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IN LATIN AMERICA

NOVEMBER 2021

Nicaragua

Presidential and legislative elections Pre-election report



Executive summary

Next Sunday, November 7, **presidential and legislative elections** will be held in Nicaragua, where the **President of the Nation, 90 deputies of the National Assembly and 20 representatives** of the country to the **Central American Parliament (PARLACEN)** for the 2022-2027 period will be elected.

Daniel Ortega, together with the Frente Sandinista de Liberación Nacional (FSLN), is seeking his **third consecutive reelection** and his **fifth presidential term**.

The elections are seen as highly contentious, since while there will be 6 candidates in the running, there is no real competition following the **arrest in recent months of Ortega's main challengers**, variously accused of treason, terrorism or money laundering.

Apart from the FSLN, the **other candidates competing are: Walter Espinoza (PLC), Mauricio Orúe (PLI), Guillermo Osorno (CCN), Marcelo Montiel (ALN) and Gerson Gutiérrez (APRE)** – each of them with links to the governing party.

The elections are attracting heavy criticism from the international community including the Organization of American States (OAS), the European Union and the United States. However, this is unlikely to derail Ortega who remains odds on favorite for reelection this Sunday.

As well as a new executive mandate, **the FSLN is expected to remain the leading force of the National Assembly**, through which it will be able to continue to promote its political agenda without the need to reach consensus with the other parliamentary forces.

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Basic questions

What is at stake?

The **president and vice-president, 90 deputies of the National Assembly** and **20 representatives** of the country to the **Central American Parliament** (PARLACEN in Spanish) are elected for the **2022-2027 term**.

Electoral Calendar

According to the [Constitution](#), the President of the Republic and the national deputies shall exercise their functions for a **term of 5 years**. The **President has the possibility of indefinite reelection**, after the constitutional reform of 2014.

How is the vote cast?

Elections are held through **universal, equal, direct, free and secret suffrage**. The [Electoral Law](#) establishes that suffrage is a right of Nicaraguan citizens, which can be exercised from the age of 16.

How are contestants elected?

The office of **President** will be held by whoever obtains the **most votes without the need to pass a minimum threshold** (relative majority rule). The **deputies** are elected through the **proportional representation system by electoral quotient**.

Who are the candidates?

They are **Daniel Ortega** (Frente Sandinista de Liberación Nacional - FSLN), **Walter Espinoza** (Partido Liberal Constitucionalista - PLC), **Mauricio Orúe** (Partido Liberal Independiente - PLI), **Marcelo Montiel** (Alianza Liberal Nicaragüense - ALN), **Gerson Gutiérrez** (Alianza por la República - APRE) and **Guillermo Osorno** (Camino Cristiano Nicaragüense - CCN).

Again we should stress that seven **opposition pre-candidates thought capable of mounting a challenge against Ortega have been detained and so will not take part**. Meanwhile, the main opposition party, **Ciudadanos por la Libertad**, has been **disqualified** from participating in the elections together with two other parties (Partido de Restauración Democrática and Partido Conservador).

When will the next government take office?

On January 9, 2022, the 90 elected deputies will take office. The President and Vice President will take office on January 10.

Political context

The elections come amid heightened tensions and criticism both inside and outside the country prompted by **political violence and persecution of opposition candidates**. Daniel Ortega is effectively the last of the candidates of note standing in the presidential race following the imprisonment of nearly 40 opponents over charges relating to money laundering or treason, seven of them presidential pre-candidates.

Reelection and social protests

- In 2014, the pro-government National Assembly passed a constitutional reform that opened the door to **indefinite presidential reelection**.
- This concentration of power coupled with the decision of the Executive to promote changes to the social security system at the recommendation of the International Monetary Fund, sparked **social unrest** in April 2018.
- The multiple demonstrations and their crackdown – **leaving more than 300 dead** – weakened the president who then backtracked on the **pension reform**.

Persecution of the opposition

- Given the fragile situation in which the Executive then found itself in, Ortega began an offensive against the political opposition. In 2018, a [terrorism law](#) was enacted, classing as terrorists those acting against the government.

