

Context and 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.

Daniel Ortega and the Sandinista National Liberation Front (FSLN) have held power in Nicaragua since 2007. Ortega was inaugurated as president, and his wife, Rosario Murillo as then vice-president, of Nicaragua on 10 January 2022, following his re-election on 7 November 2021. The process was marred by months of government repression and the arrest of opposition candidates. International condemnation was swift. A series of constitutional amendments approved on 30 January 2025 further consolidated the Ortega-Murillo dictatorship by extending the presidential term from five years to six, making the couple co-presidents and reinforcing their influence over all branches of the state.

In 2020 the Nicaraguan government approved the Special Cyber Crimes Law, introducing penalties of up to ten years imprisonment for using social media platforms for sharing 'false information' or 'information that could raise alarm among the people'.

Under the leadership of co-presidents Ortega and Murillo, and the FSLN, FoRB has deteriorated significantly. Religious leaders who defend human rights or speak critically about the government face harassment, threats, and the possibility of physical violence and arbitrary detention. The government monitors religious activities, putting pressure on leaders to practice self-censorship. Preaching about unity or justice or praying for the general situation in the country, for example, can be considered criticism of the government and treated as a crime. Roman Catholic leaders have been a particular target with many imprisoned and/or sent into forced exile. Hundreds of Protestant Christian churches have also reportedly been confiscated or forced to close by the government.¹

CSW recorded 222 separate FoRB cases in 2024. Most cases involved multiple FoRB violations; some affected thousands of people.²

Arbitrary detention

Religious leaders, including Roman Catholic priests and lay leaders, and pastors, as well as members of religion or belief communities were subjected to short- and long-term

arbitrary detention. The total number of religious leaders in prison at any one time fluctuated due to the forced exile of numerous political prisoners. Political prisoners are not allowed to receive or have a Bible or other religious literature in prison, and many are held in isolation in inhumane conditions, in violation of the Nelson Mandela Rules.

Members of religion or belief communities and religious leaders, including both Nicaraguan nationals and individuals holding foreign citizenship, have been forcibly exiled, forced to leave, or prevented from re-entering the country.

On 15 May 2022 Protestant Christian Pastor Efrén Antonio Vílchez López was beaten and detained as he was leaving the funeral home where he worked in San Rafael del Sur, a town and municipality 50km south-west of Managua. He was not told on what charges he was being arrested, and his family were kept unaware of his whereabouts for three days. On 21 September Pastor Vílchez López was sentenced by a court in Managua to 23 years in prison on trumped up charges for the crime of raping a young man with an intellectual disability. The court refused to allow any evidence that would have supported his acquittal.³

Pastor Vílchez López has a history of criticising President Ortega and the actions of his government. During the 2018 demonstrations, he published statements on social media condemning the use of violence against protestors, and was swiftly visited by a police officer who threatened him. A year later, he was severely beaten for verbally confronting police officers who routinely surrounded his home, resulting in several fractures to his hand.

Initially, Pastor Vílchez López was treated as a common prisoner. However, in July 2024 he was transferred to a maximum-security cell in 'Gallery 300' of La Modelo Prison, in what amounts to a de facto recognition of his status as a political prisoner.

On 10 August 2024 Roman Catholic lay leaders Carmen María Sáenz Martínez and Lesbia del Socorro Gutiérrez Poveda were detained. Both women worked with the Roman Catholic Diocese of Matagalpa, formerly led by the now exiled Bishop Rolando José Álvarez Lagos. They remain in incommunicado detention with no proof of life provided to their families. They have not been charged, tried or sentenced for any crime.

The Inter American Human Rights Commission has issued a recommendation for precautionary measures in the cases of all three of Pastor Vílchez López, Ms Sáenz Martínez and Ms Gutiérrez Poveda, with no response from the Nicaraguan government.

1 Molina Montenegro, Martha Patricia, 'Nicaragua: A Persecuted Church (2018-2022)', June 2022 <https://iglesiaperseguidani.com/wp-content/uploads/2023/10/000-PERSECUTION-TO-THE-CHURCH-REPORT-ENGLISH-FINAL-VERSION-8-28-2022-1.pdf>

2 CSW's documentation work relies on the willingness of those affected to share the details of their experiences. In the current climate of fear, a significant percentage of violations goes unreported.

