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Political Repression, State-Sponsored Violence, and Risks to Government Opponents in Nicaragua Under the Ortega-Murillo Regime

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Key Words: Nicaragua, repression, state violence, protest, torture, political freedoms.

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1. INTRODUCTION

When Daniel Ortega returned to the presidency in Nicaragua in 2007, winning elections over two decades after he and the revolutionary Sandinista regime left power, many in Nicaragua and abroad were hopeful. They thought that he would obey democratic checks and balances and turn the country back in a more progressive direction after years of right-leaning, neoliberal governments.¹ While there was greater provision of public goods, many neoliberal economic policies were maintained, inequality grew, and social benefits were increasingly restricted to government supporters. Meanwhile, Ortega gradually dismantled Nicaragua’s fragile democracy, establishing a competitive authoritarian regime, where political competition and freedoms of speech and assembly were restricted to ensure that Ortega and his FSLN party could not lose power—though state violence remained relatively limited. When popular protests erupted in 2018, this all changed; the government launched waves of brutal violence against protesters and suspected government opponents.² This repression has continued through 2021’s “electoral farce,”³ and prospects for safety for those who oppose the government, as well as for meaningful political change, remain slim.⁴

2. HISTORICAL BACKGROUND

The political history of Nicaragua includes extreme political polarization and violence perpetrated by state officials. Beginning in the 1930s and lasting until 1979, the dynasty of the Somoza family governed Nicaragua in a corrupt, patrimonial regime held firm by a brutal National Guard and backed by the United States.⁵ After the Somoza family stole relief funds intended to rebuild after a 1972 earthquake, violence increased, including the murder of the editor of the leading national newspaper, *La Prensa*, in early 1978.⁶ Violent opposition to the Somoza regime culminated in the 1979 revolution that brought the Sandinista National Liberation Front (FSLN) to power.⁷

The Sandinistas, led by a junta including current President Daniel Ortega (who was also president 1985-1990), built a moderate Marxist-Leninist regime behind their ideology of *Sandinismo*, quickly turning for support to Cuba and the Soviet Union in the shadow of a long history of U.S. political, military, and economic interference.⁸ In opposition to the FSLN, former members of the National Guard and other figures formed an armed insurgency, the Contras, and received aid from the U.S.⁹ The conflict produced human rights violations by both sides, including wounding and killing unarmed civilians, forced disappearances, forcibly relocating citizens, shooting fleeing refugees, bombing of public civilian places, and rape of refugees.¹⁰ Americas Watch, a human rights watchdog organization, documented summary execution of peasants considered Contra supporters by state security agents.¹¹

The civil war ended with the exit of the Sandinistas from power in 1990 and the election of a coalition government behind Violeta Chamorro, widow of the *La Prensa* editor who had been killed during the Somoza dictatorship. From 1990 to 2006, regular elections were held and the Liberal Party (PLC) controlled the presidency, but the Sandinistas maintained key positions in the legislature, judiciary, and, critically, the armed forces.¹² While civil war had ended, political violence continued. In 1992, during Violeta Chamorro's presidency, Contra forces were integrated into rural police forces and the judicial system as a whole remained highly politicized, while politically motivated violence – committed by former Contras and Sandinista military veterans, or by the Ministry of Governance officials – was rarely investigated or punished.¹³ Periodically, police attacked striking workers, forced people into police vehicles, and executed citizens; as a matter of policy, however, inaction was the typical government response to conflict.¹⁴ The Nicaraguan Pro-Human Rights Society documented some 421 human rights violations between January and September of 1995, 282 of which were allegedly committed by police or other state security agents.¹⁵

Daniel Ortega returned to power by winning elections in 2006. He and the FSLN party set the stage for this victory by making a pact with a corrupt section of the PLC in the legislature, led by former President Arnoldo Alemán, to lower the threshold for presidential election; manipulating the judiciary to remove the electoral eligibility of key rivals; and allying with Catholic Church leadership to ensure the Church's cooperation as a powerful voice in civil society.¹⁶ In exchange for Church leaders' support, once in office Ortega implemented new conservative social policies including banning abortion, also cultivating loyalty from Nicaragua's burgeoning Evangelical community.¹⁷ Those in the PLC who rejected this corrupt pact joined with other preexisting and new parties, including the Liberal Independent Party (PLI), uniting behind Eduardo Montealegre. After this liberal coalition's loss in 2006, President Ortega began to persecute and restrict the activities of these opposition parties.

