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Nicaragua in Brief: Political Developments in 2021, U.S. Policy, and Issues for Congress

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Overview

President Daniel Ortega declared he won a fifth—and fourth consecutive—term, in November 7, 2021, elections that the international community widely condemned as having no democratic legitimacy. In 2021, increasing government crackdowns in Nicaragua against the opposition, journalists, and government critics elevated international concerns, including among Members of Congress, about political developments, human rights violations, the erosion of democracy, and the turn toward greater authoritarianism in the country. The U.S. Department of State, the Organization of American States (OAS), and other international actors have declared that Nicaragua's elections were not free or fair and lacked democratic legitimacy.

Ortega is a polarizing figure both at home and abroad for what many characterize as his increasingly authoritarian rule and oppressive actions. Ortega did not carry out electoral and human rights reforms recommended by the international community, leading the domestic opposition and international community to contest their legitimacy. The elections have assured Ortega and his party's continuance in power for the time being.

Figure 1. Nicaragua

Source: Congressional Research Service.

Political Developments[1]

President Daniel Ortega further solidified his control over Nicaraguan institutions and society in recent elections that eliminated all viable candidates and parties from participation. Presidential terms are for five years, and Ortega orchestrated the elimination of term limits in 2014. Ortega has been suppressing unrest in Nicaragua in a manner reminiscent of Anastasio Somoza, the dictator Ortega helped overthrow in 1979 as a leader of the leftist Sandinista National Liberation Front (FSLN). Ortega served as president from 1985 to 1990, during which time the United States backed right-wing insurgents (*contras*) in an attempt to overthrow the Sandinista government. In the early 1990s, Nicaragua began to establish democratic governance.

Nonetheless, the FSLN and Ortega gradually consolidated control over the country's institutions. Ortega reclaimed the presidency in 2007 and has served as president for the past 14 years, creating what the State Department calls "a highly centralized, authoritarian system."[2] According to the Inter-American Commission on Human Rights (IACHR), this consolidation of power in the executive "has facilitated Nicaragua's transformation into a police state in which the executive branch has instituted a regime of terror and of suppression of all freedoms ... supported by the other branches of government."[3]

Ortega's rule is also dynastic: Ortega's wife, Rosario Murillo, has served as chief spokesperson and, since 2017, vice president. Observers have long said the two share power, and days before the most recent election, Ortega said, "Here we have two presidents ... here we have the co-president in Comrade Rosario."[4] Rumors have circulated for years that Ortega is in poor health, and he has disappeared from public view for months at a time. Murillo is the face of the government, making daily radio and television appearances. Several of Ortega and Murillo's eight adult children manage various state functions and other entities, including gasoline distribution and radio and television stations.

Until 2018, for many Nicaraguans, Ortega's populist social welfare programs, which had improved their standards of living, outweighed his authoritarian tendencies and self-enrichment. Similarly, for many in the international community, the relative stability in Nicaragua outweighed Ortega's antidemocratic actions.

Ortega's long-term strategy to retain control of the government began to unravel in 2018, when his proposal to reduce social security benefits triggered protests led by a wide range of Nicaraguans. The government's repressive response included an estimated 325-600 extrajudicial killings, as well as torture, political imprisonment, and suppression of the press, and led to thousands of citizens going into exile.[5] Between 2018 and 2020, more than 108,000 Nicaraguans fled their country, according to the United Nations High Commissioner for Refugees.[6] The government says it was defending itself from coup attempts.

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[1] For background and earlier developments, see CRS Report R44560, *Nicaragua: In Brief*, by Maureen Taft-Morales.

[2] U.S. Department of State, *Nicaragua 2020 Human Rights Report*, March 20, 2021.

[3] Inter-American Commission On Human Rights, *Nicaragua: Concentration of Power and the Undermining of the Rule of Law*, OEA/Ser.L/V/II, Doc. 288, October 25, 2021, p. 65.

