



Plenary sitting

B9-0581/2021

8.12.2021

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the 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
(2021/3000(RSP))

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on behalf of the PPE Group

**European Parliament resolution on the situation in Nicaragua
(2021/3000(RSP))**

The European Parliament,

- having regard to its previous resolutions on Nicaragua, in particular that of 8 July 2021 on the situation in Nicaragua¹,
- having regard to the declarations on Nicaragua by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on behalf of the EU, in particular those of 8 November 2021 on the elections in Nicaragua and of 10 June 2021 on the deteriorating political situation in Nicaragua, and to the statement of 6 May 2021 by his Spokesperson on the new electoral law,
- having regard to the joint statement by 59 countries on Nicaragua of 22 June 2021 adopted at the 47th session of the UN Human Rights Council,
- having regard to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other²,
- having regard to the Council regulations and decisions concerning restrictive measures against serious human rights violations and abuses in Nicaragua and to the Council decision of 11 October 2021 amending Decision (CFSP) 2019/1720 concerning restrictive measures in view of the situation in Nicaragua, which renewed the sanctions until 15 October 2022³,
- having regard to the statement of 8 November 2021 by the US Secretary of State on Nicaragua's Undemocratic Election,
- having regard to resolution of 12 November by the General Assembly of the Organization of American States on the situation in Nicaragua,
- having regard to the statements of the Inter-American Commission on Human Rights (IACHR), in particular those of 10 November 2021 condemning the human rights violations reported during elections in Nicaragua, and of 20 November 2021 stressing its competent jurisdiction concerning Nicaragua and lamenting Nicaragua's decision to denounce the Charter of the OAS in a context of serious human rights violations,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to the Universal Declaration of Human Rights of 1948,

¹ Texts adopted, P9_TA(2021)0359.

² OJ L 346, 15.12.2012, p. 3.

³ OJ L 361, 12.10.2021, p. 52.

- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas on 7 November 2021, the regime of President Daniel Ortega orchestrated a pantomime trying to give the appearance of an electoral process in Nicaragua which was neither free nor fair, and was totally undemocratic and illegitimate; whereas Ortega, who has ruled the country since 2007, has reinstated himself for a fifth term, four of which were consecutive;
- B. whereas Ortega instructed all other Nicaraguan authorities to mobilise all available resources to rig the outcome of the electoral process; whereas between May and November 2021, the Nicaraguan authorities effectively eliminated all credible electoral competition through the systematic harassment, intimidation and arbitrary incarceration of 40 leaders from different sectors, including opposition leaders, students, rural leaders, journalists, human rights defenders and business representatives, seven of whom were presidential pre-candidates from opposition parties; whereas those arbitrarily arrested face a process marred by serious violations of procedural guarantees, which demonstrates the lack of independence of the judiciary; whereas these violations of human rights, allegedly mostly perpetrated by police officers, municipal officials, paramilitary agents and government members and supporters, increased in the days prior to the fraudulent elections; whereas the Supreme Electoral Council – a body under the absolute control of the ruling party – cancelled the legal status of three main opposition parties, disqualifying them from the election;
- C. whereas credible observations conducted by Nicaraguan civil society organisations estimate the turnout to be between 14.7 % and 18.5 %, in comparison to the Supreme Electoral Council estimate of 65 %; whereas according to civil society organisations, on election day more than 200 acts of political violence and electoral coercion were registered;
- D. whereas the government has increasingly targeted and attacked journalism, freedom of the press and the right to information; whereas on election day, international media was not allowed in the country in a move aimed at further increasing the censorship and blackout surrounding the entirely fraudulent process;
- E. whereas the Nicaraguan Government deprived the people of Nicaragua of their civil and political rights and their freedom of expression, association and peaceful assembly, outlawed scores of civil society organisations, and did not respect its commitments on human rights and fundamental freedoms under Nicaragua’s constitution, the Inter-American Democratic Charter and international covenants to which the country is a party;
- F. whereas the Nicaraguan Government has adopted increasingly restrictive laws in the last few years, institutionalising repression and legalising the discriminatory acts that have been committed in the country since their adoption; whereas Nicaragua has turned into a republic of fear with large numbers of citizens obliged to seek refuge in exile;
- G. whereas the extremely low turnout, the attacks on the opposition and the crackdown on the civil and political rights of citizens, among others, demonstrate that the Ortega regime effectively crushed the integrity of the electoral process and delegitimised any result;

