



LABOR RIGHTS VIOLATIONS IN NICARAGUA

NONCOMPLIANCE BY NICARAGUA UNDER
CHAPTER 16 OF THE DOMINICAN
REPUBLIC-CENTRAL AMERICA FREE
TRADE AGREEMENT

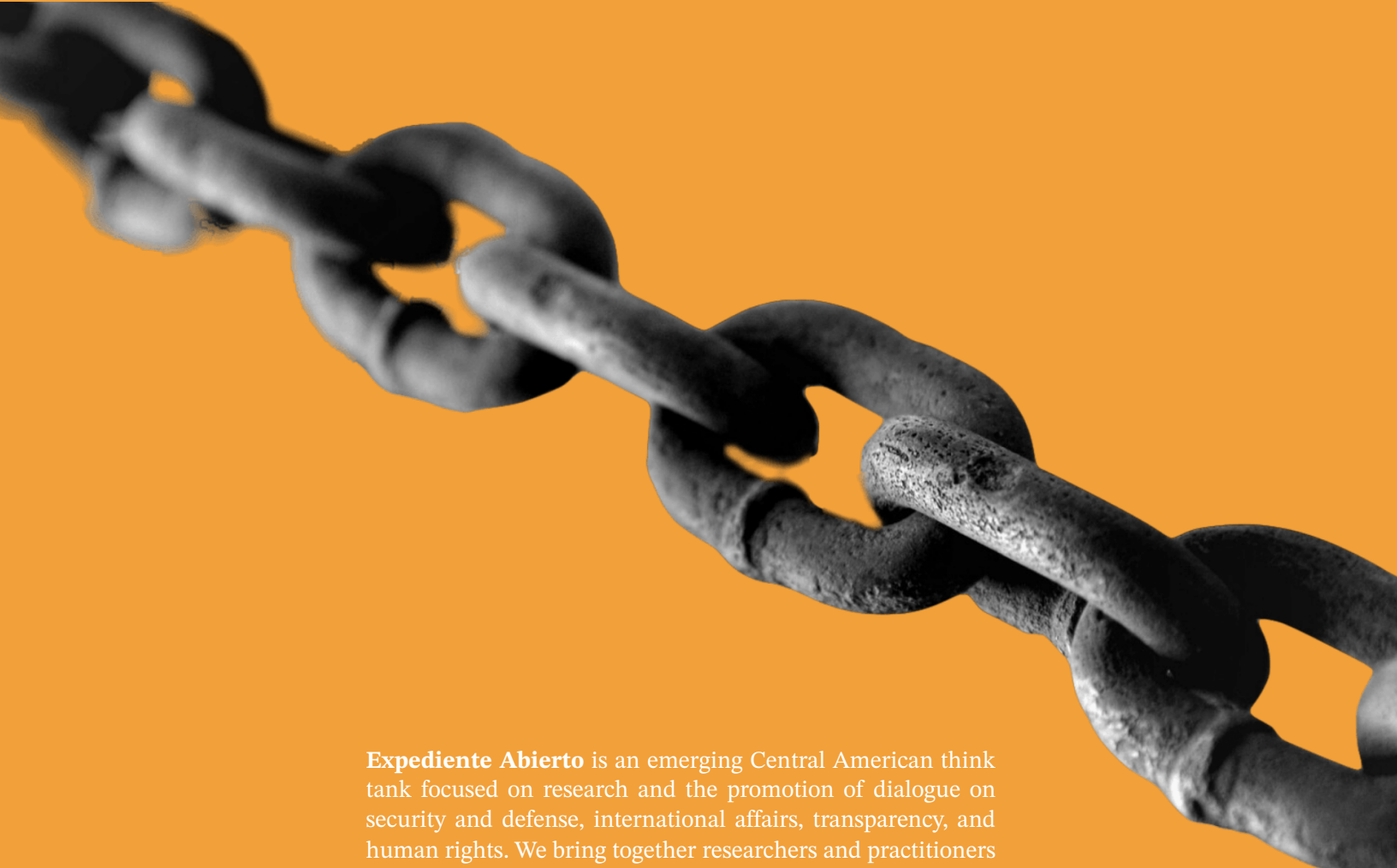
REPORT BY EXPEDIENTE ABIERTO
AND FUNDACIÓN DEL RÍO

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EXPEDIENTE
ABIERTO





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Fundación del Río is an environmental organization, founded in 1990, dedicated to the defense and protection of natural resources in Nicaragua. In 2018, the Ortega-Murillo regime canceled its legal status, but it managed to continue working from Costa Rica. The organization has implemented more than 90 projects in Nicaragua, benefiting over 429,730 people in the southeast of the country. Its environmental work and support for peasant, indigenous, and Afro-descendant communities have allowed it to position itself as a leading national organization in environmental issues and the rights of indigenous and Afro-descendant peoples.

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EXECUTIVE SUMMARY

This report responds to a request for comments by the U.S. Department of Labor on efforts made by the CAFTA–DR countries to implement the labor obligations under the Labor Chapter and the recommendations contained in a paper entitled “The Labor Dimension in Central America and the Dominican Republic—Building on Progress: Strengthening Compliance and Enhancing Capacity.”

In response to this request, Expediente Abierto submits this report providing evidence of how the state of Nicaragua purposely negates labor protections for workers in the country in violation of its labor laws, international labor agreements, and labor agreements signed under the CAFTA-DR Free Trade Agreement. Aside from the detriment to workers in the country, these efforts also distort the prices of goods and services in Nicaragua and represent a clear example of unfair competitive practices in violation of the Free Trade Agreement.

Workers’ rights are protected under Nicaraguan law and international conventions

As detailed in this report, workers’ rights in Nicaragua are protected by national law and international labor conventions to which Nicaragua is a signatory.

In Nicaraguan law, for example, there are constitutional guarantees for workers to have their organizations (Articles 46 and 49) to participate in the management of companies (Article 81), freedom of union organization (Article 87), rights to private initiatives such as in associative and cooperative forms

(Article 99), and the voluntary association of farmers (Articles 109, 110, and 111).

“(...) In Nicaragua, urban and rural workers, women, young people, agricultural producers, artisans, professionals, technicians, intellectuals, artists, religious people, the communities of the Atlantic Coast, and the residents in general have the right to form organizations without any discrimination (...).

- Article 49 of the Nicaraguan Constitution

The freedom of association and the right to collective bargaining no longer exist in Nicaragua

Despite the protections afforded by law and international conventions, Nicaragua has one of the most repressive regimes in the world; human rights are systematically violated in the country, and its government has committed and continues to commit crimes against humanity, as found in a report by the United Nations Human Rights Council Group of Human Rights Experts on Nicaragua (GHREN) (Consejo de Derechos Humanos de las Naciones Unidas, 2023).

Wanton refusal to respect labor rights in the country is evident and in line with a broader disregard for human rights. Below are some of the key related issues:

CANCELLATION OF UNIONS EN MASSE

The law guarantees the right of all workers, except the military and police, to form and join unions without prior authorization and to bargain collectively. However, the government's control over all significant unions effectively nullified the right of workers to join independent unions of their choosing since

Ortega's return to power in 2007. According to the provisions of Article 8 of the Nicaraguan Labor Code, civil society organizations are employers subject to rights; these legal entities have been arbitrarily cancelled, confiscated, and criminalized. The Inter-American Commission on Human Rights (IACHR) has reported the cancellation of the legal status (Comisión Interamericana de Derechos Humanos, 2023) of 3,390 organizations between April 18, 2018, and August 31, 2023, out of a total of 7,227, which represents a closure of 47% of the organizations legally registered in the country in 2018. From 2018 to October 2023, among the 3,390 civil society organizations shut down in the country, 562 were guilds (Comisión Interamericana de Derechos Humanos, 2023).

Fundación del Río highlighted before the IACHR in November 2023 that there is an economic and labor impact in the country due to the unjustified closure of these organizations, including more than 23,000 unemployed people, the neglect of 3.4 million beneficiaries of social and community projects, and the loss of 255 million dollars per year for the execution of development projects.

While drastic, these actions continue a longer trend toward purposely reducing the number of unions in the country. In November 2001, there were 2,071 registered unions with more than 100,000 members in the Ministry of Labor, the vast majority associated with nine confederations. In 2017, that is, 16 years later, the National Institute of Development Information (Inide) documented a total of 1,206 unions registered with the Ministry of Labor (Mitrab) with 83,425 members (43,896 men and 39,529 women), according to data cited in the report *Trade Unionism in Central America* (Sepúlveda Malbrán & Frías Hernández, 2007) published by the International Labor Organization (ILO). Based on updated board figures, Mitrab's 2019 annual report indicates a more significant reduction – 974 registered unions with 75,720 members.

DISMANTLING THE INSTITUTIONS REQUIRED TO PROTECT LABOR LAWS

In rejection of the agreements adopted by member countries in the “White Paper” in 2005 outlining efforts to improve respect for labor rights in the country, the Nicaraguan state has dismantled the institutions present during the signing of the Agreement in 2004. Some examples include:

- Various organizations have documented that Mitrab has repeatedly violated the right to freedom of union organization by ignoring court rulings issued by courts of justice in the country that order that certain unions be certified (Colectivo Popol Na, 2022): “These reports highlight that without the corresponding certification, unions cannot participate in the negotiation of collective agreements, thus limiting their union role; at the same time, there are risks of disrespect for union immunity, putting the members of these executive committees at risk of being arbitrarily dismissed.”
- Practically all labor lawsuits coming from former workers of companies of the free trade zone corporation are neglected and ignored by the Mitrab, who are accused of only protecting the interests of the employers (100% Noticias, 2023): “We are a law firm accustomed to fighting and winning the lawsuits of the workers of the free trade zones, but this year, out of 30 lawsuits filed before the Mitrab, only one was won by a former maquila worker, and thanks to the fact that it was a case where the plaintiff had lost two fingers on one hand in a work accident” (100% Noticias, 2023).

- The International Trade Union Confederation's (ITUC) *Report on Violations of Trade Union Rights* during Ortega's mandate has been discontinued since 2018. Still, the world's largest union confederation sums up the situation in Nicaragua before 2018 as: State refusal to persecute unlawful firings by companies, refusal to recognize some unions, criminalization of labor protests, and ignoring court rulings certifying certain unions, among many other irregularities described in this report (Índice Global de los Derechos de la CSI, n.d.).
- The National Labor Appellate Court has not published information on cases on its website since 2016 (Poder Judicial de la República de Nicaragua, n.d.).

A 2020 State Department Human Rights report on Nicaragua summarizes the situation: “Freedom of association and the right to collective bargaining were not respected, and the government often intervened for political reasons” (Bureau of Democracy, Human Rights and Labor, 2021).

WOMEN'S WORKPLACE RIGHTS ARE SUBJUGATED TO ATTRACT INVESTMENT

In the report *Surviving the Maquilas: Impact of Work on the Body of Nicaraguan Women*, published in 2021 (Ramos, 2021), former workers of the free trade zones between the ages of 37 and 51 with lifelong disabilities denounce that “due to an implicit agreement between the business sector and the State, the Nicaraguan Social Security Institute (INSS) denies or haggles over the pension to which they are entitled due to partial or total incapacity for work.”

“Several of the women denounce efforts to try to convince them to renounce the pension claim for work-related illnesses, telling them that their ailments were a product of age, when there are women under 50 years of age who practically cannot even move as a result of the injuries or as a consequence that Musculoskeletal Disorders have left in their bodies,” says the study.

Meanwhile, workplace violence such as sexual harassment, and age, physical, and ideological discrimination are characteristics of the maquilas, reveals Sandra Ramos, director of the Maria Elena Cuadra Movement.

“Women’s work is promoted as cheap labor; this is how this type of investment is attracted,” said the union leader.

Due to their work to protect women who work in the free-trade zones, the Association of Working and Unemployed Women “María Elena Cuadra” (MEC), the most belligerent body of civil society in defense of the rights of maquila workers, with 15,000 members, was one of the more than 3,000 organizations cancelled by the regime.

SUSPENSION OF THE RIGHT TO STRIKE AND PROTEST

Since September 28, 2018, the Nicaraguan National Police declared that public demonstrations are illegal in Nicaragua without their permission; no opposition or union demonstration has been approved since then.

Concerning the right to strike, the ILO (International Labour Organization, 2022) insists on the need to amend the provisions mentioned above of the Labor Code, since the imposition of compulsory arbitration to end a strike, beyond

cases where a strike may be limited or even prohibited, is contrary to the right of workers' organizations to organize their activities and formulate their programs freely.

Regretting the lack of progress in this regard, the ILO Committee of Experts on the Application of Conventions and Recommendations urged the government to take the necessary steps to amend Sections 389 and 390 of the Labor Code to ensure that compulsory arbitration is only possible in cases where strikes may be limited or even prohibited. That is, in cases of conflicts within the civil service involving officials exercising authority on behalf of the State, in essential services in the strict sense of the term, or the event of an acute national crisis.

The law prohibits anti-union discrimination and guarantees the right to reinstatement of workers fired for union activity. "However, cumbersome and lengthy conciliation procedures and government control over all major unions hampered workers' ability to call strikes. The government created government-aligned unions to dissolve efforts to organize strikes or other labor actions in smaller companies where major unions were not present. In addition, if a strike continued for 30 days without resolution, the Ministry of Labor could suspend the strike and refer the matter to arbitration," the Committee said.

