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Thought you might be interested...

### HUMAN RIGHTS ABUSES IN NICARAGUA

Mr. DURENBERGER. Mr. President, Rogelio Guevara Mena is a human rights attorney and a prominent member of the opposition to the Sandinista regime in Nicaragua. On February 5, Mr. Guevara was arrested by Sandinista Interior Ministry officials under decree 1074 and held incommunicado.

Decree 1074 allows the Sandinista government to arrest any individual for whatever offense is considered threatening to the public security of the Sandinista state. With decree 1074, any individual in Nicaragua can be charged with violation of public order and state security. Its existence and its use by officials of the Sandinista Interior and Justice ministries points to the deterioration in the system of laws in Nicaragua. As a result of decree 1074, any person is subject to the whims of Sandinista officials and may be arbitrarily jailed for an indefinite period of time as the rule of habeas corpus does not exist in today's Nicaragua.

Mr. Guevara has been targeted by Sandinista officials for many months. Pressures on him increased as a result of his decision to serve as the attorney for Father Luis Amado Pena of the Catholic Church. Father Pena was imprisoned for 3 months in 1984, and was accused by Sandinista officials of collaborating with anti-Sandinista rebels to create an urban front. Father Pena was not tried and was pardoned, without explanation, by the Sandinista government. At that time, Mr. Guevara had stated that the evidence against Father Pena was "inconsistent" and that the priest was "a victim of the aggression of the state against the Catholic Church."

Sandinista officials delayed action on Mr. Guevara until the election period was completed, as they well recognized that negative publicity would result from public disclosure of Mr. Gue-

vara's arrest. After Mr. Guevara's imprisonment on February 5, his attorney was told that Mr. Guevara was being held incommunicado, pending an investigation, and that he could not be visited for at least 8 days. It was subsequently determined that he was being detained at El Chipote maximum security political prison in central Managua. This action was in direct violation of various Nicaragua juridical statutes guaranteeing all prisoners legal rights. Sandinista officials refused to explain why Mr. Guevara had been arrested and denied his attorney the right to interview his client within 24 hours.

Several human rights organizations, including Americas Watch, Members of Congress, and the U.S. Government made inquiries on Mr. Guevara's behalf. As a result of these requests, Mr. Guevara was released on February 14. I am pleased that the Nicaraguan Government has responded in this manner to resolving Mr. Guevara's plight. It's my hope that the quick resolution of this situation is indicative of President Ortega's stated commitment to permitting democratic institutions and groups to function freely. I remain concerned, nevertheless, by the arbitrary and antidemocratic actions of some members of his government, such as Interior Minister Tomas Borge; and I hope that these actions do not reflect the policies of the Ortega government as a whole.

The conditions under which Mr. Guevara was confined lead one to wonder if individual rights matter in the slightest to certain members of the Sandinista directorate. Mr. Guevara was kept alone in a totally dark cell for his entire period of confinement. His cell lacked sanitary facilities other than a hole, his food consisted of an inedible gruel, and dirty drinking water was available for only 2 hours each day. While he was not physically tortured, he was continually subject to a range of psychological threats from

his interrogators. Interestingly enough, these officials focused their questions on Mr. Guevara's contacts with foreigners, which are not a violation of Nicaraguan law, with the Catholic Church, with other democratic opposition leaders, with American journalists, and on his rather distant association with the case of Jose Urbina Lara, the young Nicaraguan who was kidnapped from the Costa Rican Embassy by Sandinista officials on Christmas Eve. The senior interrogator responsible for Mr. Guevara's treatment was a Martin Espinosa of the Sandinista Interior Ministry. Espinosa concluded his dealings with Mr. Guevara last Thursday on a rather ominous note. He indicated to Mr. Guevara that he hoped that, "this has been a useful experience for you."

I believe that Mr. Guevara's sacrifices for democracy and his personal courage should not go unrecognized. There are many such individuals in Nicaragua who have risked everything because they believe in the concepts and the practice of freedom.

Among the most courageous of Nicaraguans is a remarkable young woman named Marta Patricia Baltodano. Marta Baltodano is the coordinator of the Comision Permanente de Derechos Humanos de Nicaragua [CPDH]. The Permanent Commission on Human Rights is an independent human rights agency that was established in 1977, and it played a major role in exposing the Somoza regime's human rights violations. During that period, Miss Baltodano and other members of the CPDH were repeatedly threatened by Somoza officials.

After Somoza was overthrown in 1979, the CPDH continued to report on human rights conditions inside Nicaragua. The CPDH operates at the sufferance of the Sandinista government. In fact, the Sandinista government originally proposed that the CPDH be disbanded, as it argued that the CPDH would be unnecessary in a society where there would be no human rights abuses. Sadly, the actions of the Sandinista junta have managed to keep the CPDH extremely busy. Because of its independence, its members have been repeatedly threatened by Sandinista officials. Various sources, both Nicaraguan and foreign, indicate that the CPDH's access to courts, tribunals, jails, and other detention facilities is increasingly restricted by Sandinista officials. When I met Miss Baltodano last May, she gave a statement which made a strong impression on me. The case of Mr. Guevara makes it all the more relevant today:

What does exist, however, is a system of psychological repression which is seen not only in the prison, but in everyday life as well, in a permanent checking or control of all of the citizens of my country—a system which tends to destroy values and where it is claimed that there are only two kinds of citizens—Sandinistas and Counterrevolutionaries.

There is really a permanent state of tension in our country in terms of the rule of law because any person can be taken off to jail without any concrete accusation being formed against him. A person may remain incommunicado for an indefinite period without assistance of counsel. He can stay six months, a year in prison, and no judge has the opportunity of declaring this person's innocence or guilt.

The isolation of Mr. Guevara and the increased incidence of secret prisons inside Nicaragua points to the deterioration of the rule of law in Nicaragua.

I do not believe that people in free societies, such as our own, should remain silent to the abuses of autocratic regimes. We in the Congress should continue to report such abuses and to support the true democrats in Nicaragua, the Rogelio Guevaras and the Marta Baltodanos. In 1770, Edmund Burke wrote, in his "Thoughts on the Cause of the Present Discontents," some lines which have some relevance to the current situation in Nicaragua:

When bad men combine, the good must associate; else they will fall one by one, an unpitied sacrifice in a contemptible struggle.

Mr. President, let us not permit these courageous individuals to struggle in vain; our collective commitment to democracy demands no less of us.

Mr. President, I ask unanimous consent that the monthly human rights reports of the CPDH for the period from June to November of 1984 be printed in the RECORD, as well as the CPDH's report on the Sandinista Defense Committees. I also request that the State Department's study of Nicaragua in its 1984 human rights report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PERMANENT COMMISSION ON HUMAN RIGHTS  
OF NICARAGUA

The Sandinista Defense Committees

BACKGROUND

The Civil Defense Committees were organized by the Sandinista Front and leftist organizations of the United People's Movement in 1977, with the goal of organizing the different residential districts in order to support the armed insurrection and structure in them the civil defense of the population. In the early moments of existence they included all persons without ideological dis-

crimination, aiming at a total popular participation. The Defense Committees should be restricted in principle to carrying out activities for social advancement; however, with the revolutionary victory, the leaders of the Sandinista Front decided to carry out substantial changes in these defense committees—from that moment they were transformed into Sandinista Defense Committees integrated into the mass organizations of the Sandinista Party. From that perspective they have the following fundamental objectives:

The propagation of the Sandinista ideology and the exercise of pressure on the citizens so that they will join in the political activities of the Sandinista Party.

The promotion of the loyalty of citizens to the FSLN.

Pressuring or forcing citizens in case that voluntary support does not come about.

Political and military control of the population.

#### ORGANIZATIONAL STRUCTURE

The basic structure of these Sandinista Defense Committees consists of a Coordinator, a Secretary, a person responsible for each of the subcommittees among which can be mentioned: political, health, culture, sports, supplies and finances. In turn these street, block or square block committees are part of what is called the Sandinista Barrio/residential district/Committee and these are part of a Zone Committee. Although in general terms it is hoped that the citizens who are part of the various committees will participate in the governmental efforts by discussing the problems of the community and contributing solutions, the process is the reverse and it is the Zone Committees which transmit to the Barrio Committees the guidelines or instructions coming from the high political command; in other words, the National Leadership of the Sandinista Front, and they in turn designate the block, street or sidewalk Defense Committee about what they have to do.

In order to help to maintain all of this structure the residents are obligated to pay a monthly or weekly quota to cover the expenses of the office, paper, secretaries and office articles. Without being state dependencies, their national and international activities are financed by the Reconstruction Board with the money that citizens contribute with their taxes.

#### GROUPS OF REPRESSION

The Sandinista Defense Committees act as instruments of control of the population, their nature being eminently partisan, their operations aimed at preserving the political interests of the Sandinista Front and not the interests of the community. Although participation should be voluntary, there exists a permanent coercion for persons to join in partisan activities, and those who do not participate in the tasks that the SDCs assign them are denied the letter of recommendation that is requested in state agencies for drivers' licenses, business registration, loan applications, employment applications, police records, and others.

##### (a) Control of citizens:

It is carried out through reports prepared by the coordinators of the barrio committees, where they record the participation of citizens in the various activities that should be carried out; some are of a social nature

but the population is coerced to join in order to be used for propagandistic partisan ends.

The method of control par excellence is coming to be the carrying out of population censuses which in addition to obtaining economic information, they use to gather information and political data.

Each head of family is subject to political questions; we could quote these questions as examples: How many persons reside in this house? What do they do? Where do they work? What party do they belong to? How much do they earn? Where did they reside before living in this unit? What mass organization do they belong to?

##### (b) Rationing:

It is one of the main weapons of these groups for controlling and pressuring Nicaraguans. In this way the Sandinista Party uses hunger as a punishment for all those persons who refuse to participate in their political activities, withdrawing or refusing them a ration card for ½ kilo of rice, ½ kilo of sugar, 1 liter of milk, 1 liter of oil, a bar of soap and roll of toilet paper per person per week.

##### (c) Revolutionary vigilance:

The SDC contribution to the defense of the Sandinista revolutionary process consists of the brazen espionage of some neighbors against others and is carried out through house-to-house visits in which members of the community are pressured to oversee (in shifts) the block and to pass on daily reports to the police and State Security. The houses of those who refuse to collaborate are stained with slogans that say: "here lives a counterrevolutionary, watch over him" or "contra, we are watching you."

##### (d) Denial of letters:

On conceiving the structure of the Sandinista state apparatus, the defense committees together with the other mass organizations were included as management groups for the carrying out of projects and programs, and for this reason letters are required of the Sandinista Defense Committees as an indispensable requirement for the carrying out of paperwork in the state offices; the coordinators deny these letters to all those persons who for ideological discrepancies do not participate in the activities fostered by those in their districts. Thus, many persons find themselves hindered from obtaining licenses, registration in centers of study, work and loans of money in the financial institutions.

(e) As proselytizing organizations and shock forces:

The persons are obligated to make posters, announcements, wall paintings, visits to the houses of the neighborhood, transmitting information and obligatory invitations or to participate in political acts. These activities are utilized as the specific channel for the political mobilizations of the FSLN; they are also used as shock forces to subjugate all those persons or political sectors that do not share the Sandinista ideology whether with subterfuge or force, physically attacking persons, destroying their property or through arrest threats.

#### CONCLUSIONS

The Permanent Commission on Human Rights of Nicaragua in virtue of the denunciations of abuses committed by these partisan organizations feels it appropriate to point out:

1. That the SDCs constitute a repressive structure created by the Sandinista Front and implemented in all of the national territory in order to subjugate their political adversaries and control the citizenry in general.

2. That as partisan organizations included in the structuring of the state for the development of social programs and projects, the Sandinista Party has institutionalized the violation of the most basic rights of Nicaraguans.

3. That on exercising the permanent coercion of the citizenry so that they will join in the political activities of the Sandinista Party and on establishing differences among persons according to their political ideologies, they are violating the Statute on Rights and Guarantees of Nicaraguans.

(a) Art. 3. on equality before the law without distinctions of race, sex, economic positions or opinions.

(b) Art. 18 on the non-interference, arbitrary or illegal, in the private life of persons.

(c) Art. 19 on the non-application of coercive measures that can lessen freedom of thought or conscience.

(d) Art. 31, No. 1 on freedom of assembly and association of persons.

4. For us special attention is deserved by the blackmail that these groups carry out with the rationing of basic products with which they try to subjugate by hunger all citizens who do not share their political interests; this strategy constitutes a violation of Art. 38, No. 2, which says: "Eradication of chronic malnutrition, insuring sufficient availability of food and a fair distribution of the same."

PERMANENT COMMISSION ON HUMAN RIGHTS  
OF NICARAGUA (CPDH)—REPORT ON PRINCIPAL  
DENUNCIATIONS MADE IN JUNE 1984

MISSING

Gregorio Gonzalez Garcia, 42, farmer with domicile in the Buena Vista District, jurisdiction of San Juan Rio Coco, department of Madriz. Since April 29, 1983, his whereabouts has been unknown, his family inquired at the jails of La Barranca and La Chacara in Esteli, and in the latter were told by a soldier that the prisoner was on the list of prisoners, but that they could not see him because he had been transferred to Zona Franca, where his family went without obtaining any positive results. The CPDH made efforts before the Penal Prosecutor's Office and Zona Franca without succeeding in determining so far where he is to be found.

Jose Luis Huete Rivas, 24, businessman with domicile in Rio Blanco, department of Matagalpa. On April 20, 1984, he was apprehended on Km 22.5 of the highway to Masaya. According to information received by his family from Mr. Sixto Ulloa, official of CEPAD, at the moment of his apprehension he was taken to a jail of the city of Masaya and later transferred to Matagalpa, since he was a native of the region of the country. But in spite of efforts made by his family and the CPDH, it has not been possible to establish the place where he is being detained.

VIOLATION OF UNION RIGHTS

Benito Gomez Centeno, 33, in charge of the CTN for the northern region of the country. On June 2, 1984, he was apprehended in his house of residence by military soldiers of State Security, who informed his family that the apprehension was due to counterrevolutionary activities against the Law on the Maintenance of Law and Order and Public Safety.

In a visit that was granted to his brother on June 11, he was able to note: marks from intravenous injections on the left arm, incoherence in speaking, inability to remember known persons, difficulty in motor coordination as a result of maltreatment and the worsening of his old illness in the lumbar region of the spinal column. On June 20, 18 days after his arrest, he was presented by State Security together with the prisoner, Pedro Hernan Espinoza Sanchez (the fish), who involved him in his statements as a member of the Internal Front of the Counterrevolution. The Appeals Court of Managua declared inadmissible a writ of personal appearance filed in his behalf due to his health situation, adducing that no right of his is being violated and that under the state of emergency collective rights have priority over individual rights; in this way denying him the right to be attended by a physician.