Over time, President Ortega has restricted news coverage, denied journalists access to government documents, and become more authoritarian.¹⁸ In 2009, Ortega amended the constitution so that he could be re-elected for a second consecutive term; the 2011 election that followed came with allegations of election fraud. At the same time, the FSLN won 62 of 90 seats – considered to be a supermajority – in the National Assembly.¹⁹ The FSLN used its power to revise the constitution further to remove presidential term limits altogether and granted increased executive power, including the ability to rule by decree.²⁰ In mid-2016, Ortega's government used their control of the Supreme Court to strip Montealegre's leadership of the PLI party, replacing him with a government crony; when PLI and allied opposition lawmakers protested, the government ejected them from the National Assembly, stealing their seats.²¹

3. POST-2016 ORTEGA

Ortega was re-elected President in 2016, along with his wife, Rosario Murillo, as vice-president, after systematically removing opposition party contenders in another election that many reported as fraudulent.²² One by one, presidential candidates and other opponents of the Ortega-Murillos, who posed a threat to their election, were expelled from the National Assembly and ousted from their own political parties. Some were exiled from the country.²³ Despite international requests for election monitoring, independent, third-party observers and the United Nations were not permitted to monitor the elections. Reports consistently show that the government restricts human rights and civil rights, such as freedom of speech, freedom of the press, freedom to affiliate with opposition political parties, fair voting practices, and access to public information.²⁴

These restrictions on political and civic freedom escalated further after pro-democracy protests in 2018 were violently repressed by the government, by, for example, making it illegal to even wave the national flag or sing the national anthem in public, since these have become symbols of patriotic support for democratization.²⁵ The government has been unwilling to relent in its repression during the COVID-19 pandemic, refusing to release political prisoners and firing doctors who have criticized the government's inaction in combating the pandemic.²⁶ Government repression worsened in the lead-up to November 2021's non-competitive elections, with Ortega and Murillo "winning" again in a vote even more unfair than 2016. With leading presidential contenders imprisoned, U.S. President Joseph Biden and other observers denounced the 2021 vote as a "sham,"²⁷ and most Latin American leaders, including on the left, condemned the elections as neither free nor fair.²⁸ The seven top opposition presidential candidates were imprisoned, along with a total of 39 other activists, journalists, and civil society leaders, on top of over 120 political prisoners in jail since 2018.²⁹ Many others fled the country in response to government threats and fears they would be next to be arrested and sent to the feared 'El Chipote' prison.³⁰ Despite reinforcing their power, Ortega and Murillo's government has continued to arrest, attack, and torture government opponents after the elections.³¹

4. PERSECUTION AND TORTURE OF KNOWN AND PERCEIVED GOVERNMENT OPPONENTS

In Nicaragua, there are two considerations relevant to the persecution of opponents to the current Ortega-Murillo government. First, the state engages in systematic persecution and torture of those it perceives as opponents. Second, the state is not always sufficiently capable to distinguish between those who are truly opponents and those who local authorities simply suspect of opposition. This reality creates an environment of significant uncertainty and risk for everyday Nicaraguans. People publicly known to oppose the government, even only at the local level, are at particularly high risk.

