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## INTRODUCTION

In November 2006 Daniel Ortega, Secretary General of the Frente Sandinista de Liberación Nacional (FSLN), won the presidential elections with 37.9 per cent of the popular vote. This was the fifth time that Ortega was running for President and had lost three times in a row since 1990.

Although Ortega had run a campaign in which he had practically kept in silence, had hardly given a speech and had limited his public appearances to wave at the crowd at the tune of the John Lennon's song: *Give Peace a Chance*.

In fact, one of the few phrases he uttered during the campaign asked the voters to give him "a chance to govern in peacetime" making a reference to his first Presidency which was marked by the war against the Nicaraguan Resistance.

However, even with Ortega in silence and a message of peace and love that his wife and campaign manager had designed for him, the FSLN was unable to reach the highest point in its voting history which had been 42 per cent. The point here is that Ortega won in 2006 not because he had gained popularity but because of two key events: In 1999 Ortega and then president Arnoldo Alemán agreed to reform the Constitution and lower the minimum percentage to win an election from 45 per cent (established in the Constitutional reform of 1995) to 40 per cent and still added that if the second candidate was more than five per cent away from the first place, the first place candidate could even win with 35 per cent of the vote.

With that being part of the Constitution, the second event took place in 2005 when the Partido Liberal Constitutionalista (PLC) split in two when Arnoldo Alemán did not allow presidential hopeful Eduardo Montealegre to run on the PLC ticket. Montealegre quit the PLC and founded the Alianza Liberal Nicaragüense (ALN). In the November 2006 elections Montealegre won 28 per cent of the vote while the candidate for the PLC, José Rizo, won 26 per cent of the vote. It is important to note, however, that to this day the Supreme Electoral Council (CSE) has not made public the last eight per cent of the popular ballot, a detail that did not cause much commentary at the time, but after the shameless fraud during the municipal elections of November 2008, this detail has casted doubts about the real result of the elections of 2006.

## ORTEGA'S FIRST DAYS

But Nicaraguans did not have to wait long to notice the old dictatorial behavior that Ortega had displayed in the 1980's. For instance, on the night of his inauguration he proclaimed before a Sandinista crowd that the country had joined Hugo Chávez ALBA project.

His decision easily contrasts with the long, transparent and participative negotiations that finally gave form to the Dominican Republic and Central American Free Trade Agreement (DR-Cafta) during Mr. Enrique Bolaños Administration.

An on that same day Ortega started talking about reforms to the constitution. At that time he didn't specify if those reforms included the change of article 147 of the Constitution which prohibits a third term for any President. But if that was not enough, president Chávez, also on the same day of the inauguration said that "one term was not

enough to complete the transformation of the society that Ortega had planned. Almost the same words were repeated by the president of the National Assembly, René Núñez, a long time member of Ortega's Iron Circle, on January 13<sup>th</sup>.

All this indicates clearly that Ortega's intentions have been from day one to stay in power as long as he can, and since has not been able to attract (through bribes or threats) enough opposition representatives to reach the 56 votes he needs to reform the Constitution, he has destroyed most of the democratic institutions in a desperate attempt to reach his goal. In this particular case his main victim has been the Supreme Court.

One thing no one can doubt is that Ortega is following, step by step, the same project that Hugo Chávez has in Venezuela and he has become his main ally in the Central American region. That was very clear during the Honduras' crisis and now, when Ortega refuses to recognize the democratically elected government of Porfirio Lobo even if it goes against Nicaraguan and Central American interests.

## THE ORTEGA'S GOVERNMENT RELATIONSHIP WITH THE PRESS

From the first months in office, Ortega and the members of what we call the Iron Circle of which the First Lady, Rosario Murillo is his main advisor, have implemented several policies to weaken freedom of information and freedom of the press.

One of the first things the First Lady did was to implement a policy of secrecy. In a long document she titled "Communication Strategy" she instructed all the members of government and of the party to "use our own media so our information comes out "uncontaminated" and directly, the same way we did during the (electoral) campaign" and further into the document she added: "We will limit the discussions to our interests and we will try to make others discuss our agenda".

This "strategy" simply means, as we have experimented during the last three years, that government officials do not give LA PRENSA any interviews and the few that did not follow those directions to the letter were removed immediately, as was the case of Margine Gutiérrez, the first director of the Institute of Culture who was fired in the morning that an interview with LA PRENSA was published.

The government has also used Telcor, the office in charge of regulating telecommunications, to threaten TV Stations owners with the removal of their licenses if they are too critical to the government. One of the most famous cases is the one of the political commentator Jaime Arellano, who was forced out of Channel 10 because of government pressures and when he moved his program to Channel 2 he only lasted a few months because he was removed again, even though his program had very high ratings. To this day there is only one program on television that is critical of the government. All newscasts cover only car crashes and that kind of news and try to stay away from political coverage. Investigative Journalism has disappeared from the TV screens in Nicaragua.

