



Plenary sitting

B9-0403/2021

5.7.2021

MOTION FOR A RESOLUTION

to wind up the debate on the statements by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the situation in Nicaragua
(2021/2777(RSP))

**Anna Fotyga, Elżbieta Kruk, Charlie Weimers, Jadwiga Wiśniewska,
Adam Bielan, Jan Zahradil, Alexandr Vondra, Joanna Kopcińska,
Hermann Tertsch, Ladislav Ilčić, Assita Kanko, Valdemar Tomaševski,
Ryszard Czarnecki, Elżbieta Rafalska, Witold Jan Waszczykowski**
on behalf of the ECR Group

**European Parliament resolution on the situation in Nicaragua
(2021/2777(RSP))**

The European Parliament,

- having regard to its previous resolutions, and in particular those of 19 December 2019 on the situation of human rights and democracy in Nicaragua¹ and of 8 October 2020 on the ‘Foreign Agents’ Law in Nicaragua²,
- having regard to the statement of 6 May 2021 from the Organization of American States (OAS) General Secretariat on the election of the Supreme Electoral Council’s magistrates and electoral reform in Nicaragua, and to the OAS resolution of 15 June 2021 on the situation in Nicaragua,
- having regard to the statements of the Inter-American Commission on Human Rights, the newsletters published by the Special Monitoring Mechanism for Nicaragua (MESENI) and the remarks by Commissioner Antonia Urrejola, President of the Inter-American Commission on Human Rights, at the Special Session of the Permanent Council of the OAS of 23 June 2021 on the situation in Nicaragua,
- having regard to the chapter on Nicaragua in the EU annual report on human rights and democracy in the world 2020 adopted by the Council on 21 June 2021,
- having regard to Council conclusions of 21 January 2019, which express concern about the situation in Nicaragua and underline that recent measures targeting civil society organisations and independent media constitute another blow to democracy, human rights and civic freedoms in the country,
- having regard to the Council conclusions of 14 October 2019 and the accompanying framework for targeted sanctions in view of the situation in Nicaragua.,
- having regard to the US Department of State 2019 Human Rights Report on Nicaragua,
- having regard to the concluding observations on the initial report of Nicaragua of 11 October 2016 by the UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families,
- having regard to the UN Human Rights Council resolution of 19 March 2019 on the promotion and protection of human rights in Nicaragua,
- having regard to the report of 3 September 2019 of the UN High Commissioner for Human Rights on the human rights situation in Nicaragua,
- having regard to the statement of 7 July 2020 by the Society for Threatened Peoples, a non-governmental organisation with special consultative status, at the UN Human

¹ OJ C 255, 29.6.2021, p. 65.

² Texts adopted, P9_TA(2020)0259.

Rights Council,

- having regard to the Organization of American States resolution of 21 October 2020 on restoring democratic institutions and respect for human rights in Nicaragua through free and fair elections,
 - having regard to the Inter-American Commission on Human Rights (IACHR) press release of 26 February 2021 entitled ‘IACHR Rejects Nicaragua’s Foreign Agents Act and Calls on the State to Repeal It’,
 - having regard to the Nicaraguan Constitution,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas since the beginning of Daniel Ortega’s mandate, the human rights situation in Nicaragua has been worsening in an unsustainable manner, with continuous and increasingly violent attacks on the rule of law and democracy, which has led to the complete marginalisation of all political opposition, leaving the Ortega regime fully in power, consolidating its already established authoritarian rule;
- B. whereas the UN Human Rights Council, in its reports of 19 March and 3 September 2019 on the promotion and protection of human rights in Nicaragua, declared that there had been no tangible progress on democracy and human rights; whereas, to the contrary, since the protests of April 2018, violations of human rights have multiplied exponentially with respect to the rights to freedom of expression, association and peaceful assembly; whereas arbitrary arrests and detentions as a means of repressing the expression of dissent, countless cases of torture, ill-treatment, and sexual assault have deprived citizens and others of their liberty; whereas people are denied medical attention, which is also a tactic of strong-arming, which is being used by the regime to criminalise dissent and guarantee impunity for those responsible for human rights violations, demonstrating the lack of independence of the judiciary from the executive power;
- C. whereas the Sandinista National Liberation Front has total control over the National Assembly and in 13 years it has never rejected an initiative proposed by Daniel Ortega;
- D. whereas the regime of Daniel Ortega and his wife Rosario Murillo has turned Nicaragua into an authoritarian state, which acts outside the law, employing repressive tactics, and which endangers the life and safety of its citizens, as well as the stability of the Central American region in political, economic and security terms; whereas Nicaragua has simultaneously become a refuge and safe haven for those accused of corruption, money laundering or terrorism;
- E. whereas communist regimes, as well as Russia, are very active in Nicaragua, reportedly providing weapons and repressive equipment at the request of the Nicaraguan Government;
- F. whereas the totalitarian rule of Nicaragua is not an isolated case in Ibero-America, but rather a highly organised process led by openly proclaimed communist and anti-democratic international forces, such as the São Paulo Forum, whose objective is to

