# **NICARAGUA**

# **USCIRF-RECOMMENDED FOR COUNTRIES OF PARTICULAR CONCERN (CPC)**

## **KEY FINDINGS**

n 2023, religious freedom conditions in Nicaragua worsened significantly. The government of President Daniel Ortega and Vice President Rosario Murillo intensified its efforts to arbitrarily arrest, imprison, and expel Catholic clergymen and laypeople. The government also canceled the legal status of Catholic organizations, confiscated their property, and harassed and intimidated worshipers.

The Nicaraguan government used spurious charges such as spreading "false news" and "conspiracy to undermine national integrity" to justify its arbitrary arrest, imprisonment, and exile of actual or perceived members of the Catholic Church. In February 2023, the government sentenced Bishop Rolando Álvarez to 26 years in prison and stripped him of his citizenship in retaliation for his criticism of government actions, including during his homilies and sermons. It also expelled 222 political prisoners to the United States and stripped them of their citizenship, including religious prisoners of conscience such as Father Oscar Benavidez, who regularly preached against government abuses, and seminarian Darvin Leiva, who was initially placed under house arrest with Bishop Álvarez. In August, journalist Victor Ticay was sentenced to eight years in prison for recording and posting online a banned Easter celebration in Nandaime. In October, the government expelled arbitrarily detained clergymen to the Vatican, including Álvaro Toledo, who spoke out about the wrongful imprisonment of priests, and Osman José Amador Guillén, who prayed for Bishop Álvarez in his homilies. In December, Bishop Isidro Mora was arrested after asking congregants to pray for Bishop Álvarez during Mass.

The Ortega-Murillo regime continued to systematically target religious organizations it viewed as opponents, particularly Catholic charitable and educational organizations. In March, the government canceled the legal status of John Paul II University and Caritas Nicaragua, a Catholic charitable organization. In May, the government canceled the legal status of the Immaculate Conception Catholic University in Managua, a formation center for seminarians, and the Santa Luisa de Marillac Technical Institute, a school run by nuns. The Ortega-Murillo regime's thinly veiled pretext for these and other cancelations was the organizations' alleged failures to comply with bureaucratic regulations or alleged voluntary dissolutions. In the case of the Jesuit-run University of Central America, however, the government shuttered the institution after baselessly alleging that it was involved in terrorism. In many cases the government also confiscated the property of these organizations. For example, the government confiscated the University of Central America's assets, announced its intention to establish a state university in its place, and evicted Jesuits living near the campus. In October, the government canceled the legal status and ordered the confiscation of property belonging to the Company of Franciscan Friars Minor.

The ongoing harassment of worshipers took many forms. Uniformed and plain clothes government agents intimidated clergy and parishioners by conspicuously monitoring religious services. The Ortega-Murillo regime banned the public observance of Catholic traditions such as street processions during Holy Week. President Ortega and Vice President Murillo also used disparaging language to demonize the Catholic Church, referring to it as a "mafia" and calling priests "representatives of the devil."

## **RECOMMENDATIONS TO THE U.S. GOVERNMENT**

- Redesignate Nicaragua as a "country of particular concern," or CPC, for engaging in systematic, ongoing, and egregious violations of religious freedom, as defined by the International Religious Freedom Act (IRFA);
- Impose targeted sanctions on Nicaraguan government agencies and officials responsible for particularly severe violations of religious freedom by freezing those individuals' assets and/or barring their entry into the United States under human rights-related financial and visa
- authorities, citing specific religious freedom violations; and
- Support the work of the United Nations (UN) group of human rights experts on Nicaragua to investigate religious freedom violations in Nicaragua and identify those perpetrating them.

The U.S. Congress should:

 Advocate for religious prisoners of conscience, including those profiled on the Frank R. Wolf Freedom of Religion or Belief Victims List, through letters, congressional

- delegations, floor speeches, and briefings; and
- Support legislation, such as the Restoring Sovereignty and Human Rights in Nicaragua Act of 2024, which expands the legal grounds for sanctions against religious freedom violators and mandates that the U.S. government oppose international financial institutions' extension of assistance to Nicaragua unless the assistance addresses basic human needs or promotes democracy.

#### **KEY USCIRF RESOURCES & ACTIVITIES**

- Press Release: USCIRF Condemns Nicaragua's 26-Year Prison Sentence for Bishop Rolando Álvarez
- Press Release: <u>USCIRF Condemns Nicaragua's Expulsion of Arbitrarily Detained Priests</u>
- Special Report: Religious Freedom for Indigenous Communities in Latin America
- Event: <u>USCIRF Conversation on Religious Freedom for Indigenous Communities in Latin America</u>
- Frank R. Wolf Freedom of Religion or Belief Victims List: Nicaragua

## **Background**

President Ortega is the head of state and government of Nicaragua. He and his party, the Sandinista National Liberation Front, exercise authoritarian control over the government and the electoral process. Nicaragua is embroiled in a social and political crisis that started after the government's repression of peaceful protests in April 2018. The Ortega-Murillo administration began persecuting the Catholic Church after it provided sanctuary to demonstrators and individual clergy voiced opposition to the government's human rights abuses, even though Nicaragua's constitution states that all people, individually or collectively, have the right to express their religious beliefs in private or in public, through worship, practices, and teaching. Government actors and pro-Ortega groups have engaged in increasingly repressive retaliatory measures against the Catholic Church. In March, the UN group of experts on Nicaragua stated that the widespread violations amount to crimes against humanity.

