



Reflections on Nicaraguan Civil Society

IN THIS SERIES OF PAPERS, Kepa publishes reflections on the state of civil society in the countries in which it operates (Cambodia, Laos, Mozambique, Nicaragua, Tanzania, Thailand and Vietnam). These reflections are based on Kepa's own work with its partners, cooperating organizations, member organizations and their partners in each country. The papers provide an overview and highlight some current issues and developments in the role of civil society.

Civil society consists of many different participants from small activist groups and organizations to informal networks and big institutionalized organizations that all work for the common good. Civil society can counterbalance and comple-

ment the State and markets. An active civil society is vital for democracy.

In these reflection papers, the term "civil society organizations" (CSO) is used as an overall concept to cover all participants. The term NGO is used only if it specifically refers to registered, institutionalized non-governmental organizations, while CBO stands for community-based organizations. INGO refers to international non-governmental organizations. The strengthening of civil society means building up the capacity of CSOs and promoting an enabling environment for CSOs: enabling legislation, respect for the work of CSOs and sufficient resources.

Kepa in Nicaragua

KEPA SUPPORTS local civil society participants in Nicaragua to influence development policy processes through partnerships and capacity building. Partnerships are linked to strengthening civil society and Kepa's key policy themes: development cooperation, global economic policies and climate justice. Capacity building targets local CSOs that have partnerships with Kepa's Finnish member organizations as well as Kepa's own partners.

Currently, Kepa has three main partners working in Nicaragua and Central America. Kepa works with Center Humboldt on the strengthening and effective implementation of social and environmental policies and legal instruments, to ensure performance standards and social and environmental accountability in development processes and the operations of large companies.

Kepa supports the Community trade Foundation RENICC (Fundación Red Nicaragüense de Comercio Comunitario), which is a network of cooperatives, female entrepreneurs and NGOs, with the aim of strengthening civil society in Nicaragua and Central America, monitoring the impacts of Regional Trade Agreements and investments. Through RENICC, Kepa supports the National Alliance for Tax Justice (Alianza Nacional por la Justicia Fiscal).

Kepa's partner Mesoamerican Alliance for communities and forest AMPB (Alianza Mesoamericana de Pueblos y Bosques) is an alliance of 10 national organizations, which are either indigenous authorities or community forestry cooperatives in Panama, Costa Rica, Nicaragua, Honduras, Guatemala and Mexico. With Kepa's support, AMPB strives to make indigenous peoples' and community foresters' proposals on land rights and sustainable community forest management heard at regional and international levels. The aim is to ensure biodiversity conservation and protection of the rights and benefits of traditional and local communities.

Since 2012, Kepa and two INGOs – Christian Aid (UK) and Oxfam – have been supporting collaboration between Nicaraguan CSOs in their campaign for tax reform through the National Alliance for Tax Justice and between CSOs working on tax justice in Central America and the Caribbean through the Central America Network for Tax Justice (Red Centroamericana de Justicia Fiscal).

Kepa also had a partnership agreement with Coordinadora Civil (CC), which is a non-registered civil society network of thematic and territorial networks in Nicaragua, which aims to contribute to strengthening the enabling environment of civil society and improving their influence on public fiscal policy through gender equality. Kepa is also looking for a partner organization to strengthen civil society.

Historical background

THE HISTORY OF NICARAGUA shows that there has been a constant search for democracy in civil society. During the Somoza dictatorship (1934–1979) the atmosphere of repression and violation of liberties dominated society. There were few organizations for social welfare like the Nicaraguan Human promotion Institute INPRHU (Instituto Nicaragüense de Promoción Humana). However, there were many social movements that opened up new spaces for civil society through a sustained process of battles. The movements contributed to ending the dictatorship in 1979 as a result of the Sandinista Revolution.

In the years of the Sandinista Revolution (1980's), a few large CSOs, founded by the Sandinista party and financed by external solidarity donors, worked in close political alliance with the government, complementing the government's social programs and projects.