[4] "Ortega and Murillo: Nicaragua's Power Couple," France 24, November 5, 2021.

[5] Organization of American States (OAS), *Report of the High-Level Commission on Nicaragua of the Organization of American States*, November 19, 2019.

[6] As reported in *Noticias Financieras*, "Diaspora and Exiles Call for March Against 'Electoral Fraud' in Nicaragua," October 19, 2021.

Dialogue between the government and the opposition collapsed in 2019. Elements of the opposition tried to unite behind a single presidential candidate for the scheduled November 7, 2021, general elections, but internal divisions persisted. In addition, as Ortega's popularity declined, the Sandinista-controlled legislature passed a series of laws requiring individuals or groups that receive funding from foreign entities to register as "foreign agents" and granting Ortega the power to declare citizens who support sanctions against Nicaragua or take certain other actions to be "traitors." The laws ban such individuals from running for public office and make them subject to imprisonment. The FSLN has used these laws to eliminate electoral competition. According to the State Department's *Nicaragua 2020 Human Rights Report*, published in March 2021, "government restrictions on freedoms of expression, association, and assembly precluded any meaningful choice in elections."[7]

The Ortega government launched a new period of increased oppression beginning in May 2021, arresting dozens of government critics, including several revolutionary leaders who once fought alongside Ortega. Many others, including journalists, have fled the country, citing safety concerns. Ortega defended his actions, saying opposition figures were being used by the United States, which he referred to as "the empire," to boycott elections and "re-sow terrorism in our country."[8] According to Amnesty International, "the enforced disappearance of people is the latest tactic that authorities in Nicaragua have adopted to silence any criticism or dissenting voices."[9]

By July 2021, the government had arrested seven of the most likely presidential candidates.[10] The whereabouts of most of these individuals were unknown for months. The candidate who was leading in election polls, Cristiana Chamorro, was placed under house arrest. When her brother Pedro Chamorro was about to take her place as a candidate, he was arrested. (Their mother, Violeta Chamorro, defeated Ortega in 1990 democratic elections and served as president until 1997.) The Chamorros are a prominent family, long known as advocates for freedom of the press and democracy. The likely candidates were not released in time to meet the candidate registration deadline of August 2. On August 6, Nicaragua banned one of the only remaining viable opposition parties from participating in the elections.

Ortega registered his candidacy with his wife, Rosario Murillo, again running as his vice president. Six other presidential candidates registered, generally small parties allied with the Sandinistas. The government expelled vice presidential candidate Berenice Quezada, a former Miss Nicaragua, from the race within two days of her registering and detained her.[11] The general elections determined the president and vice president, as well as 90 of 92 deputies to the National Assembly and representatives to the Central American Parliament.

In October, one of Nicaragua's two main political opposition alliances, the National Coalition of political and social groups, called for an election boycott "in repudiation of the electoral fraud" it said the ruling party was carrying out.[12] The IACHR reported the Nicaraguan government was holding elections "in a context of repression, corruption, electoral fraud, and structural impunity,"

[7] U.S. Department of State, *Nicaragua 2020 Human Rights Report*, March 20, 2021, p. 2.

[8] Reuters, "Nicaragua's Ortega Arrests Another Rival, Says U.S. Aims to Undermine Vote," July 26, 2021.

[9] Amnesty International, "Nicaragua: Enforced Disappearance Is the New Tactic for Repression," August 25, 2021.

[10] Reuters, "Nicaragua's Ortega Arrests Another Rival, Says U.S. Aims to Undermine Vote," July 26, 2021.

[11] *LatinNews*, "Nicaragua: Ortega and Murillo Confirm Reelection Bid," Weekly Report, August 5, 2021.

