



**United Nations Human Rights Council
Universal Periodic Review
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**Contribution by Reporters Without Borders (RSF),
an NGO with special consultative status,
on press freedom and the freedom to inform in Nicaragua**

1. Reporters Without Borders (RSF), which has consultative status with the United Nations, is a Paris-based NGO that has been defending press freedom internationally since 1985. Its foreign sections, its bureaux in 13 cities worldwide and its network of correspondents in 130 countries enable it to closely follow developments affecting the freedom to inform and freedom of expression throughout the world.

2. Prepared for the third cycle of Nicaragua's Universal Periodic Review, this contribution offers recommendations on press freedom and the freedom to inform in Nicaragua.

3. Although not the theatre of any armed conflict, Nicaragua is a particularly dangerous country for journalists. Since Daniel Ortega's election as president in 2007, after an earlier period as the country's leader from 1979 to 1990, the independent and opposition media have been the frequent target of hostility, threats, censorship and harassment of various kinds by the government and its supporters.

4. RSF and the Inter-American Press Association (IAPA) conducted a joint observation mission to Nicaragua from 13 to 17 August 2018. The independent journalists, media outlets and civil society organizations they met during the visit described an alarming decline in press freedom and a crackdown on the population and journalists by the police and groups of government supporters, above all since the start of a wave of anti-government protests in April 2018.

1. Escalation in the political crisis, intensified government repression

5. In April 2018, a controversial proposal by President Ortega's government to overhaul the social security system triggered a wave of major protests that spread throughout the country. Demonstrators and journalists covering the demonstrations were directly attacked by riot police, pro-government groups and paramilitary groups. After four months, the toll from this crackdown was dramatic. It was estimated that more than 300 persons had been killed and

more than 2,000 had been wounded in connection with the protests, including several reporters¹.

6. The human rights violations reported by the Office of the UN High Commissioner for Human Rights and by many national and international civil society organizations include enforced disappearances, arbitrary detention (of which several of the victims have been journalists) and torture.

2. Violence against journalists and media outlets

7. Since 2007, independent and opposition journalists and media outlets have been the targets of frequent direct acts of aggression by the police and paramilitary groups that have included physical attacks, arbitrary detention, confiscations, threat or destruction of equipment, defamation and intimidation campaigns, harassment and threats. This trend has not changed since the latest Universal Periodic Review cycle and has even worsened in recent months.

8. **Angel Eduardo Gahona**, a 42-year-old journalist based in Bluefields, a Caribbean coast city in the south of the country, is one of the repression's recent victims. The producer of the news programme *El Meridiano* and a correspondent for the *Canal 6 Nicaragua* TV channel, he was fatally shot while providing live coverage of a protest in Bluefields on *Facebook Live* on 22 April 2018². According to reporters for the *La Prensa* newspaper, the regular police and riot police were the only people who were armed at the time. Gahona's family publicly blamed the police and government for his death. As a result of these statements, at least two members of the Gahona family received death threats and were forced to leave the country as a safety measure³.

9. Two suspects have since been arrested and are being tried. Gahona's family have said the two men could not have been responsible for his murder and that the trial has been staged by the judicial authorities in order to protect the real culprits.⁴ The defence lawyer has meanwhile also received threats.

10. RSF has learned of many cases of theft, destruction of material and physical attacks against reporters for national and international media outlets – including *100% Noticias*, *El Confidencial*, *La Prensa*, *Onda Local*, *EFE*, *CNN*, *Canal 6* and *Radio Ya* – while they were covering street demonstrations in the main cities. Cash-strapped reporters working for independent media too often lack the protective equipment (bulletproof vests and helmets) needed to cover these protests. Such security measures are all the more necessary because

¹ Report by the Office of the UN High Commissioner for Human Rights, published 28/08/2018: http://www.oacnudh.org/wp-content/uploads/2018/08/Nicaragua-Report-FINAL_SP.pdf

² RSF press release on 3 May 2018: <https://rsf.org/fr/actualites/rsf-demande-louverture-dune-enquete-apres-le-meurtre-dun-journaliste-au-nicaragua>

³ Report by the Inter-American Commission on Human Rights: [https://www.oas.org/es/cidh/expresion/docs/informes/Nicaragua2018-es%20\(1\).pdf](https://www.oas.org/es/cidh/expresion/docs/informes/Nicaragua2018-es%20(1).pdf)

⁴ Irregularities in the investigation into the murder of the journalist Angel Eduardo Gahona, report by the daily *La Prensa*: <https://www.laprensa.com.ni/2018/08/24/nacionales/2463449-juicio-del-periodista-angel-gahona-entra-en-su-recta-final-plagado-de-anomalias>

journalists have been directly and repeatedly targeted by government supporters, regular police and riot police⁵.