Additionally, there has been an increase in cases of retaliation against workers exercising their right to freedom of association or engaging in activities to defend human rights. In some cases, these retaliations have included the unlawful dismissal of workers, the suspension of their employment contracts, or harassment and intimidation (Emanuelsson, 2018).

For example, in 2019, the Office of the Special Rapporteur on Economic, Social, Cultural, and Environmental Rights (OSRESCER) of the Inter-American Commission on Human Rights (IACHR) received repeated reports pointing to the existence of a pattern of discrimination and threats of retaliation by Nicaraguan state authorities against opposition workers.

“In a meeting with state workers, departmental representatives of the National Workers’ Front, and the Ministry of Health in Carazo, they reportedly warned that state workers who disagreed with the government’s recommendations would be fired. At the same time, they have indicated that only people who have a membership card from the ruling party will be hired, in addition to checking that current public officials have it,” the Office of the Special Rapporteur said (Comisión Interamericana de Derechos Humanos, 2019).

In this context, of particular concern is the non-compliance of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which provides observations (Organización Internacional del Trabajo, 2022) on Article 1, paragraph 1(a), of the Convention and refers to comments on processes of discrimination on the basis of political opinion and discrimination based on race. In addition, attention is drawn to violations of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), in which the International Organization of Employers (IOE) has denounced (Organización Internacional del Trabajo, 2022) acts of persecution, intimidation, and retaliation against leaders of the Higher Council of Private Enterprise (COSEP) and against the affiliated sector and the arbitrary detention of employer leaders.

LACK OF RESPECT FOR WORKERS' PENSION RIGHTS

A note from the Nicaraguan American Chamber of Commerce pointed out that a reform passed by the national government to the pension system reduced the amount of pensions by 50%. A monthly pension of C\$20,000 córdobas for widows, children, and others would be reduced to about C\$8,500 córdobas. Before the reform, an active member of the INSS with 24 years of contributions had approximately 70% of the insured replacement. Now, to enjoy that same percentage, he would have to work and contribute for 53 years (Amcham, 2019).

LACK OF SUPPORT FOR UNIONIZED WORKERS WHEN COMPANIES ARE GOVERNMENT ALLIES

One key example is the mass dismissal of workers from New Holland Apparel S.A. (NHA) in December 2020. More than 1,200 employees were dismissed from this factory, including women in the breastfeeding period workers recovering from surgeries; in addition, they withheld 20% of the compensation. There was also discrimination, excessive work, and persecution against those who complained or made claims (Expediente Público, 2021).

ABUSING THE RIGHTS OF UNIONIZED PUBLIC SERVANTS

The Group of Human Rights Experts for Nicaragua (GHREN) reported that it has reasonable grounds to believe that high-ranking officials of the health system, including then-Health Minister Sonia Castro González, Health Secretary General Carlos Sáenz Torres, and the health workers' union, "are linked to the role that the system played in the context of the repression of the protests, including by issuing orders to public health professionals and centers

not to care for injured people who opposed or are perceived as such.” (Consejo de Derechos Humanos de las Naciones Unidas, n.d.)

At the beginning of November 2023, the mass dismissal of workers of the Judicial Branch was reported, including union members committed to the regime, without any explanation and with the insistence that they did not receive their rightful social benefits (Confidencial, 2023).

Since 2007, the ILO has heard of several cases of arbitrary dismissals, referred by the Confederation of Trade Union Unification (CUS), which has alleged “a campaign to make trade union organizations that do not agree with the Government disappear.” (Organización Internacional del Trabajo, n.d.)

The CPDH, in a hearing at the IACHR, had already indicated since 2015 serious injuries to freedom of association. From 2007 to 2014, 2,301 union leaders were dismissed in the public sector, and 157 unions were cancelled (Comisión Interamericana de Derechos Humanos, 2015)

and more than 27,000 employees were fired, representing 29% of the total, without receiving social benefits with a debt of 27.5 million dollars.

Meanwhile, more than 405 doctors or health workers had been fired since 2018 for political reasons, whether it was treating opposition protesters, reporting on Covid-19, or refusing to join the ruling party (Human Rights Watch, 2018).

People interviewed by GHREN reported that health workers were under constant surveillance by members of unions affiliated with the ruling party and that those who provided assistance during the protests were arbitrarily detained, harassed, and threatened with death, and their houses were painted.

Employers often delayed severance payments to laid-off workers or skipped payments altogether. Employers also avoided legal sanctions by creating unions led by employers who lacked independence and frequently employing contract workers to replace striking employees. It was reported that FSLN party dues were automatically deducted from paychecks.

HUMAN TRAFFICKING FOR LABOR AND SEXUAL EXPLOITATION

The State Department's 2022 report on human trafficking (published in June 2023) (United States Department of State, 2023) places Nicaragua in the "Tier 3" category of countries, along with 23 others "whose governments do not fully meet the Trafficking Victims Protection Act (2000) minimum standards and are not making significant efforts to do so."

The report explains that it intentionally obscured or classified cases of human trafficking to minimize trafficking statistics. The government did not report the investigation, prosecution, or conviction of any traffickers in 2022. It also did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses despite endemic corruption and widespread official complicity." (United States Department of State, 2023)

In addition to the lack of shelters for trafficking victims, the report argues that "the government further reduced its already minimal protection efforts. The information provided by the government on the identification and protection of victims was unreliable and inconsistent."

The law prohibits and criminalizes all forms of forced or compulsory labor, but there is no information available on the government's enforcement of these laws.

CHILD LABOR

The U.S. Department of Labor in its 2022 Worst Forms of Child Labor Results report (Departamento de Trabajo de los Estados Unidos, 2023) argues that Nicaragua made minimal progress in efforts to eliminate the worst forms of child labor.

The Government established the new National Strategic Plan for the Prevention, Attention, Investigation, Prosecution, and Punishment of the Crime of Trafficking in Persons. However, there are children in Nicaragua who are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking.

Nicaragua does not present data to monitor the situation of child labor, being the only country in Central America and Mexico that does not do so, not even to the InterAmerican Development Bank, from which it has received financing.

Worryingly, the most recent data provided by the Nicaraguan state, from 2012, when the national household census was carried out, shows the percentage of working children between 10 and 14 years old was 47.7%, around 342,076 minors.

The main work activities for children were agriculture such as coffee, banana, sugarcane, and tobacco harvesting, as well as fishing (53.5%), followed by

services, especially domestic work (37.8%) and industry, such as construction and mining (8.7%).

Meanwhile, the regime closed the Nicaraguan Coordination of Non-Governmental Organizations Working with Children and Adolescents (Codemi), the main intergovernmental work commissions with civil society for the protection of children, as well as international protection organizations, such as Oxfam, Casa Alianza, and World Vision.

FORCED LABOR AND MODERN SLAVERY

According to the Global Slavery Index, the prevalence of servitude or modern slavery in Nicaragua is 7.3 people per thousand inhabitants, with 54 points of vulnerability and 34 out of 100 points of government response (Walk Free, n.d.). Meanwhile, according to Freedom House, “Nicaragua is a country of origin for women and children forced into prostitution; adults and children are also vulnerable to forced labor” (Freedom House, 2023).

NEGLIGENCE AND LACK OF PROTECTION FOR UNIONIZED PUBLIC WORKERS AGAINST COVID-19

The Ministry of Health forced its workers not to wear masks so as not to “alarm the population,” so health personnel were the most exposed to the pandemic. Test files leaked to Divergentes (Miranda & Salazar, n.d.) show that 854 PCR tests were carried out on health workers between March 16 and August 10, 2020, of which 257 were positive, or 30%.

As the world faced a historic challenge, the government of President Daniel Ortega flagrantly ignored the recommendations of international human rights

organizations in relation to the COVID-19 pandemic, putting the health and lives of thousands of people in Nicaragua at risk, according to Amnesty International (Aministía Internacional, 2020).

The Nicaraguan Center for Human Rights promoted mass events such as parades and tourist activities. In addition, prior to the school recess that began on April 5, 2020, due to the religious celebrations of Easter, the media reported that some parents were pressured by school staff to take their sons and daughters to educational centers. Some 134 teachers had died during the pandemic as of September 2021, according to the Teachers' Union Unit (Benavides, 2021).

While the government reported, as of November 2021, more than 17,550 cases and 212 deaths, the non-governmental organization (NGO) Observatorio Ciudadano Covid-19, an independent entity, recorded 31,222 possible cases and 5,947 deaths allegedly caused by Covid-19.

ILLEGAL MINING IN NICARAGUA IS SUPPORTED BY THE STATE AND PRODUCES MYRIAD LABOR VIOLATIONS

Gold mining in Nicaragua is generating serious social and environmental impacts. In a regional report presented by 10 organizations to the Inter-American Commission on Human Rights (IACHR), it points out that, due to the Nicaraguan government's promotion of mining, illegal mining continues; it is estimated that 30% of the country's gold export comes from illegal sources and that it is closely linked to industrial mining in its processing and export channels. In addition, in this illegal extractive activity, there are no safety measures or safe working conditions, the extraction areas are unstable and unsafe, there is child labor, and health problems associated with the handling

of mercury. This activity also generates deforestation and degradation of natural ecosystems, pollutes the soil, water, and air, among other associated impacts. In the last three years alone, at least 55 people have died from this activity.

Estimates by Fundación del Río and Centro Humboldt indicate that more than 40,000 people are engaged in this illegal activity in at least 38 municipalities in the country. Despite these considerations, illegal gold and silver mining continues to be endorsed by the Government of Nicaragua through the reform of Law No. 38, the Mining Exploration and Exploitation Law, carried out in August 2022. This mining activity is not only violating at least three international conventions on labor – the Worst Forms of Child Labour Convention, 1999 (No. 182), the Minimum Age Convention, 1973 (No. 138), the Indigenous and Tribal Peoples Convention, 1989 (No. 169) – but also contradicts and violates the fundamental principles and rights established in the ILO Declaration and its Follow-up (1998), particularly in paragraphs 2, (b), (c), and (e).

RIGHTS OF INDIGENOUS COMMUNITIES

Within the context of the CAFTA-DR Free Trade Agreement, it is essential to reference how human rights abuses by the Nicaraguan government also disproportionately affect vulnerable communities in the Caribbean Coast and must also be investigated in further depth. The State of Nicaragua's repeated violation of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) is alarming. In 2018, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) expressed its *“concern about the conflicts and acts of violence that have occurred in the Autonomous Region of the North Caribbean Coast as a result of territorial claims and sanitation processes”*

(Organización Internacional del Trabajo, 2022). In addition, the Commission has issued observations and direct requests on at least 20 articles of Convention 169.

Of particular concern is the non-compliance with Article 6, Article 8, Article 9, Article 12, Article 14, Article 15, Article 16, and Article 17 of the Indigenous and Tribal Peoples Convention, 1989 (No. 169). The report of the United Nations High Commissioner for Human Rights (Alto Comisionado de las Naciones Unidas para los Derechos Humanos, 2023) has pointed out a series of violations of the human rights of Indigenous and Afro-descendant Peoples, including acts of violence, murders, torture, sexual violence, arson of homes and communal property, threats, harassment, and violent invasions of their lands, linked to delays in land reclamation procedures and the establishment of parallel governments that replace the legitimate indigenous representatives elected by the traditional assemblies (Please see Annex 1 for additional details on these human rights violations).

Nicaragua is unresponsive to any international inquiries on international labor violations

The Committee of Experts on the Application of Conventions and Recommendations (CEACR) (Organización Internacional del Trabajo, n.d.) between 2018 and 2023 has indicated 24 Observations and 41 Direct Requests on 36 International Labor Agreements; Nicaragua has only responded to 8 of these 65 requests and observations.

In addition, the State of Nicaragua is faced with a complaint alleging non-compliance with the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87); the Right to Organize and Collective Bargaining Convention, 1949 (No. 98); the Discrimination (Employment and Occupation)

Convention, 1958 (No. 111); and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), submitted by delegates to the 111th Session of the International Labor Conference (2023) under Article 26 of the ILO Constitution (GB 349/INS/19/1) (Organización Internacional del Trabajo, 2023). This complaint has been declared eligible and is in the application process, therefore, the Government of Nicaragua has been asked to communicate its observations.

INTRODUCTION

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INTRODUCTION

The violations of the labor rights of workers, peasants, and self-employed workers in Nicaragua occur within the framework of systematic and generalized violations of human rights, within a repressive and corrupt system, such as the regime of Daniel Ortega and his wife Rosario Murillo.

According to data from the Central Bank, of the 3.27 million economically active people in the country, only 787,569 are in the formal sector (24.2%), according to insurance records from 2022 (Banco Central de Nicaragua, n.d.). The underemployment rate closed that year at 38.9% and the open unemployment rate was 3.5%, with an average nominal salary of 363 dollars per month, the lowest in Central America.

The main sources of formal employment were free trade zones (17.6%), the State (14.2%), agriculture and fishing (8.3%), commerce (14.8%), and community, social, and personal services (34.1%).

The history of the labor movement and labor rights in Nicaragua does not necessarily stem from the agro-industrialization process of the 20th century, but rather, it has origins in the organizations of artisans and self-employed manufacturers – a shoemakers’ strike of 1920 was the first effective step towards unionization (Bermúdez & López, 1985).

However, the workers known in Nicaraguan cultural and political jargon as “the popular classes” have always been the target of co-optation by the political interests of the moment, both during the Somoza dictatorship and during the Sandinista revolution, and currently within the Ortega-Murillo regime.

More than a century of labor organization has made it possible to create a solid basis of workers' rights that are broadly based on the Political Constitution of Nicaragua itself; Articles 5 and 103 recognize associative, cooperative, community, and communal property.

