

FINAL SUMMARY REPORT BY INTER-AMERICAN DIALOGUE

Nicaragua Taskforce Project
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Introduction: Recommendations and OAS Engagement Agenda

This document presents a final summary of two meetings of the Taskforce on Nicaragua's Political and Mediation efforts, held on May 13-14 and May 30-31, 2019 at the offices of the Inter-American Dialogue in Washington, DC.

The Taskforce represents the core leadership of the Nicaraguan political opposition, organized through the Civic Alliance for Justice and Democracy (ACJD) and the National Blue and White Unity (UNAB), both of which have been participating in the Taskforce, organized by the Inter-American Dialogue, since September 2018.

One of the Taskforce's guiding premises has been that a negotiated resolution to the political crisis continues to be the best path forward for Nicaragua. However, failure of negotiations during April-May 2019 caused the group to rethink the negotiating process in broader terms. The success of negotiations depends on various factors that include, for example, creating the bases for a political transition accompanied by differentiated solutions to each problem, a strategy on the part of the opposition environment and access to instruments and means of national and international pressure. Moreover, a negotiated resolution depends on and is preceded by the presence of a negotiation agenda accompanied by incentives to bring the government to the table, as well as by the necessary leverage to establish a power balance that leads to a successful proposal for political transition. Finally, the expansion and strengthening of national and international alliances is a key part of garnering support for the proposed solutions. In this sense, more needs to be done to "level the playing field" before returning to the table.

During the two Taskforce Meetings held during May 2019, Nicaraguan leaders discussed how to effectively negotiate, maintain pressure, better communicate their approach, and engage national and international partners in strong and effective partnerships.

As required by contract, this report summarizes the discussions, and some of the main takeaways of these meetings with a special focus on the following areas:

- Recommendations
- The OAS engagement agenda

While the recommendations included here summarize many discussions held by the taskforce, focusing on tools and analysis that is useful looking forward, the OAS engagement agenda was a very specific deliverable that was prepared internally among Taskforce members, and then presented and discussed with OAS authorities.

Among the recommendations from the Taskforce group, moving forward it will be important to focus their energies on:

- Confidence building within the opposition leadership
- Political analysis and strategy,
- Communications strategies,
- Stronger engagement with international stakeholders, including the OAS.

The following section of this summary presents these recommendations in additional detail.

1. Summary of Taskforce Meetings

As part of this project, the Inter-American Dialogue organized two meetings with Nicaraguan leaders took place in Washington, DC during the month of May 2019. More than 15 Nicaraguan leaders and around 20 other participants convened for the meetings. We present a summary of main topics discussed during each one.

1.1 First Meeting: Facing the Failure of Negotiations

The first meeting took place on May 13 to 15, 2019 and convened 10 Nicaraguan leaders in person and 3 more that joined remotely. An additional 17 participants joined during specific sessions, including Ambassadors, U.S. Government officials, academics, and others.

The context under which this first meeting took place was determined by the failure of negotiations between Ortega and the ACJD.¹ The meeting provided a much-needed space to engage International support, plan for potential early elections, and discuss strategic communications. The strategic communications topic, as it was developed through both meetings, is summarized separately to provide greater clarity.

With regards to the failure of negotiations, three issues were discussed:

- The unevenness in balance of power: Ortega has the upper hand, thanks to his misuse of government resources and his use of violent repression. Examples of this include, but are not limited to, Ortega's impeding of protests and use of force and incarceration of activists to control them. Ortega has also limited the media by limiting their ability to import supplies, taped communications and increased surveillance with political motivations, among other things.
- There is little indication, even if agreements are reached, that the Ortega regime will comply with them. In the aftermath of the negotiations, this has become a fact, as discussed under the summary of the second meeting.
- The freeing of political prisoners, and especially the mechanisms through which the regime will liberate them, was another point of great discussion. Scenarios were discussed, and as of the date of this report, it seems that Ortega has decided towards an amnesty to liberate prisoners.² This amnesty is a double-edged sword, as it would apply to members of the regime as well.