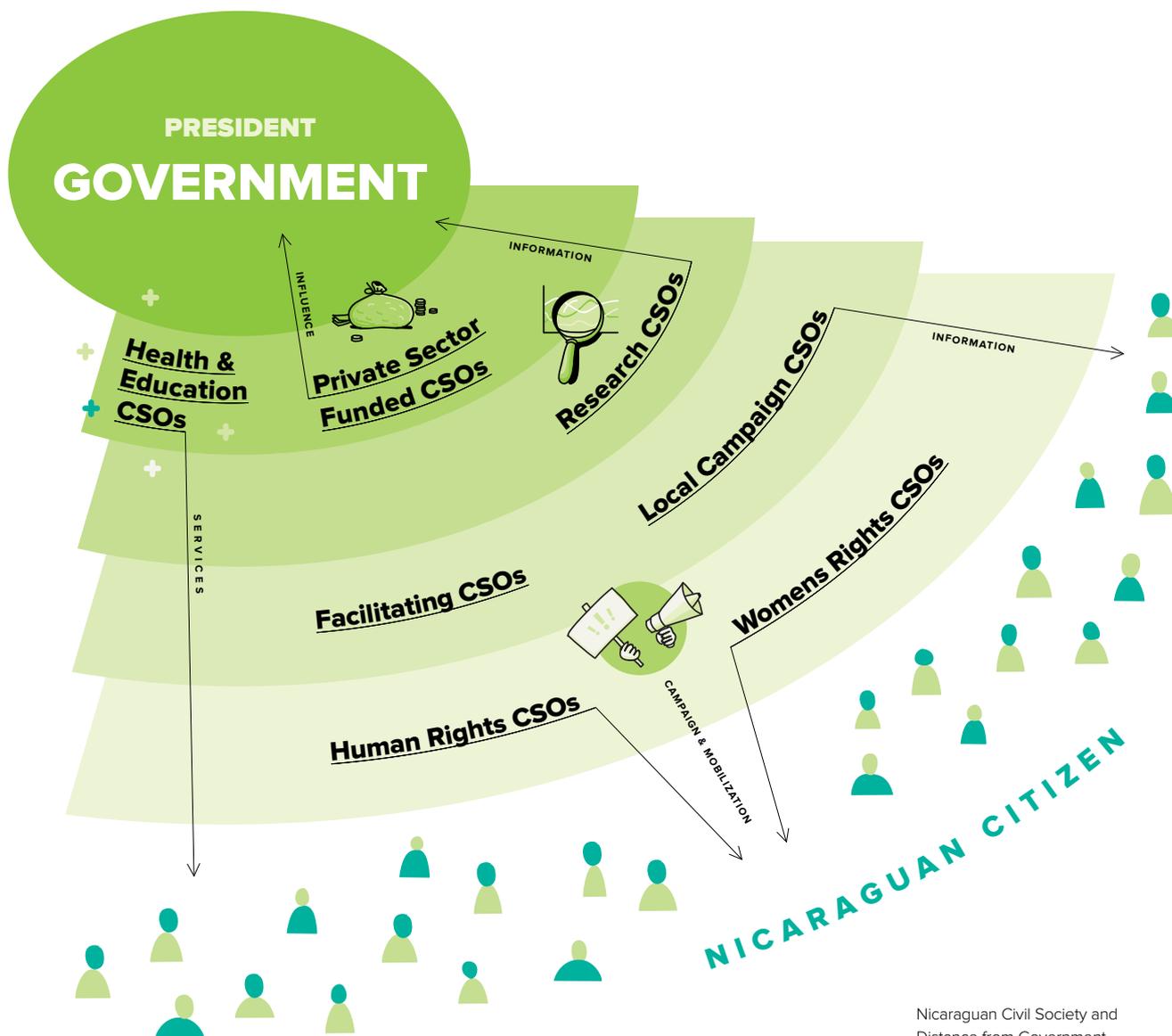
After the elections in the 1990's, which the Sandinista party lost, and under consecutive governments formed by former opposition parties, several new politically independent CSOs were founded. As government reduced State involvement in social programs, these CSOs tried to fill in for the government, to meet the social demands of a nation impoverished by war and neoliberal politics.

The CSOs received funding from external donors. Staff included former government officials and former volunteers who had worked in Sandinista government institutions and participated in social movements during the revolution.