Numan Calderon Arauz, 35, union leader of the CTN. On June 2 of this year, he was apprehended in his house of residence by members of State Security. Mr. Calderon Arauz since 1980 had been a victim of harassment by the military authorities of the Sandinista government and its related agencies. According to the official communique of the Ministry of the Interior his apprehension is due to "counterrevolutionary activities" against the Law on the Maintenance of Law and Order and Public Safety. On June 20 he was mentioned by a prisoner as a member of the Internal Front of the Counterrevolution. Since the date of his detention he has been in a state of no defense and without being remitted to a judge.

Humberto Ramon Lopez Lopez, adult, with domicile in Corinto, department of Chinandega and Secretary of Labor Affairs of the Union of Nicaraguan Seamen (SUMANIC), part of the CST (the Sandinista worker's union), On June 15, 1984, he presented a formal denunciation of harassment that had been suffered by the members of Sumanic since May 10 of this year, the date on which they reported to State Security on the disappearance of Mr. Luis Ramirez Guevara, 60 years of age, work colleague, who they were providing with lodging in the union office. During the first week of June the military authorities apprehended as implicated in Mr. Ramirez Guevara's disappearance union members Henston Garth Mitchel, Alonso Estrada Gomez and Armando Soza Palacio, their families not knowing the place of their detention. Due to efforts by CPDH it was possible to establish that the prisoners are in the jails of State Security in Leon, known as Quinta "YE" and they have obtained versions that Mr. Luis Ramirez Guevara showed up dead on a ship on which he was working. Although ap-

parently the present case is of a common type, directors of the union have informed CPDH that their members have been pressured by elements of State Security so that they will withdraw from the International Transportation Federation, of which the union is a member.

#### VIOLATION OF POLITICAL RIGHTS

Oscar Antonio Flores Molina, adult, and of this domicile, member of Social Christian Revolutionary Youth. On May 22, 1984, he was apprehended by soldiers stationed at the Esquipulas Command in this department, when he was passing out propaganda flyers on the Social-Christian Party. While he was under detention he was tortured psychologically by the Sandinista policemen who put a revolver to his forehead, threatening him with the possibility of suffering an accidental death. He was released on May 24 on the condition that he report every week to the previously referred to headquarters.

On May 20, 1984, in the city of Boaco, military troops of State Security prevented the holding of an event of Social-Christian Revolutionary Youth.

On May 26 of this year, the mass organizations of the Sandinista Front Party of the Larreynaga barrio of this capital attacked the headquarters of the Social Christian Party, hindering through flames and with slogans the holding of a prayer vigil dedicated to Nicaraguan mothers; it was organized by the Association of Social Christian Mothers and Social Christian Revolutionary Youth.

On June 9, 1984, members of the mass organizations of the Sandinista Front Party, who were wearing military uniforms and carried regulation (M-16 and AK) weapons, broke into the central headquarters /Casa Central/ of the Social Democratic Party of Nicaragua, terrorizing and threatening those present, who were holding a seminar on political training.

The Nicaraguan Democratic Coordinator, denounced to the CPDH the anti-legal decision made by the National Council of Political Parties on June 12, 1984, which denied legal status to a faction of the Democratic Conservative Party, granting it only to the other. The decision of the CNPP constitutes a violation of the right to free political association of Nicaraguans and interference in the internal affairs of parties. It is in addition, a threat against the life of the democratic parties of Nicaragua, which could be victims of divisions brought about by the government.

#### VIOLATION OF RELIGIOUS RIGHTS

Luis Amado Pena, 45, priest of the diocese of this domicile, presented an explanation to the CPDH of Nicaragua in which he denounced the fact that on June 20 of this year an individual who offered to give him a ride asked him to hand over a suitcase to a man in the area of the Polideportivo Espana, it turning out that all of that was a trick by State Security and that the suitcase contained explosives which were filmed by television and that together with agents of that organization were hidden in said place, after the filming they simply ordered him to leave the place. That that same day the individual Pedro Hernan Espinoza was presented as a prisoner of State Security at a press conference, accusing himself of being the head of the internal front of the Nicara-

guan Democratic Forces (FDN) and involving him and other members of the Political Parties of the Opposition and of the workers' organizations /independent ones/ of being involved in counterrevolutionary activities; although at said conference other prisoners were presented, only Pedro Hernan Espinoza was permitted to talk. In addition to that, at the same press conference a videotape was presented on which he appears participating in supposed counterrevolutionary activities.

Father Amado Pena states that he is being made a victim of a defamation campaign that at heart is attacking the Catholic Church in order to undermine the faith of the Catholic people and in addition an effort is being made to distract public attention from the serious problems facing the country, such as the persecution of youths who refuse to join the Patriotic Military Service (obligatory) and the problems in supplies in markets, in view of the new Consumer Protection Law. Father Pena currently has the seminary as a jail due to an order from the Ministry of the Interior, who accused him, found him guilty and sentenced the priest without a trial or defense.

Note: In the files of the CPDH of Nicaragua is a denunciation filed in March of 1983 by Carlos Huembes Trejos, National Leader of the CTN, in which he states that the individual Hernan Espinoza, a known State Security agent, of the zone of Las Mojarras of the department of Leon, was trying to involve him in counterrevolutionary activities.

#### SPECIAL CASES

Rolando Simon Membreno Gonzalez, 17 years old, domicile in the district El Bosque, jurisdiction of Posoltega, department of Leon. He was called to join the Patriotic Military Service, without the military authorities taking into consideration the strong nasal hemorrhage of a chronic nature from which he has suffered since he was nine years old. The youth Membreno Gonzalez asked permission to visit his mother who was ill, using this situation to take flight. Since then his family has been harassed by members of the Sandinista Popular Army, who once showed up at the house to carry out a search and who periodically show up to look for him, accusing his family of being reactionaries.

Lannie Eustes Flowers Kayla, Luis Padilla Hector, Steva Darlin Garth Wilson and Trino Paterson Albert, all adults, Nicaraguan citizens from Corn Island in the Department of Zelaya. On April 9, 1979, they set sail from Corn Island on the lobster boat "Lady Albina No. 1," towards the island of San Andres, their fate or location being unknown to this day.

Mr. Letio Own, who traveled to San Andres to carry out investigations aimed at establishing the whereabouts of the boat and crew, informed their family members that he had received a report that the crew had been the victim of a kidnapping perpetrated by two American drug traffickers; the reason why from that point on they were considered missing.

In December 1983 they were informed by Mr. Demry Dixon Carlos, who was studying in the Republic of Cuba, that all of them were being detained in one of the jails for foreigners located in the Province of

Boyereros of the previously mentioned republic. Their families have made efforts before Commander Lumberto Cambell, who forwarded the documentation relating to the case to the Cuban Embassy in Nicaragua, where so far they have been given no report on those detained.

María Del Carmen Navarro de Herrera, adult, of this domicile. President of the Small Businessmen's Association of basic grains of Managua (ACOPROBAMA). On June 20 of this year she was apprehended in her house of residence by members of State Security, who carried out a search whose basic goal according to what they said was the search for weapons; they seized folders and documents of the Democratic Conservative Party.

State Security apprehended that same day Hugo Lau Arguello, María Jose Hernandez Mora, Lila Lopez and Elba Quintanilla. The apprehension of all these people was due to the invitation made by Eng. Dionisio Marengo, Minister of Commerce, to explain to the associations in ACOPROBAMA at the Mexico Theater, the scope and repercussions of the recent Consumer Protection Law, which was the object of ill-intentioned speculations by the mass organizations of the Sandinista Party.

Mrs. Blanco Rueda and others persons belonging to ACOPROBAMA were accused of carrying out ideological diversionism, being released by State Security on June 24, 1984.

Silvio Robelo Ortiz, adult and with this domicile. On January 10, 1983, he was apprehended by State Security, being transferred to the jails of El Chipote, where he spent 33 days under investigation.

During the first 12 days of his detention he was not given food in order to force him to sign a statement that they already had prepared, the reason why he had to be hospitalized in the Alejandro Davila Bolanos Hospital with a colitic ulcer being diagnosed. Again in El Chipote his food was suspended, and he was subjected to intense interrogations in which he heard simulated torturing applied to his wife and daughter, in this way agreeing to sign the previously-mentioned document.

On February 12 of the same year he was transferred to the Zona Franca and was put under the orders of the Anti-Somocist People's Courts on June 8, five months after his arrest. He was accused of organizing hunger strike in the jail in July 1983, which was controlled with excessive violence by the military, which led to his being put in a punishment cell. Later he was transferred to Cell No. 5, gallery No. 3, on the upper floor of the Model Jail of Tipitapa, where he was also placed in a punishment cell in April 1984; Mr. Robelo Ortiz is currently in bad health serving a 30-year prison sentence.

Roberto Jose Valle Gonzalez, 26, doctor, domicile in Masaya, who was providing professional services at the Health Center of Sumubilla, a Miskito settlement in the department of Zelaya. On April 16, 1984, he was kidnapped together with other persons, by counterrevolutionary bands who attacked said village, supposedly taking them toward Honduras.

The CPDH has made efforts before the International Red Cross Committee in Honduras, the U.H. High Commissioner for Refugees, and before the Honduran Red Cross, trying to establish his whereabouts, without so far having obtained positive results.

#### PERMANENT COMMISSION ON HUMAN RIGHTS OF NICARAGUA (CPDH)—PRINCIPAL DENUNCIATIONS OF JULY 1984

1. Roger Antenor Espinoza, 17 years of age, of Miskito origin, reservist in the 70-11 Battalion, with domicile in Tuabe, Puerto Cabezas, department of Zelaya. On July 19, 1983 he was apprehended together with 30 comrades of the same battalion; since that time the place where he is to be found is unknown. According to what has been confirmed, 11 of those apprehended were sent to the Zona Franca at the orders of the Army Office of the Military Judge Advocacy and they were released in virtue of the Amnesty Decree of December of the same year. The CPDH has carried out efforts before the Ministry of Defense, the Army Office of the Military Judge Advocacy, the Reconstruction Junta of Puerto Cabezas the one in charge of the 70-11 Battalion in Bonanza, without being able to determine his whereabouts.

2. Pablo Jiron Jarquin, 33, watchman, with domicile in Managua. On July 21, 1984 he was apprehended by eight armed civilians at the house of a neighbor in the Georgino Andrade barrio of this capital, his whereabouts being unknown since that time. His family has made efforts at the substations No. 6 and No. 8 of the Sandinista Police, Palo Alto and State Security, where they have systematically denied to them that he is being detained. It is presumed that his captors were members of State Security since the vehicles in which Mr. Jiron was detained had a state license plate and a sign that said "State Property." Mr. Jiron Jarquin, at the time he was detained, was convalescing from surgery he had had as the result of a duodenal ulcer in May of this year. Therefore, and based on the circumstances surrounding his apprehension, the CPDH presumes that he is detained in El Chipote so that on July 25 it sent a telegram to Lt. Oscar Loza, Chief of State Security Operations, asking for his transfer to a hospital center in order to prevent irreparable damage to the prisoner.

#### DEAD

1. Silvia Ocamp Amador, 23 years old, her son Elder Jose Aguilar Ocampo, 7 years old, and her mother-in-law, María Auxiliadora Diaz Garcia, 60 years old, with domicile in Santo Tomas, department of Chontales, were seeking a ride at the junction of the highway to Boaco on July 18 when Mr. Jose Santos Hernandez passed by there, offering to take them. He was driving a red truck belonging to the Ministry of Health, which her mother and son got onto the back of. When they passed by the place known as Los Cocos, jurisdiction of San Lorenzo, in the department of Boaco, they heard a shot by two subjects who were dressed in Sandinista Police uniforms, the child, Elder Aguilar Ocampo, being wounded. For fear that they would kill all of them, they did not stop and headed toward the Health Center of Tecolostote, where they were unable to get medical attention because the child had already died since the bullet had struck him in the head. On July 23, his mother filed a formal denunciation in the Office of Police Prosecution of the city of Boaco, criminally accusing the soldier identified with the name of Enoc Rios Obando, being informed

by the one in charge of the investigation that the case would be taken to the Office of the Military Judge Advocacy of the Army in the city of Juigalpa, department of Chontales. The soldier referred to also stated that the true guilty one was Mr. Hernandez Lopez, the driver of the vehicle in which they were traveling, and that he is currently being detained for not having heeded the call of the soldiers.

2. Mr. Domingo Gamali Salazar Fornos filed a complaint concerning the death of his brother, David Salazar Fornos, 20 years of age, electrical mechanic with domicile in Tipitapa, which occurred on July 13 of this year at the hands of members of State Security in the following circumstances: That day, Domingo Gamali Salazar Fornos and his uncle Leonardo Salazar Gonzalez, who lives in Tisma, in the department of Masaya, appeared at the school of that locality, where they were holding a meeting of parents with children in the Patriotic Military Service and local authorities; Mr. Leonardo Salazar Gonzalez used the opportunity to bring up the problem of his son who has been called on to serve military service even though he is ill, but by every reply he was accused by a member of the CDS of being a counterrevolutionary of the Conservative Party. Immediately after said meeting, Mr. Salazar Gonzalez was detained and Domingo Gamali Salazar Fornos managed to evade detention thanks to the support of the participants.

That same day at approximately midnight, six soldiers, two of which were dressed as civilians, showed up at the house of David Salazar Fornos, brother of Domingo Gamali, at the Tipitapa Mill, and forced him to show them the house where the latter was; once in said house David warned his brother that they were coming to look for him, so that he received a bullet in the stomach, later being taken to an unknown destination on a truck of the Nindiri Municipal Junta.

David Salazar Fornos was found by members of his family on Sunday, July 15 in the Manolo Morales Hospital and Managua and strangely enough showed another bullet wound in his chest. He died that day at approximately midnight. Domingo Gamali Salazar Fornos appeared to make a statement on the facts to the police command of Tipitapa and was threatened with death if he expounded the case to the CPDH or the press.

#### MALTEMENT OF PRISONERS

1. Jorge Francisco Rios Lopez, 28 years of age, sergeant of the now defunct National Guard, currently a prisoner in the Model Jail of Tipitapa serving an 18-year-sentence which was imposed on him by the Special Courts of Justice. Together with five prisoners he is the object of unjustified transfers to jails of State Security known as El Chipote, where they are subjected to long interrogations, in order to make them waver in their demands for better treatment both for them and those who visit them.

On July 6 of this year, 2nd Lt. Jorge Ros-tran, in charge of the National Penitentiary System, sent a summons to the family members of those prisoners where he granted them a special visit, allowing them to take more food than what is stipulated in the regulations. During the meeting with the fami-

lies, the prisoners said that they were being pressured and threatened for demanding their rights, refusing to receive the food supplies because with that an effort was being made to make them seem like privileged persons and expose them to possible physical attacks by the other prisoners.