Catholics account for about 43 percent of the population; Evangelical Protestants comprise 41 percent; religious believers without any affiliation 14 percent; and Jehovah's Witnesses, Jews, Muslims, nonbelievers, and members of the Church of Jesus Christ of Latter-day Saints and the Moravian Lutheran Church together two percent.

## Persecution of Clergymen and Laypeople

The Nicaraguan government's persecution, imprisonment, and mistreatment of Bishop Álvarez was illustrative of its crackdown on Catholic clergymen and laypeople across the country. In April, it arbitrarily expelled two nuns running a nursing home. In July, it expelled an additional group of nuns responsible for running a Catholic charitable organization called the Sisters Poor of Jesus Christ. In October, the government expelled a group of clergymen to the Vatican. Some of those expelled, such as Jaime Iván Montesinos Sauceda, had been detained since May. In November, the government sentenced two former Catholic university students, Adela Tercero and Gabriela Morales, to imprisonment on dubious drug trafficking charges.

The Ortega-Murillo regime ended this year of persecution of the Catholic Church with an intense crackdown during the Christmas season. On December 20, police arrested Bishop <u>Isidro Mora</u> after he offered prayers for Bishop Alvarez during Mass. Two seminarians who reportedly attended the Mass, Tony Palacios and Alester Sáenz, were also detained. On Christmas Eve, the government sentenced six former employees of the Catholic charity Caritas in the Diocese of Estelí to six years' imprisonment on dubious money laundering charges. Between December 26 and 31, the government arbitrarily arrested many additional clergymen—particularly those who have criticized the religious freedom and human rights conditions in Nicaragua—such as Father Pablo Villafranca, Father Silvio Fonseca, and Father Miguel Mántica. Amid this wave of arrests and imprisonments, Vice President Murillo launched an invective against clergy, calling them "representatives of the devil." The Nicaraguan police also warned priests against organizing traditional posadas (outdoor Nativity scenes). In January 2024, many of the clergy arrested during the Christmas crackdown were exiled to the Vatican.

## **Government Closure of Catholic Organizations**

President Ortega's attempt to excise Catholic organizations from Nicaragua heightened in 2023. Catholic educational institutions such as the John Paul II Catholic University, the Immaculate Conception Catholic University of the Archdiocese of Managua, the Santa Luisa de Marillac Technical Institute, and the Jesuit-run University of Central America were all shuttered on a variety of dubious charges, including money laundering and terrorism. In addition, the Nicaraguan government closed Catholic charitable organizations such as the Sisters Poor of Jesus Christ and Caritas. Following these closures, the government often seized the organizations' assets and property. The government also amended Law 89, the Autonomy Law of Higher Education Institutions, and Law 582, the General Education Law, to formally strip all higher education institutions—including shuttered Catholic universities—of their autonomy and to bring them under the control of the government's National Council of Universities.

## **Key U.S. Policy**

In February 2023, the Joseph R. Biden administration negotiated the release of 222 political prisoners from Nicaragua to the United States. Among those released were religious prisoners of conscience. The U.S. government continued to impose robust sanctions against Nicaraguan officials responsible for religious freedom violations. In April, the U.S. Department of the Treasury's Office of Foreign Assets Control, pursuant to Executive Order 13851, sanctioned three judicial officials responsible for stripping Nicaraguan citizenship from clergymen and for falsely convicting Bishop Álvarez for treason, undermining national integrity, and spreading false news. In July and December, U.S. Secretary of State Antony J. Blinken transmitted reports identifying Nicaraguan officials who are ineligible for visas and admission to the United States because of their work to confiscate the property of, retaliate against, and strip citizenship from critics of the Ortega-Murillo administration, as required by Section 353(b) of the Northern Triangle Enhanced Engagement Act, as amended. In August, the U.S. Department of State imposed visa restrictions on 100 municipal officials involved in closing civil society organizations, including the Jesuit-run University of Central America, and detaining human rights and religious freedom advocates pursuant to Presidential Proclamation 10309. In fiscal year 2023, the U.S. government obligated \$27 million for programs in Nicaragua.

The U.S. Congress took significant steps in 2023 to highlight the particularly severe religious freedom violations occurring in Nicaragua, including through hearings, letters, and legislation such as the Nicaragua Prisoner Support Act. In January 2024, the Restoring Sovereignty and Human Rights in Nicaragua Act of 2024 was introduced. The legislation would provide for sanctions against religious freedom violators by reauthorizing and amending the Nicaraguan Investment Conditionality Act of 2018 and the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021. The legislation also would mandate U.S. government support for the UN group of human rights experts on Nicaragua, which is comprehensively investigating religious freedom and human rights violations in the country.

On December 29, 2023, the State Department redesignated Nicaragua as a CPC under IRFA and reimposed the ongoing restrictions referenced in Section 5 of the Nicaragua Investment Conditionality Act of 2018.