3 The Nicaraguan government has previously used fictitious sexual assault cases to target religious leaders who have been critical of its actions. In September 2022 Bishop José Leonardo Urbina Rodríguez was sentenced to 30 years in prison on similar charges, though he was ultimately released and sent into forced exile in October 2023.

Forced closure of civil society organisations

The government continues to suppress opponents. It has forcibly shut down more than 5,000 independent civil society organisations (iCSOs), including over 1,300 organisations of a religious nature,⁴ since April 2018, arbitrarily stripping them of their legal status. 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. Forcibly closed iCSOs include religiously affiliated and internationally known and respected organisations such as Caritas and the Society of Jesus (also known as the Jesuit Order). Several domestic organisations were also stripped of their legal status and forced to close. The government has frozen the bank accounts of some groups and began to collect property tax from religious institutions and iCSOs of a religious nature or linked to a religious group or institution in contravention of domestic law exempting them from such taxes.⁵ In some cases, this has led to the closure of the targeted institution, inability to pay staff, or has been accompanied by the confiscation of property by the government or the forced exile of members.

The arbitrary cancellation of legal status extended to institutions of higher learning. In 2023 several universities and technical institutes linked to both Roman Catholic and Protestant religious groups, including the Autonomous Christian University of Nicaragua, the John Paul II Catholic University, Adventist University of Nicaragua (UNADENIC), The Martin Luther King Jr Evangelical University of Nicaragua (UENIC-MLK), the Jesuit-run Central American University (UCA) were stripped of their legal status, had their property confiscated, or were forced to close due to the government freezing their bank accounts. In justifying the closure of these institutions and the government takeover of the associated properties, authorities cited the Law on Non-Profit Legal Entities (Law 147), the Organic Law of the Legislative Power of the Republic of Nicaragua (Law 606), and the Law against Money Laundering, Financing of Terrorism and Financing of the Proliferation of Weapons of Mass Destruction (Law 977).

Prohibitions on religious activities and manifestation

Since 2023 the government has become more aggressive in its prohibitions on public manifestations of a religious nature including outdoor worship services and religious processions. The National Police (PN) issued orders directly to religious leaders across the country that no processions outside their respective physical buildings were permitted. The PN also repeatedly prevented entire groups from holding vigils and religious services. Some religious groups, particularly those aligned with and supportive of the government, were exempt from prohibitions, with permits granted for large scale public events, and the government co-opted some religious festivals and traditions in an

attempt to create an illusion of general respect for FoRB. Pro-democracy activists, human rights defenders (HRDs), members of the political opposition, and others considered by the government to be critical of its policies reported harassment and warnings from government security agents to separate themselves from religion or belief communities and to refrain from participation in religious activities.

One of the most concerning developments of 2024 was the increased use of what the Nicaraguan government refers to as 'precautionary measures' on religious leaders. Under these measures, religious leaders are assigned a specific local police officer and ordered to report to the officer on a weekly basis to have their photo taken and to submit plans for their weekly activities. Religious leaders subjected to these measures also face restrictions on their freedom of movement, and some report that they have been warned they will be detained or exiled if they do not obey the terms of the measures.

Priests and parishioners report that plainclothes intelligence officers tasked with investigating violations of the Special Cyber Crimes Law regularly visit Roman Catholic parishes and Protestant Christian churches to ask about and monitor church social media channels. Several individuals reported their religious organisation being visited by intelligence police officers requesting that those responsible for the church's social media accounts must submit all posts made on those accounts for review.

Forced exile

Since 2018 hundreds of thousands of Nicaraguans have fled the country. The majority have headed to neighbouring Costa Rica, or transited by land north, through Mexico to seek refuge in the United States. While many have fled due to the economic situation and general political repression, some have been sent into forced exile by the government.

In a February 2023 agreement with the United States, 222 political prisoners, including a Protestant pastor, and nine Roman Catholic priests and lay leaders, were released from prison on the condition that they immediately board flights bound for the US. Following negotiations with the Vatican, 12 Roman Catholic priests, arbitrarily detained on various charges and held as political prisoners for varying lengths of time, were released into forced exile in Italy in October.