[12] *Noticias Financieras*, "Diaspora and Exiles Call for March Against 'Electoral Fraud' in Nicaragua," October 19 2021; and AFP, "Nicaragua Detains Business Union Leaders as Crackdown Widens," October 21, 2021.

in which "the intent is indefinite perpetuation in power and maintenance of privileges and immunities."[13]

A Cid Gallup survey published a week prior to the elections found that 76% of Nicaraguans believed Ortega's reelection would be illegitimate. The survey also found that, in a fair election, 65% of voters would vote for any opposition candidate and 17% would support Ortega and Murillo.[14]

Nonetheless, after the vote, Nicaragua's Supreme Electoral Council reportedly said that, with almost all ballots counted, Ortega and Murillo had won over 75% of the vote and voter turnout was 65%.[15] A Nicaraguan opposition group, Open Ballot Boxes, which had 1,450 monitors trying to observe the elections, estimated turnout was approximately 18%.[16]

After the OAS passed a resolution on November 12 saying the elections were illegitimate (see "International Response to Nicaragua's Increasing Authoritarianism," below), Ortega denounced the OAS charter and began Nicaragua's official withdrawal from the organization, a process that takes about two years. A former Nicaraguan ambassador to the OAS, Edgard Parrales, called Ortega's move "nonsensical," noting that during the withdrawal process Nicaragua was still obligated by the statutes to respect human rights; within days, he was forcibly removed from his home and detained by unidentified men without a warrant.[17]

On December 10, Nicaragua broke diplomatic ties with Taiwan and renewed them with the People's Republic of China. The Nicaraguan government seized Taiwan's embassy and diplomatic offices, saying they are the property of the Chinese government. China maintains that Taiwan is part of Chinese territory; Taiwan says it is a democratic, sovereign nation. Taiwanese diplomats were trying to donate the properties to the Catholic Church in Managua and condemned the seizures as "gravely illegal."[18]

COVID-19 Pandemic. For more than a year after the outbreak of the COVID-19 pandemic, the Sandinista government did not establish extensive mitigation measures against the disease. In May 2020, the Costa Rican legislature told the Pan American Health Organization that the Ortega government's "reckless" pandemic response was a threat to its neighbors.[19] In the meantime, civil and regional health organizations had called for voluntary quarantines and stricter health measures.[20]

Experts have expressed concern that the Nicaraguan government is concealing the disease's spread. An independent, citizen-run registry reported almost 13,000 cases and nearly 3,000 deaths as of February 4, 2021;[21] a few days later, the government reported half as many cases (6,367)

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[13] Inter-American Commission On Human Rights, *Nicaragua: Concentration of Power and the Undermining of the Rule of Law*, OEA/Ser.L/V/II, Doc. 288, October 25, 2021, p. 11.

[14] Federico Rivas Molina and Carlos Salinas Maldonado, "Latin America Prepares for Frantic Month of Elections in November," *El País*, Buenos Aires and Mexico, November 4, 2021.

[15] Associated Press, "Nicaragua's Daniel Ortega Decries Those Who Question his Reelection," November 8, 2021.

[16] Ibid.

[17] "Former Nicaraguan Ambassador to OAS Detained in Managua," *Latin America Advisor*, Inter-American Dialogue, November 23, 2021.

[18] Associated Press, "Nicaragua Seizes Former Taiwan Embassy to Give It to China," December 27, 2021.

[19] *Tico Times*, "Costa Rican Lawmakers Request Intervention in Nicaragua Due to Pandemic," May 15, 2020.

[20] Elizabeth Gonzalez et al., "The Coronavirus in Latin America," Americas Society/Council of the Americas (AS/COA), February 10, 2021.