destabilise the continent in order to gain a foothold in power and establish their oppressive and totalitarian regimes; whereas the São Paulo Forum and its members who rule in Ibero-America, together with narco-dictatorships and communist regimes, destabilise the region and repress and exert brutal violence on citizens, as can be seen in Bolivia with the Movement for Socialism political party of Evo Morales – who is accused of crimes against humanity – and currently led by Luis Arce, as well as in other countries, such as Venezuela under the Maduro regime, Mexico under Obrador, and Daniel Ortega’s Sandinista National Liberation Front in Nicaragua, among others;

- G. whereas the Nicaraguan Parliament, which is controlled by Ortega, has approved innumerable laws that directly violate human rights, including the Special Cybercrime Law, the main objective of which is the criminalisation of the publication in the media and on social networks of content considered by the government as false, making it punishable by up to 10 years in prison, and the Foreign Agents Law which blocks international funding and donations to civil society, journalists and political opponents in particular, in order to curtail and prohibit their participation in political and social life; whereas the Law against Hate Crimes can include life sentences for hate crimes, which the government uses against dissent; whereas the Law on the Rights of the People to Independence, Sovereignty and Self-determination for Peace, the reform of the related Criminal Procedure Code and Law 528, nicknamed the ‘Arce Law’, criminalise any criticism of the government, which censors and restricts content in the media and exerts control over the press;
- H. whereas on 4 May 2021 the National Assembly of Nicaragua approved a reform of the Electoral Law and the appointment of the magistrates to the Supreme Electoral Council, which restricts electoral competence and the exercise of political rights, and limits public freedoms, the right of association and freedom of expression; whereas this is contrary to the recommendations of the EU Electoral Observation Mission of 2011 and the recent resolutions of the Organization of American States (OAS) and the UN Human Rights Council;
- I. whereas in 2021 at least 20 members of the opposition, including five presidential candidates, two trade union leaders and three political leaders, have been arbitrarily detained; whereas dozens of opponents report that they live under constant intimidation, with police stationed in front of their houses and constantly following them;
- J. whereas the Ortega regime has never implemented any of the recommendations made by the Office of the UN High Commissioner for Human Rights;
- K. whereas there are allegations that Nicaragua is laundering gold from the Compañía General de Minería de Venezuela, a Venezuelan state-owned company included on the sanctions list drawn up by the US Office of Foreign Assets Control for illicit operations orchestrated by the Maduro regime, who is looting Venezuela’s wealth; whereas the reforms to the Consumer Law (Law 842) by the Nicaraguan National Assembly oblige banks to open accounts for relatives of people sanctioned by the United States Government and other countries accused of corruption, money laundering and human rights violations;
- L. whereas on 14 October 2019 the Council established a guiding framework for the

imposition of sanctions on individuals and entities responsible for violations or abuses of human rights or the repression of civil society and the democratic opposition in Nicaragua;