This grim panorama was leveled with ideas on how to move forward, which included civil disobedience mechanisms, pushing and building inputs for electoral reform and transparent elections, strengthening the opposition and the participation of civil society through building trust among stakeholders to support a renewed, more balanced, process of negotiation. Finally, ideas were shared on engaging other sectors, including international stakeholders.

Four topics are key for engaging other stakeholders:

- Defense of Human Rights
- Deterioration of the economy

¹ For a more detailed summary of the situation previous to the meeting, see "Buying Time: The Nicaraguan Negotiations as of May 2019," by Julia Yansura, Inter-American Dialogue, May 2019.

² A number of them seem to remain in prison. The regime has not recognized some of them as "political prisoners," and even some of those who are missing are suspected to remain incarcerated.

- International pressure of migrants and exiles
- Sanctions

For each of them, a diversity of stakeholders, both inside and outside the country, can be engaged. The group recognized the very important role that the OAS can play and the importance of continuing to engage them in discussions.

1.2 Second Meeting: Strengthening Political Capital and Leveraging Alliances

The second meeting convened 14 Nicaraguan leaders and a small group of other experts and stakeholders that joined them for specific sessions.

The discussion occurred in a context where negotiations were stalled and the lack of commitment of the Ortega regime was clear. A representative of the ACJD shared a list of these commitments and a status of compliance that clearly showed the lack of results.

A main topic of discussion was the need to strengthen the political capital of the opposition and to leverage alliances, both internally and internationally. Among those ideas shared, there was a deep analysis of the scope and points for political pressure that can play a role in balancing Ortega's strong position. They are presented under the "Recommendations and Insights" section of this report.

A deeper analysis, drawing from the results of comparative surveys among Nicaraguans, signaled two of the most important barriers to ousting Ortega: his clientelist base and the lack of a unified front that provides Nicaraguans with an option for change.³ It is also relevant to note that although Nicaraguans identify the political crisis as a very negative thing, most of their worries remain on practical day-to-day issues, including the lack of jobs and resources to meet their basic needs.

Among the available tools to face this very difficult situation are those quoted as recommendations moving forward:

- Confidence building within the opposition leadership
- Political analysis and strategy,
- Communications strategies,
- Stronger engagement with international stakeholders, including the OAS.

Finally, two very tangible results were produced during this meeting. First, a frank conversation with OAS Secretary General Luis Almagro, who underlined his commitment to common goals. Second, a very rich discussion regarding communications and the development and agreement on a short video to be shared publicly by members of UNAB. The video speaks to the importance of freedom for political prisoners.

The role of the OAS continues to be considered as key. Sanctions are recognized as one, for some the only, pressure mechanism that has proved effective in forcing Ortega to negotiate. Finally, the importance of delimiting, both internally and towards external stakeholders that include the Nicaraguan people, the movement's parts: the role of the ACDJ, UNAB, and other members. This is especially key as communications during an electoral process will require strategic handling of topics such as support for a candidate, and the role of the negotiators, among others.

³ A deeper analysis of the surveys and the discussion were presented as part of Deliverable 3 of this contract.

2. Recommendations and Insights from the Discussions

The Nicaraguan Taskforce group shared numerous recommendations and insights, both during the meetings and in ongoing conversations held by the group via WhatsApp and other platforms. As is to be expected, different stakeholders held diverse opinions and recommended different strategies. This document summarizes the discussion on recommendations, highlighting recommendations that generated substantial consensus and agreement among members:⁴

- Better understanding of the group's negotiating position
- Pressure points towards political change
- Leveraging the influence capacity of the opposition

2.1 Understanding the Negotiating Position

Better **technical knowledge** is needed among the group and among the public, with regards of negotiating and the role of diverse actors, differentiating for example among UNAB and ACDJ, while recognizing their common front.

The negotiations have been very complex, and the process, although necessary, has produced very little fruits for the opposition.

For example, for some of the participants, topics such as the release of prisoners, the specific content of electoral reforms, or the role of a warrantor for the process; should not have been points for the negotiation table. They are too wide in scope and too complex. Negotiating processes are already long and cumbersome, and adding these specificities has made the Nicaragua example even longer.