Even prior to the recent unrest and crackdown in Nicaragua, the US State Department's human rights reports discussed specific abuses within the Nicaraguan

police and criminal justice systems including arbitrary arrest and detention, abuse of detainees, life-threatening prison conditions, systemic corruption, and policies limiting political competition.³² The State Department also reported numerous instances of torture and use of excessive force by the police; in 2015, before the 2018 crackdown, there were over 400 complaints filed with the Nicaraguan Human Rights Center (CENIDH) for abuses committed while citizens were detained or held in prison.³³

The government claimed it only received five complaints about conditions or abuses in prisons between January 2019 and September 2020, suggesting massive underreporting, and the U.S. State Department reports that “authorities often ignored or did not process complaints” about prison conditions,³⁴ while the Inter-American Commission on Human Rights documented widespread complaints of physical and psychological abuse of prisoners.³⁵ The Nicaraguan National Police’s Office of Internal Affairs received at least 1,807 complaints between January and August 2020 about abuses and violations of legal rights, but the police “routinely rejected complaints filed by prodemocracy opposition activists.”³⁶ Since 2018, many people have been reluctant to make complaints about harassment and violence by state forces, paramilitaries, and government supporters, and Nicaraguan human rights organizations have been subject to repression. In spite of these considerable risks of retaliation by state and pro-government actors, CENIDH began working on 230 new cases of denounced human rights abuses in 2020 and 255 new cases in 2021.³⁷

The judicial system also operates under political influence. Court orders are not consistently respected or enforced, including restitution payment or compensation for crime victims. Due process is also not consistently followed. Political and economic pressures compromise judges’ impartiality and application of the law. Judiciary officials’ corruption is evident in their acceptance of bribes and action or inaction taken in particular trial hearings or cases.³⁸ Since 2018, the judiciary and prosecutors’ offices have been purged and new government loyalists have been appointed and rewarded to ensure that anyone the government wishes to persecute judicially will be convicted and sentenced to prison, in violation of both Nicaraguan and international law.³⁹

In terms of state capacity, Nicaragua is one of the poorest countries in the hemisphere, and it has historically raised barely enough revenue to sustain the state, relying heavily on remittances and international loans. Access to basic services remains difficult, especially for the 40 percent of the population that continues to live in rural areas, despite some new infrastructure programs under Ortega.⁴⁰ In terms of state capacity to monitor its citizens, beyond the police, the main mechanism available to the state is membership in and loyalty to the Sandinista party, which has been used to distribute social programs, government jobs, and access to contracts and patronage, garnering strong support from a select group.⁴¹ As a result, any individual who is not a member or supporter of the Sandinista party can expect to be excluded from public benefits, at the least, and the slightest suspicion of opposition could make an individual vulnerable to harassment, being fired, persecution, or worse by government officials, police, and pro-government paramilitary forces.

The impact of this type of regime is increased political violence in general, both threatened and enacted, especially around moments of elections and at sensitive

moments of legislative debate or other politically charged moments. To indicate its strength, the Sandinista government mobilizes its base for marches and demonstrations, obliging public sector workers and beneficiaries of public programs to turn out. Police do not control the demonstrators, and there were frequent reports of physical attacks and violence perpetrated against those perceived to be opponents of the government, even prior to 2018. Such episodes have historically been more frequent around election time.⁴² The November 2021 presidential elections took place in a climate of fear, with opposition candidates jailed and police raiding opposition members' houses and arresting them around the election.⁴³ The government has consistently resisted electoral reforms to ensure that elections are free and fair, and in 2020 passed draconian new laws to enable it to crackdown on political opponents and civil society members.⁴⁴ Violence has also surrounded sensitive political issues and moments, such as the 2010 decision to allow Sandinista elected officials to serve beyond established term limits, when demonstrators were turned loose on opposition legislators and their supporters, as well as government crackdowns on protests between 2013 and 2016 against a planned interoceanic canal cutting across southern Nicaragua.⁴⁵

Quite simply, the Sandinista regime has become notably more authoritarian over time, increasingly closing off opposition and violating civil liberties.⁴⁶ As an indicator of the closing of political space, consolidation of power, and increasing authoritarianism of the regime, the 2016 elections were waged only after Ortega had disallowed the candidacy of his major competitor in the PLI, removed opposition legislators from Congress, barred international observers, and named his wife as his Vice President,⁴⁷ a pattern that continued in the 2021 elections. Ortega arrested or banned all legitimate opposition, leaving only puppet parties as competition, and asserted total control by claiming to have won an election with 65% turnout, despite independent observers estimating that under 20% of registered voters actually cast ballots.⁴⁸ Due to these illegitimate elections and continuing human rights violations, in November 2021, President Biden signed the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 (RENACER Act), passed by Congress, to increase sanctions on the Ortega-Murillo regime and increase reporting on abuses by the police and military, and the US, United Kingdom, and other pro-democracy countries and actors have continually expanded sanctions on government officials and agencies.⁴⁹