There are constitutional guarantees for workers to have their own organizations (Articles 46 and 49) and to participate in the management of companies (Article 81), for freedom of union organization (Article 87), and organization and affiliation to political parties (Article 55); they also have rights to private initiatives, such as in associative and cooperative forms (Article 99), the right to sport and sports organizations (Article 65), the right to cultural identity and the organizational forms of the Caribbean Coast communities (Article 89) and the voluntary association of farmers (Articles 109, 110, and 111).

Article 49 of the Constitution: “(...) In Nicaragua, urban and rural workers, women, young people, agricultural producers, artisans, professionals, technicians, intellectuals, artists, religious people, the communities of the Atlantic Coast, and the residents in general, have the right to form organizations, without any discrimination (...).

However, Nicaragua has one of the most repressive regimes in the world (Freedom House, 2023); human rights are systematically violated in the country, and it has committed and continues to commit crimes against humanity, as found in a report by the Group of Human Rights Experts of the United Nations Human Rights Council (GHREN) (Consejo de Derechos Humanos de las Naciones Unidas, 2023).

Hundreds of Nicaraguans have been captured since 2018 for protesting against state and para-state violence, including union leaders, union members, farmers, and employers, who have been released at different times, although 91 of them are still in prison, including the bishop of Matagalpa, Monsignor Rolando Álvarez.

The situation in Nicaragua continues, particularly against public employees. At the beginning of November, the mass dismissal of workers of the Judicial Branch was reported, including union members committed to the regime, without any explanation and with the insistence that they did not receive their rightful social benefits (Confidencial, 2023).

However, the issue of arbitrary dismissals is not new. In the department of Carazo, almost all the municipal delegates and the departmental delegates of the Ministry of Education were fired last September, but these cases were not reported for fear of greater retaliation.

Those fired are not allowed to take their items in their offices; sometimes they are escorted by police officers as if they were criminals, without any knowledge of proceedings for illegal acts that warrant such actions.

Although violations of human and constitutional rights have worsened since 2018, the threats against them have been going on since before, since Ortega's return to power in 2007.

In the first 100 days of the Ortega government, 4,000 state workers were fired, who were not paid their benefits and whose independent unions were annulled, the Permanent Commission on Human Rights (CPDH) reported for the preparation of this report.

Despite the fact that there are economic, religious, and social activities in almost all spheres of daily life, there is a complete cancellation of fundamental freedoms, such as the right to protest, freedom of expression, and of the independent press. It has even reached the limit of prohibiting certain mass religious activities, such as Catholic processions or Stations of the Cross (*Via Crucis*) and the Day of the Bible for evangelicals, because they are not controlled by the state apparatus.

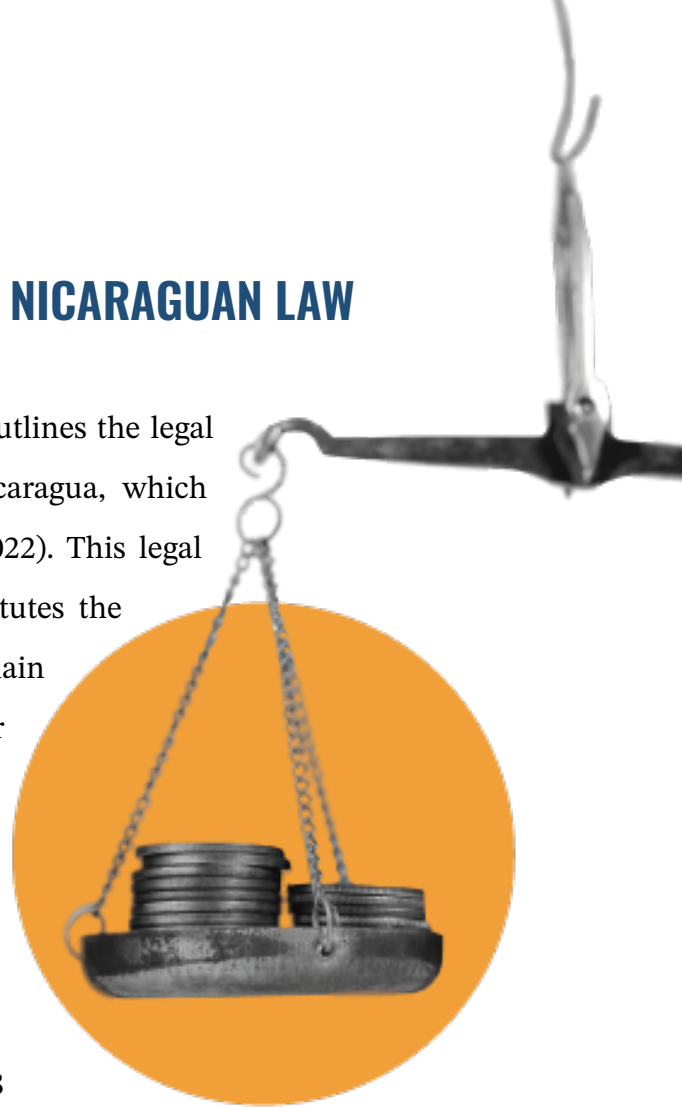
The Nicaraguan regime exiled 222 Nicaraguans in February 2023 and 12 priests last October, all imprisoned for political reasons. It also decreed the loss of nationality of another 94 Nicaraguans on February 15; their civil records were erased and properties confiscated, including from their children's birth records or their spouses' marriage certificates (Miranda, 2023).

Between January 2022 and December 2023, more than 300,000 Nicaraguans crossed the border from Mexico into U.S. territory, and from 2018 to November 2022, another 193,783 requested refuge in Costa Rica.

LABOR RIGHTS PROTECTED UNDER NICARAGUAN LAW

A study by the organization Popol Na in 2022 outlines the legal framework for the freedom association in Nicaragua, which corresponds to 32 laws (Colectivo Popol Na, 2022). This legal framework, if effectively complied with, constitutes the basis of Nicaraguan workers' rights, with their main demands. Among the laws applicable to the labor sector, these are the main national norms:

- Labor Code of 1996
- 2011 Code of Labor Procedure
- Social Security Act 2005
- Equal Rights and Opportunities Act 2008
- Law Against Gender Violence



This legal framework frames the relevant milestones in labor, union, and associative matters in the country:

1. Working hours: The standard workday in Nicaragua is 8 hours a day and 48 hours a week. Workers have the right to a rest period during their working hours.
2. Minimum wage: The government sets minimum wages for different economic sectors and types of employment. Employers must comply with these minimum wages and ensure that workers receive at least the corresponding minimum wage.

3. Union rights: Workers in Nicaragua have the right to freedom of association and can join unions to bargain collectively and defend their labor interests.
4. Vacations and benefits: Workers are entitled to paid vacation periods, as well as social security benefits, such as health insurance and pensions.
5. Dismissal: Labor law establishes rules and procedures for the dismissal of workers, and employers must follow a legal process, as well as cancel vacations, thirteenth month, and seniority. It is prohibited to fire women who are pregnant, or who are in the following eight weeks of the postnatal period.
6. Occupational safety and health: Companies are required to provide a safe and healthy work environment, and workers have the right to safe working conditions.
7. Discrimination and harassment: Labor law prohibits discrimination and harassment in the workplace based on race, gender, religion, sexual orientation, disability, and other grounds.
8. Child labor and forced labor: Nicaragua prohibits child labor and forced labor and has laws that protect minors and ensure they do not work in dangerous or abusive conditions.

LABOR RIGHTS PROTECTED UNDER INTERNATIONAL AGREEMENTS

Nicaragua, a founding member of the United Nations, has ratified several treaties and conventions related to human rights in general, including those relevant to labor and union rights:

- **Universal Declaration of Human Rights:** includes fundamental principles related to equality and human rights in the workplace.
 - **Article 23:** This article establishes the right of everyone to a job, to fair and favorable conditions of employment, to protection against unemployment, and to a decent wage that ensures an adequate existence for the person and their family. It also recognizes the right of workers to form unions and to participate in collective bargaining.
 - **Article 24:** This article recognizes the right of everyone to rest and to the enjoyment of leisure time, including a reasonable limitation of working hours and periodic paid vacations.
 - **Article 25:** This article establishes the right of everyone to an adequate standard of living, including food, clothing, housing, medical care, and necessary social services. Decent work and a fair wage are essential components of this right.
 - **Article 26:** This article recognizes the right to education, which is fundamental for the formation of skills and employment opportunities.

International Labor Standards: Nicaragua is also a signatory to several ILO conventions, which establish international standards for labor rights and worker protection. The country has been part of the organization since 1919, withdrew in 1938, and returned in 1957. Consequently, it has 62 ratified conventions – 48 of them are in effect, 6 have been denounced, and 6 instruments repealed (Organización Internacional del Trabajo, s/f).

- International Convention on Civil and Political Rights (1966): This treaty guarantees several civil and political rights, including the right to work and equal employment opportunity, without discrimination on the basis of race, color, sex, religion, among others.
- International Convention on Economic, Social, and Cultural Rights (1966): This treaty protects economic, social, and cultural rights, including the right to work and fair working conditions.
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979): promotes gender equality in all aspects of life, including the workplace.
- Convention on the Rights of Children (1989): This treaty protects the rights of children, including provisions related to child labor and the protection of children's rights in employment.
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).
- Convention on the Rights of Persons with Disabilities (2006): This treaty guarantees the rights of persons with disabilities, including equal opportunities in the workplace.

Additional international labor conventions signed by Nicaragua:

- Convention on the Freedom of Association and Protection of the Right to Organize No. 87. Guarantees freedom of association and the protection of union rights.
- Right to Organize and Collective Bargaining Convention No. 98. Establishes the right of workers to collective bargaining and protection against discrimination on the basis of union membership
- Equal Remuneration Convention No. 100. Prohibits discrimination in the remuneration of men and women for work of equal value.
- Forced Labor Convention No. 29.
- Worst Forms of Child Labor Convention No. 182.
- Minimum Age Convention No. 138.
- Safety and Health in Agriculture Convention No. 184.
- Framework Agreement on Employment in Agriculture.
- Workers' Representatives Convention No. 135.
- Labor Relations (Public Service) Convention No. 151.

MAIN VIOLATIONS OF WORKERS' RIGHTS IN NICARAGUA

The State Department's latest human rights report on Nicaragua, published in 2023, as well as various national and international human rights organizations, point out that the Nicaraguan government continues to violate workers' labor rights. The report highlights the following issues:

- **Repression of freedom of association:** The government has taken steps to eliminate independent union organizations, leaving Nicaraguan workers without union representation.
- **Arbitrary dismissals:** The Government has arbitrarily dismissed workers who have exercised their right to freedom of association or who have participated in activities to defend human rights.
- **Child labor:** Child labor remains a widespread problem in Nicaragua, with 35.4 percent of boys and girls between the ages of 5 and 17 working.
- **Forced labor:** The government has been accused of using forced labor in the agricultural sector and on construction sites.
- **Human trafficking for labor and sexual exploitation.**
- **Discrimination and inequality against working women.**
- **State negligence in protecting public health and the workforce during the Covid-19 pandemic.**

[Section 7 on labor](#) rights of the U.S. State Department's 2020 human rights report explains the general situation of workers in Nicaragua. The document, presented on March 30, 2021, summarizes that the government of Daniel Ortega and Rosario Murillo violates union rights by controlling workers in different sectors such as health, education, state institutions, and maquilas.

THE ROLE OF MITRAB IN THE DEMISE OF INDEPENDENT UNIONS

Despite being an institution of the central government, the Ministry of Labor (Mitrab) in Nicaragua plays a mediating role between employees and employers during labor disputes, as well as in the annual negotiation of the minimum wage with private companies, or collective agreements in public service; it also has the registration and control of cooperatives and unions.

Since 2007, when Daniel Ortega regained power and dismantled the independent union movement, Mitrab has played a key role in this process by authorizing the dismissal of union leaders and not allowing the registration of new organizations or the updating of existing ones.



Alba Luz Torres has been Minister of Labor since 2012.

“Nicaraguan workers are in two contexts: one is that they are forced to belong to the dictatorship’s union organizations. And (two), workers in general are in a total state of defenselessness,” (Expediente Público, 2023) the Permanent Commission on Human Rights (CPDH) told *Expediente Público*.

The FSLN government’s control over the main unions paved the way for the regime’s alliance with the private sector, and the Sandinistas’ pact with big capital was sealed with the 2014 reforms to Article 98 of the same Constitution, when they elevated the model of alliance or dialogue between the government and businessmen to the highest legal level. From this alliance, the biggest loser was the wage-earner.

Nilo Salazar, general secretary of the General Confederation of Independent Workers (CGT-i) argues that the tripartite negotiations (government, employers, and Sandinista unions) for adjustments to the minimum wage did not yield a real result.

As of March 1, 2023, the minimum wage in Nicaragua is \$142.23 per month in the agricultural sector, according to Resolution No. 01-CNSM-2023 of the National Minimum Wage Commission. The minimum wage in Nicaragua is the lowest in Central America and is divided into four categories, depending on the economic sector:

- **Agricultural sector:** \$142.23 per month
- **Industrial sector:** \$214.23 per month
- **Trade, services, and tourism:** \$183.23 per month
- **Free Trade Zones:** \$318.29 per month

Union leaders and human rights organizations have explained on different occasions that Mitrab has purged the unions, either by denying their constitution or by preventing them from renewing their registrations; this point will be later explained.