[21] Elizabeth Gonzalez et al., "The Coronavirus in Latin America."

and a fraction as many deaths (171).[22] Throughout the COVID-19 pandemic, according to the OAS, the Nicaraguan government has harassed and dismissed medical professionals for reporting on or criticizing the government's slow response to the pandemic.[23] As of December 22, 2021, the government reported a total of 17,442 cases and 215 deaths and said 40.9% of Nicaragua's population has been fully vaccinated.[24]

The Ortega administration moved toward developing a pandemic mitigation strategy in July 2021, when it began to limit large-scale activities it previously had promoted—although that same month, it held rallies and other public gatherings to celebrate the anniversary of the 1979 revolution. The government also established commercial biosafety protocols, increased virus surveillance, and dedicated greater resources for health equipment and infrastructure.[25] Nicaragua was then able to secure over $400 million in pandemic-related assistance from the Inter-American Development Bank, the International Monetary Fund, and the World Bank.

Economic Conditions. The 2018 crisis undermined economic growth in Nicaragua, the hemisphere's second-poorest country. Government repression has continued, and international economic sanctions, the COVID-19 pandemic, and hurricane damage have worsened conditions in the country. Nicaragua's economy contracted by 3.9% in 2019 and by an estimated 3.0% in 2020; the International Monetary Fund projects it will contract by 0.2% in 2021, with unemployment nearly doubling from 6% to 11% between 2019 and 2021.[26]

International Response to Nicaragua's Increasing Authoritarianism

Prior to November 7, 2021, Elections. For the past several years, the international community has sought to hold the Ortega government accountable for human rights abuses and to facilitate the reestablishment of democracy in Nicaragua. An Inter-American Commission on Human Rights team concluded in 2018 that the Nicaraguan security forces' actions could be considered crimes against humanity. The OAS has stated multiple times that the Ortega government has violated the rule of law, altered constitutional order, and violated human rights; the OAS also had urged the Ortega government to commit to concrete electoral reforms by May 2021.[27] On June 15, 2021, the OAS passed a resolution expressing alarm at Nicaragua's deteriorating human rights situation, "unequivocally condemn[ing]" the arrest and arbitrary restrictions on candidates and the press, and calling for the immediate release of all political prisoners and the implementation of measures for transparent and fair elections.[28] On July 28, IACHR condemned the Nicaraguan state's harassment and intimidation of medical workers and urged the state to cease these actions immediately.

On October 20, 2021, the OAS declared "that the measures instituted by the Government of Nicaragua do not meet the minimum criteria for free and fair elections as established by the Inter American Democratic Charter and, therefore, undermine the credibility of the Presidential and

[22] Elizabeth Gonzalez et al., "The Coronavirus in Latin America."

[23] Organization of American States, "IACHR and the OSRESCER Urge Nicaragua to Immediately Cease Harassment of the Medical Sector," July 28, 2021.

[24] Johns Hopkins Coronavirus Resource Center, "World Countries: Nicaragua," December 22, 2021.

[25] Economist Intelligence Unit, *Country Report: Nicaragua*, July 2021, p. 5.

[26] International Monetary Fund, *World Economic Outlook Database*, April 2021.

[27] See, for example, OAS, "Statement from the General Secretariat on the Situation in Nicaragua," press release E-102/20, October 15, 2020; and OAS, "Resolution Restoring Democratic Institutions and Respect for Human Rights in Nicaragua Through Free and Fair Elections," press release S-019/20, October 22, 2020.

[28] OAS, "Resolution: The Situation in Nicaragua," CP/RES. 1175/21, June 15, 2021.

Parliamentary elections to be held on November 7, 2021." The regional organization also reiterated its call "for the immediate release of presidential candidates and political prisoners."[29]

The IACHR issued a report in late October 2021 examining the stages and forms of repression in Nicaragua that have led to "the complete breakdown of the separation of powers and to the adoption of what is effectively a state of emergency."[30] It concluded that the Nicaraguan government could not have carried out such widespread repression without the acquiescence of multiple state institutions and the active participation of the National Police, Army, and para-police groups aligned with the executive branch. According to the IACHR, the Ortega government's tools of oppression include citizen control and surveillance mechanisms, harassment and repression against individuals believed to be government critics, arbitrary arrests, criminalization through legal proceedings with unwarranted charges, shutdowns of democratic platforms, suspended liberties, and the arbitrary use of lethal and nonlethal force.