In order to influence the government, CSO networks started to join efforts to promote human rights and sustainable development. The CSO networks have played a successful role in the participatory design of public policies, such as the environmental law, the law on prevention of HIV, the code of childhood and adolescents, the law on access to public information, etc.

In December 2003, during President Bolaños' term, the CSO platform Coordinadora Civil, together with a coalition of CSOs, the NGO Federation (FONG) managed to introduce an initiative in the National Assembly that led to the passing of Law 475 on Citizens' Participation. The law granted everyone opportunities to participate in decision-making processes. Moreover, the networks actively participated in different areas of cooperation with government institutions and business associations until 2007.

When Daniel Ortega won the 2006 elections, the hitherto CSO-friendly working environment became much more challenging. President Daniel Ortega and high-level government officials have strongly criticized some CSOs that have persisted in maintaining their autonomy and critical position in



Nicaraguan Civil Society and Distance from Government

relation to the government, thus limiting their opportunities for participation and dialog with the government. In addition, the citizen participation system achieved in 2003 has changed from an inclusive one to one that promotes those CSOs that are linked to the government.

The Citizens' Power Councils CPC (Consejo del Poder Ciudadano) and Citizen's Power Cabinets GPC (Gabinete del Poder Ciudadano) were created in 2007 by the government at community level to offer an official opportunity for citizen participation in social, economic and political topics. Later on in 2012, this organization changed and was named The Family, Community and Life Cabinets (Gabinetes de Familia, Vida y Comunidad).

The December 2011 general elections renewed Ortega's presidency for another five years and the Sandinista party

gained an absolute majority in parliament which guarantees them absolute power to decide on any new legislation or reforms. The elections were criticized by the civil society and international observers, including the European Union and the Organization of American States for shortcomings in transparency and fairness.

In the municipal elections of November 2012, the governing party won 134 municipalities out of the 153. A report by the Organization of American States noted that the election took place in a "peaceful environment" and that members of the OAS Mission "were granted all the access they needed to perform their tasks". However, absenteeism was high and distrust towards the Supreme Electoral Council was widespread.

Main participants in Nicaraguan civil society

IT IS DIFFICULT to characterize Nicaraguan civil society today in general terms. There are a myriad of independent organizations, NGOs and social movements. However, because of reduced funding and changed government policies, civil society organizations face difficulties in developing their work in a safe and confident environment. Some CSOs are struggling to survive, while others have chosen to align themselves with the government or to avoid talking about topics related to citizen participation to ensure funding collaboration from the government and the opportunity to work in peace.

In Nicaragua, there is a diversity of CSOs with different roles. The first group is dedicated to delivering social services for communities and they have a good channel of coordination with government institutions in order to support community programs on health and education. It is formed by organizations that align to the government's interests: The Family, Community and Life Cabinets, Sandinista Youth Movement (Juventud Sandinista) and the Sandinista Central of Workers CST (Central Sandinista de Trabajadores).

Their influence is strong in the civil society arena, since they participate in development of the nation in an active and direct way by developing the plans and policies of the President. This allows them to be the official connection between citizens and government institutions. They have a good community base that supports implementation of social programs like health, education, development and security. The CSOs face criticism that those who are not in favor of the governing party do not have the same opportunities to participate and work.

Other groups are the CSOs that promote human rights and citizen participation. The Nicaraguan Human Rights Center CENIDH (Centro Nicaragüense de Derechos Humanos) has become a trusted organization that supports people in defending their rights. 975 cases of human rights violations that occurred during 2013 have been confirmed. CENIDH is implementing a national campaign to encourage people to defend their rights. They have also presented a notice to the Inter American Commission on Human Rights with a civil society perspective.

There are also organizations that promote women's rights. Law 779 (Integral Law Against Violence towards Women) was approved in 2012, but it has gone through two reforms that reduce its effectiveness in terms of protection of women living in violent situations. The Autonomous Women's Movement (Movimiento Autonomo de Mujeres) and Women Network Against Violence (Red de Mujeres Contra la Violencia) are making protests in different cities in order to demand government action to reduce murders of women. According to the women's organizations, 73 women have been killed for this reason during 2013 and 48 women during the first half of 2014.