Situation of labor courts

With the approval of the Labor Procedural Code in 2011, the bases for arbitration processes in labor courts were established, accelerating disputes in this area through oral trials, which in many cases had delays of up to five years.

However, these processes still had lengthy and complicated waiting times and procedures, and many labor disputes were resolved out of court, also encouraged by the government.

A report by Popol Na also recalls that various organizations have documented that Mitrab has repeatedly violated the right to freedom of union organization by ignoring court rulings issued by courts of justice in the country that order the certification of union organizations.

“These reports highlight that without the corresponding certification, unions cannot participate in the negotiation of collective agreements, thus limiting their union role; at the same time, there are risks of disrespect for union immunity, putting the members of these executive committees at risk of being arbitrarily dismissed,” describes Popol Na (López et al., 2022).

Although the National Labor Court of Appeals was re-established, they are controlled by the CSJ, and it is known that the administration of justice is directed by Ortega and Murillo. The cases were resolved in five months, but it is unknown how many were favorable to the employees.

This court is led by magistrates Luis Osejo, Rosa García, and Karla Sáenz, who on their digital portal indicated that between 2011 and 2016, they had issued 146 final sentences, without giving information of the last 7 years (Poder Judicial de la República de Nicaragua, n.d.). According to the Judicial Branch’s consultation portal, there were 11,792 cases in Appeals; of these, 11,692 were finished. There are currently 73 cases pending.

In addition to this court, the matter is governed by 10 District Labor and Social Security Courts and another 5 civil courts.

In 2018, the most frequent actions in the entry and resolutions in labor matters were payment of social benefits, execution of sentences, severance pay, reinstatement, consignments and contributions (social security), based on 5,230 sentences or resolutions of that year (ORMUSA, 2021).

TABLA 01. ACCIONES MÁS FRECUENTES EN EL INGRESO Y CAOS RESUELTO EN MATERIA LABORAL A NIVEL NACIONAL, NICARAGUA, 2018

ACCIONES	INGRESOS	EGRESOS
ACCIONES DE PRÉSTACIONES SOCIALES	3128	477
EJECUCIÓN DE SENTENCIA	1078	387
INDEMNIZACIÓN POR DESPIDO	415	93
REINTEGRO	254	68
CONSIGNACIONES	128	72
COTIZACIÓN (SEGURIDAD SOCIAL)	76	47

FUENTE: CSE, DIRECCIÓN GENERAL DE PLANIFICACIÓN Y ESTADÍSTICAS. DIRECCION DE INFORMACIÓN Y ESTADÍSTICA, 2018.

The CPDH indicated that it is known how the magistrates and judges are deciding based on the situation of the workers dismissed from the same Court

in the context of the protests; no lawsuit filed has had justice. No worker fired by the State has been reinstated or received their benefits.

A group of lawyers from Managua denounced to *100% Noticias* that practically all labor lawsuits coming from former workers of companies of the **free trade zone** corporation are neglected and ignored by the Mitrab, whom they point out to only protect the interests of the employers (100% Noticias, 2023).

The lawsuits include “incomplete severance payments, unfair dismissals, lawsuits for not having reported to Social Security the contributions corresponding to the months worked, lawsuits for not granting subsidies and even workplace accidents, are some of the cases that the complaining lawyers were used to handling,” the media reported.

“We are a law firm accustomed to fighting and winning the lawsuits of the workers of the free trade zones, but this year, out of 30 lawsuits filed before the Mitrab, only one was won by a former maquila worker, and thanks to the fact that it was a case where the plaintiff had lost two fingers on one hand in a work accident,” said one of the lawyers

SOCIAL SECURITY USED AS PETTY CASH FOR OPAQUE BUSINESSES

One of the most alarming problems for workers is the INSS crisis. In fact, the 2018 protests originated from a modification in the pension policy system (on April 17 the General Regulations of the Social Security Law were reformed through Presidential Decree No. 3), particularly due to the increase in contributions from workers and employers.

Workers would go from contributing 6.25% of their salary to 7%, while employers would go from contributing 19% to 22.5%. In addition, retirees would have to contribute 5% of their pension to cover their health expenses.

After the elimination of social protest with a death toll of more than 300, most of them civilian protestors, the Ortega regime applied the reform in January 2019. The employer quota for companies with less than 50 workers went from 19% to 21.5% and with more than 50 workers from 19% to 22.5% for the Comprehensive Regime, which includes the concepts of IVM (Disability, Widowhood, and Death, according to the abbreviation in Spanish), Occupational Risks, Victims of War and Sickness, and Maternity. The contribution rate for workers rose from 6.25% to 7% (Amcham, 2019).



A note from the Nicaraguan American Chamber of Commerce pointed out that the reform reduced the amount of pensions by 50%. A monthly pension of C\$20,000 córdobas for widows, children, and others, would be reduced to about C\$8,500 córdobas. Before the reform, an active member of the INSS with 24 years of contributions had approximately 70% of the insured replacement, whereas now, to enjoy that same percentage, he would have to work and contribute for 53 years.

Those who suffered the most from the reform were voluntary affiliates, most of them self-employed, with rates of 14% for the IVM regime and 22.5% for the Comprehensive Regime. This caused the massive exit from the system that, at the beginning of 2018, totaled 155,134, but in the last report of 2021, it went to 47,979 (Instituto Nicaragüense de Seguridad Social, 2022).

However, the Social Security crisis has no social basis. In fact, the Nicaraguan population is mostly young, while the number of affiliates had doubled in just ten years, when the number of affiliates went from 441,163 in January 2007 to 914,196 at the end of 2017. President Enrique Bolaños left the INSS with a surplus of 1.183 billion córdobas, about 47.3 million dollars at the 2007 exchange rate (Calero, 2021).

The crisis in the pension system is mainly due to the state's public debt, which in 2014 was \$500 million. In 2021, the INSS said the amount had been reduced to \$29.9 million.

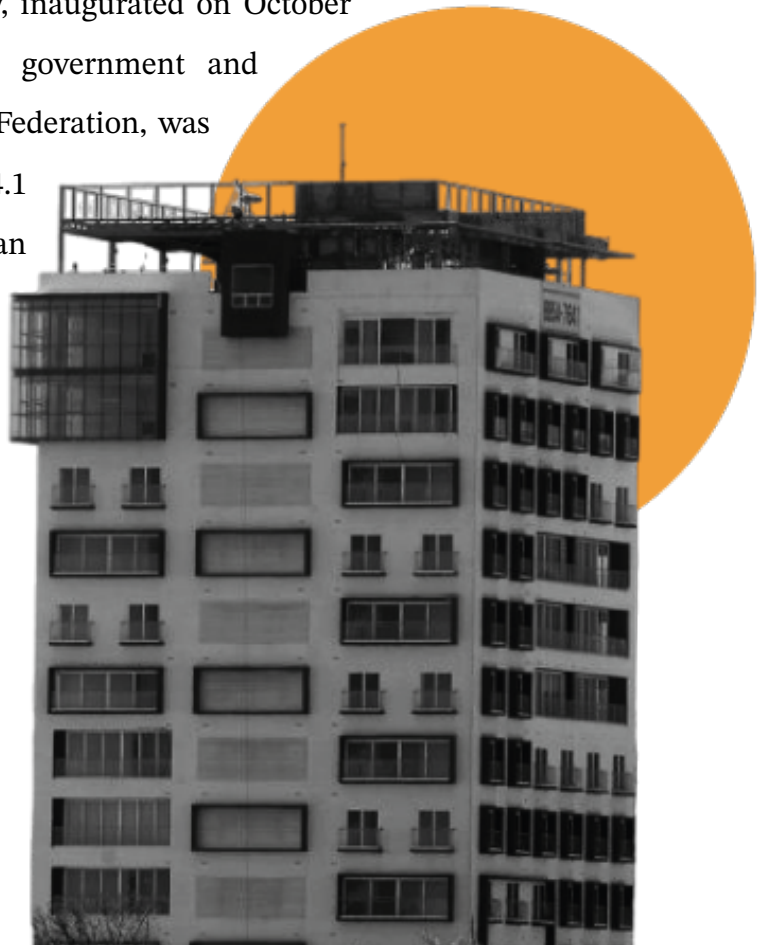
The state apparatus has also grown disproportionately by 188%, from 39,140 employees in 2006 to 113,523 in 2022, although, almost half of these positions are teachers, going from 7,663 to 52,957 in this same period.

Another reason is political clientelism. In 2021, Ortega granted a total of 29,178 lifetime pensions to victims of war of the 1980s and historic FSLN combatants, with payments of \$2.1 million at the exchange rate at the time.

The INSS deficit at the end of 2021 was about 58.6 million US dollars. However, the biggest damage to the pension system has been corruption with its assets. These are the main cases mentioned by the Nicaraguan press (Silva, 2017):

- In 2008, the INSS provided \$1.2 million to the company Tecnosa, owned by FSLN treasurer Francisco López, to build the homes for the El Pueblo Presidente project, which Caruna later sold to party supporters.
- In 2008, INSS Executive President Roberto López authorized a loan of \$3.6 million to [Desarrollo del Xolotlán Sociedad Anónima](#), linked to the Army's financial arm, to build the Las Delicias residential complex on Carretera Norte.
- In 2010, the INSS also financed another business of the Institute of Social Security and Human Development of the National Police (ISSDHU): the medicine distributor [Farmacéuticos y Conexos S.A. \(Farcosa\)](#), established with an initial capital of 20 million córdobas, of which the INSS provided 6 million.
- According to media reports, the Social Security contribution in Farcosa was part of a series of investments that benefited companies related to government officials ([such as a hospital owned by the late Sandinista leader Tomás Borge](#), companies owned by FSLN treasurer Francisco López and Ortega's former personal secretary, Federico Lacayo).

- Investments with [private entrepreneurs in luxury real estate businesses](#) such as the [Edificio del Norte condominium](#), which was made with two loans from the INSS, totaling 12.6 million dollars.
- In 2016, *La Prensa* revealed that although the directors of the INSS are not empowered by law to approve loans for this type of luxury construction, they authorized loans for the construction of Edificio del Norte, San Sebastián and Pinares de Santo Domingo condominium, three projects related to businessman Tirso Celedón Lacayo, director of the Corporate Bank (also known as the Albanisa Bank). This bank was sanctioned by the Treasury Department in 2019.
- In 2016, 1.2 million dollars came out for a luxury condominium for [Teleconstrucciones Guillén SA](#), the company that received the loan without the alleged majority shareholder knowing of the existence of the company that operated in Desarrollos Inmobiliarios, S.A., owned by Alfonso Román Silva Molina, then director of the INSS.
- The Mechnikov vaccine factory, inaugurated on October 22, 2016, by the Nicaraguan government and representatives of the Russian Federation, was agreed with a contribution of 14.1 million dollars from the Russian Federation and 7.3 million from the insured, according to official reports provided by Vice President Rosario Murillo Zambrana.



RESTRICTIONS ON FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law guarantees the right of all workers, except the military and police, to form and join unions without prior authorization and to bargain collectively. However, the government's control over all major unions effectively nullified the right of workers to join independent unions of their choosing.

From 2018 to October 2023, the State has cancelled 3,390 civil society organizations, including 562 unions (Organización de Estados Americanos, n.d.).

The International Trade Union Confederation's (ITUC) *Report on Violations of Trade Union Rights* during Ortega's mandate has been discontinued since 2018, but the world's largest union confederation sums up the situation in Nicaragua prior to the protests as follows (Índice Global de los Derechos de la CSI, n.d.):

1. Anti-union practices at the Crowne Plaza Hotel Managua. Between January and October 2017, at least 27 workers were dismissed without justification and 12 resigned due to psychological pressure and excessive workload. 70% of the dismissed workers belonged to the Gutiérrez y Martínez Union, affiliated with the United Federation of Food Workers of Nicaragua (Futatscon) and the IUF. The Union has maintained its complaints due to the poor working conditions in which the workers find themselves, the constant violations of the [Collective Bargaining Agreement](#), and anti-union practices against members.
2. Refusal by the Ministry of Labor to recognize unions. For example, at the Technological Institute of Business Administration in Granada, the Teustepe company, Boaco, as well as two unions from the private companies Avícola Nacional de Granada and Molinos de Nicaragua,

have been petitioning for more than two years with favorable court decisions. Similarly, in 2017, Mitrab refused to comply with the court decision ordering the certification of the Augusto C. Sandino union, of the Nicaraguan Aqueduct and Sewerage Company (Enacal) in Granada. Meanwhile, in January 2017, two members of the organization were dismissed without just cause by Enacal.

3. Criminalization of labor protest through the judiciary. In December 2016, 12 workers at the Tecnotex factory were found guilty of a series of offenses: obstruction of duties and serious damage to the detriment of the National Police and the company, after a [labor dispute](#) at a South Korean-owned factory that employs 3,000 workers and produces clothing for export to companies in the United States, including Kohls, Target, JC Penney, and Wal-Mart, and located in Managua's free trade zone. The 12 workers (two union members and 10 rank-and-file workers) were arrested in June 2016 by riot police during a peaceful protest in front of the factory in a free trade zone. Workers demanded respect for labor rights, such as access to clean water, decent working conditions, and realistic production targets. The union members were sentenced to two years in prison, and the others to one year, all of whom lost their political rights and were unable to leave the country.
4. During 2016, the Ministry of Labor violated the right to freedom of union organization by ignoring court rulings issued by courts in the country ordering the certification of union organizations. Without the appropriate certification, unions cannot participate in the negotiation of collective agreements, limiting their union role. Likewise, the certification establishes respect for union immunity, otherwise the members of these boards of directors may be arbitrarily dismissed. Union leaders from the Unidad Sindical Magisterial (USM), the

National Confederation of Teachers of Nicaragua (CNMN) and the Center of Workers of Nicaragua (CTN Autónoma), which represent some 60 unions nationwide, tried several times to meet with the Minister of Labor, however, the meeting did not take place. The objective of the meeting was to receive explanations as to why during 2016 they stopped providing updates on union certifications, when the law stipulates that the maximum procedure lasts ten days.