- In 2020, a package of controversial laws that served to silence dissident voices was also approved. Among them is one that classifies as a '[traitor](#) to the homeland' anyone found to incite foreign interference; one against [foreign agents](#) that blocks foreign financing to opponents and NGOs; and one on [cybercrimes](#) that allows for imprisonment of those deemed to disseminate fake news.
- Ortega used this package of laws to arrest 37 opponents in mid 2021, thus **eliminating the electoral competition with 7 presidential candidates imprisoned and 2 others in exile**. Among the most prominent are **Cristiana Chamorro, Juan Sebastián Chamorro and Félix Maradiaga**, who enjoyed high popularity ratings according to polls.
- In response, the OAS, among other international organizations, issued a [resolution](#) calling for the release of the political prisoners, highlighting the need to hold free and fair elections.
- However, the Executive went further by cancelling the **legal status of the main opposition party, Ciudadanos por la Libertad (CxL) in August 2021, thus preventing it from participating**. In all, three parties will be prevented from taking part, the remaining two being the Partido de Restauración Democrática (PRD) and the Partido Conservador.

Road to the election

- Although the campaign officially began on September 25, there has been hardly any campaigning in practice. The lack of political advertising in the media and restrictions on the holding of major political gatherings means large swathes of the population is unaware of who the candidates are. Ortega has also barred international electoral observers.

Presidential elections

The elections come amid a context of **political repression** and with the **incumbent president facing no real competition**. Since June, **several political opponents have been jailed**, among them seven presidential candidates. The three main contenders left in the race are:



PLC

WALTER ESPINOZA

**Partido Liberal
Constitucionalista**



FSLN

DANIEL ORTEGA
**Frente Sandinista de
Liberación Nacional**



MAURICIO ORÚE

**Partido Liberal
Independiente**

Other candidates will also participate: **Guillermo Osorno** of **Camino Cristiano Nicaragüense**, **Marcelo Montiel** of **Alianza Liberal Nicaragüense** and **Gerson Gutiérrez** of **Alianza por la República**.

It should be pointed out that opposition parties and blocs have denounced that the candidates left in the race **do not amount to any real opposition**, but are rather competing in order to **give legitimacy to the election process** and are, in fact, linked to the president.

Main candidates

Daniel Ortega | Frente Sandinista de Liberación Nacional

He began his political career by joining the Sandinista guerrillas to overthrow dictator Anastasio Somoza, for which he was imprisoned and exiled during the 1970s. He **first became president in 1984**, but then lost out to Violeta Chamorro in 1990. He returned to power in 2007 and has held the presidency ever since. In these elections he is seeking his fourth consecutive term.



Proposals

- In labor and health, he seeks to inaugurate hospitals and create an investment fund for young contractors in local government works.
- Diversify the **electricity generation matrix to achieve the goal of 90% production from renewable sources by 2023.**
- Promote the elimination of all **forms of violence against women.**
- Improve infrastructure and services at the national level.

Walter Espinoza | Partido Liberal Constitucionalista

He has a degree in Tourism and Hotel Administration. In 1995 he joined the PLC and in 2012 he was elected councillor of Managua. **Since 2016 he has been a national deputy.** His candidacy for President follows the resignation of the candidate Milton Arcia after the PLC pushed for the ineligibility of the CxL party. His party is seen as being an ally of the FSLN.



Proposals

- Increase the **minimum wage for workers to bring it in line with the basic food basket**, lower the cost of fuel and basic services, such as water and electricity.
- Promote the **social market economy** in collaboration with the private sector, creating an investment climate for foreigners.
- Promote **transparency and respect for the rule of law** through the derogation of the [Foreign Agents Law](#), [cybercrimes](#) and the [law](#) on sovereignty, and the release of political prisoners.

Mauricio Orúe | Partido Liberal Independiente

He is a lawyer with a degree in theology and psychology. He also has a doctorate in Education and was an evangelical pastor. **He is currently a deputy in the Assembly** on behalf of the Alianza Liberal Nicaragüense.



Proposals

- Reach a **great national consensus with different sectors to achieve social peace** and development.
- Guarantee universal access to primary health care throughout the country.
- **Extend tax benefits to companies** in order to promote worker training.