The fatigue that comes with wear and tear, rather than pressure, is what has moved Ortega so far. Liberation of political prisoners occurs, according to many, only as a response of Ortega towards sanctions and the threat of more sanctions. Most believe, though, that a balance is needed, as too much pressure actually causes Ortega to shut down.

A unified message is perhaps the most relevant need from the opposition on the topic of liberation of prisoners. This includes agreeing on a common message in terms of amnesty vs liberation; liberation vs changing the terms of the sentence (house arrest), etc. Furthermore, many questions remain regarding who is considered a political prisoner. Regarding prisoners, the OAS is a key stakeholder, and the opposition needs to establish itself as part of the negotiations, preventing an exclusion from the discussion as could be in Ortega's interest.

2.2 The Scope of Pressure Points for Political Change

Looking at scenarios for political change in Nicaragua, we can see a range of pressure points. These include international pressure, economic pressure, political pressure, and internal pressures that weaken the regime from within.

⁴ For a more general summary of the contents of the two meetings, see the full Rapporteurs Reports.

These pressure points have diverse forms and impacts, they can play different roles and may be influenced by different stakeholders in different levels. They are summarized below in a hypothetical sense⁵:

1) International pressure, including sanctions

- a) Sanctions may put pressure on additional members of the Ortega-Murillo family, which may accelerate their willingness to negotiate.
- b) Sanctions put pressure on additional members of the Ortega-Murillo power circle, which reduces their maneuvering space.
- c) Sanctions put pressure on additional institutions such as banks, exporting companies, and others, which will cut cash flow.
- d) International actors apply increasing pressure for dialogue. For example, Guatemala asks to be part of negotiations, and Costa Rica's role has strengthened. Potentially, Art. 21 of the Democratic Charter could be applied by October 2019.
- e) Potentially, there could be a domino effect with Venezuela: the fall of Maduro might create massive protests in Nicaragua at some point in the future.

2) Economic pressure

- a) Economic conditions in the country, which are currently troubling, could worsen in the future. By early 2020, we might see a rise in unemployment, accompanied by constricted access to credit, declining in production, and reduced tax collection. The impact could potentially be food insecurity affecting 1/5 of the population, along with severe shortages and inflation.
- b) Deteriorating economic conditions could potentially lead to depleted international reserves by early in the year 2020.
- c) Responding to an economic vacuum, organized crime could increase its presence in Nicaragua by late 2019.
- d) Likewise, the rise in unemployment could potential trigger migration of an even larger scale
- e) International credit and investment could fall by more than 20%.

3) Change in political capital

- a) Organization of the opposition: leadership rise occurs in a short period of time, we could see strong political leaders arise from the opposition movement. We could also see a strong communication strategy and unity among opposition stakeholders. communication strategy fully comes into play: form, inform and transform; unity strengthens
- b) Civil disobedience plays an increasingly important role in putting political pressure on the regime. Civil disobedience could include things like *cacerolazos* (beating pots and pans), visits to embassies, bilateral and multilateral organizations, trips to the interior of the country, noise, and express strikes ("paros express").
- c) Economic disobedience can also pressure the regime. This might include limiting credit towards the government strategically, increasing prices for services provided to the government, and/or reducing contracts.
- d) If the first stage of dialogues reached a tangible outcome, some sort of success, this would create political pressure against the Ortega regime. Successful outcomes might include

⁵ Orozco's presentation to participants on Day 2 of the Third Meeting.

liberation of prisoners without anything in exchange, a commitment to negotiate economic recovery, and/or revisiting the topic of electoral reforms.

- e) Another element that might put pressure on the Ortega regime could be armed resistance, such as irregular outbreaks in the rural north and southern border. In this scenario, there would be sporadic armed resistance, rather than full-scale conflict.