The affected unions that expected the Ministry to comply, throughout 2016, with the extension of their certifications are: the Association of Independent Teachers of Nicaragua, the Intae of Granada, as well as two unions of the private companies Empresa Avícola Nacional de Granada and Empresa Molinos de Nicaragua. The Trade Union Federation of Managua and the Workers' Union of Teustepe, Boaco, also had a court ruling that the Ministry has not recognized. For its part, the union of the Nicaraguan Water and Sewerage Company (Enacal) in Granada had been waiting for ten months for a court decision ordering the recognition of its certification.

5. In December 2016, at the Central Slaughterhouse, located in Juigalpa, Chontales, five workers were dismissed for violating the [Collective Bargaining Agreement](#), due to failure to deliver the certification.
6. In November 2016, the Fair Labor Association presented the final report of an investigation that aimed to examine violations of freedom of association at the New Holland Nica (New Holland Apparel S.A.) factory, located in the Astro Free Trade Zone in Managua, Nicaragua. The investigation was requested by AdidasGroup and Under Armour, buyers of the factory, following complaints from the Union of Workers in Power (STP).

The complaints included successive violations of the exercise of freedom of association by the factory's management. Among them, the union claimed that management was persecuting a group of workers who formed the Executive Board of a new union, firing leaders who had attended a meeting to elect its new Board of Directors.

The report found that two workers had been dismissed without complying with the procedures of the collective bargaining agreement and recommended that they be reinstated with back pay, to which the company agreed.

7. In May 2016, it was reported that union members belonging to the FSLN forced public employees to participate under threat of dismissal or disciplinary punishment, thus violating freedom of association and unionization. According to the complaint, public employees are forced to pay contributions to the FSLN and participate in the political and "union" celebrations of the Ortega regime.
8. The National Association for Human Rights (ANPDH) denounced that, during the nine years of the current Daniel Ortega regime, nearly 28,000 public employees have been fired, most without legal justification. According to the complaint, in many cases they were dismissed because they did not want to join the government party and its official unions. It is stated that unions are not independent and are subordinate to the interests of the government, making them parallel unions that do not truly represent workers' interests. On the other hand, small non-government-official unions are marginalized by the government.
9. On November 9, 2014, workers from Schneider National Logistics, the company in charge of marketing and distributing PepsiCo products from Embotelladora Nacional S.A. (ENSA) in Nicaragua, decided to

form a union. Less than 24 hours later, the company's management illegally and arbitrarily fired them.

At the request of the union, Mitrab carried out an inspection of the facilities of the ENSA plant in Managua, during which it confirmed that trade union immunity had been violated, as well as the mass dismissal of workers, and ordered the company to reinstate the workers who had been illegally dismissed.

In a meeting with Marcial Cabrera, General Secretary of the United Federation of Food Workers of Nicaragua (FUTATSCON), who is advising the Schneider Workers' Union management, proposed reinstating 45 of the dismissed workers, leaving out the other 24, including the entire executive committee of the union. The company appealed Mitrab's ruling, but the order to reinstate the workers was upheld. The workers maintain the pickets set up in front of the entrance to the distributor's plant, firm in the defense of their rights. Schneider National Logistics denies having a direct relationship with Pepsi, despite the fact that it is responsible for distributing its products in Nicaragua and that its workers wear uniforms with the multinational logo.

10. In March 2013, teachers and administrative staff at the Polytechnic University of Nicaragua, Upoli, held a protest demanding a 10% salary increase. According to the General Secretary of the 14th of July Union, there was a lack of will on the part of the board of trustees and authorities of the Upoli.
11. From January 2007 to December 2012, the Democratic Federation of Public Sector Workers (Fedetrasep) counted 24,330 dismissed public employees. During this period, they also point out that 156 union organizations "have been eliminated" in different state institutions.

12. With labor outsourcing, workers lose rights to social security, collective bargaining, freedom of organization, and a decent pension. At least 800,000 workers worked under these conditions in Nicaragua in 2011, mainly in the agricultural sector, as well as in construction, hotels, and restaurants.

13. In many workplaces, taking advantage of the country's employment deficit, workers are required to work long days of more than eight hours in order to meet production levels and comply with their international commitments.

Domestic workers work more than eight hours a day without being paid the minimum wage established by law, nor the payment of overtime and holidays worked, in exchange for job stability and housing.

A similar situation is experienced by health workers, who, in public hospitals, are required to work more than eight hours without overtime.

Call center workers also work more than eight hours without overtime pay or holidays, in exchange for job stability.

14. The Ministry of Education (MINED) denied the National Confederation of Teachers of Nicaragua (CNMN) to take part in the collective bargaining process, to guarantee better social benefits and ensure that they respect their social rights contained in the current collective agreements.

15. Unionized workers in the public sector have had to face various abuses of authority reflected in retaliation, discrimination, illegal dismissals, illegal suspensions of workers, illegal hiring with mega salaries, creation of new illegal positions, illegal promotions to higher positions, arbitrary transfers of workers from one area to another, and disregard of administrative and judicial resolutions.

16. In 2009, unionized workers reported constant attacks, harassment, and other forms of pressure aimed at forcing them to leave the union or the company. There is no shortage of dismissals involving union leaders and/or founders as the main strategy to eliminate unions or prevent the creation of new organizations. In many cases, employers offer financial incentives to achieve disaffiliation and weaken the union. As for the **labor relations**, short, “day laborer” contracts are being imposed, making it impossible to increase the number of union members. There are also changes that may seem formal, but which influence the organization of the union, such as changing the corporate name of the company to delegitimize the union or replacing management staff in search of an anti-union “iron fist.” Industrial export processing zones, or maquilas, continue to be the sector with the highest number of violations of workers’ rights.

17. In a statement dated February 24, 2009, the Confederation of Trade Union Unification (CUS) alleges that the Minister of Transport and Infrastructure continues to fail to respond to requests for a meeting with the union organizations representing all workers of said Ministry, despite having been requesting a meeting since January 2007. The CUS adds that the Government continues to fail to comply with the recommendations made by the [ILO](#) Committee on [Freedom of association](#) in 2008 and continues to fail to comply with the provisions of the [Collective Bargaining Agreement](#) in many respects, including hiring, dismissal procedure, facilities for unions (office, etc.), and the bilateral agreement of drivers, in particular with regard to wage adjustment.

The government also prohibits the organization of workers and teachers perceived as opponents, government-official unions are accused of supporting employers when they make illegal dismissals and in the free trade zones, they prevent the independent organization of workers. On the other hand, many cases of wrongful termination do not make it to court, a State Department human rights report reveals (Bureau of Democracy, Human Rights and Labor, 2021).

As of November 2001, there were 2,071 registered unions with more than 100,000 members in the Ministry of Labor, the vast majority associated with nine confederations; but in 2017, that is, 16 years later, the National Institute of Development Information (Inide) documented a total of 1,206 unions registered with the Ministry of Labor (Mitrab) with 83,425 members (43,896 men and 39,529 women), according to data cited in the report [Trade Unionism in Central America](#) published by the International Labor Organization (ILO).

Mitrab's 2019 annual report indicates a larger reduction, that is, 974 registered unions with a total of 75,720 members, based on updated board figures. According to Article 21 of the Regulations of Trade Union Associations in force since 1997, boards of directors can only be elected for a period of one year.

The regime presents manipulated or retouched data in its favor to the ILO. The ILO Committee of Experts on the Application of Conventions and Recommendations notes that, according to the Government, as a result of policies to promote and encourage unionization between 2018 and 2021, 111 new organizations of this type were formed, enrolling 3,902 workers, and 2,884 unions with 222,370 workers were updated (International Labour Conference, 2022).

Collective bargaining agreements have a duration of up to two years and are automatically renewed if neither party requests a revision. However, in free-trade zone regions, collective bargaining agreements are for five-year periods.

Companies in conflict with their employees must negotiate with the employees' union if it exists. By law, several unions can coexist in the same company, and the law allows management to sign separate collective bargaining agreements with each union (United States Department of State, 2020).

However, "freedom of association and the right to collective bargaining were not respected, and the government often intervened for political reasons," the State Department's 2020 Human Rights report stated.

Last October, the Committee of Experts for the Follow-up on the Implementation of ILO Conventions (International Labour Organization, 2022) recalled the "note of observations from the International Organization of Employers (IOE), received on September 1 and October 25, 2021, denouncing acts of persecution, intimidation, and repression against leaders of the Superior Council of Private Enterprise (COSEP) and against the affiliated business sector."

The arbitrary detention of business leaders without an arrest warrant and due process of law is evident. The OIE specifically denounced the arbitrary detention on June 8, 2021, of the former president of COSEP, José Adán Aguerri Chamorro, on charges of conspiracy to undermine national integrity. The OIE also denounced the arrest on October 21, 2021, without an arrest warrant, of Michael Healy, President of COSEP, as well as its Vice-President, Álvaro Vargas Duarte.

It also requests the Government to provide its comments on all other issues raised by the OIE, including those related to the Foreign Agents Regulation Act

No. 1040, adopted on October 15, 2020, and the allegation that several sections of the Act impose unacceptable restrictions on freedom of association.



SANDINISTA UNIONS IN THE REPRESSIVE NETWORK OF THE ORTEGA-MURILLO REGIME AGAINST THEIR COLLEAGUES

Since 2007, when Daniel Ortega assumed the presidency of Nicaragua, unionism in Nicaragua has practically disappeared, first of all, due to the submission of the unions to the Nicaraguan government, where even dozens or hundreds of union members participate in the lists for popularly elected positions.

The FSLN won the 2006 elections with Gustavo Porras, a union leader in the health sector, in the seventh position on its lists of candidates for national deputies, and in the 2008 municipal elections, 121 union leaders in 62 municipalities (11 mayors and 110 councilors), according to data from the National Workers' Front (FNT) compiled by *Expediente Público*.

The collaboration of the Sandinista unions with the regime and the companies, against the workers, has its example in the mass dismissal of workers from New Holland Apparel S.A. (NHA), in December 2020.

Elin Marín was fired shortly after forming the board of directors of a new union, after 10 years of working at the company. Article 45 of the Labor Code in Nicaragua allows employers to dismiss without justification in exchange for compensation, but not when they are unionized; this is what is called “union immunity” (*Expediente Público*, 2021).

NHA is a U.S.-owned sportswear manufacturer, a subsidiary of [Tegra Global](#) headquartered in Atlanta, United States. It had two active trade unions in the country: one affiliated to the Sandinista Workers' Confederation (CST) and the other to the José Benito Escobar Workers' Trade Union Confederation (CST-

JBE), both linked to the Sandinista National Liberation Front (FSLN). The confederations receive five percent of the dues of the affiliated unions.

Marín told *Expediente Público* that, despite the presence of the Sandinista unions, in this factory with more than 1,200 employees, they illegally fired women in the breastfeeding period, workers recovering from surgeries; in addition, they withheld 20% of the compensation. There was also discrimination, excessive work, and persecution against those who complained or made claims.

The union trinomial of the dictatorship: FTN, CST and CST-JBE

The FNT emerged in 1990 after the electoral defeat of the FSLN and brought together teachers, health personnel, and public sector employees, at a time of serious economic crisis caused by the decade of armed conflict.

In 2011, the FNT was made up of nine national sectoral organizations with more than 228,500 affiliated workers, most of them public employees, according to its own data. Inide's 2017 figures indicate that the maximum number of unionized workers barely exceeded 83,000 – less than 10% of formal workers, since in this period, the numbers of insured workers reached 913,797 jobs.

Onofre Guevara, a trade unionist and historian, believes that the unions gave false data to make it appear that they were a great movement, but the struggle of trade unionism has always been hard because it not only faces government repression, but also that of employers: “there has always been an aversion to unions or they are pointed out as a product of international communism, and there is fear of workers to unionize.”

Figures from the Nicaraguan Institute of Statistics (Inide) from 2017 indicate that all FNT unions have a total of 56,848 members, the vast majority of whom are state workers. In first place is the National Union of State Employees (UNE)

with 18,887 employees, followed by the Federation of Health Workers (Fetsalud) with 13,838 members and the National Association of Educators of Nicaragua (Anden) with 12,574.

Some more recent indicators of the strength of the FNT denote the affiliation of 626 public sector unions, involving 48,845 workers. In addition, Mitrab classifies 28 union confederations and a total of 38 new union registrations, until 2019.

The above data belong to an investigation by *Expediente Público*, since the Mitrab no longer has its website available.

The FNT describes itself as a union coordinating guild. The CST is one of its founding members, but leadership disputes have divided the official unionism, but “both groups respond to Ortega’s interests, but they also respond to their own caudillo interests,” Onofre Guevara said in a 2020 interview.

FNT union leaders receive parliamentary and municipal dues. In 2016, 18 union members were nominated for the FSLN’s deputies and alternate deputies, according to an investigation by *La Prensa*.

The top leader of the FNT continues to be Gustavo Porras, current president of the National Assembly, and the executive secretary is José Ángel Bermúdez.