Statistical measures of the deterioration of governance in the country are available from multiple sources. The World Bank notes that the country's corruption ranking fell dramatically from 2008 to 2020 (percentile ranking 23.3 to 10.6), putting Nicaragua among the 30-35 most corrupt countries in the world.⁵⁰ The Economist Intelligence Unit ranking of democracy fell by approximately 23% (from 6.06 to 4.66) between 2008 and 2017, plummeting to 3.63 in 2018, on par with Myanmar and firmly among the world's authoritarian regimes.⁵¹ The VDEM indicator of electoral democracy fell over 50% from 2007-2019 (from 0.49 to 0.24), placing Nicaragua in the lowest quartile and with a score similar to Zimbabwe and Thailand, countries that have experienced military coups.⁵² Together, the quantitative and qualitative indicators of governance suggest that Nicaragua has been on a downward trend for some time, especially worsening after 2018.

5. RECENT INTENSIFICATION OF POLITICAL VIOLENCE

While political violence was steadily increasing over time, the country entered wholly new territory in 2018. In response to protests by students and civil society organizations beginning in April 2018 around proposed social security system reforms and growing into a broader pro-democracy movement, the government engaged in systematic persecution of opponents that injured over 2000 civilians; resulted in the deaths of over 300 people; produced a migration crisis in neighboring Costa Rica; and stimulated ongoing violent conflict between government agents, the paramilitary supporters, and opposition civil society organizations.⁵³ Government employees were forced to participate in pro-government demonstrations, and schoolchildren have been forced to watch government propaganda videos.⁵⁴ The US Congress, Department of the Treasury, and State Department have recognized this deterioration of political freedoms in Nicaragua by imposing sanctions on Ortega's family members, administration officials, and security forces, including new sanctions in 2019-2020 and again in 2021, as well as restricting multilateral funding to the Nicaraguan government.⁵⁵ These sanctions have been matched by action from Canada, the European Union, Switzerland, and other pro-democracy countries.

According to the Inter-American Commission on Human Rights (IACHR), conditions in Nicaragua included:

“excessive and arbitrary use of the police force, which included the deliberate, systematic use of lethal force; the use of parapolice groups with the acquiescence and tolerance of State authorities; obstacles to hinder access to emergency medical assistance for the injured, as a form of retaliation for their involvement in demonstrations; a pattern of arbitrary and unlawful detentions of young people and adolescents who were peacefully taking part in protests and passers-by who were in the areas where incidents took place; the use of cruel, inhuman and degrading treatment against most of those who were detained, which in some cases crossed the torture threshold; the use propaganda and stigmatization campaigns, and of direct and indirect forms of censorship; intimidation and threats against social movement leaders; and lack of due diligence to launch investigations into the murders and injuries that happened in this context.”⁵⁶

Health and education workers who protested, are perceived to be government opponents, or have provided treatment to protesters have been fired, harassed, threatened, detained, and violently attacked.⁵⁷ A comprehensive report by an independent group of experts appointed by the IACHR found that protestors were disproportionately shot in the head and upper body, concluding that government forces and paramilitaries were shooting to kill.⁵⁸

According to the United Nations Human Rights Office, violations have included, disproportionate use of force by police, sometimes resulting in extrajudicial killings;

enforced disappearances; widespread arbitrary detentions; torture and ill-treatment; and violations of the right to freedom of opinion and expression, and of peaceful assembly. Their report notes that the first phase of the crisis saw a repressive response to the protests by the police and pro-Government armed elements: “During the second ‘clean-up’ stage, from mid-June to mid-July 2018, police, pro-Government armed elements, including those known as ‘shock forces’ (*fuerzas de choque*), and mobs (*turbas*) forcibly dismantled roadblocks and barricades.”⁵⁹ United Nations (UN) investigators, who the government forced out of Nicaragua, received credible reports from both male and female detainees of rape and threats of rape by state forces in police stations and prisons. The “clean-up” stage also saw the increased use of military weapons against protestors.⁶⁰ Amnesty International documented “the widespread use of AK-type rifles by the police and pro-government armed groups (sometimes with drum magazines) and identified in several contexts the use of sniper rifles such as the Dragunov, the M24 Remington and the FN SPR, as well as RPK light machine guns and PKM machine guns, and even anti-tank rocket-propelled grenade launchers such as the RPG-7.”⁶¹

