



CONSTITUTIONAL REFORM IN NICARAGUA ALLOWS INDEFINITE RE-ELECTION OF PRESIDENT DANIEL ORTEGA, WEAKENS THE RULE OF LAW AND UNDERMINES THE DEMOCRATIC EXERCISE.

December 2013.

***Unofficial translation done only for the purpose of being understood.**

The Permanent Secretariat of Latin American and Caribbean Network for Democracy (REDLAD) alerts on the approval of a package of constitutional reforms in Nicaragua that further weaken the democratic exercise in the country and undermine fundamental liberties.

The first proposal of reforms proposed by President Daniel Ortega, had to be redefined and lightened due to opposition from the public, political parties, churches and economic sectors. However, the proposal passed in first term by the National Assembly of Nicaragua, the approved package includes the following:

- 1) The indefinite presidential reelection,
- 2) The extension of powers of the executive with the power to issue administrative orders, control of radio spectrum and telecommunications.
- 3) The military reorganization to serve the executive and the president's ability to appoint in public charges to general officers without them having to give up his military life.
- 4) The instantiation of "ongoing dialogue" with employers and sustained economic sectors outside the current legislation.
1. Transformation of the characteristics of parliamentary seats which now belong to political parties, and no to deputies elected.
- 5) Change in periods of election of mayors.
- 6) Inclusion of ideals self-proclaimed as "a model Christian and socialist".



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The parliamentary session held a quorum of 83 of the 92 members that make up the Nicaraguan Parliament. The ruling Frente Sandinista de Liberacion Nacional (FSLN), has 63 seats which made easy approval because the minimum votes required is 56. Finally, the proposal was approved with 64 votes in favor, 23 against and 0 abstentions.

While the initial proposal contained claims such as internet access control, media control and other reforms, the approved version is consistent with a spirit of continuity of the current government and its ideological- political conceptions and does not obeys a democratic reform. Violates the principle of alternation of political power, increase the weakening the rule of law, promotes authoritarian system, centralist and controlling that are consistent with the given reforms in countries such as Venezuela and Ecuador whose democratic setback has been shown in violations human rights and fundamental freedoms perpetrated from the respective governmental apparatus.

The package of reform proposals, are expecting only the ratification in the Parliament's second term, which is scheduled for January 2014.

The reform allows for indefinite presidential reelection, but is prohibited for who "has exercised two presidential terms". Although Daniel Ortega currently holds his third term, following the decision of the Supreme Court in 2010 that indicated that the impediment to re-election was a violation of the rights of the President.

Is notorious tendency of the Reformation to legalize acts that were originated "de facto" including constitutional provisions preventing re-election, the law allows the granting of the Inter-oceanic Canal, indefinite extensions to elected officials in different branches of government elected by Assembly. Similarly, it is a reform designed to give a benefit President Ortega, with no palpable direct benefit to the people of Nicaragua.

The Permanent Secretariat of REDLAD, a platform of more than 520 organizations advocating democratic supremacy, Official Member of the Civil Society Forum of the OAS (Organization of American States) and Regional Chapter of WMD (World Movement for Democracy):

- Believes that the reforms adopted are a clear democratic backsliding, a violation of the separation of powers and citizen participation.
- Believes that the reforms give way to the violation of fundamental rights in particular, to control the telecommunications and radio frequencies, which undermines freedom of speech and press.
- Expresses solidarity with social organizations and Nicaraguan citizens who are demonstrating against the reform package.



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- It calls for the democratic governments of the world, to alert them about the claims of the current Nicaraguan government to undermine the most important principles governing democratic values such as the separation of powers, political alternation and respect of freedoms fundamental.

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