The José Benito Escobar Union Confederation of Workers (CST-JBE), also affiliated to the FNT, brings together maquila and construction workers, Inide reported 7,282 members. Its leaders are Deputy Luis Barbosa and Miguel Ruiz. Among its affiliates is the Federation of Domestic Workers and Various Trades of Managua “Julia Herrera D’Pomares” (Fetradomov), led by Andrea Morales Pérez.

The main union center is the National Workers' Front (FNT); others such as the independent Permanent Workers' Congress (CPT) have less capacity to exert pressure and little media presence.

Trade unionist and columnist Onofre Guevara explains that the Sandinista Workers' Confederation (CST) tried to unite all the union confederations in Nicaragua in the 1980s, but failed to subdue all the unions.

The FNT emerged to consolidate the Sandinista union bloc, particularly that of the four major unions: the CST, Fetsalud, Anden, and UNE.

Its initial leader was Lucio Jiménez, also general secretary of the CST, but the prolonged strikes in the health sector raised the figure of Gustavo Porras, general secretary of Fetsalud since 1984 and coordinator of the FNT since 1996.

Porras is a doctor turned street agitator. Since 2007, he entered the plenary session as a deputy and from there he became a health entrepreneur; as of 2017, he has been president of the National Assembly and promoter of repressive laws. He is sanctioned by the international community for his support for the Daniel Ortega regime's human rights violations committed since April 2018.

Investigations by *La Prensa* and *Confidencial* link Porras to the pharmaceutical import company Universal Marketing Associations (Unimark), which receives millions in government contracts.

The case of the Sandinista Workers' Confederation (CST), led by former representative Roberto Gonzalez, is particular, given that there has been a conflict with the FNT since 2012, when the latter took away the leading role it had.

Until 2011, they supposedly had about 80,000 members in 284 unions, but Inide data from 2017 only reports 88 unions with 7,796 members. On the other hand, the CST-FNT has 62 unions with a total of 3,603 members. Pedro Ortega, a

union member in the textile sector of the free trade zone, is secretary of labor affairs of the CST.

In 2018, Gonzalez and the CST itself were critical of the Social Security reforms, just as they were in 2013. In 2021, González denounced to independent media outlets that since then, the CST has been prevented from participating in minimum wage negotiations, the last time they even called the police to remove them from the entrance to Mitrab.

In addition, their unions and federations, such as some of the CST-JBE, have prevented them from updating their boards of directors as stipulated in the union regulations.

Nilo Salazar, secretary of the General Confederation of Independent Workers (CGT-i) explained to *Expediente Público* that the government not only intimidates the independents, “when someone opens their mouth to complain they are punished too, but it is not for everything, but for certain people.”

For his part, Onofre Guevara sees these situations as “inter-criminal conflicts,” because the union leaders try to impose their own interests above those of the workers.

The trade unionist says that an example of the attitude of the Sandinista unions is shown in a letter from Porras to the general secretary of Fetsalud, Iris Montenegro, which put an end to the union’s combativeness, “asking them to reduce their belligerence so that when they are in government they will have a dormant union that supports the plans and strategies of the Ministry of Health.”

On the other hand, the unionists consulted by *Expediente Público* agree that these supposedly critical positions of the leaders are political poses that contradict the actions of these unions, which favor the government and the bosses in labor confrontations.

The report of the International Group of Independent Experts (GIEI) noted in 2018 that the FNT and Porras called for mobilization on the same day that the march announced by the Mothers of April Movement would be held, which ended in a massacre.

The Group of Human Rights Experts for Nicaragua (GHREN) also reported that it has reasonable grounds to believe that high-ranking officials of the health system, including then-Health Minister Sonia Castro González, Health Secretary General Carlos Sáenz Torres, and the health workers' union, “are linked to the role that the system played in the context of the repression of the protests, including by issuing orders to public health professionals and centers not to care for injured people who opposed or are perceived as such.”

Porras wielded significant power within the Ministry of Health and was also linked to the role the body played in the context of the repression of the protests, stated the GHREN (Consejo de Derechos Humanos de las Naciones Unidas, n.d.).

De facto disappearance of independent unionism

Since 2007, the ILO has heard of several cases of arbitrary dismissals, referred by the Confederation of Trade Union Unification (CUS), which since then has alleged “a campaign to make trade union organizations that do not agree with the Government disappear” (Organización Internacional del Trabajo, n.d.).

One case involved trade union leader Donaldo José Chávez Mendoza, an employee of the General Directorate of Revenue. Chávez, despite winning the trial in 2011, had not been reinstated in 2013, when the ILO stopped following up on the issue (Organización Internacional del Trabajo, 2013).

The complaint was also filed by José David Hernández Calderón, secretary of promotion and propaganda of the Andrés Castro Union Ministry of

Transportation and Infrastructure Employees Union (SEMTIAC). In 2011, the First District Labor Court of Managua had not issued a ruling, and the ILO stopped following up on the case.

The ILO also called for an investigation into the reasons for the cancellation of the employment contract of José María Centeno, leader of the National Union of Workers of the DGT-MTI (SINATRA-DGTT-MTI).

Alvin Alaniz González, Jazmín del Sagrario Carballo Soto and Rolando Delgado Miranda of the Nicaraguan Social Security Institute (INSS) were dismissed, as well as several workers of the National Aqueduct and Sewerage Company of Granada and the union leader Ricardo Francisco Arista Bolaños of the DGI (Organización Internacional del Trabajo, n.d.).

In 2010, the Confederation of Workers of Nicaragua (CTN-autonomous) alleged obstacles to the exercise of collective bargaining in the public education sector, and the following year the Union of Administrative Workers and Teachers of the Ministry of Education (SINTRADOC) denounced the transfer and subsequent dismissal of three union leaders by the Ministry of Education under the pretext of restructuring.

In 2015, the Confederation of Trade Union Action and Unity (CAUS) also complained to the ILO about the refusal to register a new union and anti-union discrimination (pressure and dismissals) against workers who formed the union by the municipal mayor's office of El Crucero.

In 2015, through officials from the Ministry of Family, Community, Cooperative, and Associative Economy (MEFCCA), the government arbitrarily intervened in the facilities of the National Federation of Agricultural and Agroindustrial Cooperatives (FENACOOOP), despite the fact that this was an alliance of more than 400 cooperatives of Sandinista origin that grouped some 15,000 producers.

The CPDH, in a hearing at the IACHR, had already indicated since 2015, serious injuries to freedom of association. From 2007 to 2014, 2,301 union leaders were dismissed in the public sector and 157 unions were cancelled (Comisión Interamericana de Derechos Humanos, 2015) and more than 27,000 employees were fired, representing 29% of the total, without receiving social benefits with a debt of 27.5 million dollars.

Nilo Salazar, general secretary of the General Confederation of Independent Workers (CGT-i) and president of the Federation of the Construction and Wood Workers' Industry (FITCM-N), told *Expediente Público* that the leaders who maintain an independent position are few, just as there are few organizations that do not align themselves with the rulers of the Central American country.

“The sector where we have the most representation is the construction sector, as there is no private investment, only the government has projects, which have decreased in recent months. If we go to those projects, the businessmen who work are aligned with the government; they close the doors to us and try to favor the government unions and keep us away, by all means, they try to eliminate the independents,” Salazar said.

“We rely on union dues; one way that those close to the government work is that they close the doors to us and abusively take away the dues in favor of the Sandinista unions,” he denounced.

“If we criticize and demand the application of national laws, they tell us that we are enemies of the government,” says the unionist.

Apart from the complicity of the pro-government unions, Salazar explained that other factors affect trade unionism in Nicaragua, for example, the economic crisis: “independent builders are closing or only paying taxes hoping that things will improve.”

In the same way, “when we want to defend the affiliates, the Mitrab authorities are against us” and they also shelve the applications for registration of executive boards of non-Sandinista unions.

One of the trade unions that has been hit the hardest hit is the teachers’ union. According to Salazar, many directors of teachers’ unions are fighting because Mitrab does not renew their boards of directors, for which they lose their certification; such measures indicate why there are statistically fewer unions.

Similarly, there were independent confederations that had civil servants, but the Mitrab gradually annulled them.

A final factor is the migration of labor, particularly to Costa Rica. According to Social Security statistics, Nicaragua has lost more than 200,000 formal jobs since 2018.

“Our organization has given demands to the working class; we have not been in the arms of any government. We are not from April 18, we fought against Somoza for the thirteenth month, the Labor Code, when many of today were not there, but they want to take over that fight that we waged. Unfortunately, some independents have also sought to get closer to the government,” Salazar concluded.



HUMAN TRAFFICKING FOR LABOR AND SEXUAL EXPLOITATION

The State Department's 2022 report on human trafficking (published in June 2023) (United States Department of State, 2023) places Nicaragua in the "Tier 3" category of countries, along with 23 others "whose governments do not fully meet the Trafficking Victims Protection Act (2000) minimum standards and are not making significant efforts to do so."

In its report on Nicaragua, it is explained that it intentionally obscured or classified cases of human trafficking to minimize trafficking statistics. The government did not report the investigation, prosecution, or conviction of any traffickers in 2022.

In addition to the lack of shelters for trafficking victims, the report argues that "the government further reduced its already minimal protection efforts. The information provided by the government on the identification and protection of victims was unreliable and inconsistent."

According to the report: "the government continued to minimize the severity of the trafficking problem in Nicaragua through unreliable reporting... it made negligible efforts to address labor trafficking, which remained a serious concern... The government did not convict any traffickers... The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses, despite endemic corruption and widespread official complicity." (United States Department of State, 2023)

The law prohibits and criminalizes all forms of forced or compulsory labor, but there is no information available on the government's enforcement of these laws.

Despite purportedly having the political will to combat human trafficking, including labor trafficking, the government failed to take sufficient steps to address the scope of the problem and provided limited information on its enforcement efforts.

Observers noted reports of forced labor of men, women, and children in agriculture, construction, mining, street begging, and domestic servitude. Victim identification, prosecution, and conviction remained inadequate, and victims' families were often complicit in their exploitation. Traffickers lured residents of rural or border regions by promising them well-paying jobs in urban and tourist areas.

At the same time, the regime's application of protection and security plans for thousands of migrants who arrive in Nicaragua by air (Vado, 2023) or transit from the south to reach the United States is unknown.

According to statements by the head of the Army, Julio Avilés, it is estimated that this year some 400,000 people will be in transit through Nicaragua in 2023 due to migratory flows from the south, "thereby increasing the possibilities of their use by terrorist organizations and organized crime to mobilize members of their structures."

This position makes migrants in transit and Nicaraguan migrants themselves look like suspects, rather than verifying whether they are not victims of trafficking networks.

CHILD LABOR

The U.S. Department of Labor in its 2022 Worst Forms of Child Labor Results report (Departamento de Trabajo de los Estados Unidos, 2023) argues that Nicaragua made minimal progress in efforts to eliminate the worst forms of child labor.

The Government established the new National Strategic Plan for the Prevention, Attention, Investigation, Prosecution and Punishment of the Crime of Trafficking in Persons. However, there are children in Nicaragua who are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking.

There are minors who also perform hazardous tasks in agriculture. The legislation does not set a clear age for compulsory education, and the government lacks adequate services for survivors of human trafficking, such as shelters.

In addition, labor and criminal law enforcement agencies lack the financial and human resources necessary to fulfil their mandate. Likewise, the government does not have a specific and consistent mechanism to coordinate efforts in response to child labor.

Nicaragua does not present data to monitor the situation of child labor, being the only country in Central America and Mexico that does not do so, not even to the IDB, from which it has received financing.

ILO monitoring data are linked to school enrollment. A report during the pandemic should include non-attendance (6-17 years), non-attendance rate (6-17 years), relative increase in educational exclusion as a percentage of pre-pandemic exclusion (estimated), estimated increase in educational exclusion in the context of pandemic (Organización Internacional del Trabajo, 2022).

In fact, the regime closed the Nicaraguan Coordination of Non-Governmental Organizations Working with Children and Adolescents (Codemi), the main intergovernmental work commissions with civil society for the protection of children, as well as international protection organizations, such as Oxfam, Casa Alianza, and World Vision.

This lack of information is also highlighted in the annual report of the U.S. Department of Labor (Bureau of International Labor Affairs, 2022); the data with which they work is from 2012, when the national household census was carried out, where the percentage of working children between 10 and 14 years old was 47.7%, around 342,076 minors.

The main work activities for children were agriculture such as coffee, banana, sugarcane, and tobacco harvesting, as well as fishing (53.5%), followed by services, especially domestic work (37.8%) and industry, such as construction and mining (8.7%).

Reports also indicate that as a direct result of the pandemic, child labor increased in Nicaragua, with a visible increase in children working at traffic lights. Children in Nicaragua are subject to commercial sexual exploitation, particularly in Granada, Managua, the Autonomous Regions of the Caribbean and San Juan del Sur (Arcia, 2021). Children from poor rural areas, those from the Autonomous Regions of the Caribbean and migrants from the Northern Triangle countries, are particularly vulnerable¹.

¹ <https://www.vostv.com.ni/reportajes/15907-el-trabajo-infantil-en-managua-defensores-de-la-ni/>

FORCED LABOR AND MODERN SLAVERY

According to the Global Slavery Index, the prevalence of servitude or modern slavery in Nicaragua is 7.3 people per thousand inhabitants, with 54 points of vulnerability and 34 out of 100 points of government response (Walk Free, s/f).