11. As well as physical attacks, many Nicaraguan journalists have reported receiving threats and being targeted by smear and harassment campaigns by pro-government groups and by the authorities themselves. This was, for example, the case with *Radio Corporación*, one of the country's biggest radio stations⁶, which was forced to ask the Inter-American Commission on Human Rights (IACHR) to request "protective measures" for ten of its threatened journalists. The threats have forced journalists to censor themselves and in some cases to relocate.

12. The foreign media did not escape the harassment. **Tim Rodgers**, a US journalist reporting for the *Fusion* news website, was forced to leave the country on 27 April 2018 after being subjected to an online campaign of harassment and threats by pro-government Sandinista groups that accused him for working for the CIA⁷. **Carl David Goette-Luciak**, a freelance journalist with US and Austrian dual nationality, was arbitrarily expelled from Nicaragua on 1 October 2018. He had been based there since 2015 and worked for several international media outlets including the British daily *The Guardian*. As a result of his coverage of the political crisis, he had been the target of an aggressive online campaign of threats and intimidation, mostly waged by President Ortega's supporters, who accused him of working for the CIA, providing armed groups with material assistance and directly supporting the opposition.

13. The premises of *Radio Darío* were torched by groups linked to the government on 20 April 2018. Eleven journalists and employees were inside the building when the attack took place. All managed to escape without sustaining any serious injury but the building was completely destroyed. Much of the equipment of the national radio station *Radio Nicaragua* was destroyed when its installations were torched by a group of anti-government protesters on 8 June 2018. Similar attacks took place against a third radio station, *Tu Nueva Radio*, and the TV channel *100% Noticias*.

3. Censorship, economic strangulation and political interference

14. National and local media that do not support the Ortega government are subjected to aggression of a more insidious kind – censorship and attempts to throttle them economically or to destabilize them.

15. Since the start of the crisis, many radio and TV stations that are openly critical of the government have intermittently and arbitrarily been deprived of their broadcast signal. Four TV channels that were covering the protests – *Canal 100% Noticias*, *Canal 12*, *Canal 23* and

⁵ RSF press release on 17 July 2018: <https://rsf.org/fr/actualites/couvrir-la-crise-politique-au-nicaragua-une-mission-de-plus-en-plus-perilleuse>

⁶ Threats and smear campaigns against Radio Corporación journalists, Canal 12 report: <https://www.youtube.com/watch?v=xkKDjptZInc>

⁷ US journalist forced to leave Nicaragua after receiving threats, report by the daily La Prensa: <https://www.laprensa.com.ni/2018/04/28/politica/2411297-periodista-tim-rogers-sale-de-nicaragua-por-amenazas>

Canal 51 – were temporarily stripped of their signal at the behest of the Nicaraguan Institute for Telecommunication and Post (TELCOR). This act of state censorship was condemned by the Inter-American Commission on Human Rights (IACHR) on 24 April.

16. According to information obtained by the IACHR, many journalists received orders from their superiors in 2018 to restrict coverage of the demonstrations. At least 15 journalists with three Nicaraguan TV channels resigned in protest against this attempted censorship and interference by the government⁸.

17. Many independent media outlets, especially in the provinces, are in great financial difficulty and are engaged in a constant fight to survive and to keep covering the news after being deprived of part or all of their earnings from state advertising, which is allocated on the basis of criteria that are deliberately opaque and inequitable.

18. Many of the journalists and media representatives that RSF met complained of “the Sandinista government’s secrecy culture” and its impact on the media’s work. Independent media have little or no access to state-held information, the president’s office has not held a press conference since 2007, and officials who agree to talk and respond to requests from independent journalists for information are sanctioned and subjected to reprisals.

Recommendations

- Put an immediate stop to all physical attacks, acts of intimidation and threats by parapolice, paramilitary and violent groups that support the government.
- Put an immediate stop to all cyber-attacks, online threats and social network smear campaigns by government supporters against independent journalists.
- Conduct thorough investigations into all acts of violence against journalists and media outlets and strictly enforce the law against all those responsible, so that impunity does not fuel even more violence.
- Implement the protective measures requested by the Inter-American Commission on Human Rights for journalists who have been attacked or threatened, and for their families. In 2018, the IACHR has requested 14 protective measures aimed at safeguarding the well-being and security of Nicaraguan journalists in danger, including the staff of Radio Darío, which was torched in April 2018.
- Create a national mechanism for the protection of journalists and a special prosecutor’s office to investigate crimes of violence against journalists, like those that already exist in other Latin American countries.

⁸ Journalists resign in protest against censorship, report by the daily La Prensa:
<https://www.laprensa.com.ni/2018/04/24/espectaculo/2409277-periodistas-y-presentadores-de-medios-oficialistas-que-renunciaron-por-crisis-politica-en-nicaragua>

- Recognize – in line with the Inter-American Democratic Charter and the Chapultepec Declaration (which states that press freedom is essential to democracy) – that the government and national and international bodies have an obligation to seek an appropriate and stable framework for a dialogue based on respect and tolerance that opens the way to a democratic solution to Nicaragua's grave social and political crisis.

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