Who will not be able to participate in the election?

Between June and August, the Executive Branch **arrested 7 opposition presidential contenders**. Most of them have high positive image indexes, for which it was argued that they were serious candidates to defeat Ortega. Among the arrested candidates, the following stand out:



CRISTIANA CHAMORRO

Independiente

Disqualified for abusive management, ideological misrepresentation and money laundering in the administration of the Violeta Barrios Foundation.



JUAN SEBASTIÁN
CHAMORRO

Ciudadanos por la Libertad

Accused of inciting foreign interference and foreign financing to carry out terrorist acts.



MIGUEL MORA

Partido Renovación Democrática

Accused of allegedly committing crimes against Nicaragua's independence and sovereignty.



MEDARDO MAIRENA

Movimiento Campesino

Arrested for acts undermining independence, sovereignty and self-determination.



UNIDAD
NACIONAL

FELIX MARADIAGA Unidad Nacional Azul y Blanco

Investigated for inciting foreign interference and calling for military interventions and for organizing with external funding to carry out terrorist and destabilizing acts.

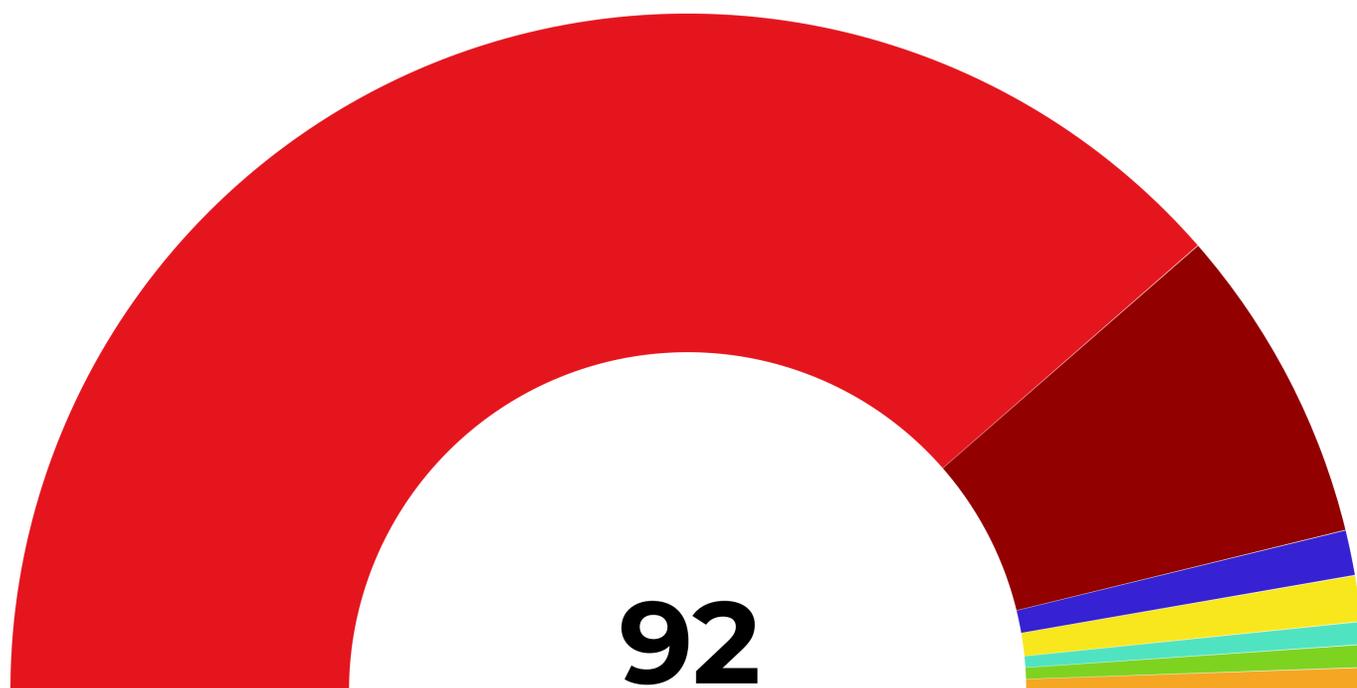
Legislative Elections

What is at stake?