As the US State Department wrote:

“...armed and violent uniformed police or civilians in plain clothes acting as police (‘para-police’) are targeting anyone considered to be in opposition to the rule of President Ortega. The government and its affiliated armed groups have been reported to: Arbitrarily detain protestors, with credible claims of torture and disappearances. Systematically target opposition figures, including clergy members. Prevent certain individuals from departing Nicaragua by air or land. Seize privately owned land. Arbitrarily search personal phones and computers for anti-government content. Arbitrarily detain certain individuals with unfounded charges of terrorism, money laundering, and organized crime. These police and para-police groups often cover their faces, sometimes operate in groups numbering in the hundreds, and use unmarked vehicles...Government forces, uniformed police and para-police have attacked peaceful demonstrators leading to significant numbers of deaths and injuries. Looting, vandalism, and arson often occur during unrest...Government hospitals are understaffed and may deny treatment to suspected protestors. Some hospitals throughout the country may not be able to assist in emergencies. Ambulances have reportedly refused to respond or have been denied access to areas with individuals needing emergency care.”⁶²

The “para-police” or paramilitary groups are made up of government supporters from the Sandinista party’s youth group, former police officers and soldiers, and possibly some active-duty soldiers out of uniform. The groups are frequently transported by police or in other government vehicles, coordinate actions with the police, and have a presence throughout the country, building on the Sandinista party’s national structure and

networks. Police, paramilitaries, and government supporters photographed and monitored protests and have also monitored social media to gather information about who has participated in protests or aided protesters. Paramilitaries have committed some of the most brutal violence in Nicaragua over the last several years, even killing entire families of opposition supporters, including children, with impunity.⁶³

The arbitrary search of phones and computers constitutes a significant risk for government opponents and for individuals who might otherwise testify in support of government opponents, making it difficult for many people who have fled Nicaragua to gather supporting affidavits from witnesses within the country. The Nicaraguan government purchased surveillance software from Israeli companies to enable it to hack and monitor the phone and digital communications of opponents, and the government then enhanced these capabilities in 2021 through an agreement with Russia on electronic surveillance, while government-organized trolls monitor and harass opposition members on social media.⁶⁴

These conditions mark a qualitative change from what existed prior to April 2018. Though political violence had long been part of Nicaraguan reality, the conditions now are different. The government has essentially turned its core supporters loose, mobilizing a combination of loyal state coercive agents, paramilitary forces, and the disorganized but armed mass of those who benefit from state financial support.⁶⁵ Amnesty International has “concluded that a central plank of this repressive policy was the Nicaraguan state’s persistent efforts to criminalize opponents, referring to anyone who opposes or protests against the government as “terrorists” or “coup plotters” in an effort to justify its own violent actions,”⁶⁶ creating a particular risk for known government opponents. The government in 2020 passed laws to further restrict and punish criticism of the Ortega regime online or any collaboration with foreign nongovernmental organizations promoting a peaceful restoration of democracy in Nicaragua as espionage and terrorism.⁶⁷

What makes this situation especially dangerous is that there are no indications the government can or has any will to restrain at least some portion of its supporters. At the local level, paramilitary actors and violent pro-government mobs are more difficult to control, and it is these local arms of the government who might first identify, attack, and potentially torture government opponents if they returned to Nicaragua from abroad and somehow managed to escape initial detection by central government authorities.⁶⁸ Monitoring of human rights abuses is also increasingly difficult, as the Nicaraguan government has expelled UN and Organization of American States investigators and has worked to shut down independent domestic media and human rights organizations.⁶⁹