2. Luz Marina Flores Rodriguez, 18 years of age, resident of the Jonathan Gonzalez District of this capital. According to testimony presented by father Florentino Herranz Ruiz, parish priest of the San Francisco Church of Managua, to the CPDH, on May 5 of this year, she was apprehended by two members of the Sandinista Police who took her to an abandoned house near the lagoon of Jiloa, where they abused her person; the reason why she was hospitalized at the Alejandro Davila Bolanos Hospital. Later, being under detention, she was transferred to a military base in Ciudad Sandino, where she remained for two days. She was released on May 13, 11 days after her apprehension since there were no charges against her.

#### VIOLATION OF RELIGIOUS RIGHTS

1. (84-7-042). Florentino Herranz Ruiz, adult, known as Rafael, Catholic priest of Spanish nationality, parish priest of the San Francisco de Asis Church of this capital. On Sunday, July 8, 1984, during his homily he denounced before his congregation the violation of the rights of two members of the community: Luz Marina Flores Rodriguez, a young resident of Jonathan Gonzalez Barrio and Tomas Gomez, organist of the parish, who, due to his religious activities was physically attacked by two persons unknown near Mi Preferida Radio. A police patrol that showed up took him together with his assailants to the substation of the Central America colony where he was released together with one of his attackers and without a statement on the events being taken.

At the end of the Eucharist celebration, Father Herranz was approached by a young girl who identified herself as the secretary of Commander Tomas Borge, accusing him of carrying out political activities by denouncing events such as the ones he had denounced without having enough proof. After this incident he was called on July 11 of this year, by Lt. Elear Rodriguez, Chief of the Police Prosecution Department, to appear before Commander Walter Ferreti, who repeated the accusation made by the secretary and sent him to the offices of Police Prosecution.

On July 17 he was again summoned, this time to House No. 50, where Lt. Oscar Loza, Chief of Operations of State Security, told him that he would be expelled from the country if he continued sticking his nose into politics and immediately after that he was photographed. Father Herranz fears that these events, added to the constant harassments that he has suffered since October 1983 from members of the so-called Popular/People's/Church, are manipulated by the authorities of the Sandinista Government in order to justify his eventual expulsion.

#### VIOLATION OF UNION RIGHTS

1. Sergio Antonio Castellon Gonzalez, adult, driver on Route 114, member of the union of Drivers of Urban Transportation (Simotur), member of the CTN. He was de-

tained in the central office of the National Bus Company (ENABUS) on July 14, 1984, by two of his working companions who are militiamen. The event occurred while he was distributing flyers in which Cimotur was calling its members to a meeting to inform them of the state of the claim filed by labor back in March 1983 due to nonpayment of the seventh day. He was taken to the "Command Post" where he was interrogated by Mr. Guillermo Zapata, Director of Operations of the company, after which he was released.

2. Isidro Arbuza Ocon, 40, and Daniel Leiva, 42, union members of the CTN, domicile in the region of Las Mojarras, department of Leon. On July 18, of this year, they were apprehended by military troops of State Security, being released the same day after having been threatened and intimidated to give up their union activities in the Mojarras zone.

3. Jose Altamirano Rojas, adult, domicile in Managua, Asst. Secretary General of the CTN. He was recently mentioned in public and televised statements of prisoners Luis Mora Sanchez and Pedro Hernan Espinoza, who implicated him in supposed counterrevolutionary activities. According to Altamirano Rojas, those accusations constitute a virtual threat of apprehension with which an effort is being made to end his union activities and terrorize the political leaders of the opposition so that they will leave the country.

#### VIOLATION OF POLITICAL RIGHTS

1. Nicolas Ochos Gomez, Napoleon Tabora Garrido, Justo Mendoza Mendoza, Emilio Cabrales Novoa. All adults, members of the Social-Christian Revolutionary Youth with domicile in El Viejo, department of Chinandega. They were apprehended on Monday, June 25, 1984 by military troops and taken to the jails of State Security known as Quinta Ye in the department of Leon, where they are accused of painting political graffiti. They were released the next day.

#### PERSONS LOCATED

1. Estanislao Cano Castillo, 70, farmer, domicile in the Los Mojarras region, department of Leon. On June 29, 1984, he was apprehended by members of State Security at the San Pedro Hacienda. According to his family, his apprehension follows suspicions concerning his son Bonifacio Cano Mayorga, presumably involved in counterrevolutionary activities. On July 11 of this year he was found in the jails of Security in Managua, known as El Chipote, where he was visited by his wife, Isidra Mayorga Obando, who at the end of the visit was subjected to an intensive interrogation; she fears for the health of her husband, since he is a cardiac patient.

2. Ricardo Moreno Perez, 33 watchman, domicile in Managua. On June 11, 1984, he was reported missing by his family before the CPDH. The Public Relations Office of State Security on repeated occasions denied his apprehension both to his family as well as to officials of CPDH, who finally found him in El Chipote on June 14. He is currently a prisoner in Zona Franca.

3. Jose Luis Huete Rivas, 24, businessman, with domicile in Rio Blanco, department of Matagalpa. On April 20 of this year he was apprehended on KM 22.5 of the highway to Masaya. On July 11, 1984, officials of CPDH were informed that the previous day he had

been transferred to Zona Franca under the order of the Anti-Somocist People's Courts.

#### KIDNAPPED BY COUNTERREVOLUTIONARY FORCES

1. Lombardo Jose Monge Marin, 22, student with domicile in Masaya. On April 28, 1983 he joined Battalion 19-66 of the Sandinista Popular /People's/ Militias, being mobilized to the Atlantic Coast in the department of Zelaya. His family members were informed by military authorities on June 18 of the same year that he had been kidnapped by counterrevolutionary bands after combat in the sector of Perlas Lagoon.

In March of 1984 he called his family from San Jose, Costa Rica, telling them that he had escaped his captors and that officials of the Embassy of Nicaragua had refused to give him refuge, using budgetary reasons. His family made efforts in the Ministry of Foreign Relations of Nicaragua, being attended by Dr. Luis Manuel Perez, who finally informed them that he had forwarded the case to the General Office of Migration and Aliens, where it is currently being followed up.

2. Ronald Benavente Corea, 33, watchman, domicile in La Concordia, department of Jinotega. When he was returning from El Cua Hill, on a truck in the company of 24 persons more, on December 23, 1983, he was kidnapped together with the driver and taken to Honduras.

The efforts made by officials of the CPDH with Juan Jose Ubeda, Delegate of the Ministry of the Interior for Jinotega and Matagalpa, as well as before the High Commissioner of the U.N. in Honduras and the Honduran Red Cross have been fruitless.

Note: The denunciations presented to this office are truthful according to our understanding and are supported by properly signed denunciations and testimonies.

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#### PERMANENT COMMISSION ON HUMAN RIGHTS OF NICARAGUA (CPDH)—PRINCIPAL DENUNCIATIONS IN AUGUST 1984

##### DEAD

1. 84-07-050. Andres Mejia Jiron. 30 years old, single, farmer with domicile in Jinotega. On March 10, 1983, he was detained and taken to the jails of Jinotega, being transferred to the Central Command of Matagalpa and then to the construction of the Penitentiary System known as Waswali in Matagalpa; he was accused of robbery and would be released June 15 of this year. But on June 10 of this year, when his sister Flora Mejia arrived to visit him, she was informed that he had died in "an effort to escape," without more details being given.

She has asked the authorities of the penal center to at least tell her where the body was buried and for the few personal possessions of the prisoner to be returned to her, but so far she has not received any reply.

CPDH presented the case to the Legal Department of the Ministry of the Interior of Matagalpa, so that an investigation would be begun to determine the circumstances of his death and his family members would be notified of the place where the body was buried.



2. 84-08-065. Demetrio Benedicto Artola Sanchez, 40 years old, single, farmer, domicile in the region of La Ceiba, jurisdiction of Villa El Carmen, in this department of Managua.

On August 18 of this year, about 9 a.m. three members of the Voluntary Police Department of Villa El Carmen showed up at the house of his brother Jose Angel Artola Sanchez, of the same domicile, searching for him, and identified as Rafael Fonseca, Domingo Chavarria and Domingo Perez, and a civilian, who accused him of having participated in a robbery and they coerced him to accompany them; they also accused him of being a member of the Conservative Party; he argued that he had to work and that he didn't have anything to do with any robbery and turned around to head for work and when he had gone a distance of about 8 meters, the soldiers fired several bursts against him, several bullets hitting him, which caused his death three hours later.

The CPDH has addressed the Ministry of the Interior requesting an exhaustive investigation of that case.

#### MISSING

1. 84-8-056. Alejandro Sotelo Mora. 32 years of age, farmer, domicile in Boaco. He was apprehended by members of State Security on August 21 of this year, while he was working on a farm near Rio Blanco. He was supposedly taken to the Commando of Rio Blanco, department of Matagalpa, and since that date the place where he is has been unknown.

His family has had reports that he is in the jails of State Security of Matagalpa, but both in this and other jails of Region VI they have been refused.

CPDH placed before the Appeals Court of Matagalpa a formal writ for personal appearance in his favor and of other prisoners who are missing.

#### VIOLATION OF RELIGIOUS RIGHTS

1. 84-8-002. Allan Delgado Useda, adult, Catholic priest, parish priest of the Santa Ana Church of this capital. On Sunday, June 17 of this year, while he was celebrating Holy Mass, he was interrupted by subjects who made fun of his prayers and who, penetrating to the center of the temple, shouted Sandinista slogans, so that the parishioners proceeded to expell them. Later, a youth who participated in the expulsion of said individuals was apprehended by a Sandinista Police patrol, which was near the church.

Father Allan Delgado, since July 9, 1984, has been the victim of anonymous calls in which he is threatened with the publication of a prefabricated video cassette in which he is involved in supposed immoral acts. Currently his mother's house, where prayer groups are held, is under surveillance by members of the Sandinista Defense Committee and they term the participants as counterrevolutionaries.

#### THREATS OF APPREHENSION—ARREST

1. 84-08-016. Pedro Martinez Loaisiga, 50 years of age, watchman of the Higher Council of Private Enterprise (COSEP), with domicile in the Acahualincas residential district of this capital. At the beginning of July of this year, he was called to the police station located on Quinta Isabel in Acahua-

linca, where he was interrogated about the Patriotic Military Service being fulfilled by his children, it being proposed that he collaborate with State Security by handing over the keys to the COSEP office. After this incident he was again summoned; however he did not show up for the appointment.

On Tuesday, July 26, when he was returning from work, he was apprehended by two agents who took him to the Police Substation No 2, where some soldiers with the last names of Benavides and Nunez, identified as members of State Security, threatened him with 15 years of prison if he did not collaborate with them by handing over the keys to the offices. The soldiers referred to above on repeated occasions have called him to various places of the capital, the last time to House No. 50 of State Security on August 2 of this year.

CPDH has presented the case before the Complaints Department of the Ministry of the Interior so that the rights of this citizen will be respected.

2. 84-08-832. Jose Manuel Urbina Lara, 23 years of age, student of Law at the Central American University and with this domicile. Together with six classmates he was apprehended by members of State Security on November 12, 1983, being kept in the jails of Chipote where he was investigated for supposed counterrevolutionary activities; later he was transferred to Zona, obtaining his release December 12 of the same year.

The youth Urbina Lara went back to his studies, telling his family that he was being harassed by the members of Sandinista Youth 19th of July at the University. On June 23, 1984, two persons from State Security showed up at his house of residence, carrying out a search and asking for him; since that time he has fled from fear of being recaptured.

His father, Luis Urbina Chavez, and his brother, Luis Coronado, and sister Maria Elena were stopped by members of State Security on July 27 while they were riding in their vehicle near the colony Central America, being taken to Chipote, where they were investigated separately for four consecutive hours. His brother, Dr. Luis Coronado Urbina, was subjected to humiliating treatment, being forced to do exercises completely nude while he was being interrogated.

#### VIOLATION OF UNION RIGHTS

1. 84-08-037. Juan Mercádo Samuria, adult, Union Advisor of the CTN, domicile in Granada, is being harassed by members of the mass organizations of the Sandinista Front, headed by Justino Diaz, in charge of the zone and two leaders of the Association of Workers of the Country-side of the region of Mombacho in the Department of Granada. On July 25 and August 14 of this year, these individuals came to look for him at San Emilio Hacienda, located near the volcano Mombacho, scaring the workers with shots in the air and throwing insults at the CTN.

Military troops of the Sandinista Police have dedicated themselves to investigating their union activities in the community of Guanacaste, with the evident intention of terrorizing the workers who are members of CTN.

CPDH as sent a communication to the Delegate of the Ministry of the Interior in Region IV, requesting guarantees for the workers' leader and respect for his union activities.

#### MALTREATMENT OF PRISONERS

1. 84-08-057. Wilmer Nazario Castro Mendoza, 27 years of age, was apprehended on September 20, 1979, being sentenced by the Special Courts of Justice to a sentence of 30 years. Mr. Castro Mendoza suffers from cardiovascular disturbances, having been prescribed medical treatment by members of the Red Cross, but the military refused to give it to him, which led him to go on a hunger strike demanding said treatment.

The military authorities of the Model Prison where he is currently serving his sentence have him punished in a special cell for prisoners with tuberculosis.

On August 28 of this year CPDH filed writ of assistance in his favor demanding the cessation of the repressive measures taken against him.

#### VIOLATION OF POLITICAL RIGHTS

1. 84-08-018. Marlon Madriz Mayorga, 20 years of age, worker, with domicile in Managua, since October of last year has worked as a cloth cutter for the National Clothing Company (ENAVES). His political militancy in the Democratic Social Youth has earned him the adversion of the members of the battalion of Militias 50-19 of the company for which he works, and he is constantly accused of being a counterrevolutionary and ideological diversionist. The previously mentioned soldiers tried to attack him physically on July 17 of this year, the reason why he denounced the act before the authorities of the Democratic Social Party, who gave him coverage in the daily La Prensa the 31st of the same month. Since that date the harassment and threats against him have increased. He was recently called on to enter Patriotic Military Service.

Note: The denunciations presented to this office are truthful according to our understanding and are supported by properly signed denunciations and testimonies.

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#### PERMANENT COMMISSION ON HUMAN RIGHTS OF NICARAGUA (CPDH)—REPORT OF SEPTEMBER 1984—PRINCIPAL DENUNCIATIONS IN SEPTEMBER 1984

##### TORTURING AND MALTREATMENT OF PRISONERS

1. Hugo Torres Llanes, Manuel Lopez Bravo, Francisco Pizzi Perez, Justo Molina Gomez, Enrique Munguia Berrios, Denis Espinoza, Domingo Alonso Rivas, Marcial Gonzalez Loaisiga, Jose Daniel Centeno Gutierrez and Alfredo Hernandez, all of them sentenced by the Special Courts of Justice, were carrying out a sentence in the Model jail of Tipitapa and in October 1983 were transferred to the jails of State Security in Managua, known as El Chipote, where they still remain. Recently they have been receiving threats that, in case the military situation were to become more acute, they would be killed. They have also been threatened with being sent to clandestine jails so that their family members would not be able to

see them. In these centers they are being subjected to new interrogations.