4) Weakening of the regime from within

- a) Going forward, the Nicaraguan government could potentially face a reduction in capacity to maintain employees. The Nicaraguan government could find it difficult to cover the \$10 million that it needs for operating expenses each day.
- b) Demoralization may occur among police forces when they see that there have been no visible results or improvements in the government's position (elections in the Caribbean do not change the status quo, sanctions are maintained, critiques are stronger in the interior).
- c) Demoralization among institutional and administrative operatives may occur as well. Sentences and penalties could lose all legitimacy and credibility in the sphere of Sandinismo (historical, ideological, clientelist).
- d) The military could become impatient. They might potentially decide to make statements supporting change, or start steering the country back toward the negotiating table.
- e) Increasing dissidence could occur. The Ortega-Murillo government's inner circle could shrink as dissidence increases.

It is important to measure the impacts of these pressure mechanisms and to keep in mind that the balance of power does not lie only in the hands of the ACDJ. One single group does not have enough strength to change the course of negotiations; rather, multiple stakeholders and factors (economic, political, etc.) will come into play.

2.3 Promoting Democratic Change by Leveraging Influence

In order to promote change, the Taskforce group agreed that they must build mutual confidence and engage and leverage international alliances.

There was general consensus that **more needs to be done to increase the influential capacity** and increase the political strength of involved actors. However, there was also a recognition that **the group already has many resources and strengths; a great deal can be done by leveraging existing assets** and resources, especially when there is strong coordination and confidence among stakeholders. These assets fall into three main categories: strength in mobilization, economic clout, and political capital. Each one has a number of components that can be strengthened or leveraged by members of the group. This list provides then a list of topics that need to be addressed:

1. Power and strength of mobilization
 - a. Popularity of members and leadership
 - b. Reach of leadership (national, local, international)
 - c. Visibility of roles, issues, and leaders
 - d. Experience
2. Economic strength
 - a. Ability to engage labor force
 - b. Corporate contribution to the economy
3. Strength in political capital

- a. National reach
- b. Types of influence and mediums: horizontal and vertical
- c. Influence on national and local politics

Promoting **specific and tangible changes** is also key. Factors of change, which are listed below, are clearly associated with pressure tools:

- 1) Impact of sanctions and international pressures
- 2) Unsustainability and collapse of the economy
- 3) Change in political capital
- 4) Weakening of the regime
- 5) Economic elite's move in greater support of the opposition
- 6) Negotiating capacity

3. Communications

A final key aspect that discussions addressed was the urgent need for strategic communication in order to shift the balance of power, particularly looking forward towards upcoming elections.

It is important to differentiate between communications regarding the negotiation process and communications in order to strengthen the political force (and base) of UNAB. Though both are needed, they may require different approaches and it is very important to differentiate them and make that differentiation evident to the general public.

On the electoral front, it is key to plan ahead towards re-establishing democracy and rebuilding Nicaragua's institutions beyond the dictatorship.

One Taskforce participant noted that "becoming and being recognized as a real and powerful alternative is probably the most important challenge the opposition has right now."

Challenges include internal and external communications, as well as clearer definitions of players and group roles and responsibilities. UNAB is made up of more than 80 organizations, including ACJD. An orderly and broad inclusion is key to provide the opposition a strong hand on the months to come.

The opposition confronts a Ortega-Murillo duo that has proven great communications management and a very clientelist use of Nicaragua's resources. They provide them with a very loyal political base: they support Ortega because their subsistence is seen as dependent on him, not because of any belief in his leadership or ability to make the country better. It is key to take into consideration factors such as:

- 1) The public opinion: a partial polarization of three fronts
 - a) Pro-Ortega: clientelism and loyalty
 - b) Pro-change: anti-dictatorship
 - c) Middle: pro-reform, pro-dialogue, not necessarily supporting any specific candidate
- 2) The face needed for the opposition
 - a) An inclusive face: UNAB, ACJD, unity: unite or define boundaries? There are many rough edges to define. There's a need to filter out the noise.
 - b) A new narrative: the electoral goal vs. old narratives and the moral risk
- 3) Immediate options
 - a) Find immediate options to address the various scenarios that may emerge on June 18th

- b) Confirm the goal
- c) Define the 4 political timeframes: 4 goals (release of prisoners, unification, defining pre-election political leaders, campaign)
- 4) Build mutual trust
 - a) Identify the contributions and strengths of every member
 - b) Use self-evaluation and self-criticism as a key tool for confidence building
 - c) Propose areas for cooperation
 - d) Define the agenda and set the political strategy. Within this, define the electoral strategy.