This would mean that in 2021, some 49,000 people were living in slavery or non-consensual marriages, so in terms of prevalence Nicaragua ranked 49th in the world and seventh in the Americas.

The index recommends criminalizing human trafficking in accordance with international conventions, raising the legal age of marriage for both men and women to 18 – currently legal if consented to by parents from the age of 16 – and ensuring that support services are in place for all victims of modern slavery, regardless of gender, age, nationality, or sexual orientation.

“Nicaragua is a country of origin for women and children forced into prostitution; adults and children are also vulnerable to forced labor,” warns Freedom House (Freedom House, 2023).

EMPLOYMENT DISCRIMINATION

The Law on the Rights of Persons with Disabilities clearly regulates the right to work in equal opportunities and without discrimination of persons with disabilities. In accordance with this law, small companies with less than 10 workers are not obliged to hire people with disabilities; if they have 10 workers and less than 50 on the payroll, they are obliged to hire at least one disabled worker and if they have 50 or more, at least 2% of the number of workers on the payroll.

However, public institutions did not coordinate adequately with the Ministry of Labor to accommodate persons with disabilities in the workplace, nor does the State exert pressure on the private sector to adapt workspaces for these people. An alternative for these people is self-employment (100% Noticias, 2023).

The Futuro Foundation, which worked on the issue of labor inclusion of disabled people, was cancelled in September 2022.

WORKPLACE VIOLENCE AGAINST WOMEN

The Association of Working and Unemployed Women “María Elena Cuadra” (MEC), the most belligerent body of civil society in defense of the rights of maquila workers, is one of the more than 3,000 organizations cancelled by the regime.

In 2019, it presented a study of 10 testimonies from former workers in the maquilas in the free trade zone in Nicaragua, most of them sick due to repetitive work and lack of medical care.

The report *Surviving the Maquilas: Impact of Work on the Body of Nicaraguan Women* was published in 2021², with former workers of the free trade zones between the ages of 37 and 51 “with lifelong disabilities, who denounce that, due to an implicit agreement between the business sector and the State, the Nicaraguan Social Security Institute (INSS) denies or haggles over the pension to which they are entitled due to partial or total incapacity for work.”

The study considers that in the case of maquila workers, there is “a chain of lack of protection” that begins in the conditions of the workplace and ends in the social security system, where medical negligence is combined with administrative negligence. In addition to losing files, women with disabilities inherited from inadequate work are not considered under the principle of occupational risk.

“The INSS doesn’t give me medical care because I have a reduced disability pension. They give me 50% of the minimum wage (USD 81) and I don’t have enough for food or medicine,” said one of the former workers.

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https://www.maquilasolidarity.org/sites/default/files/attachment/Testimonios_Mujeres_Im pacto_Trabajo_en_los_Cuerpos_2021_MEC.pdf

“Sometimes I would work non-stop every day until 10 at night with the extras (from 7 in the morning) and my feet would swell. I would rest for 45 minutes to eat,” reveals another interviewee.

“In the early years, I worked in a small space where there were four machines in a row close to each other. It was an enclosed place with more than a thousand people; there was ventilation, but not much. We never had a chair with a backrest, but rather, they were benches. They also didn’t give us masks or earplugs,” said another.

For researchers, a pension for incapacity to work guarantees economic income and medical care from the INSS in a provisional clinic for life, including delivery of medicines and consultations and examinations, in addition to the monetary payment of a pension.

On the other hand, if the person retires due to common illness, he or she will not have any of the aforementioned rights and will have to pay for his or her own treatment or seek help from the public health system, which does not provide specialized care in the required times.

“Several of the women denounce how they tried to convince them to renounce the pension claim for work-related illnesses, telling them that their ailments were a product of age, when there are women under 50 years of age who practically cannot even move as a result of the injuries or as a consequence that Musculoskeletal Disorders have left in their bodies,” says the study.

Jesús Tajada Corzán, project technician at the Trade Union Institute for Development Cooperation (ISCOD) explains that unions in Nicaragua are traditionally dominated by men, so the particular interests and problems of women require specific associations. In fact, society is markedly sexist and violent towards women both in the workplace and in the private sphere, which

highlights gender inequalities (Instituto Sindical de Cooperación al Desarrollo, s/f).

Workplace violence such as sexual harassment, age, physical, and ideological discrimination are characteristics of the maquilas, reveals Sandra Ramos, director of the Maria Elena Cuadra Movement.

“Women’s work is promoted as cheap labor, this is how this type of investment has been brought, but working in a free trade zone is a lifeline between unemployment and precarious employment, beyond that we do not see how this industry can contribute to the economic development of women,” said the union leader.

Promoters of labor rights in the maquilas ask that they not be forced to work overtime and have a fair salary, despite the fact that the cost of the basic basket of goods has risen, as well as health leave that is now deducted from the salary, “we are practically enslaved.”



A report by *100% Noticias* revealed, “we have cases of women who, after having worked for three or four months in a free trade zone company, it turns out that they have tried to be treated in the social security clinics where they are supposed to be affiliated, but have discovered that they were never registered with the Nicaraguan Social Security Institute.”

ATTACKS AND SUSPENSION OF THE RIGHT TO STRIKE AND PROTEST

Since September 28, 2018, the Nicaraguan National Police declared that public demonstrations are illegal in Nicaragua without their permission; no opposition or union demonstration has been approved since then.

This prohibition seals a policy of aggression against any demonstration that does not support the FSLN that has political or social connotations, as had been the case since 2008.

There are many precedents of repression of demonstrations and strikes, such as the attack on the #OcupaInss protest in 2013, the repression of a march by sugar workers in Chichigalpa, and the march in commemoration of March 8, 2014 in Managua, the police blockade of the peasant march to Managua and the miners' protest in the town of El Limón, in 2015 and 2016.

With regard to the right to strike, the ILO insists on the need to amend the aforementioned provisions of the Labor Code, since the imposition of compulsory arbitration to end a strike, beyond cases where a strike may be limited or even prohibited, is contrary to the right of workers' organizations to freely organize their activities and formulate their programs.

Regretting the lack of progress in this regard, the ILO Committee of Experts on the Application of Conventions and Recommendations urged the Government to take the necessary steps to amend Sections 389 and 390 of the Labor Code to ensure that compulsory arbitration is only possible in cases where strikes may be limited or even prohibited. That is, in cases of conflicts within the civil service involving officials exercising authority on behalf of the State, in essential services in the strict sense of the term, or in the event of an acute national crisis (International Labour Conference, 2022).

The Committee asked the Government to provide information on any developments in this regard, particularly on alleged initiatives aimed at promoting the right to organize and requested information on their implementation.

The constitution recognizes the right to strike, but with restrictions. The law prohibits anti-union discrimination and guarantees the right to reinstatement of workers fired for union activity.

“However, cumbersome and lengthy conciliation procedures, as well as government control over all major unions, hampered workers’ ability to call strikes. In smaller companies where major unions were not present, the government created government-aligned unions to dissolve efforts to organize strikes or other labor actions. In addition, if a strike continued for 30 days without resolution, the Ministry of Labor could suspend the strike and refer the matter to arbitration,” the Committee said.



NEGLIGENCE AND LACK OF PROTECTION FOR WORKERS AGAINST COVID-19

The Ortega government failed to fulfill its obligation to protect citizens and health personnel during the Covid-19 pandemic, responding with denialism, inaction, and lack of transparency. It failed to take emergency measures, kept schools open, promoted mass activities, and fired health professionals who had criticized the handling of the situation.

While the government reported, as of November 2021, more than 17,550 cases and 212 deaths, the non-governmental organization (NGO) Observatorio Ciudadano Covid-19 recorded 31,222 possible cases and 5,947 deaths allegedly caused by Covid-19.

The Minsa forced its workers not to wear masks so as not to “alarm the population,” so health personnel were the most exposed to the pandemic. Tests were carried out on health workers between March 16 and August 10, 2020, of which 257 were positive, or 30%.

The government accused medical professionals who expressed criticism of promoting “health terrorism.” The Inter-American Commission on Human Rights (IACHR) reported that “agents of the State” have persecuted and harassed members of the observatory, as well as members of the medical associations Nicaraguan Medical Unit (UMN) and Interdisciplinary Scientific Committee (Voz de América, 2021).

Until October 2021, only 8% of the population was fully vaccinated, but the regime insisted on buying vaccines from its Russian, Cuban, and Iranian allies without them being approved by the World Health Organization (WHO).

At the same time, the first vaccines were not given to health workers. At least 207 workers in Nicaragua's health sector died with symptoms suspected of COVID-19 in more than a year and a half of the pandemic (Confidencial, 2021).

State negligence in protecting public health can have serious consequences for the population, including an increase in the number of cases and deaths from the disease, as well as an impact on the country's health infrastructure and economy. Nor was any specific policy implemented to reduce the negative economic impact caused by the pandemic (Roth, 2021).

As the world faced a historic challenge, the government of President Daniel Ortega flagrantly ignored the recommendations of international human rights organizations in relation to the COVID-19 pandemic, putting the health and lives of thousands of people in Nicaragua at risk, Amnesty International said.

The Nicaraguan Center for Human Rights promoted mass events such as parades and tourist activities. In addition, prior to the school recess that began on April 5, 2020, due to the religious celebrations of Easter, the media reported that some parents were pressured by school staff to take their sons and daughters to educational centers (Amnistía Internacional, 2020).

Some 134 teachers had died during the pandemic as of September 2021, according to the Teachers' Union Unit (Benavides, 2021).

Although private companies responded more responsibly to the pandemic, raising biosecurity protocols, increasing teleworking, and requiring the use of masks, the pandemic affected employment. In the case of the free zone maquilas, they sent workers with symptoms to quarantine without pay, while the INSS did not pay sick benefits (Confidencial, 2021).

The Observatory recorded 3,793 irregularities in the State's Covid-19 policy, most of them exposure of people to mass activities, health negligence, lack of information, threats, harassment, clandestine burials, intervention of the armed forces, unnecessary exposure of health personnel, among others.



OTHER VIOLATIONS: SURVEILLANCE, HARASSMENT, COERCION, JOB INSECURITY, RETALIATION, DISCRIMINATION, TERMINATIONS, AND SUSPENSIONS

In its human rights reports, the State Department has emphasized that politically motivated dismissals continued to be a problem. Most labor unions have historically been allied with political parties, but in recent years, the government has dissolved unions and fired workers not affiliated with the ruling FSLN party.

FSLN party affiliation or letters of recommendation from party secretaries, family cabinet coordinators, or other officials were required of applicants seeking employment in the public sector.

In recent years, there has been an increase in cases of retaliation against workers exercising their right to freedom of association or engaging in activities to defend human rights. In some cases, these retaliations have included the unlawful dismissal of workers, the suspension of their employment contracts, or harassment and intimidation (Emanuelsson, 2018).

For example, in 2019, the Office of the Special Rapporteur on Economic, Social, Cultural, and Environmental Rights (OSRESCER) of the Inter-American Commission on Human Rights (IACHR) received repeated reports pointing to the existence of a pattern of discrimination and threats of retaliation by Nicaraguan state authorities against opposition workers.

“In a meeting with state workers, departmental representatives of the National Workers’ Front, and the Ministry of Health in Carazo, they reportedly warned that state workers who did not agree with the government’s recommendations would be fired. At the same time, they have indicated that only people who have a membership card from the ruling party will be hired, in addition to checking

that current public officials have it,” the Office of the Special Rapporteur said (Comisión Interamericana de Derechos Humanos, 2019).

It was reiterated again that they will not provide medical assistance to anyone related to future protests, and even warned that they should not have contact or dialogue with people associated with opposition movements.

Guidelines of the same type would have been repeated during the month of July 2019, in other cities such as Jinotepe, León, and Somoto. “In the latter city, leaders of the Federation of Health Workers (Fetsalud) reportedly threatened to dismiss workers considered ‘traitors’ to the ruling party for, among other reasons, having treated injured demonstrators during the protests.”

More than 405 doctors or health workers had been fired since 2018 for political reasons, whether it was treating opposition protesters, reporting on Covid-19, or refusing to join the ruling party (Human Rights Watch, 2018).

People interviewed by GHREN reported that health workers were under constant surveillance by members of unions affiliated with the ruling party, and that those who provided assistance during the protests were arbitrarily detained, harassed, and threatened with death, and their houses were painted.

GHREN also received information about pressure and coercion of public sector workers to attend activities held by the ruling party and exercise their right to vote in 2021 in order to keep their jobs. It also received information on cases in which public workers were allegedly forced to send selfies with their fingers stained as proof of having cast their vote (Confidencial, 2021).

The Office of the Special Rapporteur for Freedom of Expression (RELE) condemned the increasingly violent persecution of the independent press, the growing risk to the practice of journalism in Nicaragua, as well as the forced exile of journalists and media workers, including the forced displacement of the entire editorial staff of the newspaper *La Prensa*.

In September 2022, RELE and the United Nation (UN) Special Rapporteur on the rights to freedom of peaceful assembly and of association, indicated that restrictions on fundamental freedoms had reached a critical point, and noted that, in Nicaragua, there was no more space for critical voices as the censorship strategy had been deployed against anyone who tries to question the regime (Comisión Interamericana de Derechos Humanos, 2023).

The OSRESCER also received information regarding acts of harassment and harassment of members of public officials. According to civil society organizations, civil servants were forced to participate in citizen verification days. In particular, it was indicated that there was a lot of pressure on public institutions to develop the Citizen Verification, especially that members of the FSLN's electoral structures called Electoral Victory Units (UVE) and political secretaries were in charge of persecuting, harassing, and forcing state workers. Among the public entities where these actions were reported would be the Ministry of Health, Ministry of Education, National Port Company, Mayors' Offices, among others (Comisión Interamericana de Derechos Humanos, 2023).