The CPDH has sent a communication to the Dept. of Complaints of the Ministry of the Interior so that these prisoners will not continue to receive discriminatory treatment and will be returned to the facilities of the penitentiary system to serve their sentence, as is established by law and the minimum regulations for the treatment of prisoners.

2. Uriel Algaba Delgado, Carlos Vargas Solis, Gustavo Robleto Sequeira, Miguel Davila Largaespada, Angel Castro Soza, Silvio Garcia, Pedro Pablo Huete Torrez, Panfilo Cruz, Victor Manuel-Carmona, Jose Chavarria and Jaime Suarez Macis, are serving a sentence imposed by the Special Courts of Justice in the Modelo Jail of Tipitapa. On July 20 of this year at night they were subjected to torture consisting of blows by hands and kicks by the authorities of that penal center and then they were locked up in "punishment" cells that the prisoners call "extermination" cells since they were originally built for one prisoner. There they put six prisoners for 21 days. According to reports received by CPDH, the officials who mistreated the prisoners are: Angel Suazo, Octavio Flores, Julio Orozco, Guillermo Rodriguez and others with the last names Palavicini and Figueroa.

#### MISSING

1. Julian Palacios Rosales, 45 years of age, married, farmer, domicile in Las Banderitas, jurisdiction of Rio Blanco in the department of Matagalpa. He was detained on August 5, 1983, in his house of residence and in the same district they apprehended four other peasants. Those who carried out the apprehension were militiamen stationed at Rio Blanco, who accused them of being counterrevolutionaries. They were taken on foot to the road from Copalar, where they were put in an Army truck and taken to State Security of Rio Blanco. There other peasants were released but not Mr. Palacios. The military refuses to explain his whereabouts to his family. On September 28 this year, the Permanent Commission on Human Rights of Nicaragua introduced a writ for personal appearance in the Appeals Court of Matagalpa, but this court so far has not taken any action.

2. Manuel Agustin Espinoza Gonzalez, 21 years of age, single, student and of this domicile, disappeared from his house in the residential district of Gadala Maria, on May 9 of this year, and his family has not been able to learn his whereabouts. He had been an escort of Eden Pastora, when he was in the Ministry of Defense. Days before his disappearance he stated to his family that he was being pressured and threatened so he would collaborate with State Security.

CPDH filed a writ for personal appearance at the Appeals Court of Managua in order to try to establish whether he is a prisoner.

#### UNION MEMBERS

1. Alvaro de Jesus Jimenez Salgado, 40 years of age, worker, of the industrial company Aceitera Corona and affiliate of the Central de Trabajadores de Nicaragua (CTN)/confederation of Nicaraguan workers/ for 11 years.

On September 15 of this year he was summoned to the Public Relations Office of the Headquarters of State Security of Managua, known as House #50, where he was interrogated for two and a half hours. Although the supposed motive of the appointment was that he was demanding in his work that he be paid extra wages, for September 15 (a holiday); during the interrogation he was asked about his union activities and his relations with the CTN. He was also asked about the relations and activities of his wife, Marta de Jimenez, who works for the independent newspaper La Prensa. Finally, they threatened to jail him if he continued union activities and that to ensure that he would not they would keep him under permanent surveillance.

2. Denis Lopez Arias, 32 years of age, single, fisherman and domicile in Casares, jurisdiction of Diriamba in the department of Carazo. He is a member of the Confederation of Union Unification (CUS), and as a member of a cooperative of fishermen has promoted that union organization; he is also a member of the Social Democratic Party.

In the middle of June of this year, two members of State Security showed up at his house and asked him about his relations with the CUS and they accused him of carrying out counterrevolutionary activities and being an instrument of the CIA, so that they proposed that he collaborate with State Security passing information on everything that CUS planned or did and in exchange he would receive a lot of money. In order to formalize his collaboration they would take him to State Security the next day. In effect, the next day the same members from State Security returned the next day but he was hidden at the house of some neighbors, where he saw them leave and for several days he remained sleeping outside of the house in order to prevent them capturing him at night because he had not accepted such an unworthy commitment.

On August 19 of this year, when a group of supposed members of the CUS occupied the facilities of that union organization, three State Security agents arrived to search for him but at that time he was not at home.

Approximately three days later a fisherman from a nearby community who is also a member of CUS, Jose Agustin Tellez, showed up at his house, and asked him to come to Managua to support those who had taken the CUS office and that were against the leadership of this organization, telling him that in that way his problems with State Security would end, since he (Jose Agustin) had been detained three days before and they had freed him on the condition or under the threat that he go to Managua to support those who took the office of CUS. He refused to go to Managua, saying that he would show up the next day.

Later he has had reports that they plan to detain him so that he has chosen to stay as little time as possible in his house and sleep on the coast, as if he had committed some crime.

The CPDH has received other reports which so far are confidential in which different members of the CUS in different regions of the country have been pressured by State Security so that they will support supposed members of the CUS who are bring-

ing about fictitious divisions in the organizations.

#### VIOLATIONS OF POLITICAL RIGHTS

1. On September 13 of this year, a delegation of the Nicaraguan Democratic Coordinator headed by Dr. Arturo Cruz and Lic. Adan Fletes returned to the country after having met with five presidents of Latin America.

A bus in which members of the Social Christian Revolutionary Youth (JRSC) and which was headed to the headquarters of the CTN where there was to be a ceremony to receive the delegation was detained by members of the Sandinista police and they were taken to the police headquarters Ajax Delgado. The occupants of the bus were taken to an abandoned street, next to the headquarters, where soldiers in a number exceeding 25 surrounded the bus and threatened the youths with their weapons. Finally, the bus driver had his driver's license taken as well as the vehicle's traffic card.

That same day in the city of Chinandega military authorities prevented the departure of a bus that carried sympathizers of the Nicaraguan Democratic Coordinator to said ceremony. The explanation that the soldiers gave is that they were "carrying out higher orders."

2. On September 19 the Nicaraguan Democratic Coordinator held a peaceful meeting inside in the city of Leon, which was interrupted by a large number of fanatics known as "disburbers" but who are evidently led by soldiers in civilian clothes. They arrived armed with clubs and chains trying to physically attack those who were gathered, among whom there were women and children. The police limited themselves to giving protection to those gathered, ignoring the crime being committed by those who threatened the members of the Coordinator with death.

Later it was learned that in the schools and some state enterprises a free day was given so that the employees would go to demonstrate against said political opposition coalition.

#### KIDNAPPINGS

1. In the first days of September of this year, two activists of the FSLN, Ray Hooker and Patricia Delgado, were kidnapped by troops of the armed movement Democratic Revolutionary Alliance (ARDE), when they were piloting a small boat in the Perlas lagoon in the department of Zelaya.

Ray Hooker is a candidate for the Legislative Assembly for the Sandinista Front and Patricia Delgado is zone secretary of said political organization. Their whereabouts and physical condition are unknown.

#### PATRIOTIC MILITARY SERVICE (OBLIGATORY)

1. Carlos Alberto Flores Matamoros, 19 years old, single, domicile in Chinandega. He was called upon to comply with Active Military Service on December 26, 1983, remaining without any problem for the first four months and then later he began to have hallucinations, being fired at times, by imaginary things or he would wake up in the middle of the night shouting, as a result of nightmares. Therefore, he was temporarily transferred to his house of residence, where he continued with the same health problems and was able to sleep only with pills.

To the surprise and concern of his parents he was again taken to the military base known as Cosiguina in Chinandega, where his situation has worsened, since he suffers from headaches and frequent fainting as well as pains in the chest and fatigue.

In said base they have told his father that they will not release him until the Military Hospital of Managua decides, which is where they have come for consultation, but in that hospital center they refuse to grant him absence on the basis of illness. Currently CPDH is carrying out efforts so that he will be granted his definitive release in view of his state of health.

#### FOUND

1. Isidro Fernandez Orteza, 29 years of age, married, farmer, domicile in Rio Siquia, jurisdiction of Rama in the department of Zalaya, was detained on August 21 of this year, when he was working. He was put into a helicopter with an unknown destination. After that day his family looked for him in the different jails of the Chontales region, but without any results.

CPDH intervened with a writ of habeas corpus with which he was found in the jails of Matagalpa on September 11, of this year, being transferred to the jails of Chontales on the 14th of the same month.

2. Isacio Artica Lopez, 39 years old, single, mason and with domicile in Nindiri, in the department of Masaya. He was detained by State Security on July 29 of this year in the city of Nindiri when he was going to carry out a job. He was put in a white car and taken to an unknown destination. In spite of multiple efforts made by his family it was impossible to locate him.

He was found on September 17 of this year through efforts of CPDH in the jails of State Security of Jinotepe, in the department of Carazo, being released that same day. The authorities told him before freeing him that they had mistaken him for another person, but they did not explain why they refused to tell his family his whereabouts.

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#### PERMANENT COMMISSION ON HUMAN RIGHTS OF NICARAGUA (CPDH)—PRINCIPAL DENUNCIATIONS OF OCTOBER 1984—DEATHS AND APPREHENSIONS

1. Claudio Garcia Sequeira, 44 years of age, married, farmer and with domicile in the La Mantequilla region, jurisdiction, Dept. of Rio San Juan. The first day of September of this year, the district was surrounded by more than 300 soldiers belonging to the Army, the Sandinista Popular Militias and the Special Troops of the Ministry of the Interior, under the command of Lt. Jose Murillo. Upon his arrival shots had been heard so that it is presumed that they were pursuing counter revolutionary elements. During the siege they came firing their weapons, and several residents of the district were on the road on horseback and on the way to cutting corn. Most of them

ended up wounded, and Mr. Claudio Garcia Sequeira died.

Later they proceeded to apprehend several inhabitants of the district, among whom is Antonio Lanzas Morales, Mario Hurtado Gonzales, Leopoldo Ortega Zepeda, Juan and Wilfredo Calero Medina. Most of the residences of the district were searched and later residents detained, so that the inhabitants have had to flee to the mountains.

#### UNION MEMBERS

1. Ramon Mendieta Parrales, 56 years of age, married, fisherman and with domicile in the resort of Casares, jurisdiction of Diriamba, in the Department of Carazo, members of the Cooperative of Fishermen La Union, affiliated with the Confederation of Union Unification (CUS).

On September 5 this year, a member of the Border Guard Troops (TGF) of the site appeared at his house of residence to leave him a citation to appear before the police of Diriamba; on showing up he was detained, being told only that he was under the orders of State Security.

In the jail a man in civilian clothing who identified himself as State Security of the State of Jinotepe told him that he had to collaborate with State Security in a secret manner and they forced him to sign an "oath" that he was promising to be an informer. Later they gave him a political talk and explained to him that his man role was to see that the CUS separated from the Democratic Coordinator and he had to support some new leaders of CUS in order to change the board of directors of that group. Finally, he was threatened with death if he told anyone about what was happened and then he was released.

Since that day he has been forced to visit other members of the Cooperative of fishermen to give them "talks" on the need to change the leadership of CUS and he has been given money to mobilize a member of State Security that he only identifies with the alias of "Dorian."

2. We have received denunciations from different peasants of the domicile of the community of Tepano, Diriamba jurisdiction in the Dept. of Carazo; they are members of the Union of Peasant Workers (STC) of Tepano, an affiliate of the CUS. The peasants report that since the founding of the union they have been pressured by members of State Security, who state to them that CUS is promoted by the CIA and that it carries out counter-revolutionary activity. These pressures and threats became more evident after August 19 of this year on the occasion of a congress that CUS was to hold in Managua. Their houses of residence were "visited" by members of State Security of Jinotepe, who threatened them, telling them that they had to come to Managua to ask CUS to leave the Nicaraguan Democratic Coordinator. In view of the number of soldiers who came and due to the intimidating manner in which they appeared, the peasants found themselves obligated to attend that congress and appear as a group backing the supposed leaders that had taken over CUS and they demanded the withdrawal from that union group from the Democratic Coordinator.

#### PATRIOTIC MILITARY SERVICE

1. Ramiro Jose Toruno Carvajal, 18 years of age, farmer, domicile in Malpaisillo, Dept.

of Leon. In February of this year he was notified that he had to render active military service, for which purpose he appeared in compliance with the law. Due to the intense exercises to which he was subjected, he often fainted without receiving medical attention, so that he decided to return home to be treated medically, which he did in March of this year, being examined by a private cardiologist whose diagnosis was that he was suffering from a coronary disease, with a deficiency of irrigation of the myocardium, in addition to hypertension, and therefore he could not be subjected to fatigue or emotional stress.

This opinion was in agreement with the one from the "Perla Norori" Health Center of Leon and both opinions were presented to the Zone Delegation of Patriotic Military Service in Malpaisillo, where they received it without comments.

On September 10 of this year, at the home of the youth, some soldiers appeared to summon him to appear before the command of the locality, supposedly for having beaten a person. When he appeared, he found himself in the same situation as 4 youths of the Patriotic Military Service who were detained.

Family members protested but were suppressed by members of the Sandinista Youth 19th of July and the Association of Workers of the Countryside (ATC) (both groups partisans of the FSLN).

The youths were transferred in two vehicles supposedly to the city of Leon, but since that day their whereabouts has been unknown.

2. Francisco Javier Aragon Espinoza, 24 years old, single, bus assistant, with this domicile, was detained October 2 of this year, when he was at Migration offices getting his passport to leave the country. He is accused of having altered his birth certificate to evade Patriotic Military Service; he is under the orders of Captain Daniel Pozo, in charge of Patriotic Military Service.

#### MISSING

1. Alfonso Gomez Pena and Oscar Cruz Tenorio, adults, single, farmers with domicile in the region of Los Santos, jurisdiction of Nueva Guinea, in the Dept. of Zelaya. They were detained by militia traveling through the place on October 1, 1984 when they were going to work in the district El Nispero. Since that time the family has not known where they are or the concrete charges against them, although at the moment that they were apprehended they were threatened for being counterrevolutionaries.

2. Medardo Manuel Lopez Gutierrez, 53, married, farmer, with domicile on Km. 16½ on the road to Masaya, was detained September 24 of this year in his house of residence by agents dressed as military and civilians, a family member was able to see him in the jails of State Security of the State of Jinotepe, but later has been refused in said jails and they do not say where he was transferred.

#### MALTREATMENT OF PRISONERS

1. The CPDH has received different and agreeing denunciations on the bad treatment that is constantly applied to prisoners who are serving sentences in the prison center of Tipitapa, known as Model Jail, especially the prisoners who are in Gallery #3, both upstairs and downstairs.

According to the latest denunciations the prisoners of said Gallery #3 have not been allowed to receive sunlight, for more than four months, which causes their skin to dry and hair to fall out, the food is completely lacking since they are only given a tablespoon of boiled rice or beans twice a day and the family members are only permitted 20 pounds of provisions every two months, so that the prisoners are normally hungry.