For more details on both the discussions and recommendations, please see the Rapporteur's Reports and the memo "Insumos para el trayecto hacia la democracia" by Manuel Orozco and the communication workshops reports.

4. OAS Engagement Agenda

The Nicaragua Taskforce has had several opportunities to meet with OAS leaders, including working sessions with OAS Ambassadors, small-group sessions with Secretary General Luis Almagro as well as a full-group working lunch with Almagro.

These interactions provided an opportunity for an open exchange and give-and-take on the issues. In addition, the Taskforce worked together to prepare specific, written statements to be delivered to the OAS on each occasion. This ensured a focused, unified starting point for the conversations that followed.

For the first meeting (May 14) with the OAS Ambassadors, the Taskforce prepared the following position statement in order to guide the discussion:

Underline the commitment of the Nicaraguan opposition to promote political reforms which lead to democratic change.

Request the support of the OAS regarding:

- *That OAS representatives may serve as a guarantor for the accords and provide witness to the compliance with agreements. This includes compliance with the agreed timeline.*
- *That the OAS requests that the Nicaraguan Government honor the commitments signed on March 29 and continue to meet the roadmap for dialogue that was reached through discussions with the Civic Alliance for Justice and Democracy.*
- *That the OAS maintains member states informed about the political and economic situation of Nicaragua, and the progress (or lack thereof) of agreements*
- *Support voting for Article 20 of the Democratic Charter.*

During the second meeting (May 30) the following statements were prepared as part of an engagement agenda with the OAS:

4.1 Position and Specific Questions Shared with OAS Secretary General Luis Almagro

We thank the Secretary General for the firm position expressed publicly yesterday. Regarding that position, we want to underline the importance of:

- Firmness regarding the commitment of absolute and safe release, with adequate guarantees, of all political prisoners by June 18th. If this commitment is not met, what will your [Almagro] position be at the General Assembly in Medellin? What would that mean in practical terms?
- That the electoral reforms should be in agreement with the framework of the negotiations with the Civic Alliance. The opposition is preparing for an advanced and realistic date which we are still defining. What could the position of the Secretary General be in this regard? Until what point could they lend their support?
- The electoral matter in the current context strongly includes the issue of security and respect towards civic liberties, to ensure competitive elections. We believe that, being a key component, it should be anchored in the second unfulfilled agreement with the ACJD. What is the Secretary General's perspective on this issue? Which international allies do you envision as being able to influence the fulfillment and implementation of this agreement?

4.2 Statement prepared for OAS Nicaragua Working Group

We thank the position and commitment of the working group. Regarding this position, and in accordance with the recent Resolution, we want to underline the importance of:

- Firmness regarding the commitment to absolute and safe release, with adequate guarantees, of all political prisoners by June 18.
- We reiterate our position in relation to electoral reforms. These should be in accordance with the framework of the negotiations with the Civic Alliance, and with contributions from civil society and opposition parties. The opposition is preparing for an advanced and realistic date which we are still defining. We ask that the working group maintain their position in the face of the regime's desires to achieve bilateral agreements with the OAS.
- We believe that the General Assembly of the OAS is the moment for a resolution that declares that Nicaragua has ruptured from constitutional order.
- As part of the diplomatic processes of Article 20, we consider it very important for the working group to insist on a visit to Nicaragua, which should include other Central American countries whose support is fundamental to achieving a greater regional involvement in the solution to the Nicaraguan crisis.
- To achieve free elections, the issue of security and respect towards civil liberties is fundamental for ensuring competitive elections. This includes a safe return for exiles that have left as a result of political persecution. We would appreciate if the working group could help give visibility to the importance of this point.
- Finally, we insist on the return of the CIDH and Nicaraguan human rights organizations.