There are also facilitating CSOs: networks with advocacy work in the capital and members in the provinces, such as the Nicaraguan Network for Democracy and Local Development RNDDL (Red Nicaragüense de Desarrollo Local) and the Institute for Democracy (IPADE).

Research CSOs such as the Institute of Strategic Studies and Public Policies IEEPP (Instituto Estrategico de Estudio de Politicas Publicas), Nicaraguan Foundation for Economic and Social Development FUNIDES (Fundación Nicaragüense para el Desarrollo Económico) and Coordinadora Civil publish studies and monitor the national budget. They provide reliable information that can be used by other CSOs, the media, and even parliament.

Lastly, there is a group of CSOs which are working at the local level on citizens' participation in different themes, such as RENICC, The Nicaraguan Alliance on Climate Change (ANACC) and Centro Humboldt which work on climate change and environmental research. The National Farmers Union (UNAG) and the Association of Rural Workers (ATC), among others, represent the agricultural sector.

The Superior Council of Private Enterprise (COSEP) represents big enterprises. There has been criticism towards CSOs funded by private sector companies that belong to COSEP. The private sector is becoming more important from the viewpoint of civil society as businesses engage through corporate responsibility in social development. The good relations that companies have with government and mobilization of local resources are strengthening their foundations.

Government-civil society relations

AFTER THE PEAK of government hostility towards civil society in 2009, the ties between government and civil society have improved at municipal level. NGOs recognize that coordination with institutions and The Family, Community and Life Cabinets can be functional for them at grass roots level. They work jointly to solve community problems, but not in topics like citizen participation and human rights. The Cabinets are the only approved local structures for discussions. Recently, there has been hope for new discussions as the government has accepted to speak to Catholic church bishops.

The local governments organize one annual municipal council each year and even though those are open forums for the population, not all CSOs are invited, especially the ones that are considered by the government to be on the "black list" - a list of CSOs that, according to the government, are promoting political party activities against them.

Many protests and CSO demands are not allowed by the government. Those are repressed by institutions and the CSOs aligned to the government like Juventud Sandinista

(Sandinista Youth organizations). For example, many women's organizations and groups against mining activities in Leon, Chontales and Matagalpa, are protesting to gain rights. Recently, more than 4,000 people participated in the protest against the concession of company B2Gold in Rancho Grande Matagalpa.

In practical terms, the participatory process of public policy formulation at national level involving autonomous Nicaraguan civil society participants has been frozen. However, there are no changes in legal instruments for controlling civil society, even though a proposal for a new law on civil society will be discussed in parliament.

Autonomous CSOs that are still working on themes of democratic governance have joined together to strengthen their organizations, make joint proposals and learn how to work in a hostile context for citizen participation. They have found new ways to influence: by means of using the media or making friends with key participants close to the government, the national assembly or political secretaries.

The citizens and independent media face difficulties in accessing information. As communications have been frozen between civil society participants and government, the independent media has become the main channel used by civil society to voice its concerns. President Ortega and his family have gained control of important media such as one of the two most important daily newspapers and are owners of three TV channels and radio stations. However, there is still some room for independent media.

COSEP has enjoyed privileged conditions of dialog and negotiation with government. They often establish dialog with the President to advance their interests. This can be seen as a new alliance that sometimes sets aside the workers and the interests of small businesses

Current issues and latest developments

The President holds the power more strongly

The first development related to civil rights is the reform of Nicaragua's constitution, which enables the President to be re-elected indefinitely, participation of active military officials in government and presidential power to issue executive orders in general administrative matters. All these changes were criticized because of the lack of consultation with the citizens.

An example of the President's legislative power, is the second reform of Law 779 (Integral Law Against Violence towards Women) which was changed by order of the Executive President, reducing the scope of implementation of the law and intended to apply exclusively to interpersonal relationships between couples. The autonomous women's movement criticized the reform for not being legal as a typification of

crime through executive orders.

Another important issue related to executive orders is the reform of social security regulations, which will reduce the amount of future pensions and increase the rates that workers and employers pay. At the same time, youth movements from Nicaraguan Network for Democracy and Local Development (RNDDL) are insisting on approving a law called "First Employment". This law proposes a bonus on taxes for companies that contract young people.