On October 16 of this year, the prisoners protested this situation and in reply received a tear gas bombing. Later an official of the Ministry of the Interior told them that in case the military situation in the country sharpened, they had the order to kill all prisoners.

#### SPECIAL CASES

1. Reyna Isabel Olivas Araica, 24 years of age, single, businesswoman and with this domicile. On September 18, of this year, a youth 17 years of age named Oscar Danilo Molinares Mora hid in her house; he was fleeing from an Army official named Adolfo Meza Meza who in a state of drunkenness wanted to kill him. Since said soldier did not find the young man he fired at the denouncer without managing to wound her in order to force her to tell him where the young Molinares had hidden. Later the soldier fired several shots toward the bathroom of the room with the consequent danger for the children of the house and the neighbors.

When the soldier left the youth went to hide in the quarters of a battalion of militiamen (located one block to the south and one up from the Santa Ana Church), but he went to search for him there with a pistol in hand, so that he had to leave, fleeing through the back patio in view of the impotence of the militiamen who could do nothing. Later the soldier continued to search for him in a military jeep, No. 098, olive green.

The members of the Sandinista Police of substation #2 of the neighborhood (Mons. Lezcano) showed up at the house of Mrs. Olivas Araica, but they only took facts, without doing anything to detain the drunk soldier who apparently has the rank of captain.

The CPDH has presented the case to the Military Judge Advocate's Office demanding an investigation of the facts.

2. Ruben Lopez Marcia, 41, single, farmer and with domicile in Diriomo in the department of Granada. He was detained on July 3 of this year by members of State Security of Jinotepe, accused of undertaking supposed counterrevolutionary activities.

On September 15 of this year they offered him his release if he agreed to become a collaborator of State Security and his work would consist of visiting various persons, both civilian and military, to learn their opinion of the government and also to offer them possible participation in conspiratory activities.

Since his mother was gravely ill he accepted said propositions and was released.

His mother died three days after he had been released and now he is being pressured to comply by becoming an informer for State Security, which he does not agree with. He fears for his life and his freedom.

3. Manuel Salvador Sequeira Centeno, detained in pavillion #2. of the penal center

Heroes y Martires of Nueva Guinea, known as Zona Franca, was recently subjected to surgery on the left eye and was returned to his cell where due to prison conditions he runs the risk of losing his sight. In the same unsanitary conditions are more than 10 internees who are sick in the same pavillion without being transferred to assistance centers, with the subsequent danger of suffering irreparable damage. The authorities of the National Penitentiary System turn a deaf ear to these demands and the CPDH every day finds it impossible to appeal to that body, whose persons in charge have given orders not to receive our attorneys or to accept any correspondence.

NOTE: The denunciations presented to this office are truthful according to our understanding and are supported by properly signed denunciations testimonies.

The CPDH does not seek to justify or defend the persons who have committed crimes; however, it believes that all Nicaraguans have the right to minimum legal guarantees so that true justice is served.

PERMANENT COMMISSION ON HUMAN RIGHTS  
OF NICARAGUA—REPORT OF NOVEMBER  
1984—PRINCIPAL DENUNCIATIONS IN NOVEMBER 1984

MISSING

1. Angel Candido Gonzalez Munoz, 19 years of age, farmer and with domicile in El Sapote, Madriz jurisdiction. He was detained by members of the Headquarters of State Security on April 19, 1983. He was driven to the Somoto command and later transferred to the jail known as "La Chacara" of the Esteli penitentiary system. For about a year approximately, the authorities of the penal institution have refused to give information to his family on the prisoner's whereabouts. Writs of habeas corpus have been filed with the court of that city and the Court of Managua; in both reports the executing judges insist that after searching for him in vain they did not manage to find the prisoner.

2. Jose Javier Amador Salazar, 19 years of age, married, soldier and with domicile in El Coral, Nueva Guinea jurisdiction. He disappeared from his home of residence on May 5, 1984. Two youths who were accompanying him showed up to report that they had been kidnapped by the contras in the colony La Esperanza, that they had managed to flee but that they carried off Jose Javier. His mother did not hear anything more of him until November 10, the day on which some of his family residing in Camoapa reported to her that her son had been wounded in combat in which Sub-Commander Enrique Schmidt died and that some soldiers had taken him to the house of his uncle, Francisco Salazar, where they had him that night and part of the morning. The youth was wounded in a leg, which was becoming gangrenous and they took him away headed for Boaco.

On November 15, his mother inquired at the State Security of Boaco and there they told her that the youth had been transferred to Managua. The CPDH filed a writ of habeas corpus for him but so far there have been no results. Some reports insist that the prisoner is in the military hospital but nobody is allowed to visit him.

TORTURING AND MALTREATMENT IN JAILS

1. Manfredo Balmaceda Calero, 57 years of age, Jose Joaquin, 36 years of age, Edgar, 29, and Juan Carlos Balmaceda Sequeira, married, farmers, with domicile in La Ceiba, Rama jurisdiction. They were detained on October 8, 1984 in their respective houses of residence by members of State Security. They were taken to jail by that group in the city of Rama, and later to the jail of Jui-galpa, where they remained incommunicado for 30 days. During the detention they were beaten and handcuffed. Jose Joaquin was beaten to such an extreme that he remained unconscious for two days in jail.

2. The prisoners of the Buenos Aires Jail in the city of Rivas denounced to the CPDH the poor jail conditions existing in that detention center. The prisoners whose names we keep back in order to prevent reprisals, reported the lack of medical care; they state that there are Sandinista soldiers detained, with war wounds without anyone offering them any care.

They explain that the fact of sleeping on the floor as well as the lack of hygiene in the center is causing them serious illnesses. To this they add the disinterest that exists among jail authorities to turn them over to a judge or to free them.

3. Gabriel Villalobos Reyes, 36 years of age, single, farmer and with domicile in the community of Bijagua, San Pedro del Norte, Chinandega. He was apprehended December 23, 1982, by members of State Security and taken to a jail known as "El Zacaton." Later he was transferred to Quinta Ye in Leon, where he remained incommunicado for several months. In that jail they had him for two weeks without food and without permitting him water. Currently he is in Modelo Jail serving a sentence of the Popular Tribunals.

4. Fernando Villalobos Reyes, 38 years of age, farmer with domicile in the Bijagua Community, San Pedro del Norte jurisdiction of Chinandega. He was detained July 17, 1983 by members of State Security, who searched his house of residence, taking his money and some personal belongings. He was detained at the "Cinco Pinos" jail and then transferred to "Quinta Ye" in Leon. In that Security jail he was beaten savagely. He is currently in the penal center of Chinandega.

5. Marciano Martinez Osorio, 25 years of age, married, farmer and with domicile in Esteli. He was detained in Palacaguina by members of State Security, and transferred to the jail of that group known as "La Barranca." There he remained three and a half months, and then he was taken to the jails of the Penitentiary System of that city. The prisoner reported that while he was under State Security he was tortured. He was kept without food for periods of five days alternately. In the interrogations he was beaten with rifles of his captors and other times they put the tip of a bayonet to his neck, threatening to kill him. On one occasion they took him out of jail to do a mock execution. He is currently in Zona Franca and a trial is being carried out in the People's Courts.

PRISONERS NOT TURNED OVER TO JUDGES

Names, date and place of apprehension, place of imprisonment:

Cristobal Urbina Obando, Matagalpa, June 12, 1984, State Security Matagalpa.  
 Juan Fco. Sanchez, Matagalpa, June 12, 1984, State Security Matagalpa.  
 Antonio Mairena Palacios, Matagalpa, June 12, 1984, State Security Matagalpa.  
 Manuel Adan Lopez Suazo, Matagalpa, Nov. 10, 1984, Zona Franca.  
 Ramon E. Narvaez Rojas, Jalapa, Sept. 25, 1984, Zona Franca.  
 Eduardo J. Paredes Martinez, El Viejo, Chinandega, Sept. 8, 1984, Zona Franca.  
 Ciriaco Balmaceda Calero, El Rama, Oct. 13, 1984, Zona Franca.  
 Manfredo Balmaceda Calero, El Rama, Oct. 8, 1984, Zona Franca.  
 Jose Joaquin Balmaceda S., El Rama, Oct. 8, 1984, Zona Franca.  
 Juan Carlos Balmaceda S., El Rama, Oct. 8, 1984, Zona Franca.  
 Roger Perez Barahona, Managua, Nov. 8, 1984, Palo Alto.  
 Julio R. Montes Martinez, Managua, Nov. 20, 1984, El Chipote.  
 Artilles Oporta Obando, Managua, Nov. 27, 1984, El Chipote.  
 Pedro Augusto Martinez Mena, Penas Blancas, May 1984, Zona Franca.  
 Antonio Guillen Duarte, Managua, Oct. 29, 1984, El Chipote.  
 Antonio Lanzas Morales, Rio San Juan, Aug. 30, 1984, Zona Franca.  
 Juan G. Perez Gomez.<sup>1</sup>  
 Mario Navarrete.<sup>1</sup>  
 Roman Mejia.<sup>1</sup>  
 Orlando Estrada.<sup>1</sup>

#### PRISONERS OF POLITICAL PARTIES

1. Julio Ramon Montes Martinez, 28 years of age, single, office worker with domicile in Leon and leader of the Social Christian Party of Nicaragua. He was apprehended<sup>2</sup> in Managua, when he was headed for the national headquarters of his party. He is in Chipote at the orders of the Headquarters of State Security. So far he has been incommunicado. On December 26, 1983, Julio Ramon had been exonerated by the Council of State, obtaining his release before serving an eight-year prison sentence, according to the government, for violating the law on law and order. This leader had been taken up by Amnesty International as one of the main cases of political prisoners in Nicaragua. Again Julio Ramon Montes is facing his same persecutors.

2. Eduardo Jose Paredes Martinez, 23 years of age, single and with domicile in El Viejo, jurisdiction of Chinandega. He was detained on October 8 of this year by members of State Security, he was taken to "Quinta Ye," in Leon and currently is being held in Zona Franca. The youth Paredes Martinez is a youth leader of the Social Christian Party of Nicaragua and is one of the youths who remained detained after State Security apprehended several members of that organization in the city of Chinandega.

#### VIOLATIONS OF LABOR UNION RIGHTS

1. Alfonso Vasquez Molina, Director of the Union of the Oso Bottling Co, affiliated with the CTN. Since February of this year he was being pursued by persons unknown in a FIAT car, orange color. On Thursday, November 29, while he was walking in the area of the Los Ranchos Restaurant to the offices of the CTN, he was pursued by two individuals dressed in military uniform who were on a motorcycle, one of them proceed-

ing to threaten Mr. Vasquez Molina with a pistol. Then they fled, without the person affected being able to recognize the subjects, due to the fear of the moment.

2. Medaris Acuna Jarquin, 26 years of age, secretary of Actas y Acuerdos acts and agreements of the Federation of Democratic Workers of Nueva Segovia (FETRANS), affiliated with CUS. In February of this year she was detained together with other members of the Federation, by State Security agents of the State of Ocotul, due—according to what her captors said—to the fact that her union activities were an attack on State Security. She was released but before that she was threatened, being warned that if she did not quit the organization they would detain her again and would sentence her to two years in prison. Since that date all members of the Federation have been being watched constantly and interrogated on their union activities.

In the middle of August—days before the office of CUS was taken—Mrs. Acuna Jarquin has been pressured by State Security agents to sign her resignation from the Federation and to authorize the creation of another parallel group ready to attack CUS and slander its leaders.

#### VIOLATION OF RELIGIOUS RIGHTS

1. Father Rafael Jarquin C., parish priest of the Waslala Church. The event that we are going to describe occurred two years ago in the northern zone of the country; because of difficulty in obtaining the information, we are just now presenting this case so that it will be registered as one of the many violations of religious rights.

On Friday, May 14, 1982, near 12:30 at night, a group of soldiers of the Ministry of the Interior violently broke into the house of priest Rafael Jarquin in Waslala in order to take him away as a prisoner. The soldiers had a strong smell of liquor and when the priest resisted the apprehension he was beaten in the mouth, threatened with a pistol and held on the floor while he was grabbed by the neck. That same night of the detention, the soldiers informed him that they had 600 signatures of peasants who denounced him as a counterrevolutionary. The priest replied to them that he knew the way in which they had obtained that document, since several of the signers had already informed him that they had been called to some supposed conversations and at the end of them were all told that they should sign a letter of denunciation against the priest, and those who did not would be detained. Even with those clarifications the soldiers continued accusing him and said that he was responsible for the disintegration of the militias in that zone and guilty of the fact that father Pedro Dupy had been removed from the parish. He was taken to Matagalpa and handed over to Mons. Julian Barni, to whom the soldiers said, "Here we hand him over to you; we do not want to see him in Wasalala again."

#### VIOLATION OF THE FREEDOM OF EXPRESSION

1. On Thursday, November 8, Lt. Nelba Blandon, Director of the Communication Section, the agency that is part of the Ministry of the Interior, called in journalists, radio directors and the manager of the daily La Prensa, to tell them of the new measures

that would go into effect as of that date in the mass media:

Absolute prohibition against referring to the elections in terms that suggested fraud, abstention, manipulation or lack of trust in the electoral authorities.

Absolute prohibition against military news, except for the obligatory communiques from the Ministry of Defense, of the Interior and the Government Junta.

Absolute prohibition against publishing news that contains attacks against the government, the FSLN and the Revolution, by foreign persons or governments, especially the United States, and

Prohibition against publishing news on labor conflicts and strikes.

This arbitrary decision contradicts what is stipulated in Art. 21 of the Statute on Rights and Guarantees of Nicaraguans and violates what is provided in the Emergency Law, which limits censorship only to subjects of defense and national security.

#### VIOLATION OF THE RIGHT OF FREE MOVEMENT

1. Beginning in the month of November the persons: Alvin Guthrie Rivers, Jose Espinoza Navas, Omar Baca Castillo, Santos Tijerino Jimnez, Luis Rivas Leiva, Jaime Chamorro Cardenal, Roberto Cardenal Chamorro, Carlos Holmann Thompson, Miriam Arguello Morales, Mario Rappaccioli Marquis, Enrique Bolanos Geyer, Nicolas Bolanos Geyer, Carlos Noguera Pastora, Orestes Romero Rojas, Frank Ley Lau, Juan Carlos Morales, Angulo, Juan Lopez Zeldon, Juan Ramon Aviles Molina, Francisco Caldera Lopez, Roger Guevara Mena, Azucena Ferrey Echaverry, Erick Ramirez Benavente, Roberto Rivas Reyes, Alfredo Montealegre Callejas and Jose Altamirano Rojas, all of them leaders of democratic organizations, businessmen, union members, professionals; their right as provided by the principle in the Pact of San Jose to freely leave the country has been violated, through the Migration and Aliens office through dilatory steps such as the following: invalidity of visas already issued, alterations in passports, retention of passports in the Migration office, tearing of pages in the passports, impediments of requirements not provided in the Migratory law, return from the airport, with the claim that higher orders are not to let them leave.