Another case is the one of Radio La Ley, which was not even on the air when it was closed and its equipment was confiscated in a clear violation of article 68 of our Constitution. Radio La Ley was ordered off the air because its director, Santiago Aburto, was very critical of the Ortega Government.

But La Ley has not been the only Radio Station that has suffered damages under the Ortega regime. Radio Corporación, Radio El Pensamiento and Radio Darío (in the city of León) have reported sabotages and attacks.

Another way the government keeps control of much of the press is through the advertisement budget, which in a small economy like ours is very important, specially for the small radio and TV stations.

Since January 2007 all the central government budget for advertisement is controlled by the First Lady, Rosario Murillo, who leads the Communications and Citizenship Council. Since then, the only place Nicaraguans can see government ads, which are more like party propaganda, is in Channel 4, a TV Channel owned by Ortega, or in the several radio stations (at least four) that also belong to Ortega and his family and several other small TV stations that have decided to aligned themselves with the policy of the government in exchange for a small part of the advertising budget.

However, the two daily newspapers: LA PRENSA and El Nuevo Diario have kept their editorial policies that are critical of Ortega's violation of human rights, the Constitution and the laws and the weakening of the democratic institutions.

For these two newspapers, besides the policy of secrecy that the Government has since the beginning of 2007, there is a permanent campaign against their owners, editors and reporters. Very often government officials react with insults to the questions of the reporters, or they are not allowed into press conferences even when they have been properly accredited, as was the case of the recent elections in the Caribbean, when the CSE closed the doors to all press conferences – were they were giving the electoral results – to reporters of LA PRENSA and El Nuevo Diario.

Ortega himself, in many of his speeches, takes time to attack the owners these independent newspapers, as was the case when he accused the owners of LA PRENSA of promoting "terrorism" just because the paper was criticizing a new tax reform that was aimed to get from the Nicaraguan workers and entrepreneurs the money that Ortega's government had lost from international cooperation because of the fraud in the municipal elections of November 2008.

The day after the fraud thousands of Nicaraguans marched in the streets of Managua protesting the results but they were attacked by mobs of Sandinistas sympathizers and gang members that had been hired by the Government. The gang members were armed with brand new "machetes" and even guns. These mobs ruled Managua for several days; many journalists from independent newspapers and TV stations were attacked and the Police did nothing to protect the citizens. That has been the behavior of the Police ever since.

In August of 2009 a peaceful march organized by the Coordinadora Civil was also attacked by mobs and several of its leaders were beat up by the mobs, again mainly members of the Sandinista party and of several youth gangs. And again the Police did nothing to protect the citizens that were marching peacefully.

On the anniversary of that fraud, which the government celebrated as a "huge victory" November 2009, Ortega's sympathizers attacked LA PRENSA with stones and "morteros", causing damage to some of the building's windows.

The daily newspapers are also being hit by an unconstitutional tax (clearly violates article 68 of the Constitution) imposed by what we call the Arce Law, named after Bayardo Arce who is the Presidential Economic Adviser but when he was at the

National Assembly pushed for a law that would tax the importation of paper – the single most expensive item in the production of newspapers – and other raw materials. This new tax is greatly responsible for the hike in newspaper price to the public, which in turn has had its effect on newspaper circulation that has declined more than 20 per cent, thus reaching less Nicaraguans.

## ALBA AND THE CONCENTRATION OF BUSINESSES IN ORTEGA'S HANDS

Another way that Ortega is controlling the media is by buying TV and radio stations. The most famous case has been Channel 8, which is said was bought for eight million dollars, but it doesn't belong to the Government. It was bought with the money that Ortega receives from the Venezuelan oil that Albanisa (a company owned by PDVSA and Petronic, Nicaragua's state oil importer, but in fact is controlled by Ortega) imports to the country. Channel 8 no longer transmits the news and commentary programs produced by Carlos Fernando Chamorro, a journalist that worked with Ortega in the 1980's and then was the editor of Barricada but now has become one of his strongest critics.

The interview programs that Channel 8 produces now only features government or party officials, just like Channel 4.

Albanisa imports today 98 per cent of the oil used in Nicaragua, but it only pays Venezuela 50 per cent of the market price. The oil is sold to the Nicaraguans at market prices and the 50 per cent that remains is supposed to be divided into 25 per cent for "government social programs" and the other 25 per cent is used entirely at Ortega's discretion. According to newspapers investigations, Ortega has received each year since 2008 at least 400 million dollars through this scheme.

That money is not reported to the National Treasury or to the National Budget and has allowed Ortega to buy not only a TV Channel, but a hotel and a world class cattle ranch. Both were Seminole tribe investments in Nicaragua.

This money has also allowed Albanisa to buy 50 gas stations from the Swiss firm Glencore, Albanisa also generates 60 per cent of the energy that Nicaragua consumes today.

The Albanisa scheme has made Ortega one of the richest men in the country and he is willing to use all that money to stay in power. One of the few institutions that are standing in his way in Nicaragua are the independent newspapers and I have no doubt that if he has the chance he would make them disappear and if he gets a reelection he will then have that chance.