At a U.N. Human Rights Council meeting on June 22, 2021, 59 countries, including the United States, called on the Nicaraguan government to release multiple presidential contenders and dissidents immediately. They also called on the Nicaraguan government "to engage with the international community, to avail itself of technical assistance, to allow international election observers, and to re-establish dialogue and renew trust in democracy."[31] On August 18, the U.N. High Commissioner for Human Rights for Central America, the IACHR, and the Dominican Republic joined together to "strongly" condemn the Nicaraguan authorities' repeated persecution against journalists, media, and the press in the context of the November presidential elections.[32]

In 2019, the European Union (EU) adopted a new sanctions regime against Nicaragua, which it has renewed. As of August 2, 2021, the EU had imposed sanctions on 14 Nicaraguan officials accused of serious human rights violations or undermining democracy, including Vice President and First Lady Murillo, freezing their assets and banning European travel. In 2020, after its exit from the EU, the United Kingdom put into place the same sanctions against Nicaraguan officials. In August 2021, Switzerland imposed sanctions in line with the EU sanctions.

Following Elections on November 7, 2021. The OAS passed a resolution on November 12, 2021, declaring that "the elections on November 7 in Nicaragua were not free, fair or transparent and have no democratic legitimacy." The resolution also called for the release of all political prisoners and instructed the Permanent Council to assess the situation in accordance with the OAS and Inter-American Democratic Charters and to take appropriate action.[33] On December 8, the OAS passed another resolution, concluding Nicaragua is not in compliance with its commitments under the Inter-American Democratic Charter.[34] The resolution also noted that the two years following Nicaragua's denunciation of the charter allow member states to engage in

[29] OAS, "Resolution: The Situation in Nicaragua," CP/RES. 1182 (2346/21), October 20, 2021.

[30] OAS, "IACHR Publishes Report on the Concentration of Power and the Weakening of the Rule of Law in Nicaragua," Press Release 284, October 28, 2021.

[31] U.S. Mission to International Organizations in Geneva, "Joint Statement on the Human Rights Situation in Nicaragua: Joint Statement on Nicaragua at the Human Rights Council, Presented by the Nicaragua Core Group on Behalf of 59 Countries Including the United States," June 22, 2021.

[32] Organization of American States, "La CIDH, su RELE y OACNUDH condenan los reiterados ataques a la libertad de expresión en Nicaragua," August 18, 2021.

[33] U.S. Mission to the Organization of American States, "OAS General Assembly Condemns the Ortega-Murillo Regime in Nicaragua," November 12, 2021 (includes resolution text).

[34] OAS, "Resolution: Outcome of the Permanent Council's Deliberations of November 29, 2021, on the Situation in Nicaragua Pursuant to the Resolution Adopted at the Fifty-First Regular Session of the General Assembly," CP/RES. 1188 (2355/21), December 8, 2021.

efforts to foster the restoration of democracy with Nicaraguan officials and that Nicaragua's obligations to the OAS and its charters remain in force, as do its international human rights obligations.

The European Union condemned what it called "the electoral farce orchestrated by the Ortega-Murillo regime on 7 November 2021," adding that the elections "complete the conversion of Nicaragua into an autocratic regime."[35] A December 16 EU resolution called for adding Daniel Ortega to the list of sanctioned individuals and encouraged member states to consider taking additional measures, "including those that may go beyond individual restrictions," among other provisions.

Cuba and Venezuela congratulated Nicaragua on its elections. Russian officials reportedly said the elections were held "in an orderly manner, in full compliance with the Nicaraguan legislation."