In accordance with the laws in effect, there is no justification for the Ministry of the Interior to restrict the freedom of movement among these citizens and such an arbitrary and illegal measure can only be attributed to an escalation of repression, both of them and the organizations that they represent, the only and true motive being the critical attitude that they maintain against the government party.

Note: The denunciations presented to this office are valid according to our understanding and are supported by properly signed denunciations and testimonies.

The CPDH does not seek to justify or defend the persons who have committed crimes; however, it believes that all Nicaraguans have a right to the minimum legal guarantees so that true justice will be served.

A three-man junta—composed of one member of the Sandinista National Directorate, another high-ranking Sandinista member, and one pro-Sandinista Democratic Conservative Party member—served as nominal head of the Government of National Reconstruction throughout 1984. The Junta was formally terminated following the January 1985 inauguration of President Daniel Ortega and Vice President Sergio Ramirez, both former Junta members. Real political power continued to be wielded by the National Directorate of the Sandinista National Liberation Front, a group of nine Marxist revolutionary leaders who took control in July 1979. This body—of which the President is a member—controls policy-making in the Government, and to a large degree, implementation of policy through a parallel party-government structure.

The Sandinistas seized power in 1979, forming a coalition Government with broad popular support, and promising to replace the discredited Somoza dictatorship with new social, political and economic systems based on the principles of pluralism, free elections, a mixed economy, and observance of human rights. In the ensuing five years, however, the Government has not fulfilled these promises. It has used intimidation and the restriction of basic human rights to consolidate the power of the Sandinista Front. Though elections were held on November 4, 1984, important sectors of the political opposition declined to participate because of the Government's failure to ensure conditions for a fair and free campaign. Repression and intimidation by government forces against the opposition political parties that did participate in the brief campaign further underscored the unfair nature of the elections.

The Nicaraguan economy is heavily agricultural. Its industrial sector (food processing and some light manufacturing) suffered heavily during the 1978-79 overthrow of Somoza and has yet to recover. Basic foodstuffs widely available in the past are increasingly scarce and subject to rationing. The Government has carried out a number of expropriations which have had a purely political objective. The increasingly state-managed economy, with pervasive controls on prices, credit, imports and exports, and sales of foodstuffs, combined with heavy military expenditures and an often capricious implementation of agrarian reform through expropriation, has negatively affected the middle and upper income groups while producing a decrease in living standards for the poor.

Nicaraguan society is divided into a large working class, composed basically of urban laborers and rural peasants, a small but important middle class, and a minute upper class. The population is overwhelmingly Catholic and the Church is a vigorous institution which serves as one of the country's most influential advocates of human rights. The Government has sought to reduce widespread illiteracy and has improved preventive health care for many Nicaraguans, though curative medicine has deteriorated.

The Government continued in 1984 to support terrorist groups in other countries of the region, notably in El Salvador. Honduras and Costa Rica protested Nicaraguan Army incursions and shellings of their territory. Throughout 1984, the Sandinista Gov-



ernment increasingly found itself fighting a civil war against anti-Sandinista guerrillas, which the Government called "counter-revolutionaries" or "contras" (terms used loosely by the Government to refer to guerrillas and anyone else it chooses to consider "subversive"). Government security forces reportedly tortured and executed persons suspected of assisting the guerrillas, while the Government accused the guerrillas of killing and kidnaping civilians. The Sandinista Army continued arbitrary and sometimes forced military conscription, prompting widespread dissatisfaction and several public protests by Nicaraguan mothers.

During 1984 the Government continued to tighten Sandinista control over Nicaraguan society and to intimidate the remaining opposition. The State of Emergency declared in 1982 remained in effect throughout 1984, although some provisions were modified. The Government continued to use Special Tribunals established outside the judicial system to try cases of suspected subversives. This denies the accused the better, though still flawed, legal protection provided by the regular courts. The Sandinistas continued to rely on organizations controlled by the Sandinista National Liberation Front, such as the ubiquitous "block committees," to help implement their policies at the local level and to exert control, instill loyalty and to identify and implement sanctions against suspected opponents. Using both its own powers and intimidation by Sandinista organizations, the Government systematically harassed opposition political parties, independent labor confederations, the private sector, the Catholic Church, and the independent media. The Government continued prior censorship of the print and electronic media, and cracked down with new vigor in this area after some relaxation during the 1984 campaign period. Sandinista block committees and other organizations frequently disrupted campaign rallies held by opposition political parties, contravening guarantees in the electoral law. The police often did not intervene to prevent such harassment or violence. Through both legal and extra-legal means, the Government continued to seize private property. The 10,000 Miskito Indians forcibly resettled from their Rio Coco homelands in 1982 continued to be prohibited from returning there. About 2,000 more Miskitos fled en masse to Honduras in April and May. There are continuing credible reports that the security forces have tortured and killed Miskito Indians and have confiscated or destroyed their food supply and property.

Two domestic human rights organizations operate in Nicaragua. The Permanent Human Rights Commission (CPDH) is an independent agency established in 1977. It played a key role in exposing human rights violations committed under the Somoza regime. After the Sandinistas came to power in 1979, the CPHD also publicized human rights abuses committed under the new Government. Since 1981, the CPHD has been subject to constant harassment by the Sandinista National Liberation Front, impeding its work but not silencing its voice. The Government founded the National Commission for the Promotion and Protection of Human Rights in 1980. The National Commission claims to be independent, but the Government appoints its members and

funds its budget. It is the only organization permitted by the Government to file applications for pardon or to request the review of cases on human rights grounds. It is also charged with reporting incidents of human rights abuses to the proper authorities and promoting the observance of human rights within the Government.

#### RESPECT FOR HUMAN RIGHTS

Section 1.—Respect for the Integrity of the Person, Including Freedom from:

##### *a. Political killing*

There is credible evidence that the military and security forces were responsible for the deaths of a number of detained persons in 1984. The CPHD documented six such cases, and it estimated that many more went unreported. The Government responded to these accusations by claiming some were "killed while attempting to escape" or "killed while resisting arrest," while others were allegedly guerrillas killed in combat. The CPHD also reported that military and police officials arbitrarily shot a number of suspected subversives. In one case three officials reportedly shot a mentally handicapped farmer who they claimed was a dangerous suspect, though they had no warrant and did not present any charges to the family. Displaced persons reported that military and security forces operating in remote areas summarily executed local peasants whom they suspected were anti-government guerrillas or their sympathizers, sometimes after physically mutilating them. In the section on Nicaragua of its 1984 annual report, the Inter-American Human Rights Commission of the Organization of American States stated, "concerning the right to live, human rights organizations have continued to denounce violations, especially in the forms of forced disappearances and as a result of the abuse of power by members of the security forces. The Commission has been able to verify that a large number of the denunciations referred to events that took place in the zones of conflicts."

The Government claimed that guerrillas killed around 1,000 civilians in 1984. Some civilians have died in the fighting between the Government and the guerrillas, although no reliable information is available on their number. Some reportedly died in guerrilla ambushes of government military vehicles carrying civilian passengers. The Government has charged the guerrillas with torturing and summarily executing prisoners. The guerrillas have denied that they target civilians and have asserted that the security forces' indiscriminate use of heavy artillery near population centers has caused civilian casualties.

On January 11, 1984, a Nicaraguan Army patrol crossed into Honduras and killed eleven Nicaraguan Miskito Indians—including three children—at Kiwastara. Honduras protested this and other Nicaraguan Army violations of Honduran territory, as well as Nicaraguan involvement in the infiltration into Honduras of Cuban-trained guerrillas in July 1984. Costa Rica protested several Nicaraguan violations of its territory, including Nicaraguan Army mortar attacks. There is credible evidence that substantial Nicaraguan support for the guerrillas in El Salvador continued to flow during 1984. El Salvador protested continued Nicaraguan

material support for the Salvadoran guerrillas, documenting its charges in an August 1984 brief filed with the International Court of Justice.

#### *b. Disappearance*

The security forces often hold suspected guerrillas and subversives incommunicado indefinitely without notifying family members. In 1984 the CPDH documented 60 cases of disappearances in which security forces were implicated, but in which the Government would not acknowledge involvement. In some to those cases, though reported in 1984, the individuals had actually disappeared in earlier years. The Government for its part claimed the guerrillas kidnapped many civilians. It is widely believed that many of these alleged kidnappings may have been voluntary desertions to the guerrillas. Anti-Sandinista guerrilla forces took captive three Sandinista Front members, including Sandinista National Assembly candidate Ray Hooker, on September 5. The guerrillas released all three on October 30 in exchange for three prisoners held by the Government. During 1984, one guerrilla group turned over 54 captured soldiers to the Costa Rican Red Cross.

#### *c. Torture and cruel, inhuman or degrading treatment or punishment*

In 1984 the CPDH continued to collect evidence of systematic physical and psychological abuse and torture. Prisoners were reportedly kept in cramped, dark cells and fed meals at irregular intervals in order to disorient them, ordered to use only their prison numbers and not their names, and subjected to physical abuse and to threats against their family. One prisoner claimed that food and medical attention were almost nonexistent, and that whatever supplemental foodstuffs were brought in through relatives were stolen by the guards. Another reported that he was kept naked in a cold cell with a ceiling so low he could not stand upright. Other reports alleged prisoner were suspended from the ceiling by their hands during interrogation. Prisoners also reported being beaten with chains, fists and gun butts. It was alleged that, as a form of punishment, one prisoner was placed in a cell with several tuberculoid prisoners. Cases of psychological torture were also frequently reported. Prisoners were forced to listen to the screams of those being tortured, then were told by security officials that the screams came from members of their families. One prisoner was told, falsely, that his family had been arrested by security officials, who forced the spouse to don prison garb. She and her husband were then allowed to see each other but not to converse. Reportedly, security officials physically abused and threatened alleged "subversives" and political suspects. Nicaraguans who fled of Costa Rica reported incidents of rape, torture and murder of children by security and military forces. In the case of Prudencio Baltadano, soldiers tied him to a tree and cut off his ears. Interior Minister Thomas Borge admitted that some cases of physical abuse and killings of detained persons by security forces had occurred, but claimed the Government was working to resolve the problem. The National Human Rights Commission also stated that occasional individual abuses of authority had occurred, but insisted that those guilty had been found and punished.

On May 30, 1984, Amnesty International reported in a press release that it had "confirmed that some prisoners have been tortured or ill-treated in Nicaragua." Protests of ill-treatment from individual prisoners or domestic and international organizations have been followed by internal military and police disciplinary hearings, as well as public hearings by criminal courts and courts-martial against police and military personnel alleged responsible. Recent cases include a civil court trial of police officers of the City of Leon, for mistreatment of prisoners. In March a public hearing was held to consider a range of charges against a local military commander and 41 subordinates in the northern department of Jinotega. Sentences of up to the maximum 30 years' imprisonment were handed down in the cases of the commander and 12 others after conviction on a series of charges for abuses, including torture and murder, carried out during counterinsurgency operations in the area in November and December 1983.

In general, Nicaraguan prisons suffer from severe overcrowding. The Government allows the prisoners one visitor every two months and recently announced that those prisoners serving sentences of longer than 10 years would be allowed one visitor every three months. The visitors are allowed to bring food to the prisoners, but no food may be left with the prisoner after the visit. Although conditions are reportedly better in a few prison farms in the Managua area, the CPDH says that these prison farms are used for propaganda purposes and that the only prisoners allowed in them are those whose sentences are almost completed or who have collaborated with the authorities. The CPDH believes that prison conditions in general deteriorated during 1984 and alleges that prisoners' families feared reprisals if they requested reviews of cases or conditions. The CPDH also said that in 1984 it became more difficult to pursue appeals and other legal recourses. The International Committee of the Red Cross made periodic visits to the prisons, providing medical and nutritional assistance and seeing all the prisoners at least once every three months. During 1983 these visits were interrupted, but they resumed in early 1984. However, the Red Cross has not been given access to those detained in special state security facilities separate from the regular prisons. According to Catholic Church officials, priests are denied access to most prison facilities.

#### *d. Arbitrary arrest, detention or exile*

According to the Government, there were approximately 5,000 persons in jail, including about 2,000 ex-National Guardsmen or persons accused of cooperation with former President Somoza. The CPDH estimated 900 prisoners had been convicted for "subversive" activities and an additional 500 were being held pending charges.

The 1982 State of Emergency suspended those provisions of the Fundamental Statute promulgated by the Government in 1979 which granted detained persons the right to be held for no more than seven days without arraignment. Habeas corpus was also suspended in security-related cases. Both of these rights were partially restored on August 6, 1984. As anti-government activi-

ties increased in 1984, the security forces arrested hundreds of suspects under the Law of Maintenance of Order and Public Security. Open expression of dissent on occasion resulted in harassment or detention. Suspected guerrillas and "subversives" continued to be held in special holding facilities with no access to legal counsel or to domestic or international humanitarian organizations. Some were released after the completion of an investigation lasting from three to six months on the average, others were remanded to the special tribunals, and many simply remained in detention. In 1983 the Government declared that because of the security situation, some former National Guard members had to remain in custody even though they had completed their sentences and this practice continued in 1984. Others held on security charges also remained incarcerated after they had been exonerated or had served their sentences. Former Minister of Defense Bernardino Larios, charged in 1981 with plotting the assassination of Sandinista leaders, was held for three years until the Supreme Court overturned his conviction and ordered his release. Larios was held an additional 40 days before the Government finally honored the release order, and after his release, he was refused permission to leave the country and was subjected to other government-inspired harassment. The Inter-American Human Rights Commission's 1984 annual report called attention to, "numerous detainees holding release orders issued by a competent judge, but who are kept in prison for prolonged periods, with no reason given for the detention. Situations such as the above represent a violation of the right to personal freedom and to due process, and they must be remedied promptly to lend substance to the Nicaraguan Government's statements concerning the independence and authority of the country's judiciary. The Commission repeats, with respect to the right to a trial and to due process, that the remedy of habeas corpus or amparo may not be suspended as it has been in Nicaragua."

In 1984 the Government extended indefinitely the amnesty originally granted in December 1983 to Miskito Indians from northern Nicaragua and certain exiles and "counterrevolutionaries." Nevertheless, the CPDH documented the cases of 60 Miskito Indians who remained jailed in 1984. Notwithstanding the CPDH's repeated inquiries, the Government gave it only partial responses in 17 of the cases. In one case the Government claimed the prisoner had been released, but prison officials told relatives the prisoner had merely been transferred to another facility. Moravian Church officials claimed to know of an additional 24 Atlantic Coast residents being held in Nicaraguan prisons on political charges. In late 1984, the Government began talks with leaders of one of the Miskito Indian guerrilla groups.