The **entire National Assembly, composed of 92 deputies, will be renewed.** Based on the Nicaraguan electoral system, the allocation of seats will be distributed through the proportional representation system. **20 deputies will be elected in a national constituency, and 70 deputies in different sub-national constituencies.** It should be noted that one seat is reserved for the outgoing President, and another for the second-placed presidential candidate.

What is the current composition of the National Assembly?

The FSLN currently has its own **qualified majority**, enabling it to pass its bills, including constitutional reform bills, without the need to negotiate with the opposition.



Ruling Party (72)

- FRENTE SANDINISTA DE LIBERACIÓN NACIONAL (71)
- YATAMA (1)

Opposition (20)

- PARTIDO LIBERAL CONSTITUCIONALISTA (14)
- PARTIDO LIBERAL INDEPENDIENTE (2)
- ALIANZA LIBERAL NICARAGÜENSE (2)
- PARTIDO CONSERVADOR (1)
- ALIANZA POR LA REPÚBLICA (1)

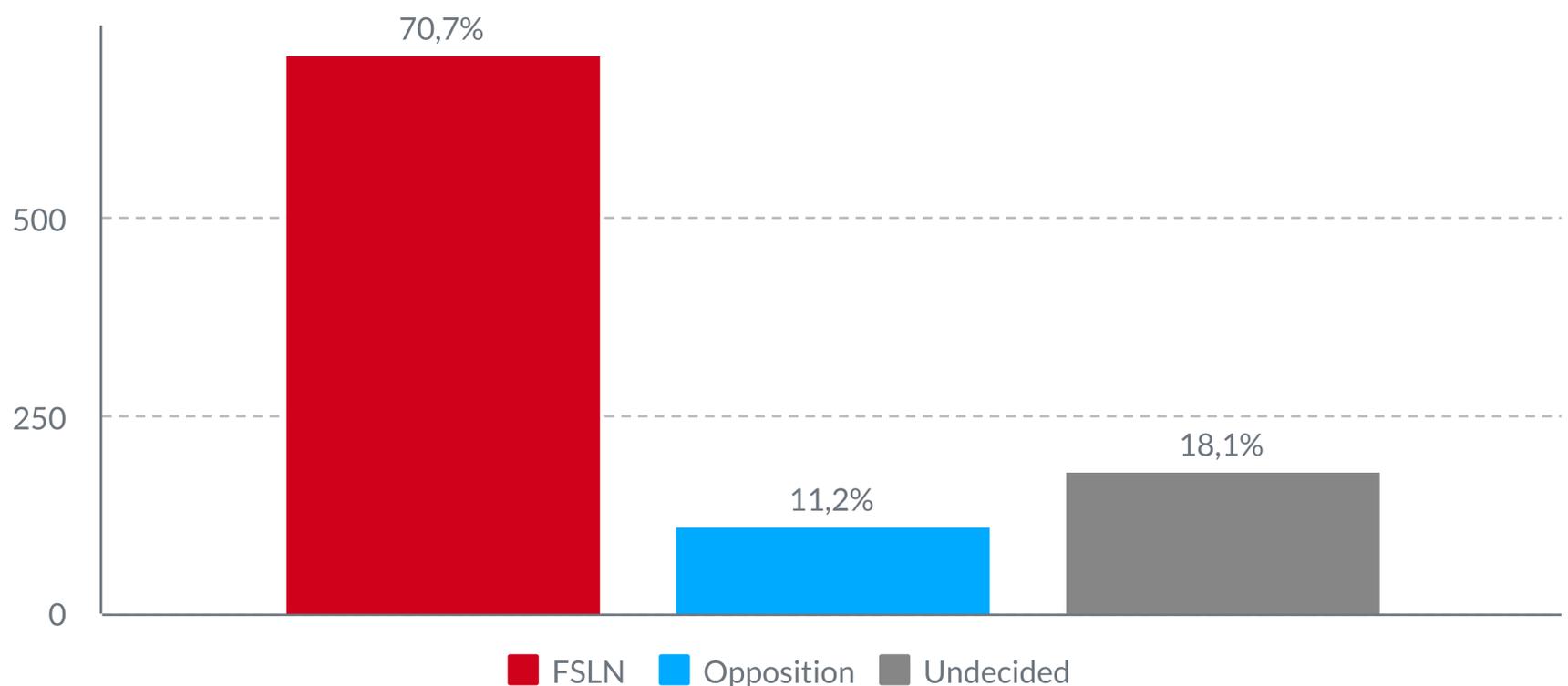
Projections

Reliable opinion polls ahead of the vote on Sunday are scarce. Partly this is because of the inability of **polling consultancies to run independent surveys amid allegations of harassment from the police**, who are loyal to the Ortega government.

In spite of this and based on the little polling data available, all indications are that **Ortega will win another term**. To go by these surveys Ortega would win by a **wide margin** with the remaining contenders receiving barely 11,2% in total. No breakdown predictions for the other contenders has been produced, simply figures comparing Ortega with the remaining candidates.

Regarding the National Assembly, **it seems certain the FSLN will retain its grip on the legislature through an absolute majority**. This will allow it to advance without difficulty with its legislative agenda. However, doubts remain over whether it will retain the qualified majority it needs to reform the Magna Carta.

Latest Polls September - October 2021



Source: Own elaboration based on polls conducted by local consulting firms between September and October 2021.

Conclusions