Ortega lashed out at election critics at a rally on November 8, saying, "the European Union has a parliament whose majority are fascists, Nazis." He also said the political opposition who were jailed "are the sons of the female dog of Yankee imperialism."[36]

U.S. Policy

U.S. policy toward Nicaragua focuses on strengthening civil society and promoting respect for human rights and free and fair elections. The Nicaragua Human Rights and Anticorruption Act of 2018 (P.L. 115-335) instructed U.S. representatives at the World Bank and the Inter-American Development Bank to oppose new multilateral lending to Nicaragua, except for basic human needs and democracy promotion. The Trump Administration imposed targeted financial sanctions on high-level officials and organizations, including Vice President and First Lady Murillo, three of the president's sons, and the Nicaraguan National Police, for corruption and serious human rights abuses.

Under the Biden Administration, in June 2021, the Department of the Treasury imposed sanctions on four more government officials, including one of the president's daughters, who support the Ortega regime.[37] In response to the Nicaraguan government's arrest of 32 political opponents in summer 2021, the State Department imposed visa restrictions on 100 members of the Nicaraguan legislature and judiciary who "helped to enable the Ortega-Murillo regime's attacks on democracy and human rights," and then on 50 immediate family members of "regime-affiliated officials who have directly contributed to measures adopted by the Government of Nicaragua that do not meet the conditions for transparent, free, and fair elections to which all OAS member states have committed under the Inter-American Democratic Charter."[38]

[35] European Parliament, "European Parliament Resolution of 16 December 2021 on the Situation in Nicaragua (2021/3000(RSP))," December 17, 2021.

[36] BBC News, "Nicaragua Vote: Ortega Tightens Grip on Power in 'Pantomime Election,'" November 9, 2021.

[37] U.S. Department of the Treasury, "Treasury Sanctions Nicaraguan Officials for Supporting Ortega's Efforts to Undermine Democracy, Human Rights, and the Economy," press release, June 9, 2021.

[38] U.S. Department of State, Ned Price, Department Spokesperson, "The United States Restricts Visas of 50 Additional Nicaraguan Individuals Affiliated With Ortega-Murillo Regime," August 6, 2021.

Following what the Administration called "sham elections," it imposed sanctions against the Nicaraguan Public Ministry and nine Nicaraguan government officials. It then imposed sanctions against members of the government of Nicaragua, their staff, and families.[39]

Secretary of State Antony Blinken asserted in early August 2021 that Nicaragua's "electoral process, including its eventual results, has lost all credibility."[40] On November 7, President Biden declared, "What Nicaraguan President Daniel Ortega and his wife, Vice President Rosario Murillo, orchestrated today was a pantomime election that was neither free nor fair, and most certainly not democratic."[41] U.S. Agency for International Development Administrator Samantha Power said the Nicaraguan government's "repressive measures and flagrantly undemocratic vote [on November 7] do not represent the actions of a government that embraces democracy and the rule of law, but rather those of an authoritarian regime that fears the genuine will of the people."[42]

The Consolidated Appropriations Act, 2021 (P.L. 116-260) and its explanatory statement provided $10 million for democracy and civil society programs in Nicaragua. The Biden Administration requested a total of $15 million for FY2022 assistance for Nicaragua, all for democracy, rights, and governance programs (under development assistance).

The 117th Congress has continued to express concern about human rights abuses and the erosion of democracy in Nicaragua, especially leading up to the November 7 elections. The Tom Lantos Human Rights Commission held a hearing on human rights violations in Nicaragua in July 2021, with an emphasis on the plight of political prisoners.[43] The House Subcommittee on Western Hemisphere, Civilian Security, Migration, and International Economic Policy held a hearing, *An International Response to Ortega's Destruction of Democracy in Nicaragua*, on September 21, 2021.[44] Congress passed the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act of 2021 (P.L. 117-54) in November (see S. 1064 in "Legislation in the 117th Congress," below).

