

# Recommendations for Nicaragua about Human Rights in the Digital Sphere

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IPANDETEC

 **DERECHOS  
DIGITALES**  
América Latina

During the previous cycle, Nicaragua received various recommendations, several of which were accepted by the State. However, to date, the State remain **non-complaint**.

Nicaragua continues to face a severe political and social crisis since 2018, marked by state repression that has resulted in systematic human rights violations against the population.

State repression has created a climate of fear and persecution, severely restricting society's participation in both physical and digital environments.

The following recommendations are directed at the State of Nicaragua. They are a summary of a more extensive report<sup>1</sup> with contributions sent to the United Nations, prepared by the Instituto Panamericano de Derecho y Tecnología<sup>2</sup> (IPANDETEC) and Derechos Digitales.<sup>3</sup>

1 The report in Spanish is available at: <https://www.ipandetec.org/nicaragua/contribucion-conjunta-sobre-derechos-humanos-en-el-entorno-digital-en-nicaragua/>  
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## Right to Freedom of Expression, Freedom of the Press, and Protection of Journalists

*Nicaragua agreed to guarantee the protection of the right to freedom of expression, including the freedom and independence of the press.<sup>4</sup>*

The State has enacted various<sup>5</sup> laws to implement actions of censorship and online repression of protected speech, stigmatized as 'fake news'. Additionally, it has exercised state control or closure of 54 physical and digital media outlets, and undertaken actions of persecution, monitoring of legitimate discourse, and illegal surveillance against more than 200 journalists - now in exile - and members of civil society.

● **Implementation Status:** Non-compliant.

● **Recommendations to the State:**

Repeal the repressive legal framework and refrain from using criminal and administrative law to persecute the legitimate exercise of free expression; protect and guarantee the freedom and independence of the press and journalists, both online and offline. Restore the legal status of media outlets, protect and ensure their operation, reopening, independence, as well as media pluralism and diversity.

Establish a national system for recording cases of human rights violations to monitor, investigate, document, and remedy human rights violations in both physical and digital environments.

## Right to Assembly and Peaceful Protest

*Nicaragua committed to protecting the right to assembly, association, and peaceful protest.<sup>6</sup>*

The State has carried out arbitrary detentions of dissidents and political opponents, and forced members of civil society and journalists into exile, among others. This situation is compounded by deliberate internet shutdowns that limit the right to assembly and peaceful protest online.

Recommendations accepted: n. 125.110 (Irak), n. 125.111 (Irlanda), n. 123.113 (Japón), 125.116 (Lituania), b. 125.156 (Grecia).  
Law n.º 1055, Law n.º 1115, Law n.º 1040 and Law n.º 1042  
Recommendations accepted: n. 125.55 (Nueva Zelanda).



- **Implementation Status:** Non-compliant.

- **Recommendations to Nicaragua:**

Guarantee the right to assembly, association, and peaceful protest, especially for human rights defenders, journalists, and members of civil society, both online and offline.

Ensure free access to internet services and to the content circulating on it under conditions of neutrality, privacy, security and online safety for women and girls, and guarantees against persecution or online monitoring.

## Protection of Human Rights Defenders

*Nicaragua committed to protecting the rights of human rights defenders and ensuring their physical and psychological integrity.<sup>7</sup>*

The State has carried out illegal apprehensions and the partial release of some human rights defenders, who have then been reapprehended on unsubstantiated charges.

Their deprivation of liberty occurs under inhumane conditions. Additionally, around 339 civil society organizations have unjustly had their legal status revoked.

This is compounded by gender-based violence exercised by the State against women defenders and journalists, both online and offline, as well as illegal surveillance of their work and monitoring of their activities on the internet.

- **Implementation Status:** Non-compliant.

- **Recommendations to Nicaragua:**

Design and implement protective measures for women journalists and women human rights defenders, and establish independent and effective mechanisms for reporting incidents of gender-based violence both online and offline, providing measures for comprehensive reparation and non-repetition.

Undertake awareness-raising actions for public officials on the protection of the rights of persons deprived of liberty, restore guarantees of due process, cease illegal detentions of journalists and human rights defenders, and stop the surveillance and monitoring of their online activities.