Next Sunday's elections **are set to hand victory to Daniel Ortega and the FSLN**. Also, the President will likely retain his grip on the Assembly thus smoothing the path for the government's legislative agenda.

The November elections come against a backdrop of **escalating repression** by the government of Daniel Ortega and Rosario Murillo and a **fast weakening democracy**. After the arrest of the main pre-candidates along with some one hundred other opponents, the legitimacy of the elections has been heavily criticised by the opposition and international organizations alike, warning of flagrant breaches to civil and constitutional liberties.

An opposition with no real capacity to compete with the Sandinista leader will be the alternative for voters. These government loyal parties, which have a track record of abstaining from Assembly votes or supporting the government, have no real social base, recognized leadership or a strong political structure to serve as a meaningful counterweight. Accused of complicity with the government, their role is seen simply as lending an air of legitimacy to the contest.

For all these reasons, members of the **international community** such as the Organization of American States (OAS), the European Union and the United States, have staunchly **criticised the electoral process** and may even go as far as not recognizing their results. Among their main concerns besides the campaign of political repression is the ban on foreign electoral observers, an electoral tribunal that is composed of pro-government supporters, and the fact that supporters of the banned political parties are being openly discouraged from voting.

In conclusion, another **5 years of Sandinista government in Nicaragua** seem to await. It is also expected that the international community's concerns over the country's authoritarian drift will consolidate though it is hard to tell what the consequences of this will be for the time being. Hopes for future fair electoral competition seem a long way off amid **indefinitely jailed opponents, banned parties and with government agencies co-opted by the ruling party.**

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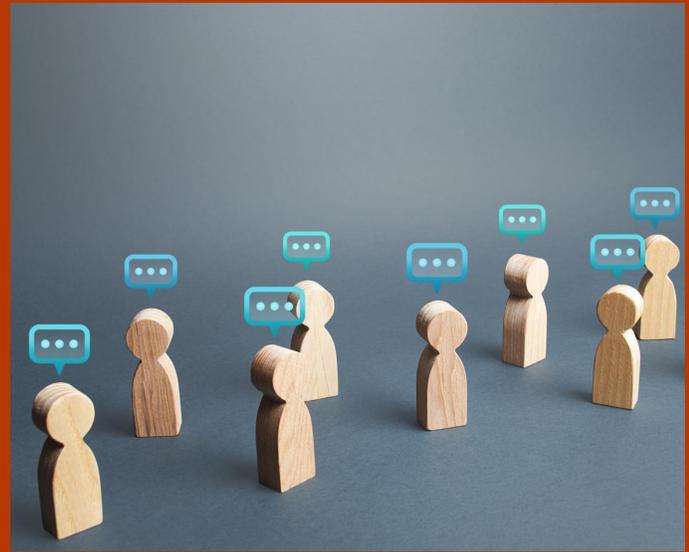


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