1. Condemns in the strongest possible terms the electoral pantomime orchestrated by the Ortega-Murillo regime that took place on 7 November 2021; declares that the result was illegitimate as the process violated all international democratic standards for credible, inclusive, fair and transparent minimal electoral competition; stresses that it does not and will not recognise any institutional authorities that emerge from the rigged vote; supports statements affirming that this election completes the conversion of Nicaragua into an autocratic regime;
2. Condemns the violence, the systematic crackdown on political opposition leaders, the suppression of civil society actors, human rights defenders and media and the widespread impunity for crimes committed against them, and the persistent corruption practised by Nicaraguan Government officials; recalls that these acts represent a clear breach of human rights, democracy and the rule of law and show the continued failure of President Daniel Ortega, Vice-President Rosario Murillo and Nicaraguan Government officials to defend those principles and values;
3. Reiterates its call for the immediate and unconditional release of all arbitrarily detained political prisoners, opposition activists, human rights and environmental defenders and journalists, and for the annulment of legal proceedings against them; condemns the continued psychological and physical abuse they face at the hands of police and prison authorities, of which women are particular targets, and the situation of incommunicado detention faced by some of them who are without access to their lawyers, families or medical care;
4. Demands justice and accountability for all victims, in line with Nicaragua's constitution, international commitments and obligations, through impartial, thorough and independent investigations; urges the Nicaraguan authorities to undertake deep structural reforms to ensure minimum legal guarantees and due process; reiterates its call to the Nicaraguan authorities to repeal restrictive and punitive laws aimed at cracking down on civil society organisations, opposition parties and individuals who voice critical opinions contrary to the Ortega regime; calls on the EU and its Member States to support the creation of an investigation and accountability mechanism within the UN Human Rights Council;
5. Calls for the Nicaraguan authorities to uphold and respect human rights and to allow the Nicaraguan people to exercise their civil and political right to take part in a free and fair election, and thus calls for the holding of elections in accordance with international standards and the Inter-American Democratic Charter, and for international organisations and civil society organisations to be allowed to access and monitor the country; notes that the holding of free, fair and transparent elections, the restoration of freedoms and the cessation of repression, the release of political prisoners, the re-establishment of the legal status of the political parties that were arbitrarily cancelled and the return of exiles without exclusions and with full guarantees are pre-requisite conditions for any dialogue with the Nicaraguan regime;
6. Reaffirms the EU's solidarity with the Nicaraguan people; points out that the EU and its Member States should maintain their humanitarian assistance to support the most vulnerable; calls on the EU and its Member States to closely monitor the situation on the ground through their representatives and embassies in Nicaragua, including through

trial monitoring and by visiting critics and opposition leaders in prison or under house arrest, and to facilitate the issuance of emergency visas and provide temporary refuge for political reasons in the Member States where appropriate; requests that the European External Action Service step up its efforts through the EU delegation on the ground to reinforce its regular dialogue with Nicaraguan civil society organisation and human rights defenders to support their indispensable work;

7. Reiterates that the only solution to the deep political crisis in Nicaragua is an inclusive and meaningful national dialogue; strongly condemns the repeated disengagement of the Nicaraguan regime and its unwillingness to start such a process; calls for the EU and its Member States to support the current and future efforts of civil society to create the conditions for a dialogue leading to a democratic transition, in line with what was established in the March 2019 agreements;
8. Stresses that the corruption and patrimonialism of the Nicaraguan regime, which also includes the devastation of its natural resources, is endemic and widespread; calls for the EU and its Member States, in this regard, to monitor European funds allocated to Nicaragua, including through multilateral and financial institutions, to ensure that they do not reach the corrupt regime and are instead aimed directly at the local population;
9. Supports the statement of the VP/HR that he is considering all instruments at the EU's disposal to take additional measures, including those that may go beyond individual restrictions, while at the same time aiming to avoid any measures that could potentially add to the hardship of the Nicaraguan people; welcomes the inclusion of Rosario Murillo along with several others on the list of sanctioned individuals that was renewed until October 2022; calls for Daniel Ortega to immediately be added to the list of sanctioned individuals;
10. Regrets the denunciation of the Charter of the Organization of American States (OAS), issued on 19 November by the foreign minister of Nicaragua, and highlights that this decision also implies withdrawal from the regional mechanisms of the OAS for the protection of human rights; underlines that this withdrawal could take up to two years to come into effect; recalls that despite its renunciation of the charter, Nicaragua is still bound by its obligations to other instruments of the OAS, including the American Convention on Human Rights;
11. Calls on the international community and democratic like-minded partners to increase their political pressure and isolation of the Nicaraguan regime in a coordinated fashion in multilateral forums in order to aid the Nicaraguan people to swiftly and fully recover democratic order and popular sovereignty;
12. Recalls that in the light of the Association Agreement between the EU and Central America, Nicaragua must respect and consolidate the principles of the rule of law, democracy and human rights; reiterates its demand that, in the light of the current circumstances, the democratic clause of the Association Agreement be triggered;
13. Reiterates its call for the immediate extradition of Alessio Casimirri to Italy;
14. 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.