Building of the canal – without consultation

The route of a big canal project granted to a Chinese company called HKND was recently chosen without consulting civil society. It has been presented to people by the company. Members of CSOs were critical that there has not been a proper public consultation process in relation to construction of the canal, and a large part of the population disagrees with the project because of the environmental consequences and they also see it as a violation of the rights of indigenous peoples living in the area.

Violent threat to human rights

Violence threatens the human rights of Nicaraguans. A violent incident happened on 19th July 2014. Five people were killed during attacks on Sandinista caravans. The Police have started an investigation and there have been speculations that an armed group dissatisfied with the government may be responsible for the murders. So far, the Police have reported that it involves criminal gangs probably linked to drug trafficking.

Abortion continues to be illegal in Nicaragua. Only government officials or the affluent have access to abortion, since it requires traveling abroad, Costa Rica being the main destination. The women's movement has continuously campaigned on the issue and some members of parliament have spoken in favor of therapeutic abortion. However, neither the government nor the Protestant or Catholic churches have moved an inch on this issue.

Finding alternative ways for CSO voices to be heard

In the process of Post 2015 development goals, there have not been any public consultations. The lack of knowledge about the Post 2015 process is huge since most of the campaigns are conducted in social networks and in Nicaragua just 15% of the population have access to the internet. Very few CSOs are trying to have an influence through official Nicaraguan representatives in the United Nations (UN) or to have their voices heard through international CS forums.

In regards to UN work, they made consultations in Guatemala, Honduras and El Salvador, but in the case of Nicaragua there was no consultation process. ICPD has a web page

that is promoting the agenda but it is focused on Sexual and reproductive rights.

Kepa identified organizations that are working on Post 2015 and facilitated the four most active organizations and coordinated work together. They were following their specific topics through regional networks on the Post 2015 themes related to climate change, children's rights, food security and water.

As a result of the current situation of reduced space for participation of civil society and the reduction of funds, NGOs and social movements have joined in two spaces in order to have discussion and reflections on strategies of innovation, survival and the opportunities to carry out advocacy work.

The first space is the Innovation Group for Change GIC (Grupo Innovación por el cambio), which is formed by 24 national NGOs in order to have internal reflections on specific political-institutional and organizational development. The other space is Network (Redes). It is formed by the 7 biggest CSO networks in the country and its aim is to be an NGO platform for joint efforts and to have common political positions and learning.

Funding for civil society participants

NICARAGUAN CIVIL SOCIETY is highly dependent on international cooperation and its funding seems to be increasingly uncertain because of significant cuts to bilateral development cooperation. There is a tendency for donor countries, such as Finland, Sweden, Denmark and Norway to pull out of Nicaragua, either because it is no longer on the list of prioritized countries or because of setbacks in citizen participation processes and democracy.

Competition for funds for local organizations is therefore becoming more intense. Some CSOs are channeling resources from the private sector to implement projects related to development or social benefits. Very few are linked to citizen participation, others are aligned to the Sandinista party as a way of receiving funds from the government. Some alternatives that few CSOs are trying to implement are voluntarism or supporting each other by complementary capabilities and sharing ideas.

Multilateral organizations, such as the International Monetary Fund and the World Bank, have continued their cooperation with the current government, as the government has committed more clearly to a neoliberal economic approach

in public policy over the last five years.

However, national civil society issues are not priorities for these international institutions. It is unlikely that they would provide funding for civil society or consider the deterioration of citizen participation processes and democracy problematic as long as the Nicaraguan government follows their economic philosophy. Even though bilateral cooperation has been reduced, other agencies like the European Union, COSUDE, USAID and Luxemburg are interested in including civil society strengthening in their strategic planning.

Autonomous civil society participants are becoming weaker and the increasingly authoritarian government is becoming stronger, because of the shifting balance between multilateral and bilateral cooperation.

Role of INGOs

INTERNATIONAL NGOS support local civil society participants through two different strategies. Most of them fund projects directly, expecting a verifiable impact for their intervention over the short term. Only a few focus on long-term partnerships with local CSOs by supporting their annual strategies and plans as well as helping strengthen the organization institutionally.