In June 2019, there was ostensibly a breakthrough in the political stalemate, as the government announced on June 8 an amnesty for “all those who took part in the events beginning on April 18, 2018” (Law no. 996), applying to protesters, police, and paramilitaries alike.⁷⁰ Following this announcement, the government did release 100 political prisoners, but only on the condition that they do not participate in any further protests, which have continued to be outlawed. The amnesty was passed without any opposition input by the ruling-party dominated National Assembly, and it has been criticized by the US State Department, UN, and the Organization of American States (OAS)

for trying to protect government forces from accountability for human rights violations, which is not possible under international law.⁷¹ And the repression leading up to the 2021 elections showed that the regime's intolerance for opposition was not substantively changed.

Superficially, the amnesty seemed positive at the time, but it actually did not change the situation for those who were not previously imprisoned. In fact, one released prisoner said he was "happy to have escaped that hell," but also "sad and worried because the country is more locked up than when we became prisoners."⁷² Government opponents are still surveilled and threatened for their political views, and the security forces and paramilitaries who have committed violence against and threatened government opponents may now feel they have a free hand after escaping any accountability for violence committed since 2018. Cases against protesters and government opponents were only suspended, not fully withdrawn, and the government continues to monitor and detain opponents, including those ostensibly amnestied, with arrests of formerly 'amnestied' prisoners continuing in 2021.⁷³

Conditions in Nicaragua significantly worsened again after May 2021, ahead of the November 2021 elections, and they currently are not improving after the elections were held. The government has systematically arrested opposition political candidates, civil society leaders, and ordinary government opponents, holding them incommunicado and without access to lawyers or medical care, despite demands by international organizations and human rights groups for their release.⁷⁴ In February 2022, Hugo Torres, a former Sandinista guerrilla hero and general turned opposition figure, died after months in prison in declining health and without proper medical care.⁷⁵ The government has been increasing its monitoring of all opponents and its efforts to suppress any attempts at protest, along with intensifying attacks on freedom of speech and freedom of the press, including arresting individuals for social media posts opposing the government.⁷⁶ Having reasserted their authoritarian control of the country in the November 2021 elections, the Ortega-Murillo government and the ruling FSLN party do not appear to have any plans to restore civil liberties or end their use of security forces and government supporters to threaten and intimidate political opponents. Instead, they have been vengefully attacking government opponents as traitors and threatening to strip their citizenship, making them stateless.⁷⁷

6. SILENCING DISSENT

Given Nicaragua's level of polarization and persecution of political opposition, individuals opposing or suspected of opposing the Ortega-Murillo regime face persecution, torture and, in some instances, death. This includes those who participated in anti-government, pro-democracy protests in 2018 or since; those who have expressed criticisms of the government that were known to local, regional, or national FSLN party bodies or government officials; and medical personnel who treated injured protesters or have criticized the government's response to the coronavirus pandemic. To reiterate:

This also includes those the government only suspects of having participated in such activities, regardless of their actual behavior.

Any Nicaraguan who has been flagged by government agents as a known or suspected dissident faces a high risk of arrest, detention, torture, or even murder by government security forces or pro-government paramilitaries. If individuals have already been sought out by local Sandinista officials, paramilitaries, and/or police, their reappearance from hiding or return to the country would inevitably come to the knowledge of local FSLN officials and the FSLN party youth groups who form the core of the government's paramilitary power, as well as the police. The ruling party's networks go down to the neighborhood level. The Sandinista party communal organizations, called Citizen Power Councils (CPCs) (or renamed by the Ortega government as 'Family, Community, and Life Cabinets') or 'Sandinista Leadership Committees' (CLSs) are present throughout the country, alongside the Sandinista Youth.⁷⁸ These Committees distribute government-funded goods to FSLN party supporters, pass information to party officials and members of the Sandinista Youth, and can be mobilized to commit violence.

