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Background note

on

the political situation in Nicaragua

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The Political Situation in Nicaragua

Introduction

1. From 1933 onwards, until the overthrow of General Somoza in 1979, Nicaraguan politics were dominated by the Somoza family with one of them ruling either directly as President or as Commander of the National Guard. The Sandinista National Liberation Front (FSLN) was founded in 1962 with the objective of overthrowing the Somoza régime by revolution. As the Sandinistas became increasingly active from 1970 onwards, the repressive régime - guilty of systematic murder and torture (Amnesty International Report 1977) - grew more unpopular. When General Somoza resigned from office in July 1979, after a civil war which left an estimated 50,000 dead, 150,000 injured and half a million homeless, the Sandinistas assumed power with the backing of most elements in Nicaraguan society.
2. The new Government of National Reconstruction abrogated the 1974 constitution and dissolved Congress. The National Guard was also dissolved and replaced by the Sandinista People's Army. In August 1979, the Government issued a Bill of Rights guaranteeing the basic freedoms of the individual, religious freedom and freedom of the press and abolishing the death penalty. Civil rights were restored in January 1980. A fundamental Statute took effect from 20 July 1980, pending the drafting of a political constitution and an electoral law.
3. Executive power during this period was exercised by a three member Junta which appointed a Cabinet of 22 Ministers. The Government of National Reconstruction comprised both the Junta and the Cabinet. Legislative power was held by a 51-member Council of State which had responsibility for preparing a draft constitution to provide for elections. The membership of the Council of State included representatives notably of the Sandinistas (FSLN) and related movements, but also included representatives of other political parties, trade unions and professional organisations.

Developments during 1984

4. The domestic political situation in Nicaragua in 1984 has been dominated by the controversies surrounding the presidential and national assembly elections which took place on 4 November. As far as the security situation is concerned, fighting continued between the Government forces and the opposition groupings based principally in Honduras and Costa Rica. Nicaraguan foreign policy during 1984 has focussed on the attempts by the CONTADORA group to bring about a negotiated settlement to the region's problems and on Nicaragua's bilateral relations with the United States.
5. On 9 February 1984, the government presented a draft electoral law to the Council of State with a view to the holding of the first elections in Nicaragua since the overthrow of the Somoza regime in 1979. In order to provide for elections, the Council of State duly amended the Fundamental Statute which took effect in July 1980. On 21 February 1984, the Junta announced that presidential and legislative elections would take place on 4 November 1984. A president, a vice-president and a National Assembly consisting of 90 members would be elected for terms of six years. The National Assembly would be charged with drawing up a new constitution during the first two years of its mandate. On 15 March 1984, the Council of State approved the arrangements for the electoral campaign which included the provision that those aged 16 years and over would be entitled to vote.
6. A central question concerning the elections was which parties would present candidates and agree to take part. An initial deadline for the submission of candidates, namely 25 July, was twice extended (to 5 August and again to 1 October) as discussions continued between the government and the opposition parties with a view to settling their differences with regard to the elections. In the event, seven parties submitted candidates and participated in the elections, but the four parties which, along with some trades unions and other groups, constitute the opposition alliance, Coordinadora Democratica, declined to accept the electoral arrangements and did not submit candidates.

The parties which submitted candidates

The Sandinista National Liberation Front (FSLN)

The Independent Liberal Party (PLI)

The People's Social Christian Party (PPSC)

The Nicaraguan Socialist Party (PSN)

The Communist Party (PCN)

The Democratic Conservative Party (PCD)

The Movement for Popular Action (MAP-ML)

The parties which did not submit candidates

The Constitutional Liberal Party (PLC)

The Social Christian Party (PSC)

The Social Democratic Party (PSD)

The Nicaraguan Conservative Party

(The four above-mentioned parties belong to the Coordinadora Democratica (CDN))

7. Of the six parties which submitted candidates to stand against the Sandinista National Liberation Front (FSLN), the Independent Liberals and the Democratic Conservatives - both considered to be to the right of the FSLN - were reported to be the main ones. The Socialist Party has been described as "a traditional communist party to the left of the government"¹. The Communist Party, pro-Peking in its orientation, and which had clashes with the Government in the past, was admitted to the Council of State with the agreement of the Junta at the end of January 1984. Although these six parties submitted candidates, they were not at all stages entirely happy with the conduct of the elections. In mid-September the Democratic Conservative Party, the Independent Liberal Party and the Nicaraguan Socialist Party were reported to agree that entirely free electoral conditions did not exist.² They were reported to be complaining about unfair access to scarce materials, cases of intimidation by Sandinista activists and a general climate

1) The Times, 19 September 1984.

