telecommunications and postal services in Nicaragua. The directors of Channel 21, which has operated in Nicaragua since 1991 and is run by the family of Reverend Guillermo Osorno Molina, issued a statement explaining that on 9 November TELCOR officials visited the offices of the television and radio channel, claiming they were there for a routine inspection of the two stations’ antennas.⁴ Later the same day, TELCOR informed the media outlet that its license to operate television and radio channels had been cancelled. Attempts by Channel 21 to present evidence that the media outlet was in compliance with all regulations were unsuccessful. It seems likely that the government targeted the channel because of the pro-democracy and political activities of Reverend Osorno Molina, who ran as a candidate in the presidential elections, publicly criticized irregularities in the electoral process, and called for new general elections. Channel 21 continues to operate via digital media outlets.

On 1 August 2022, transmissions by six Roman Catholic radio stations in the Department of Matagalpa, came to an immediate halt following a directive from Nahima Díaz, executive president of TELCOR. The forced closure was based on a claim that the stations have not held valid authorisations dating back to 2003. These claims were

refuted by Roman Catholic officials who pointed out that the required documentation was provided to TELCOR in June 2016, but that requests for official acknowledgement went unanswered.

Recommendations to the United Nations and Member States:

- Support the Office of the High Commissioner for Human Rights (OHCHR) and mandate of the Group of Experts on the situation of human rights in Nicaragua in their monitoring and reporting on the situation of human rights in Nicaragua.
- Maintain pressure on the government to promote and protect human rights including the right to freedom of religion or belief, freedom of expression and freedom of assembly and association 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.

⁴ Official statement of Channel 21 published on Facebook, 10 November 2021, <https://www.facebook.com/Canal21NicaraguaOficial/photos/a.392468877499892/4515735578506514/?type=3>



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