Moreover, international NGOs continue, in many cases, to impose their own agendas, and in some cases are even competing for the same funding as national CSOs. For instance, funding through the European Union program for strengthening civil society participants in Nicaragua has often been allocated to international rather than local CSOs.

Reduced funding available to international NGOs has made competition between the organizations tougher and cooperation between them weaker. In the context of the reduced availability of funding and a complex political situation, INGOs should harmonize planning and reporting requirements and promote institutional support, as these measures would allow an effective allocation of resources.

The current context of Nicaragua indicates that work on strengthening civil society should take into account regional processes, because this is an opportunity to make CSO voices heard, improve their capability to influence and joint efforts. Many CSOs also see that INGOs should open up to dialog, alliance building and development of ideas for CSOs sustainability not only on financial topics but also on technical cooperation.

Finnish CSOs in Nicaragua

Number of projects in Nicaragua

Name of Finnish CSO	Name of Nicaraguan partner(s)		Sector(s) of work
International Solidarity Foundation (Solidaarisuussäätiö)	<ul style="list-style-type: none"> • COMCAVEM R.L (Cooperativa Multisectorial Campo Verde Madriz R.L) • COPRODEC (Cooperativa campo-Ciudad) • Tierra Nueva • Las Abejas, Centro de Desarrollo Integral de las Mujeres 	4	Rural development, strengthening the cooperative movement, gender, trade and development
Finland-Nicaragua Association	Movimiento Comunal Nicaragüense de Matagalpa (MCM)	1	Promotion of early childhood development
Oulu-Matagalpa Friendship Association	Movimiento Comunal Nicaragüense de Matagalpa (MCN)	1	Youth Protecting Our Environment 2011–2013. Was approved by the MFA to continue during 2014–2016
Turku Nicaragua Association	ODESAR	1	Ecological Women from Achuapa and San Dionisio
The Finnish foundation for media, communication and development, VIKES	Journalist Association in Nicaragua and the Caribbean Coast and with Centro Humboldt (Kepa counterparts)	1	Investigative Journalism Support 2013–2015
Abilis Foundation – Development Aid for People with Disabilities	Nicaraguan blind organization Marisela Toledo	1	Disabled people’s rights. Project with the Nicaraguan blind organization Marisela Toledo
Nuevo Mundo Association ry	Support in the form of sponsorship for 8 students: 3 primary, 3 secondary and 2 at college		

Finnish CSOs in Central America

June, 2014

Number of projects in Central America

Name of Finnish CSO	Name of Central American partner(s)		Sector(s) of work
Trade Union Solidarity Center of Finland (SASK)	Central American members of Public Services International (PSI)	1	Regional project in Central America: public sector trade union cooperation, based in Panama
Finn Church Aid (KUA)	<ul style="list-style-type: none"> • Lutheran World Federation (Guatemala and El Salvador) • Dan Church and Christian Aid in Honduras • Christian Aid in Nicaragua 	4	Regional project in Central America: civil society and risk management.
Taksvarkki – Operation a Day’s Work	Programa de Atención, Movilización e Incidencia por la Niñez y la Adolescencia (PAMI) (Guatemala)	1	Project “Between friends, we build political citizenship” (2013–2015)
National Union of University Students in Finland (SYL)	Asociación Maya de Estudiantes Universitarios (AMEU) (Guatemala)	1	The project “installed capacities for risk management in Maya communities” ended in December 2013
Finnish Agri-agency for Food and Forest Development ry (FFD c/o MTK)	Producer cooperative of coffee and honey in Nicaragua and CONOSIL in Mexico		
Abilis Foundation – Development Aid for People with Disabilities	Nicaraguan blind organization Marisela Toledo	1	Disabled people’s rights. Project with the Nicaraguan blind organization Marisela Toledo
Fair Trade Finland	Regional projects in Guatemala, Honduras, Nicaragua and El Salvador with: <ul style="list-style-type: none"> • Coordinadora Hondureña de Pequeños Productores (CHPP) • Coordinadora Guatemalteca de Comercio Justo • Coordinadora Nicaragüense de Organizaciones de Pequeños Productores de Comercio Justo (CNCJ) 	4	Development organizations of small producers of coffee and a regional development project to develop capacity in networks of producers (Latin American and Caribbean Coordinator of Fair Trade – CLAC)