2) The Times, 19 September 1984.

of fear. Indeed, right up until the election, it was not certain whether these opposition parties would participate.

8. On 20 July, the Nicaraguan Government announced that the state of emergency would be extended for three months and would expire only a few weeks before the election on 4 November. However some concessions would be made with regard to revoking clauses of the law banning public meetings and demonstrations.
9. In mid-July, the FSLN formally nominated its candidates for President and Vice-President in the November elections. They were Commander Daniel Ortega, leader of the governing Junta, and Mr Sergio Ramirez, a civilian member of the three-member Junta. These two candidates are reported to be on the moderate wing of the FSLN.³ Without reaching, at that stage, a decision on whether to participate in the elections, the Coordinadora Democratica (CDN) chose as its prospective presidential candidate Mr Arturo Cruz, a former member of the ruling Junta who defected in 1981 while serving as ambassador to the United States.
10. By the first deadline of 25 July, the CDN had not submitted candidates because their many demands concerning the conduct of the elections and other matters had not been met. In particular, they considered that a 'national dialogue' was not possible without the participation of the armed opposition groups - the so-called 'contras' operating principally from Honduras and Costa Rica. It is understood that this was one point which the Nicaraguan Government did not regard as negotiable.
11. The electoral campaign officially opened on 1 August. By the second deadline of 5 August, the CDN had still not submitted candidates. On 6 August the governing Junta announced the repeal of some of the remaining restrictions on civil liberties imposed under the emergency legislation. The right of habeas corpus, the right to strike, the right to appeal through civilian courts and to seek injunctions in defence of personal freedom and property were restored. Certain emergency powers, in particular those of search

3) The Times, 20 July 1984.

and arrest, were, however, maintained. The Sandinistas were reported in mid-August to be trying to persuade the Social Christian Party, a member of the CDN, to register candidates independently, but if any such approach was made it met with no response.

12. In mid-August, the CDN dropped its demand for negotiations between the government and the 'contra' leaders, but maintained eight other demands including a general amnesty for 'contra' leaders.⁴
13. Under Nicaraguan law, parties which boycotted the elections were to lose their political rights. Accordingly, in August, the four parties which make up the CDN lost their legal status. Thus they were banned from holding public demonstrations or from issuing political propaganda in relation to the elections. In taking its decision, the National Council of Political Parties, which waited for several weeks after the expiry of the 5 August deadline, did not apply the full force of the law. It could have ordered the seizure of the parties' offices and have forbidden the use of party emblems and initials, but refrained from doing so. The CDN parties were also still entitled to hold private meetings behind closed doors. The parties which lost their legal status, however, appealed to the Supreme Court and, in September, their legal status was restored, temporarily at least.
14. As the elections approached, the postponement of the date of the elections had become more prominent in the demands of the CDN. In late September, Mr Cruz is reported to have told President Belisario Betancur of Colombia that the conditions of the CDN for its participation in the elections could be narrowed to the following: full access to radio and television, freedom to mobilize its supporters, a copy of the new electoral register and the postponement of the election to 22 February 1985. It is understood that the one condition unacceptable to the Nicaraguan Government was the postponement of the elections to 1985. The Government is said to have offered to put back the election to 30 November 1984 and to have guaranteed Mr Cruz extra broadcasting

4) The Guardian, 24 August 1984.

time to catch up the the other parties, provided that the CDN would denounce US aggression.

