

## **Statement on The Situation of Human Rights in Nicaragua**

### **PILPG Circle of Former Ambassadors to the Human Rights Council strongly condemns the repression and democratic deterioration in the country**

The Public International Law and Policy Group's Circle of Former Ambassadors to the Human Rights Council closely follows with increasing alarm the developments in Nicaragua, as the situation has dramatically deteriorated over the past four years and is deteriorating further.

The Circle condemns the Ortega regime's actions as anti-democratic and contrary to fundamental principles of international human rights law. What started as a violent crackdown on anti-government protests in 2018, which left at least 328 dead, some 2,000 injured, and hundreds detained, quickly evolved into a full-fledged attack on the human rights of ordinary citizens. The government continues to restrict freedom of expression for journalists and media outlets through threats, physical attacks, arrests, random and spurious financial investigations, arbitrary prosecutions, and forced closures. According to Human Rights Watch, human rights defenders and critics are regularly targeted with death threats, assaults, intimidation, harassment, surveillance, online defamation campaigns, and arbitrary detention and prosecution.

Nicaraguan democracy is in shambles. Daniel Ortega recognizes his inability to win a free and fair election. His response in 2021 is to bar opposition political parties and arrest and prosecute seven presidential candidates – most on alleged "treason" charges – so that Ortega could run unopposed. Ahead of the election, the regime also harassed and arbitrarily detained 32 prominent government critics, as well as dozens of journalists, lawyers, students, community and business leaders, many of whom remain in prison with sentences ranging from 15 to 25 years, charged with "conspiracy to undermine national integrity." The Organizations of American States (OAS) denounced the elections as illegitimate, as the Circle does as well.

Nicaragua reacted by filing its withdrawal from the OAS, which will take effect in November 2023. In defiance of international law, the Ortega regime seized the local OAS office. It revoked the credentials of several Organization representatives last April, claiming that the withdrawal had already taken effect. In this context, it is shameful that there remain OAS member states who refuse to condemn the

demonstrably unacceptable behavior of the Ortega regime. This Circle will make our voice clear and condemn the actions of Mr. Ortega and his illegitimate regime in the strongest possible terms.

The international community should respond more forcefully and increase rather than diminish its scrutiny of Nicaragua. Instead of engaging with the international community, no international monitoring bodies have been allowed into the country since 2018, when the government expelled the Interamerican Commission on Human Rights (IACHR) Special Monitoring Mechanism for Nicaragua, the Interamerican Commission on Human Rights (IACHR) appointed Interdisciplinary Group of Independent Experts and the United Nations Office of the High Commissioner for Human Rights (OHCHR). More recently, Nicaragua has further isolated itself by expelling the in-country representative of the International Committee of the Red Cross and the European Union Ambassador while refusing to accept the new United States envoy.

In the context of the dramatic deterioration of the human rights situation in Nicaragua, the PILPG Circle of Former Ambassadors to the UN Human Rights Council:

- Welcomes the adoption by the UN Human Rights Council (HRC) of resolutions urging the government of Nicaragua to adopt electoral reforms to ensure free and fair elections with international oversight, as well as on the establishment of a group of human rights experts to conduct thorough and independent investigations into all alleged human rights violations since April 2018. While looking forward to the report, the Circle invites members of the UN Human Rights Council to incorporate the human rights situation in Nicaragua as a matter that requires the Council's continued special attention (agenda item 4) and consider the possibility of calling for a Special Session to address the reports' findings;
- Welcomes the Organizations of American States (OAS) efforts to condemn abuses, human rights violations, arbitrary detentions, and the lack of democratic legitimacy of the regime. The Circle calls upon the organization to maintain scrutiny and continue and escalate the pressure on the Nicaraguan government and invites the OAS to consider the possibility of applying the Democratic Charter despite Nicaragua's pending withdrawal. The Circle also urges all OAS members that have not done so to join others

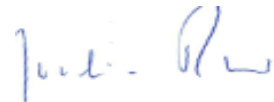
in condemning the regime in unanimity;

- Welcomes the European Parliament's condemnation of the oppression and the passing of the RENACER Act of the US Congress to address corruption by the Ortega government and human rights abuses by Nicaraguan security forces. The Circle calls upon other relevant actors to follow suit;
- Notes with approval the efforts of the US, Canada, and European Union to address the situation of Nicaragua by imposing targeted sanctions and restrictive measures against the government;
- Encourages all victims of human rights violations to submit, as soon as possible, their claims to the Interamerican Commission on Human Rights (IACHR) or, when appropriate, directly to the Interamerican Court of Human Rights. The Circle calls upon the Interamerican Commission on Human Rights (IACHR) to act swiftly and expedite the review and referral of the relevant cases to the Court, bearing in mind that the Inter-American Human Rights System will have jurisdiction only over crimes and violations committed in Nicaragua before November 2023.

The PILPG Circle of Former Ambassadors to the UN Human Rights Council reaffirms its support for the Nicaraguan people and their striving to defend democracy, the rule of law, and the human rights of all Nicaraguans.

*October 24, 2022*

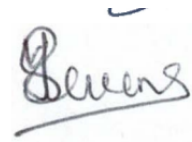
*Joachim Rücker*  
*Former Ambassador of Germany*



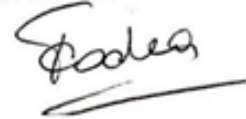
*Keith Harper*  
*Former Ambassador of the United States of America*



*Yvette Stevens*  
*Former Ambassador of Sierra Leone*



*Filloreta Kodra*  
*Former Ambassador of Albania*



*Tudor Ulianoschi*  
*Former Ambassador of the Republic of Moldova*

*Tudor Ulianoschi*

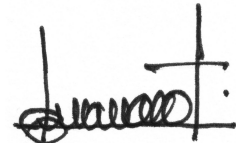
*Amanda Ellis*  
*Former Ambassador of New Zealand*



*Vojislav Suc*  
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*Jorge Lomonaco*  
*Former Ambassador of Mexico*



*Zorica Maric Djordjevic*  
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