The Government does not specifically exile dissidents. Many opposition leaders and activists have fled on their own, however, and fear they would be imprisoned if they returned. In a May 30, 1984 press release, Amnesty International reiterated its longstanding concern about the "detention of prisoners of conscience, deficiencies in trial proceedings, and limitations on the right of appeal to sentences handed down

by Special Tribunals created to try some categories of prisoners." In its 1984 annual report, Amnesty International stated that, "Many supporters of legal political parties, trade union organizations, and other bodies opposing government policies were detained for questioning for periods ranging from several hours to over one month of incommunicado detention, before being released without charge. Amnesty International believed that a pattern of harassment emerged from the detention of trade union members and other suspected opponents of the government for short periods of questioning. Many such detainees subsequently reported being threatened that they would be detained again for prolonged periods under the Public Order Law if they did not assist the security forces or resign from certain lawful organizations."

The CPDH believes that the disappearances, noted in section 1b in which security forces were implicated, involve "a deliberate policy of keeping prisoners incommunicado and at the mercy of their captors, undergoing all sorts of physical and psychological abuse."

#### *e. Denial of a fair public trial*

Under the 1979 Fundamental Statute, the judiciary was to be an autonomous branch of government, an independence generally exercised in ordinary criminal cases. In cases where the accused was charged with "counterrevolutionary" or "subversive" activity, however, judges have routinely decided in favor of the prosecution. Nevertheless, some judges have continued to exercise limited independence. For example, the Supreme Court ruled in January that the conviction of former Defense Minister Bernardino Larios was improper, due to an absence of convincing evidence, and ordered that the prisoner be freed.

In April 1983 the Government established special "Popular Anti-Somocista Tribunals" to handle the rapidly growing number of cases of accused guerrillas and "subversives." These tribunals, which became increasingly active in 1984, operate outside the conventional judicial system, and their decisions cannot be appealed to the regular court system. The members of the tribunals are selected from the tanks of Sandinista organizations, and only the president of each tribunal is required to be a lawyer. Persons tried in these courts have the right to counsel and to introduce evidence, but the tribunals are granted great discretionary powers in determining whether evidence is admissible and whether it is sufficient for conviction. The proceedings of the tribunals are declared to be open to the public, but in some cases attendance is restricted. Trials have reportedly been scheduled with little advance notice, limiting opportunities for the accused to prepare his defense. Often the prisoners, even after "confessing" to state security officials, have been held under investigation for three to six months before being suddenly brought to trial. Since all Special Tribunal cases are tried in Managua, witnesses who live in other areas of the country are hard-pressed to attend trials on time. In its 1984 annual report, the Inter-American Human Rights Commission wrote that, "The procedures followed by the Anti-Somoza Courts give rise to serious doubts with respect to observance of the norms that guarantee due process." Accord-

ing to the CPDR, during the first ten months of 1984 the tribunals had adjudicated the cases of approximately 620 prisoners, of whom about 90 percent were found guilty and sentenced to up to the maximum penalty of 30 years in prison. In one case a prisoner was sentenced to seven years, and upon appealing to another tribunal was sentenced to an additional eight years, reportedly for having made recourse to the services of the CPDH.

In 1984, as in past years, the Government made use of national television and radio to accuse suspected "subversives." In April, state security officials used this method to accuse a priest, a doctor and several members of an independent union of arms trafficking and sabotage.

*f. Arbitrary interference with privacy, family home, and correspondence*

The Government has developed an elaborate and effective security and intelligence network employing both government agencies, such as the security forces, and Sandinista party organizations, particularly the "Sandinista Defense Committees," to ferret out dissidents and suspected "subversives." The Sandinista Defense Committees, organized in most neighborhoods throughout the country, serve as a network of informers and as an instrument of pervasive political control and intimidation—they are self-described as the "eyes and ears of the Revolution." Participation in the Defense Committees is supposed to be voluntary. However, the Sandinistas employ many methods to entice or pressure individuals into joining, including Committee control over the distribution of ration cards for the purchase of basic products such as rice, beans, and soap. While many who do not participate in Sandinista activities suffer no ill effects, others are arbitrarily branded as politically suspect or are denounced by Sandinista activists as subversives. People who criticize the "revolutionary process" or its leadership may be subjected to pressure ranging from public ridicule and defacement of their homes by Sandinista mobs to loss of employment and even detention. There have been reports that members of the Sandinista youth group have denounced teachers for their political views, whereupon the teachers have been fired.

As the November elections approached, the Government made it increasingly difficult for citizens to remain neutral. Mobs composed of scores of Sandinista Front supporters demonstrated at the homes and offices of opposition figures, chanting slogans and threats, and defacing buildings with pro-Government graffiti. The mobs sometimes resorted to violence, vandalizing nearby cars, beating people, and disrupting opposition political rallies during the electoral campaign. Such mobs heightened the climate of fear in which critics of the regime lived and worked. The Government took no responsibility for these actions. It stated that it regarded them as "legitimate expressions of the popular will" and did not interfere to protect the rights of those victimized by them. In September, government agents closed several technical schools in Leon, transported the students to Chinandega, where they were directed against high school students, mostly female, who were marching in protest against the draft. A number of the girls were badly beaten. The

Government also showed on occasion that it could stop such activity when it wished to do so. When several days of intense mob activity in September aimed at disrupting political rallies by opposition candidate Arturo Cruz focused wide international attention on the Government's use of such techniques, a subsequent opposition party rally took place with no interference whatsoever.

There are credible reports that under-age Nicaraguan males have been impressed into military services, including, in some cases, boys younger than 15. The Inter-American Human Rights Commission concluded in its 1984 annual report that, "On many occasions, young people who are ineligible under the very terms of that law that created the service have been drafted into it. Furthermore, it has been pointed out that this recruitment takes place not only for reasons of national defense but also as a means of political indoctrination of those drafted onto the ranks of the army. In November in the town of Chinandega, an estimated 3,000 young men were forcibly taken from their homes in handcuffs, during a massive forced conscription effort.

On December 24, 1984, government agents forcibly entered the Costa Rican Embassy and removed a Nicaraguan youth who had sought asylum there. Costa Rica vigorously protested this action.

The State of Emergency suspended the legal requirement for a search warrant. Police and state security officials regularly enter and search private residences. The Government opens private mail and intercepts both incoming and outgoing international mail. Officials inspect the baggage and personal effects of both arriving and departing international travelers and confiscate items of literature, including newspapers from neighboring countries alleged to be subversive.

In late 1981 and early 1982 the Government forcibly relocated about 10,000 Miskito Indians from their homelands to distant resettlement camps. During 1984 the Government refrained from further relocations but refused to permit those Indians already displaced to return to their homelands. Relocation camp residents are allowed to fish and hunt but are prohibited from using firearms unless they belong to the Sandinista militia. They reportedly cannot go more than two kilometers from their camps without government permission. Even their canoes, upon which they rely for their livelihood and transportation, must be registered with the Government. Residents are paid for agricultural work with food rather than money. There continued to be credible reports of food shortages and malnutrition in the resettlement camps during 1984. In its July 1984 "Report on the Situation of Human Rights of a Segment of the Nicaraguan Population of Miskito Origin," the Inter-American Commission on Human Rights concluded that, "hundreds of Miskitos have been arbitrarily detained without any formalities and under vague accusations of carrying out 'counterrevolutionary activities;' many of these detentions have been followed by prolonged periods of incommunicado imprisonment and in some cases the Commission has verified that ille-

gal torture and abuse took place." The Commission also stated that, "With respect to the destruction of the homes, crops, livestock and other belongings of the Miskitos at the time of the relocation, Government officials themselves have recognized that these acts took place."

Section 2. Respect for Civil Rights, including:

*a. Freedom of Speech and Press*

The Government continued to maintain prior censorship of both the printed and electronic media throughout 1984. The only independent source of news in the country is the newspaper *La Prensa*. Since 1979, independent radio news programs have gone off the air as a result of government censorship. Currently, all radio news programs, the two television channels, and two of the three daily newspapers either support or are controlled by the Government. The Government expelled a correspondent from the Spanish news agency EFE in March 1984. While there is no censorship of domestic or imported books, few books from the West are on sale in Nicaraguan book stores, which are stocked almost entirely with publications from Communist countries. Censorship of *La Prensa* in 1984 continued to be capricious and increased sharply by the end of the year. Government censorship cut articles ranging from reports on democratic leaders, the expulsion of 10 foreign priests, a conversation with government guest Jesse Jackson and Costa Rican visas. Though a July 19 government decree proclaimed that censorship would continue only on matters of national security, censorship in fact continued on internal political matters, economic problems, human rights, and many other non-security related issues. Shortly after this decree was issued, the Government informed private radio station owners that all radio news remained subject to prior censorship.

*La Prensa* editors estimate that between January and October 1984 the Government censored 20 percent of their stories on current national and international events. The paper did not appear on at least 14 occasions in 1984 in response to heavy censorship. Following the elections, the Government doubled its censorship of *La Prensa*, with an average of ten censored articles per day in November. A *La Prensa* photographer and a journalist were detained for several months for alleged "subversive" acts. *La Prensa* charged that the Government also continued to harass its distributors outside Managua. The Government continued to insist that the sermons of Managua Archbishop Obando y Bravo be submitted to censors at the Ministry of Interior prior to live radio broadcast. The Church has refused to do this, and the Archbishop's sermons are no longer heard live on the radio, although they are printed in *La Prensa* and subsequently rebroadcast. In July the censors threatened to shut down Radio Catolica (the Catholic Church radio station) because it deviated from scheduled programming to play religious music as a tribute to 10 priests expelled by the Government.

The Government's imposition of "curriculum rationalization and coordination" on the two Nicaraguan universities has limited their autonomy in developing their curricula and has further circumscribed academic freedom. The Ministry of Education has im-

posed on primary and secondary schools as well curricula with a strong ideological content. The Sandinista youth organization is a pervasive influence in the public education system, and has reportedly paid for some members' tuition in private schools in order to have the organization represented there. Sandinista youth members allegedly have denounced teachers for not supporting the Government.

*b. Freedom of peaceful assembly and association*

The 1982 State of Emergency Decree suspended the right of assembly, but the Government allowed opposition groups to hold indoor meetings. Small demonstrations, including one commemorating the anniversary of the death of former *La Prensa* editor Joaquin Chamorro, were also allowed. However, in July the Government reacted to a Catholic Church-organized march in support of a priest accused of "counterrevolutionary activities" by expelling ten foreign Catholic priests. On July 19, the fifth anniversary of the Nicaraguan Revolution, Junta Coordinator Daniel Ortega announced that the right of free assembly would be restored to those opposition political parties that registered for the November elections. Nevertheless, registered political party rallies and marches were subjected to frequent and often violent interruption by Sandinista mobs.

When students in Chinandega marched in August to protest against military conscription, the Government reportedly made teachers personally responsible to ensure their students did not participate in future demonstrations. At least one of the schools from which these students came has since been threatened with closure. Political meetings held indoors by non-registered political parties were also subjected to mob attacks. None of the restrictions applied to pro-government organizations, which held frequent open-air rallies throughout the year. Students in public schools were released from school early and obliged to participate in some Sandinista rallies, as were government workers and members of the armed forces.

The Government has attempted to weaken the independent labor movement while creating alternative labor bodies controlled by the Sandinista Front. It controls most of the 20 to 30 percent of the total workforce which is organized. The Sandinista Front's two principal confederations, the Sandinista Workers' Central (CST) and the Association of Rural Workers (ATC), have over 120,000 members and dwarf the non-Sandinista organizations, which have about 40,000. In theory, the Sandinista unions serve as a conduit for workers' desires and grievances to the Government. In fact, these confederations consistently support government policies such as strict labor discipline and worker participation in defense activities.

Approximately 60 members of the independent Nicaraguan Workers' Central (CTN) were detained during the year, some for as long as four months. At least six CTN members formerly convicted of "subversive" activity were pardoned by the Council of State in 1984. Twelve members remained in detention at year's end. Police entered and searched the Managua headquarters of the CTN on May 24, taking with them several

documents, and returned later and arrested several members of the union. The independent Confederation for Labor Unification (CUS) was subject to similar government harassment. On May 1, a Sandinista mob entered a CUS school and damaged some of its equipment. In September, two CUS members who reportedly received logistical support from the Government occupied the CUS headquarters and called for its withdrawal from the Coordinadora, a coalition of groups opposing the Government. When Confederation leaders attempted to hold a meeting to discuss the issue, pro-government mobs interrupted the proceedings. In the resulting melee several injuries occurred. The police then occupied the headquarters briefly before returning the building to the CUS.

The Government requires that the Labor Ministry participate in collective bargaining and approve any labor-management contract; until August, strikes were illegal. On August 6 the Government restored the right to strike. Shortly thereafter, a Sandinista union called a strike. Further labor unrest was cut short by government warnings—supported by the Sandinista Workers' Central—that strikes or work stoppages were threats to national security and would not be tolerated. In a September 8 speech, Sandinista Front National Directorate member Victor Tirado declared that, "The strike as a weapon, as a political instrument of the working class, has already passed into history."

The major labor confederations maintained ties with recognized international labor bodies. The CST is a member of the Soviet-aligned World Federation of Trade Unions. The Christian Democrat-oriented CTN is affiliated with the Latin American Confederation of Workers. The CUS is a member of the International Confederation of Free Trade Unions as well as a member of several regional organizations. The Government designated the ATC to represent Nicaraguan labor at the 1984 International Labor Organization Conference in Geneva.

#### *c. Freedom of religion*

Catholicism is practiced by about 80 percent of the population. Although a number of other faiths are legal and operate freely, the Government has harassed and expropriated property from certain faiths, such as the Seventh-Day Adventists, Mennonites, Jehovah's Witnesses, Mormons, Jews, and the Moravian Church.

Initially highly supportive of Sandinista, the Catholic Church has become increasingly disenchanted with Sandinista policies. Most of the clergy, led by Managua Archbishop Miguel Obando y Bravo, wish to remain independent of the Government and are increasingly critical of it. At the same time, a minority faction which terms itself the "Popular Church" is strongly pro-Sandinista. The division between this faction and the rest of the Church is based partly on theological issues, but also reflects the ongoing struggle between the Church and the Sandinista Government over the direction of post-Somoza Nicaragua. The Government has harassed the Church repeatedly, and the bishops are regularly attacked in the government and pro-government press. The Church has resisted government efforts to assert greater control over Catholic schools.