15. On 22 September, the FSLN requested the electoral authorities to set a new deadline for the submission of candidates and on 24 September the electoral authorities reopened the list of candidates until 1 October. The CDN did not, however, submit candidates.
16. On 3 October, talks held in Rio de Janeiro between the CDN and the Nicaraguan Government, aimed at settling their remaining points of difference, broke down. The talks, held under the auspices of Mr Willy Brandt in his capacity as President of the Socialist International, had reportedly at one point been close to success. The Sandinistas were, it is said, prepared to postpone the elections until 13 January 1985 if peace were established by 25 October. Mr. Brandt subsequently made an unsuccessful mission to Managua on 13/14 October in an attempt to break the deadlock concerning the postponement of the elections and the CDN's other demands.
17. In mid-October, the FSLN held a series of talks with the six opposition parties which were participating in the elections, in order to reassure them that the recent liberalisation of the regime would continue. On 22 October, the Independent Liberal Party is reported to have announced its withdrawal from the election and at a late stage the position of the Democratic Conservative Party, with regard to its participation, was not entirely clear. However, despite the confusion about the participation of these parties in the election, the names of their candidates did appear on the ballot paper and they received a considerable number of votes, ending up as the second and third largest parties.
18. The official results indicate that 75.35% of the electorate voted and that the Sandinista National Liberation Front (FSLN) obtained almost 67% of the votes cast. As expected, the FSLN candidates were elected to the presidency and vice-presidency. The detailed results are provided at Annex A.

19. During 1984, the relationship between the Nicaraguan Government and the hierarchy of the Roman Catholic Church continued to be tense. The confrontation relates to a wide range of issues from military conscription to private education. The Pope protested strongly at the expulsion of ten foreign priests from Nicaragua in July 1984 after they had taken part in a protest march and the Vatican has given an ultimatum to the three Roman Catholic priests who are members of the Government to leave their ministerial posts.⁵

Military/Security developments during 1984

20. There are two principal externally based opposition groups, the so-called 'contras', waging a guerilla campaign against the Nicaraguan Government. In the North, based in Honduras, the Democratic Nicaraguan Front (FDN) which is backed by the United States and is the biggest and best equipped of the movements. It is associated with, and to a considerable extent composed of, former members of Somoza's National Guard. The FDN also has the support of some Miskito Indians.
21. In the South, operating along the border with Costa Rica (the Government of which has made a public commitment to neutrality), is the Revolutionary Democratic Alliance (ARDE). This alliance has consisted of: the Revolutionary Sandinista Front (FRS) led by a former Sandinista and hero of the revolutionary struggle against Somoza, Eden Pastora, the so-called 'Commander Zero'; Los Astros led by Brooklyn Rivera, a Miskito leader; and the Democratic Nicaraguan Movement (MDN), which operated legally inside Nicaragua until 1982 and is led by a former member of the Sandinista Junta, Alphonso Robelo. Pastora, the military leader of ARDE, who describes himself as a left-leaning social democrat and Brooklyn Rivera have refused to link up with the former Somoza men of the FDN operating from Honduras.
22. The guerilla campaigns and government counter-offensives have continued inconclusively during 1984. There has been growing

5) The Times, 11 August 1984.

pressure, allegedly from the United States, on ARDE to link up with the FDN operating from Honduras. Mr. Robelo of the MDN announced in May 1984 that ARDE would link up with FDN. At a press conference, called by Eden Pastora on 30 May to denounce this decision, eight people were killed and Eden Pastora was among the many injured. In late June, ARDE voted to expel Eden Pastora. The ARDE movement is now reportedly split, ill-equipped and poorly supplied. Brooklyn Rivera, the Miskito leader, based in Costa Rica, returned to Nicaragua for ten days shortly before the election on 4 November. It is reported that his hope was to make peace with the Sandinistas after almost three years of war, in return for concessions on Indian rights and a chance for the more than 20,000 Miskitos to return to their traditional home.⁶ On 24 July, a new grouping of anti-government forces (UNIR) was founded. It includes the FDN (in Honduras), what remains of ARDE (in Costa Rica), and some of the Miskito groupings (excluding Brooklyn Rivera's forces).

Nicaragua's relations with the United States

23. During 1984, the bilateral relations between Nicaragua and the United States have continued to be tense and at times acrimonious. US support for the 'contras' has been repeatedly criticized by the Managua government and the US accuses Nicaragua of seeking to impose its views on other countries in the region and in particular of supporting the anti-government guerillas in El Salvador. US involvement earlier this year in the mining of Nicaraguan waters, overwhelmingly condemned by the US Senate itself, was bitterly condemned by the Nicaraguan Government.
24. On 1 June, Secretary of State Shultz travelled to Managua unexpectedly for a brief visit. This was followed by several further bilateral contacts between the two countries about which the leader of the Nicaraguan Junta expressed optimism in August, saying that the talks could lead to a negotiated settlement of their differences.

6) The Guardian, 16 November 1984.