In January 2024 the government released into exile bishops Rolando José Álvarez Lagos and Isidoro del Carmen Mora Ortega as well as 15 Roman Catholic priests and two seminarians. All were subsequently stripped of their Nicaraguan citizenship.

In September 2024 the Nicaraguan government exiled a further 135 political prisoners to Guatemala, in an agreement reached between Nicaragua, the United States, and a number of other countries. The group included other Roman

⁴ Confidential, 'Cruelty against religious NGOs: More than 1,300 cancelled since 2022, 11 January 2025 (Spanish) <https://confidencial.digital/nacion/sana-contra-oeneges-religiosas-anulan-a-mas-de-1300-desde-2022/>

⁵ This exemption was repealed in August 2024 following an amendment to Article 32 of the Tax Concertation Law.

Catholic lay leaders and Protestant pastors associated with the Mountain Gateway organisation and their lawyers. The regime ordered the unconstitutional annulment of their nationality and the confiscation of their property, without detailing the names of the individuals as it had done in previous instances.

In some cases, entire religious orders have been targeted. On 28 January 2025, 30 nuns from the Franciscan Poor Clare Sisters Monastery in Managua Department; the Sacred Hearts of Jesus and Mary Monastery in the Las Gracias region, Chinandega Department; and the Santa Clara 'Las Clarisas' Convent in Ciudad Darío, Matagalpa Department were forcibly expelled from Nicaragua. The nuns were from the Order of St Clare of the Franciscan Poor Clare Sisters Association, which was forced to have its legal status dissolved by the Ministry of the Interior (MIGOB) in May 2023.

Some religious leaders found themselves forcibly exiled when they were refused entry onto return flights to Nicaragua after traveling abroad. Between November 2022 and January 2024 the government prevented at least eight Roman Catholic priests from entering Nicaragua. This included both foreigners residing in Nicaragua and Nicaraguan nationals. The denial of entry was typically ordered by the General Directorate of Migration and Immigration (DGME) led by Director General Juan Emilio Rivas Benítez and the MIGOB, headed by María Amelia Coronel Kinloch.

Recommendations

To the government of Nicaragua:

- Uphold the right to FoRB, without exception, as guaranteed in the Nicaraguan constitution.
- Release without condition all imprisoned religious leaders and all political prisoners.
- Restore Nicaraguan citizenship to all those, in and outside the country, from whom it has been arbitrarily and illegally removed.
- Reinstate the legal status of all civil society organizations which have been arbitrarily made illegal; and to unfreeze the bank accounts of universities, non-governmental organizations and religious groups throughout the country.
- Stop all harassment against religious groups, by ending the practice of cancelling religious services, processions and events. and the practice of disrupting religious services with the use of police patrol cars and music on loudspeakers outside places of worship.
- End all intimidation and monitoring tactics, by preventing the application of precautionary measures

to religious leaders, and by ceasing to monitor church social media channels.

- Cease the illegal collection of taxes from religious institutions that are exempt under Article 5 of Executive Decree 3-95 on Real Estate Tax.
- Allow international human rights bodies, including the Inter-American Commission on Human Rights and the OHCHR, unhindered access to Nicaragua.

To the United Nations and Member States:

- Urge Nicaragua to re-engage with the United Nations Human Rights Council and other UN bodies it has withdrawn from.
- Support the OHCHR and GHREN in monitoring and reporting on the situation of human rights in Nicaragua, ensuring they are fully resourced to fulfil their mandates, and maintain pressure on the government to promote and protect human rights, including the right to FoRB, in accordance with the ICCPR.
- Urge all relevant UN mechanisms, including the GHREN, Special Procedures and Treaty Bodies, to include the right to FoRB in their reporting on Nicaragua, addressing the specific vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Where possible, provide financial support for human rights organisations working on the situation of human rights in Nicaragua, provide platforms for Nicaraguan human rights defenders to share their experiences, including facilitating their participation during key UN dialogues, and condemn all reprisals against members of civil society who engage with the UN.
- Monitor reports of arbitrary detention and call on Nicaragua to protect all persons from arbitrary detention and guarantee the right to a fair trial.
- Ensure fair and efficient access to identification, referral, and status determination procedures to those deprived of their nationality or forced to leave Nicaragua.
- Urge the government of Nicaragua, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Nicaragua'.

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