

United States Senate

WASHINGTON, DC 20510

December 15, 2020

The Honorable Kevin K. Sullivan
U.S. Ambassador to Nicaragua
U.S. Embassy Managua
Kilometer 5 1/2 (5.5) Carretera Sur
Managua, Nicaragua

Dear Ambassador Sullivan:

We write to express our concern regarding the Ortega government's harassment of Nicaragua's political opposition, civil society, and independent media. Respect for fundamental freedoms is essential for the preservation of a vibrant democracy, and the exercise of free speech requires that opposition members, activists, and journalists be permitted to operate in a safe environment.

We are particularly troubled that, ahead of November 2021 elections, Nicaraguan legislators have begun to codify press censorship and further restrict activities of civil society and human rights groups. Recently, members of the Sandinista National Liberation Front (FSLN) in the Nicaraguan Congress passed legislation that mandates civil society, nongovernmental organizations, and citizens who receive funds originating from abroad to register as "foreign agents" and bars them from engaging in domestic political activities.

The Nicaraguan Congress also approved a Special Law on Cybercrimes, which would allow the Ortega government to prosecute individuals accused of spreading "false and/or misrepresented information" at its discretion. These efforts by the Ortega government represent a clear attempt to stifle political opponents and restrict citizen mobilization. We are alarmed by these efforts to provide legal justification to harass and criminalize any entity critical of the Ortega government. Moreover, despite early 2019 commitments to release all political prisoners, at least 113 political opponents remain incarcerated as arbitrary detentions and kidnappings continue. We are deeply concerned that the recently enacted legislation constructed to silence dissent will lead to increased arrests and persecution of political opponents.

The enactment of these laws is deeply concerning, especially in light of the fact that harassment of the independent news media in Nicaragua has increased dramatically in recent years. Since April 2018, Nicaraguans have witnessed arbitrary detentions of journalists and censorship of outlets such as *100% Noticias* and *Nicavision Canal 12*, while Ortega allies maintain control over the majority of domestic news media.¹ That year, journalists documenting protests throughout the country faced intimidation, theft of personal property, and assault. In one tragic case, journalist Ángel Gahona was killed while broadcasting live on the events of April 2018. The Ortega government's violent response to these protests reportedly resulted in upwards of

¹ The Guardian, "We're going to kill you': Nicaragua's brutal crackdown on press freedom," December 10, 2018. Accessed on October 8, 2020 at <https://www.theguardian.com/global-development/2018/dec/10/nicaragua-journalists-press-freedom-crackdown-ortega>.

325 deaths, more than 2,000 injured, and prompted at least 70 journalists to flee Nicaragua.² Following a raid of the digital newspaper *Confidencial* and a series of threats, respected journalist Carlos Fernando Chamorro was forced to seek safety in Costa Rica in January 2019 for nearly a year.

More recently, a Managua court ordered the seizure of assets belonging to Mariano Valle Peters, the owner of *Nicavision Canal 12*—which is one of only two independent channels still on open air in Nicaragua.³ Dating back to 2011, Mr. Valle’s outlet has experienced repeated theft of equipment, police intimidation and assault of reporters, as well as frequent tax audits—all of which seems to be targeted intimidation toward the channel.

We urge you to utilize all diplomatic tools to ensure the safety of journalists, civil society, and political opponents. In closing, we reaffirm our solidarity with the Nicaraguan people. Press freedom and freedom of expression are integral to the preservation of democracy, and we call on the Ortega government to respect democratic ideals and the fundamental human rights of all Nicaraguans.

Sincerely,



Robert Menendez
United States Senator



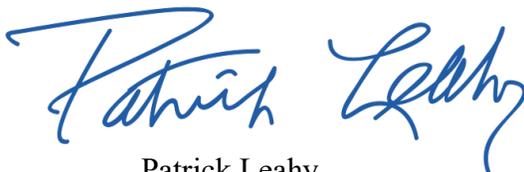
Ted Cruz
United States Senator



Benjamin L. Cardin
United States Senator



Richard J. Durbin
United States Senator



Patrick Leahy
United States Senator



Marco Rubio
United States Senator

² Inter-American Commission on Human Rights, “One Year after the Onset of the Crisis in Nicaragua, IACHR Once Again Expresses Its Permanent Commitment to Victims of Human Rights Violations,” April 17, 2019. Accessed on October 8, 2020 at https://www.oas.org/en/iachr/media_center/PReleases/2019/101.asp.

³ Committee to Protect Journalists, “Nicaragua court seizes assets of independent broadcaster Canal 12,” September 14, 2020. Access on October 8, 2020 at <https://cpj.org/2020/09/nicaragua-court-seizes-assets-of-independent-broadcaster-canal-12/>.



Tim Kaine
United States Senator



Bill Cassidy, M.D.
United States Senator



Christopher S. Murphy
United States Senator



John Cornyn
United States Senator

CC: The Honorable Michael G. Kozak
Acting Assistant Secretary of State for Western Hemisphere Affairs