Legislation in the 117th Congress

H.R. 4373 (Lee), the Department of State, Foreign Operations, and Related Programs appropriations bill, 2022, specifies that none of the funds appropriated would be made available for aid to Nicaragua except as provided through the regular notification procedures of the Committees on Appropriations. The bill would make available assistance to Nicaragua under regional programs for Central America. The House Appropriations Committee's report (H.Rept. 117-84) for the bill recommended $15 million for programs in Nicaragua that promote democracy

[39] U.S. Department of State, "New Sanctions Following Sham Elections in Nicaragua," press statement, Antony J. Blinken, Secretary Of State, November 15, 2021; and White House, "A Proclamation on Suspension of Entry as Immigrants and Nonimmigrants of Persons Responsible for Policies or Actions That Threaten Democracy in Nicaragua," November 16, 2021.

[40] U.S. Department of State, Antony J. Blinken, Secretary of State, "The Lack of Prospects for Free and Fair Election in Nicaragua," press statement, August 7, 2021.

[41] The White House, "Statement by President Joseph R. Biden, Jr. on Nicaragua's Sham Elections," November 7, 2021.

[42] U.S. Agency for International Aid, "Administrator Samantha Power on Undemocratic Elections in Nicaragua," statement, November 8, 2021.

[43] Tom Lantos Human Rights Commission, U.S. Congress, *The Ortega Government and the Human Cost of Repression in Nicaragua: Political Prisoners*, hearing, July 21, 2021, at https://humanrightscommission.house.gov/events/hearings/ortega-government-and-human-cost-repression-nicaragua-political-prisoners-0.

[44] House Foreign Affairs Subcommittee on Western Hemisphere, Civilian Security, Migration and International Economic Policy, U.S. Congress, *An International Response to Ortega's Destruction of Democracy in Nicaragua*, hearing, September 21, 2021, at https://foreignaffairs.house.gov/2021/9/an-international-response-to-ortega-s-destruction-of-democracy-in-nicaragua.

and the rule of law and would prohibit providing funds for the central government of Nicaragua or for security assistance. The committee said it would expect the United States Agency for Global Media to continue to focus on Nicaragua (and Venezuela), "where authoritarian governments censor news coverage and access to independent media is restricted." In July, the bill passed in the House: Yeas and Nays: 217-212 (Roll no. 243).

The Senate Appropriations Committee's draft of the appropriations bill would

- Appropriate "not less than" $10 million in Economic Support Funds for civil society programs for Nicaragua
- Direct the U.S. executive director of each international financial institution to vote against any loan, grant, credit, or guarantee for the government of Nicaragua, except to meet basic human needs or to strengthen democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that Nicaragua has held free and fair presidential elections and the rule of law has been restored
- Suggest the Secretary of State should deny visas to Nicaraguan officials responsible for ordering the wrongful arrests of potential presidential candidates in 2021
- Prohibit assistance for the central governments of a country that takes steps to support the outcome of Nicaraguan presidential elections that the Secretary of State determines are not free or fair
- Suggest the Secretary of State should use all diplomatic tools to suspend Nicaragua's participation in the Central America Free Trade Agreement in government-controlled sectors of the economy, until Nicaragua has held free and fair presidential elections

S. 1041/H.R. 2946 (Menendez/Sires), the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act of 2021, would, among other provisions, require the Administration to align U.S. diplomacy and the use of targeted sanctions to advance free, fair, and transparent elections in Nicaragua. The House Committee on Foreign Affairs ordered its measure reported in July 2021; the Senate passed its version in August 2021. On November 1, 2021, the Senate passed S. 1064, the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform (RENACER) Act of 2021, a related version of the earlier bill in the nature of a substitute. In addition to the provision mentioned above, it required the State Department to monitor, report on, and address corruption and human rights abuses in Nicaragua. On November 3, the House passed the bill. On November 10, the bill became law (P.L. 117-54).

H.R. 3964 (Salazar), the Nicaragua Free Trade Review Act of 2021, would require the U.S. Trade Representative to report to Congress on the manner and extent to which Nicaragua is complying with the Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA). The bill was introduced and referred to the House Committee on Ways and Means on June 17, 2021.

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