The State Department's most recent Human Rights report notes that there were no documented cases of strikes being declared illegal. By law, during a strike, employers cannot hire substitute workers, but unions claimed this practice was common. Wildcat strikes, that is, those that did not have the authorization of the union, were historically common, but when the FSLN was in opposition.

Employers interfered in the functioning of workers' organizations and committed other violations related to freedom of association and collective bargaining. Union leaders noted that employers routinely violated collective bargaining agreements and labor laws with impunity.

Official union federations were accused of protecting the interests of employers by identifying and isolating workers who tried to organize independent unions. The government thwarted these attempts through arbitrary procedural delays.

Many employers in the formal sector continued to blacklist or dismiss union members and did not reinstate them. Many of these cases did not make it to the court system or to a mediation process led by the Ministry of Labor.

Employers often delayed severance payments to laid-off workers or skipped payments altogether. Employers also avoided legal sanctions by creating unions led by employers who lacked independence and frequently employing contract workers to replace striking employees. It was reported that FSLN party dues were automatically deducted from paychecks.

For its part, the transport sector, previously belligerent in terms of charging fares and incentives for the cost of spare parts and fuel, has found in the owners of the licenses a historical ally for the regime to the detriment of the working conditions of the drivers, collectors, and mechanics of the cooperatives. In the same way, public transport is affected by the imposition of supporting partisan or mass activities with their buses, although many workers are unable to travel home after the working day (La Prensa, 2023).



CONCLUSIONS
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The attacks on freedom of association and union freedom, as well as the loss of rights by Nicaraguan workers, are recognized in the context of the general loss of civil and political rights and the constant attacks on the human rights of the population.

Although the situation of the popular sectors in Nicaragua has been historically difficult, the loss of spaces and conquests such as the right to unionize and strike were lost since before 2018, when the socio-political crisis erupted; precisely, the demonstrations began in the face of the corruption of the administration of the workers' pension system that triggered a tax reform against employers and employees.

The INSS has made a series of opaque loans and investments, without there being information on the results of these businesses. On the other hand, the increase in the burden on employers' and workers' contributions was imposed since 2019, when formal employment had not recovered to the levels prior to the 2018 protests, nor was it readjusted during the pandemic.

Both the ILO and human rights organizations had been registering constant attacks against independent unionism and its leaders; the protests that characterized the unions during 16 years of conservative governments, from 1990 to 2006, practically disappeared when Ortega returned to power.

The violent repression of opposition protests was accompanied by violent actions against farmers who were demanding possible confiscation of their lands by the interoceanic canal project, as well as against workers in the free trade zones, mines, and even the State.

The main trade union centers linked themselves to the government, completely co-opted in favor of the party leadership, causing them to deprive workers of

their legitimate right to negotiate both the minimum wage and their working conditions in their alliance with the private sector.

In fact, the blow to freedom of association is so serious that not only the most vulnerable workers are affected, but the Nicaraguan regime has been able to eliminate the business chambers and hundreds of trade union organizations.

Along with the loss of the right of association, the Ortega family's control over the state apparatus left workers without protection, who find no support in the labor courts, the authority of Mitrab, or the pro-government unions.

Abuses against medical personnel, through threats and arbitrary dismissals, continued during the Covid-19 pandemic, with a policy of exposure to the general population, particularly workers.

In many cases, workers give up complaining, particularly when the employer is the same government that allows itself to violate the same Labor Code with illegal dismissals, without payment of benefits, as is widely the case in the health and education sectors, as well as in recent weeks in the Judiciary.

Since 2018, when national strikes were held, no similar actions have been called, nor is Mitrab publishing information on conciliations between workers and companies.

Nor is the State committed to avoiding serious forms of exploitation, under a false premise of security; it does not provide the necessary data to know the real state of situations of extreme vulnerability for people such as trafficking, modern slavery or servitude, and child labor, nor did it provide information and protection to workers during the Covid-19 pandemic.

As a result of this climate of persecution against the fundamental rights of Nicaraguans, as well as the inability to generate quality jobs and better wages,

they have generated an atmosphere of pessimism in the immediate future of the nation, which has led 10% of the population to emigrate.

Currently, remittances from migrants generate a quarter of Nicaraguans' wealth. According to data from the Central Bank, in 2022, the money sent was equivalent to 23% of GDP, with the exception that these currencies reach families directly.

At the same time, 40% of Nicaraguans surveyed by CID Gallup in mid-2023 say that if they had the resources it would be very likely that they would migrate, another 17% said that it was somewhat likely; the main reason was because they would find more and better-paid work (55%) and because there were no jobs in Nicaragua (24%) (Enríquez, 2023).

ANNEX 1 – OBSERVATIONS TO THE REPORT BY FUNDACIÓN DEL RIO

By: Amaru Ruiz

Fundación del Rio

1. These observations/comments are part of the public request of the Office of International Labor Affairs of the U.S. Department of Labor. In particular, it refers to Nicaragua's efforts to comply with Article 16.5 of the Labor Chapter and Annex 16.5 and to fully implement the recommendations of the “White Paper,” including progress in granting workers internationally recognized labor rights through improved capacity.
2. The non-compliance and lack of cooperation of the State of Nicaragua to regarding its obligations as a member of the International Labour Organization (ILO) is a matter of concern. The Committee of Experts on the [Application of Conventions and Recommendations \(CEACR\)](#) between 2018 and 2023 has indicated (24) Observations and (41) Direct Requests on 36 International Labor Agreements; Nicaragua has only responded to 8 of these 65 requests and observations.
3. Of particular concern is the non-compliance of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), [which provides observations on Article 1](#), paragraph 1(a), of the Convention and refers to comments on processes of discrimination on the basis of political opinion and discrimination based on race. In addition, attention is drawn to violations of the Freedom of Association and Protection of the Right to

Organize Convention, 1948 (No. 87), in which the [International Organization of Employers \(IOE\) has denounced](#) acts of persecution, intimidation, and retaliation against leaders of the Higher Council of Private Enterprise (COSEP) and against the affiliated sector and the arbitrary detention of employer leaders.

4. In addition, the State of Nicaragua is faced with a complaint alleging non-compliance with the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), submitted by delegates to the 111th Session of the International Labor Conference (2023) under article 26 of the ILO Constitution (GB 349/INS/19/1). This complaint has been declared eligible and is in the application process, therefore the Government of Nicaragua has been asked to communicate its observations.

5. On the other hand, with the provisions of Article 8 of the Nicaraguan Labor Code, civil society organizations are employers subject to rights; these legal entities have been arbitrarily cancelled, confiscated and criminalized. The Inter-American Commission on Human Rights (IACHR) has reported the cancellation of the legal status (Comisión Interamericana de Derechos Humanos, 2023) of 3,390 organizations between April 18, 2018, and August 31, 2023, out of a total of 7,227, which represents a closure of 47% of the organizations legally registered in the country in 2018. The report by Fundación del Rio and Popol Na expands (López et al., 2022) the analysis of

the systematic deterioration of the right of association in the various associative dynamics in Nicaragua and describes the evolution of this deterioration since 2007, while the Nicaraguan Platform of NGO Networks details the particular closure of 42 trade associations and 70 medical associations.

6. The arbitrary closure of employers violates the provisions of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87). Likewise, the impact of the arbitrary cancellations of 593 legal entities has generated the loss of 2,000 formal jobs, 41 million dollars in annual execution of development projects, and the neglect of 1 million people, according to a representative sample conducted by the Inter-American Dialogue (Orozco, 2022). In addition, Fundación del Río's estimates indicate that the impact of the closure of these legal entities has generated the loss of 23,483 formal jobs, 255 million dollars of annual execution of development projects, and 3.4 million unserved beneficiaries. This impact induced by the Nicaraguan government is contrary to and violates the fundamental principles and rights established in the ILO Declaration and its Follow-up (1998), particularly in paragraphs 2 (a), (d) and (e).

7. It is important to highlight the case of the arbitrary closure (Confidential, 2022) of the María Elena Cuadra Movement of Working and Unemployed Women Association (MEC), an organization with 15,000 members, founded in 1994, which worked in the defense of garment industry workers in Nicaragua's free trade zones and agricultural workers in Nicaragua's rural areas. In February 2022, the Nicaraguan government cancelled its legal

status through Decree A.N. No. 8788. Similarly, the arbitrary closure of doctors' union associations and the unjustified dismissal of doctors who are members of these associations from the public health system are worrying (Miranda, 2021).

8. The State of Nicaragua's repeated violation of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) is alarming. In 2018, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) expressed its "*concern about the conflicts and acts of violence that have occurred in the Autonomous Region of the North Caribbean Coast as a result of territorial claims and sanitation processes*" (Organización Internacional del Trabajo, 2019). In addition, the Commission has issued observations and direct requests on at least 20 articles of Convention 169.

9. Of particular concern is the non-compliance with Article 6, Article 8, Article 9, Article 12, Article 14, Article 15, Article 16, and Article 17 of the Indigenous and Tribal Peoples Convention, 1989 (No. 169). The report of the United Nations High Commissioner for Human Rights (Alto Comisionado de las Naciones Unidas para los Derechos Humanos, 2023) has pointed out a series of violations of the human rights of Indigenous and Afro-descendant Peoples, including acts of violence, murders, torture, sexual violence, arson of homes and communal property, threats, harassment, and violent invasions of their lands, linked to delays in land reclamation procedures and the establishment of parallel governments that replace the legitimate indigenous representatives elected by the traditional assemblies.

10. The Independent Reparation Mechanism (MIR) points out in its compliance review report (Green Climate Fund, 2022) a series of violations of the rights of indigenous and Afro-descendant communities generated particularly by the Bio-CLIMA Project, presented by the government of Nicaragua and the Central American Bank for Economic Integration (CABEI) to the Green Climate Fund. 1) The MIR found that violent, recurrent and severe conflicts are occurring in the areas of implementation of the project, especially in the north. 2) The MIR concludes that, in the Bio-CLIMA project, the safeguard provisions of the GCF relating to the consultation and informed participation (IPC) process required in each GCF project (which derive from ILO Convention 169) were not complied with. 3) The MIR considers that due diligence has not been carried out in the form of adequate information dissemination and consultations with regard to the project to assess the impact of the Peaceful Coexistence Regime Agreements (CRAs) on indigenous communities and former indigenous occupiers who have been displaced by non-indigenous settlers (settlers), especially with regard to the right to compensation for the loss of access to land and resources caused by some settlers who will benefit from the Bio-CLIMA project.

11. Likewise, the Fundación del Río has pointed out to the Committee on the Elimination of Racial Discrimination (CERD) a series of violations of the rights established in ILO Convention 169. Particularly, it is important to point out violations of Articles 6, 7, and 15, due to the granting, by the Government of Nicaragua, of mining concessions in indigenous and Afro-descendant territories. Since 2007, 141 mining concessions have been granted for gold extraction, and the State of Nicaragua has also declared 42 lots as Mining Reserve Areas within duly titled territories, without Free,

Prior and Informed Consultation (FPIC) processes. The mining concessions are affecting 21 territories of at least 5 indigenous and Afro-descendant peoples in the country.

12. In the same vein, gold mining in Nicaragua is generating serious social and environmental impacts. In a regional report presented by 10 organizations to the Inter-American Commission on Human Rights (IACHR), it points out that, due to the Nicaraguan government's promotion of mining, illegal mining continues; it is estimated that 30% of the country's gold export comes from illegal sources and that it is closely linked to industrial mining in its processing and export channels. In addition, in this illegal extractive activity there are no safety measures or working conditions, the extraction areas are unstable and unsafe, there is child labor, and health problems associated with the handling of mercury. This activity also generates deforestation and degradation of natural ecosystems, pollutes the soil, water, and air, among other associated impacts. In the last three years alone, at least 55 people have died from this activity.

13. Estimates by Fundación del Río and Centro Humboldt indicate that more than 40,000 people are engaged in this illegal activity in at least 38 municipalities in the country. Despite these considerations, illegal gold and silver mining continues to be endorsed by the Government of Nicaragua through the reform of Law No. 38, the Mining Exploration and Exploitation Law, carried out in August 2022. This mining activity is not only violating at least three international conventions on labor – the Worst Forms of Child Labour Convention, 1999 (No. 182); the Minimum Age Convention, 1973 (No. 138); the Indigenous and Tribal Peoples Convention, 1989 (No. 169) –

but also contradicts and violates the fundamental principles and rights established in the ILO Declaration and its Follow-up (1998), particularly in paragraphs 2, (b), (c) and (e).

Other topics and references for the document:

<https://drive.google.com/drive/folders/1BtoayZ5mnRf913Gy1vxIPHth1jFWbIUm?usp=sharing>

- Clothing in the Midst of the Crisis: Food Baskets and Maquila Minimum Wages in Central America
- State of Labor Justice in Central America
- MEC receives APHA award for defending the rights of garment workers
- Exercise of trade union rights in Nicaragua - Bulletin
- Labor Rights and Occupational Safety in Nicaragua

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LABOR RIGHTS VIOLATIONS IN NICARAGUA

**NONCOMPLIANCE BY NICARAGUA UNDER
CHAPTER 16 OF THE DOMINICAN
REPUBLIC-CENTRAL AMERICA FREE
TRADE AGREEMENT**



EXPEDIENTE
ABIERTO