The Government, which had banned Obando y Bravo's televised masses in 1981, continued to prohibit the live broadcast over radio of his Sunday sermons during 1984. In April the Government delayed the publication or a pastoral letter of the Catholic Church's Episcopal Conference calling for national reconciliation, and conducted a bitter campaign against the Church hierarchy in the government media. Sandinista mobs harassed persons attending some Catholic Church events, and on one occasion set fire to weeds surrounding a church and hung a Sandinista union flag from the steeple. In late June the Government accused a priest of subversive activity and restricted him to a local seminary. When priests in Managua undertook a brief protest march in support of the accused priest, Interior Ministry officials responded by expelling ten foreign priests—including some who had not taken part in the march—and canceling their residence permits. The Government also refused to grant residence permits to some foreign priests and nuns working in Nicaragua. On several occasions, the Government refused to honor visas issued to priests and denied them entrance into the country. The Government has also on at least two occasions attempted to place priests in sexually embarrassing situations which could be manipulated to discredit the church hierarchy. In 1982 such an attempt was made against Church spokesman Monsignor Bismarck Carballo, and in 1984 against a visiting Venezuelan bishop and two other priests. The Inter-American Human Rights Commission found that, "Although it is true that much of the friction between the Government and the churches arise from positions that are directly or indirectly linked to the political situation of the country, it is also true that statements by high government officials, official press statements, and the actions of groups under the control of the Government have gone beyond the limits within which political discussion should take place and have become obstacles to certain specifically religious activities."

Some smaller denominations continued to be persecuted for spreading allegedly subversive ideas and for collaborating with "counterrevolutionaries." Several properties that Sandinista mobs had seized in 1982 from the Seventh Day Adventists, the Church of Jesus Christ of Latter-Day Saints, the Mennonites and Jehovah's Witnesses remained under government control throughout 1984. Two members of the Jehovah's Witnesses were detained in August, and others requested protection from the courts because of harassment by Interior Ministry officials.

The 1978-79 insurrection and government policies since 1979 led virtually all of the approximately 50 members of the Jewish community to leave the country. In 1984 the Government maintained its 1983 offer to restore the Managua synagogue—which the Government had earlier confiscated—to the Jewish community, in response to repeated efforts by the Anti-Defamation League of the B'nai B'rith. The Government also agreed in principle to review one case of a member of the Jewish community whose property had been confiscated, but thus far has refused to restore the property or to offer compensation. The Government con-

tinues to maintain close ties with the Palestine Liberation Organization and maintains strong anti-Israel and anti-Zionist positions in international organizations.

*d. Freedom of movement within the country, foreign travel, immigration and repatriation*

On July 19, 1984, the Government announced it would guarantee freedom of travel throughout the country as part of its electoral campaign program. However, military and security forces in 1984 continued to operate numerous checkpoints, particularly in the northwestern areas of the country, and access to some areas was often temporarily restricted because of military activity. For example, the entire Atlantic Coast region remained a restricted military area, and individuals continue to require Interior Ministry permission to travel there.

The Government requires exit visas for all Nicaraguan citizens and residents who desire to leave the country. After the elections in late 1984, it blocked the departure from the country of at least 22 opposition leaders and members. Following intense international criticism, it subsequently authorized some of these people to travel abroad. In January 1985, the Government announced that tickets for foreign travel must be purchased in U.S. dollars. Since the sale of foreign currency is strictly controlled by the Government—and is usually unavailable to the general public—the result may be to curtail opposition travel abroad.

The Government continued in 1984 to confiscate the property of Nicaraguans who remained out of the country for periods of six months or more. It has not, however, permanently blocked the return of Nicaraguan citizens, nor has it taken action against non-Nicaraguans returning to Nicaragua from other countries. Neither has it revoked the citizenship of opposition leaders in exile, though it did begin criminal proceedings against a number of leaders of the armed opposition. The Government has, however, denied entry to several foreign priests, notwithstanding their possession of valid Nicaraguan visas. It also canceled the residence permits of 10 foreign priests in June and has refused to grant resident status to other foreign priests working in Nicaragua.

During 1984 thousands of Nicaraguans left the country, joining the tens of thousands who have abandoned the country since 1979. Between January and May 1984 an estimated 1,500 youths between 17 and 25 fled Nicaragua to avoid military conscription. Several thousand Miskitos crossed into Honduras during the year, including 2,000 who fled en masse in April and May. The flow of displaced persons from the north central departments continued due to heavy fighting. Many also left for Costa Rica as fighting continued in the south.

Nicaragua has received over 20,000 displaced persons since 1979, nearly all from El Salvador. The Government works closely with the United Nations High Commissioner for Refugees to provide food, clothing, and shelter for these people and attempts to integrate them into society. It does not forcibly repatriate displaced persons.

**Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government.**

The Sandinista Front declares that it is a "vanguard party" with a historic right to rule. Its nine-man National Directorate has ruled Nicaragua through the Junta of Government, the cabinet ministries, and the Council of State, a quasi-legislative body. In all three bodies the Sandinistas have a decisive majority. For example, the Junta was composed of Sandinista Directorate member Daniel Ortega (the new President), Sandinista member Sergio Ramirez (the new Vice-President), and Democratic Conservative Party member Rafael Cordova Rivas. Daniel Ortega's brother Humberto, a fellow member of the Sandinista National Directorate, is Minister of Defense and Commander-in-Chief of the Sandinista Popular Army. Of the other seven Sandinista National Directorate members, three head the Ministries of Interior (including the security forces), Planning, and Agriculture. Another is President of the Council of State; yet another is Vice-Minister of Interior. All major appointments in the Government are made by the Sandinista National Directorate, acting through the Junta of Government. The National Directorate has also determined the allocation of seats in the Council of State, ensuring unchallenged Sandinista Front domination of that body. The Sandinista Front's victory in the November 1984 elections will continue its control through the Presidency and the new National Assembly, which replaced the Junta and the Council of State in January 1985.

Thirteen political parties exist in Nicaragua. The Government routinely harasses the opposition parties through the detention of party members and activists, mob action against party headquarters, threats, prohibition of large rallies, denial of exit visas, and censorship. A number of activists from opposition parties were detained during 1984 on politically motivated grounds. The Democratic Conservative Party obtained the release of approximately 60 imprisoned members, but claims another 140 remain in jail. Several members of the Social Christian Party were also detained and harassed.

The Government sought to improve its international image through the process culminating in the November 1984 presidential and National Assembly elections. Parties that registered for the elections were allowed to share 30 minutes per week on national television and 45 minutes per week of radio time during the three-month campaign. Each registered political party was also given nine million cordobas (approximately \$320,000) to finance its campaign. In theory parties were allowed freedom of assembly and expression; in practice the Government frequently violated these rights. The Government specifically excluded the armed opposition from participating in the elections. Despite the Government's guarantees, pro-government forces repeatedly harassed the opposition parties throughout the campaign. Press censorship continued, including coverage of opposition rallies and statements. Opposition party youth activists were detained by the police, and in some cases were even drafted into the Armed Forces. Pro-government demonstrations repeatedly and sometimes violently disrupted opposition rallies without punishment or sanction of any kind. On one occasion a

member of the Militia fired into an opposition meeting, injuring two persons. The Supreme Electoral Council, required by law to supervise the campaign process, did little to correct the situation.

Deeply skeptical of government objectives, and disturbed by government violations of the existing campaign rules, the principal democratic opposition group—known as the Coordinadora—conditioned its participation on the existence of adequate electoral conditions, including full freedom of assembly and of the press, access to the voter registration process, and the postponement of the elections to allow all parties to have at least 90 days in which to campaign. During Socialist International-sponsored negotiations in October 1984 between the Government and the Coordinadora, the Government initially accepted but then rejected these conditions. Consequently, the Coordinadora, led by presidential candidate Arturo Cruz, maintained its boycott of the elections.

The Independent Liberal Party also voted to withdraw from the elections, but the Government refused to take it off the ballot. In addition, Sandinista Front members interrupted a meeting of the Democratic Conservative Party to prevent a decision to join the election boycott. Of the remaining four non-Sandinista parties that were on the electoral ballot, three were small Marxist parties with little popular support. Consequently, the Nicaraguan people were denied a broad range of opposition parties for whom to vote. The 1984 report of the Inter-American Human Rights Commission stated that, "The Commission has been able to verify that during the current electoral process, the Sandinista National Liberation Front has intensively used all of the resources made available to it by its holding of state power, which places it in an advantageous position with respect to other contenders. In this regard, the denounced harassment of political and union leaders is unacceptable. Furthermore, the IACHR considers that some candidates have been excluded, which could have been avoided if there had been greater flexibility, both on the part of the candidates and the Government."

With these serious shortcomings in the process, the Government party—the Sandinista Front—won the flawed elections with 62 percent of the vote. Many foreign observers reported that the balloting appeared to be orderly and honest, although some observers claimed that voter participation was lower than official figures indicated. In about two-thirds of the polling places there were poll watchers only from the Sandinista Front. About 25 percent of the registered voters failed to vote, and about 7 percent of the votes were declared improperly marked. Notwithstanding the Government professed interest in allowing opposition participation in political life, following the elections it increased press censorship and restricted foreign travel by opposition leaders.

Section 4. Governmental Attitude Regarding International and Non-governmental Investigation Of Alleged Violations of Human Rights:

The Government undertook a commitment to the Organization of American States in July 1979 to observe human rights, as well as to respect pluralism and to hold

free elections. The Government professes to be proud of its human rights record and says it officially welcomes the scrutiny of the international community. During 1983 a team from the Inter-American Human Rights Commission of the OAS visited Nicaragua to conduct a follow-up investigation on the treatment of Miskito Indians in the Atlantic Coast region. In a report and resolution released in June 1984, the Commission provided further documentation of government violations of the Indians' human rights and terminated its role as a friendly mediator between the Miskitos and the Government.

The government-sponsored National Commission for the Promotion and Protection of Human Rights (established in 1980) continues to be the only organization recognized by the Government as competent to file applications for pardons or to request the review of cases on human rights grounds. During 1984 it brought about the release of approximately one hundred political prisoners, most in the week preceding the November 4 elections. The independent CPDH suffered continued harassment from the Government in 1984, including the detention of its workers and interference with the distribution of its reports. The Government refuses to deal directly with the CPDH or to acknowledge complaints submitted through it. Although lawyers acting on behalf of the CPDH frequently are denied access to prisoners, it nevertheless continues to collect data and to publish detailed reports.

#### ECONOMIC, SOCIAL, AND CULTURAL SITUATION

Nicaragua had a population of roughly 3,400,000 in 1984. According to the World Bank, its per capita gross national product in 1981 was \$860 and its population growth rate was 3.9 percent (1970-81), although the Government reports a population growth rate of 3.3 percent. Nicaraguans have a life expectancy at birth of 59.8 years. Zero or negative economic growth is expected in 1984. In 1983, exports were about \$430 million compared to the pre-1979 level of \$650 million. Imports were \$803 million in 1984. Foreign assistance decreased sharply in 1984, most of it coming from the Soviet bloc. Inflation for 1984 was about 60-80 percent. About 20 percent of the work force was unemployed.

Serious economic mismanagement, declining exports and guerrilla activity contributed to Nicaragua's economic problems in 1984. The lack of political stability and investor confidence contributed to the stagnation of the economy. The Nicaraguan private sector, which accounts for approximately 60 percent of gross domestic product, is very closely controlled by the Government, which has, inter alia, a monopoly on foreign trade and on bank credit. Although government leaders have reiterated their intention to foster a mixed economy, arbitrary property confiscations and the government's Marxist rhetoric have discouraged private investment. There were numerous instances during the year of arbitrary confiscation of land for political reasons.

The Government made efforts during the year to improve health services. Campaigns in 1984 provided vaccinations for several common diseases, reportedly resulting in the elimination of polio and a decrease in malaria cases. Medicine provided in hospitals and health centers is free, although a



lack of foreign exchange shortages has resulted in extreme shortages of medicines. New health centers and regional hospitals were constructed. The infant mortality rate reportedly was reduced to 65.2 deaths per 1,000 live births in 1984. According to government figures, about 95 percent of the urban population and 12 percent of the rural population have access to safe water. World Bank statistics from 1976 stated that 70 percent of the population had access to safe water. The Government claimed to have 10 percent of the population on social security rolls in 1984, and to have raised literacy to 88 percent. The adjusted primary school enrollment ratio in 1983 was 73 percent. According to 1978 World Bank figures, 85 percent of school-age children were enrolled in primary schools.

Women are active at all levels of society and at all but the highest levels of the Government and the Sandinista Front. There is one woman on the Supreme Court and one woman Cabinet Minister. Women have served as national coordinators of one of the opposition parties as well as of the Permanent Human Rights Commission. A large number of seats on the Council of State are filled by women. Participation of women in the military is voluntary.

#### U.S. OVERSEAS—LOANS AND GRANTS—OBLIGATIONS AND LOAN AUTHORIZATIONS

[U.S. FISCAL YEARS—MILLIONS OF DOLLARS]

Country: Nicaragua	1982	1983	1984
I. Econ. Assist.—Total	6.3	0.0	0.1
Loans	0.0	0.0	0.0
Grants	6.3	0.0	0.1
A. Aid	5.8	0.0	0.0
Loans	0.0	0.0	0.0
Grants	5.8	0.0	0.0
(Sec. Supp. Assist.)	5.1	0.0	0.0
B. Food for Peace	0.4	0.0	0.0
Loans	0.0	0.0	0.0
Grants	0.4	0.0	0.0
Title I—Total	0.0	0.0	0.0
Repay. in \$—loans	0.0	0.0	0.0
Pay. in for. curr.	0.0	0.0	0.0
Title II—Total	0.4	0.0	0.0
E. Relief, Ec. Dev & WFP	0.4	0.0	0.0
Vol. Relief Agency	0.0	0.0	0.0
C. Other Econ. Assist.	0.1	0.0	0.1
Loans	0.0	0.0	0.0
Grants	0.1	0.0	0.1
Peace Corps	0.0	0.0	0.0
Harcotics	0.0	0.0	0.0
Other	0.1	0.0	0.1
II. Mil. Assist.—Total	0.0	0.0	0.0
Loans	0.0	0.0	0.0
Grants	0.0	0.0	0.0
A. Map Grants	0.0	0.0	0.0
B. Credit Financing	0.0	0.0	0.0
C. Intl. Mil. Ed. Trng.	0.0	0.0	0.0
D. Tran-Excess Stock	0.0	0.0	0.0
E. Other Grants	0.0	0.0	0.0
III. Total Econ. & Mil.	6.3	0.0	0.1
Loans	0.0	0.0	0.0
Grants	6.3	0.0	0.1
Other US Loans	0.0	0.0	0.0
Ex-Im Bank loans	0.0	0.0	0.0
All Other	0.0	0.0	0.0

#### ASSISTANCE FROM INTERNATIONAL AGENCIES

	1982	1983	1984	1946-84
Total	51.3	31.3	0.3	732.9
IBRD	16.0	0.0	0.0	231.1
IFC	0.0	0.0	0.0	9.5
IDA	0.0	0.0	0.0	60.0
IDB	34.4	30.7	0.0	403.7
ADB	0.0	0.0	0.0	0.0

#### ASSISTANCE FROM INTERNATIONAL AGENCIES—Continued

	1982	1983	1984	1946-84
AFDB	0.0	0.0	0.0	0.0
UNDP	0.9	0.6	0.0	22.9
Other—UN	0.0	0.0	0.3	5.7
EEC	0.0	0.0	0.0	0.0