- M. whereas the US Department of State in its report on human rights in Nicaragua in 2019 reported that the Ortega regime uses retaliation tactics to restrict people's ability to criticise the government; whereas this report also stated that independent media are victims of violent attacks, that transmission equipment and permits are seized from them to prevent them from carrying out their work, and that many journalists are unjustly detained; whereas, likewise, they are denied attendance at official government events and interviews with government officials, allowing media owned by the presidential family to limit the spread of news and serve as propaganda channels in favour of pro-government campaigns and the Sandinista National Liberation Front;
1. Expresses its solidarity with the Nicaraguan population and condemns all repressive actions and deaths caused by the Nicaraguan authorities against opposition parties, journalists, students, human rights defenders, activists, people from the private sector and civil society; calls for an immediate stop to the imposition of restrictive measures, repression and human rights violations, and for accountability for the serious violations committed since 2018 by the Nicaraguan regime;
 2. Calls for the immediate and unconditional release of all arbitrarily detained political prisoners, including the presidential candidates Cristiana Chamorro, Arturo Cruz, Félix Maradiaga, Juan Sebastián Chamorro and Miguel Mora, the political leaders José Pallais, José Adan Aguerri, Dora María Téllez, Hugo Torres, Víctor Hugo Tinoco, Pedro Joaquín Chamorro Barrios, Violeta Granera, Ana Margarita Vijil, Suyén Barahona and Pedro Joaquín Chamorro, among many others, and demands that their fundamental legal guarantees, their civil and political rights and their human rights be respected;
 3. Urges the Nicaraguan Government to lift the de facto state of siege, to respect the role of the national police as an apolitical, nonpartisan and non-deliberative force, to disarm the paramilitary forces, to comply with the agreements signed with the Civic Alliance and to restore citizens' rights; reiterates its call on the government to allow civil society organisations to operate in a safe environment and without fear of reprisals;
 4. Urges the Nicaraguan authorities to make changes to the Electoral Law in accordance with the international parameters required by the OAS in its resolution of 21 October 2020; urges immediate full access for international observers, including Members of the European Parliament;
 5. Denounces and rejects the adoption and application of restrictive laws and asks that they be repealed immediately; stresses that these laws go against the rights and freedoms of Nicaraguans enshrined in the Constitution of the Republic of Nicaragua, the Inter-American Democratic Charter and other international treaties to which Nicaragua is a signatory; rejects the improper use of institutions and laws by Nicaragua's authoritarian government with the intention of criminalising civil society organisations, political opponents and any type of dissidence;
 6. Reiterates its call on the Nicaraguan authorities to allow access, which is currently

prohibited, to the Office of the UN High Commissioner for Human Rights (OHCHR), the Inter-American Commission on Human Rights (IACHR), the Interdisciplinary Group of Independent Experts (GIEI), the Special Monitoring Mechanism for Nicaragua (MESENI) and international civil society organisations;

7. Calls for the immediate cessation of all financial aid from the EU to Nicaragua, which has been granted regularly and without taking into account the serious past and ongoing violations of human rights and which has been shown not to be used for the benefit of the population, nor to improve the standard of living of Nicaraguans, but rather for the benefit of the Ortega regime and its own ideological and repressive organisations and associations;
8. Urges international financial institutions, governments, European institutions, Canada, the United States, Switzerland and other donor countries to establish strict mechanisms that guarantee that financing that is approved in loans and grants reaches its true beneficiaries and does not remain in the hands of the Ortega regime;
9. Strongly condemns the involvement of Russia and other authoritarian regimes in Nicaragua and their assistance to the Ortega regime;
10. Calls on the Council to immediately include on the list of sanctioned persons and entities President Daniel Ortega and his wife, Vice-President Rosario Murillo;
11. Demands that the terms agreed in the Association Agreement between the EU and the Central American region, to which Nicaragua is a state party, be activated and the Nicaraguan Government be notified of the implementation of the mechanism by which the EU is obliged to denounce Nicaragua for repeated and systematic violations of the obligations and commitments agreed upon, and insists that the European Union closely supervise and monitor respect for human rights and fundamental freedoms in Nicaragua;
12. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of the Organization of American States, the Euro-Latin American Parliamentary Assembly, the Central American Parliament, the Lima Group, and the Government and Parliament of the Republic of Nicaragua.