

NICARAGUA

ISSUE

In the first year of President Alemán's government, the human rights situation appeared to deteriorate somewhat. Despite allegations of an "Alemán-Ortega Pact", tensions between the ruling Liberal Alliance and the Sandinista opposition remain and further complicated the human rights question, as do widespread poverty, isolation and the devastation caused by Hurricane Mitch.

BACKGROUND

Gross abuses of human rights, such as torture, disappearance and arbitrary detention are no longer a major concern in Nicaragua. However, the inconsistent application of judicial and civil guarantees continue, in a society which is still recovering from years of civil warfare, social inequality and discrimination. Nicaragua is no longer inscribed on the CHR agenda.

The root causes of human rights violations are integrally connected to the economic, political, structural and geographic problems in the country. Nicaraguan citizens' knowledge of their rights, and their ability to exercise those rights, are limited.

We have not heard of any substantial allegations of any systematic, government-directed violations of human rights in Nicaragua, though there is evidence of Nicaraguans jailed without trial and other abuses resulting, in no small measure, from a lack of adequate financial and human resources. In the highly-charged political atmosphere in Nicaragua, there is a tendency to portray some government policies as indirectly violating human rights.

As set out in the constitution, Nicaragua's democratic institutions are sound. In practice, however, major weaknesses are evident and a general sense of malaise characterizes the political system. For example, the National Assembly was paralyzed by in-fighting within the Liberal Alliance for the better part of May and June 1998. The ruling party has done little to build bridges to those sectors of Nicaraguan society outside of their immediate constituency. Since taking office, President Alemán has taken active steps to concentrate power in the hands of the executive. One example is the passing, in September 1998, of a Law on the Organization of the Executive Power which centralizes key functions within the Presidency. In April 1998, the elections in the Atlantic Coastal area -- where a majority of the indigenous population of Nicaragua lives -- were marked by accusations of political irregularities on the part of the Liberal Alliance (campaign funding etc.). The Alliance's victory was challenged by the indigenous peoples of the area.

Nicaragua's Central and Atlantic zones are very poor. The government is less present outside of the capital (Managua) and community-based organizations are more active in those regions. In the isolated areas, it is very difficult to monitor the human rights situation as impunity, corruption, private security and violence are common. The isolation of these areas has contributed to a resurgence in armed delinquency. The Alemán government has taken a tough stand against these armed groups, a decision which has broad support, but also has the potential to threaten the human rights of the population if security forces are not properly controlled, particularly in isolated areas of the country.