25. During 1984, the Sandinista government has sought to use international fora to draw attention to the alleged activities of the United States in Central America. In April, following a Nicaraguan complaint to the United Nations, the United States used its veto to defeat a Security Council resolution condemning the mining of Nicaraguan ports by American-backed rebels. (13 members of the Security Council supported the draft resolution, while the UK abstained). In September, Nicaragua again sought to raise US activities in the Security Council framework. The case which Nicaragua has brought to the International Court of Justice against United States military activity aimed at overthrowing the Nicaraguan Government is still under consideration in the Hague.
26. Following negotiations between the Republican-controlled Senate and the Democratic-controlled House of Representatives, it was agreed on 11 October 1984 in Washington to suspend for five months US aid, which is channelled through the CIA, to the Nicaraguan 'contras'.⁷ In effect, Congress approved 28 million dollars aid for the Contras for the current fiscal year, but stipulated that it could not be used unless Congress renewed its approval at the end of February 1985. Officially the US funds are aimed at preventing the delivery of arms by the Nicaraguan government to guerilla movements in the region, notably in El Salvador. It is understood the CIA have used the funds to structure and finance the activities of the Nicaraguan 'contras'.⁸ The Nicaraguan Government claimed on 18 October to have found a copy of a handbook allegedly prepared by the CIA for use by the 'contras' which includes advice on, amongst other things, assassination of individuals in Nicaragua. The CIA is reported to have described the handbook merely as a draft prepared by a low grade official and not an official document.⁹
27. Immediately after the Nicaraguan and US elections, tension between the two countries heightened following allegations that two Soviet ships were transporting MIG-21 combat aircraft to Nicaragua. Whereas the Soviet Union has accused the United States of sending

7) Irish Times, 12 October 1984.

8) Le Monde, 21 November 1983.

9) BBC 4 Radio, 19 October 1984.

two frigates into Nicaraguan territorial waters and of inventing the allegations about the delivery of Soviet warplanes in order to justify building up military pressure on Nicaragua and interfere in its affairs, the United States claims that the build-up of Soviet, Cuban and Eastern bloc shipments of weapons has continued unabated and even escalated¹⁰ and that Nicaragua may be considering attacks against neighbouring Honduras or El Salvador.¹¹

28. The United States is currently carrying out seven separate military exercises in Honduras which are said to form part of a concerted plan to increase diplomatic and military pressure on the Sandinista Government. It is understood that there are now more US military exercises taking place on land and sea in Central America than at any time since the Reagan Administration took office.¹²
29. The Nicaraguan Government has denied that it is preparing to invade any of its neighbours and has issued repeated warnings that a US invasion is imminent. On 12 November a state of alert was called after a US spyplane, it is claimed, flew in Nicaraguan airspace for four consecutive days.¹³ Troops have been placed on alert and tanks and artillery have been deployed. The Nicaraguan government's war against the 'contras' is understood to be having a serious effect on the country's economy, especially as it threatens the crucial coffee harvest which takes place in December and January.¹⁴
30. It was reported on 18 November that diplomatic talks were about to resume in Mexico between US and Nicaraguan negotiators.¹⁵ One of the topics to be discussed is the possibility of advancing the Contadora peace negotiations on which the two governments continue to have their differences.

10) The Guardian, 16 November 1984.

11) The Times, 15 November 1984.

12) The Times, 15 November 1984.

13) The Guardian, 16 November 1984.

14) The Sunday Times, 18 November 1984.

15) The Observer, 18 November 1984.

Definitive Results of the Presidential and Legislative Elections
which took place in Nicaragua on 4 November 1984

(Information supplied by the Supreme Electoral Council)

1. Presidential Elections

		<u>%</u>
Electorate	1,552,908	
Votes cast	1,170,142	75.35
Invalid votes	71,209	6.08
Valid votes	1,098,933	93.92
PPSC	61,199	5.57
MAL-ML	11,352	1.03
PCD	154,327	14.04
FSLN	735,967	66.97
PCN	16,034	1.46
PLI	105,560	9.61
PSN	14,494	1.32

2. Legislative Elections

		<u>%</u>
Electorate	1,552,908	
Votes cast	1,170,102	73.35
Invalid votes	78,224	6.69
Valid votes	1,091,878	93.31
PPSC	61,525	5.64
MAP-ML	11,343	1.04
PCD	152,883	14.00
FSLN	729,159	66.78
PCN	16,165	1.48
PLI	105,497	9.66
PSN	15,306	1.40