The government is especially vehement in monitoring government employees and medical personnel and targeting former government supporters. Public employees are closely watched for any signs of dissent, and they are forced to participate in pro-government activities; anyone who refuses to participate in pro-government activities or demonstrate support for the Ortega-Murillo regime is considered a traitor, is often fired, and may be subject to harassment, arrest, or even torture.⁷⁹ Medical personnel who aided protesters in 2018 have likewise been considered traitors and threats to the government. Medical personnel were ordered not to provide care to injured protesters and those who did were fired, harassed, and in many cases physically attacked by pro-government paramilitaries. Attacks and threats of imprisonment against medical professionals have continued up to the present, also targeting those who have spoken out against the government's mishandling of the COVID-19 pandemic.⁸⁰

The government has continued to arrest, torture, and even kill opposition activists and casual protest participants. Protest is banned and the government prosecutes demonstrators and opponents using anti-terrorism statutes. Prosecutors and police refuse to investigate violence against government opponents, media and human rights organizations have been shut down, and doctors who treat protesters have been fired or arrested. The government's one-sided amnesty law has meant police and paramilitaries who committed atrocities against peaceful pro-democracy protesters have not been held accountable, while protesters who were supposedly amnestied have been arrested again. The 'amnesty' only serves to institutionalize impunity for pro-government forces, while protesters and opposition members are still arrested, tortured, and disappeared.

Public support for opposition groups or anti-government protesters can lead to persecution at any time, but the likelihood of persecution markedly increased leading up to the 2021 elections and shows no signs of abating.⁸¹ Individuals who protested and refused to demonstrate loyalty to Ortega, Murillo, and the FSLN could be arrested for past behavior under the government's draconian "anti-terrorism" laws. Those who fled the country or went into hiding could also face arrest for evading police or for participating in any new demonstrations of opposition to the regime. If a political opponent of the

government were attacked by police, paramilitaries, or government supporters, they might be refused medical treatment due to government restrictions on healthcare provision for protesters and persecution of doctors speaking out about abuses;⁸² and the government would not seek to prosecute their attackers or protect the victim, making them vulnerable to violence by unofficial government associates and supporters, who operate their own underground prisons and torture chambers.⁸³

Government opponents who have fled the country face a high likelihood of arrest and torture by official government agents and paramilitaries if they return to Nicaragua. Known opposition members who have been deported to Nicaragua have had their identity documents seized, been detained by police and paramilitaries, and have been subjected to continued harassment, threats, and violence, even if they engage in no new protests or anti-government activities.⁸⁴ Nicaraguan police have engaged in the systematic torture and mistreatment of prisoners. In May 2019, US citizen and US Navy veteran Eddy Montes, who was imprisoned for participating in protests, was killed in prison in what Inter-American Commission on Human Rights Executive Secretary Paul Abrão deemed an “execution in cold blood.”⁸⁵ Political prisoners have continued to face torture and abuse even after the 2021 elections were over.⁸⁶ Government supporters who murder opposition members face little or no accountability. For example, in July 2020 in Estelí, an opposition supporter was murdered by a government supporter after saying “Long live free Nicaragua.” The murderer was freed by a pro-government judge in November 2020.⁸⁷

The Ortega-Murillo government has networks and agents even in Costa Rica monitoring, reporting on, and sometimes attacking government opponents,⁸⁸ making Central America’s most stable and longest-standing democracy still a dangerous place for Nicaraguans who oppose the government. Opposition members who have fled into exile in Costa Rica are refused passport renewals or other document processing by the Nicaraguan Embassy and told they must return to Managua for it, making it impossible for them to travel and potentially imperiling their status in Costa Rica.⁸⁹

Unfortunately, as of April 2022—four years after the beginning of protests—there appears little prospect for positive change on the horizon in Nicaragua. In March 2022, after receiving a report from UN High Commissioner for Human Rights Michelle Bachelet detailing widespread and continuing abuses, the UN Human Rights Council voted to establish a group of experts to investigate and continue monitoring human rights abuses in Nicaragua since 2018.⁹⁰ Though investigation, documentation, and condemnation abroad remain important, including for any future accountability, within Nicaragua, the noose of repression continues to tighten. Nicaraguan activists and scholars have high hopes and plans for a more democratic, just, and equal Nicaragua,⁹¹ but it seems this will only become possible when Ortega and Murillo’s reign comes to an end.

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