



Plenary sitting

B9-0584/2021

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))

María Soraya Rodríguez Ramos, Izaskun Bilbao Barandica, Olivier Chastel, Karin Karlsbro, Javier Nart
on behalf of the Renew 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 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 that of 8 November 2021 on Nicaragua,
 - 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 decision renewing such sanctions until 15 October 2022,
 - having regard to the resolution of the Organization of American States (OAS) of 12 November 2021 on the elections in Nicaragua,
 - having regard to the presidential action by President Biden of the United States of 16 November 2021 entitled ‘A Proclamation on Suspension of Entry as Immigrants and Non-immigrants of Persons Responsible for Policies or Actions That Threaten Democracy in Nicaragua’,
 - having regard the statement of the Inter-American Commission on Human Rights (IACHR) of 20 November 2021 reaffirming its competent jurisdiction over Nicaragua and expressing its regret at Nicaragua’s decision to denounce the Charter of the OAS in a context of serious human rights violations,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas on 7 November 2021, sham presidential and legislative elections were held in Nicaragua amid allegations of fraud, and the incumbent president, Daniel Ortega, who has ruled the country since 2007, re-elected himself for a fifth term – his fourth consecutive term – with approximately 75 % of the votes cast and 65 % turnout, according to the Supreme Electoral Council; whereas observations conducted by Nicaraguan civil society organisations found turnout to be much lower, with the rate of abstention around 81.5 %;
- B. whereas Daniel Ortega eliminated all credible electoral competition and crushed the integrity of the electoral process through the systematic arbitrary incarceration, harassment and intimidation of presidential pre-candidates, opposition leaders, student

¹ Texts adopted, P9_TA(2021)0359.

² OJ L 346, 15.12.2012, p. 3.

and rural leaders, journalists, human rights defenders and business representatives; whereas those arbitrarily arrested face fabricated, politically motivated and ambiguous criminal allegations without any evidence in a process marred by serious violations of procedural guarantees, which demonstrates the lack of independence of the judiciary;

- C. 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;
- D. whereas according to civil society organisations, on election day more than 200 acts of political violence and electoral coercion were registered, including acts of intimidation, harassment, threats and blackmail which targeted mainly state workers, public sector employees, students and medical staff with the aim of forcing them to vote;
- E. whereas press freedom has also been in the government's cross-hairs, and the media have denounced restrictions and obstacles that have made it impossible for them to carry out their work; whereas the government has increasingly targeted and attacked journalism, freedom of the press and the right to information;
- F. whereas these violations of human rights, allegedly mostly perpetrated by police officers, municipal officials, para-state agents and civilian groups organised as militia supporters, increased in the days prior to the fraudulent elections;
- G. whereas the report of the IACHR of October 2021 stated that, in Nicaragua, a police state had been established through repression, corruption, electoral fraud and structural impunity designed by the government to achieve its 'indefinite perpetuation in power and maintenance of privileges and immunities';
- H. whereas the Nicaraguan Government has adopted increasingly restrictive laws in the last few years, institutionalising repression and legalising the 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;
- I. whereas the Nicaraguan Government has deforested and destroyed the territories of indigenous and Afro-descendant peoples through concessions to international mining companies and support for settlers;
- J. whereas the Nicaraguan presidential couple Ortega-Murillo and their families benefit directly from corruption;
- 1. Condemns the undemocratic, shameful election process in Nicaragua that violated all international democratic standards for credible, inclusive, fair and transparent elections; rejects the legitimacy of the results of the illegal elections and does not recognise any institutional authorities that emerged from the rigged vote; supports statements affirming that this election completes the conversion of Nicaragua into an autocratic regime;

2. Calls for the holding of elections in accordance with international standards and the standards of the Inter-American Democratic Charter to ensure that the democratic aspirations of the people of Nicaragua are realised, and for international organisations and civil society organisations to be allowed access to the country;
3. Reaffirms the EU's solidarity with the Nicaraguan population; stresses that the corruption and patrimonialism of the Nicaraguan regime, which also includes the devastation of its natural resources, is leading the country towards economic and humanitarian collapse;
4. Supports the declaration by the VP/HR 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; points out that the EU and its Member States should maintain their humanitarian cooperation to support the most vulnerable, while exploring alternative measures to tackle widespread corruption; calls for the EU and its Member States, in this regard, to monitor European funds allocated, including through multilateral and financial institutions such as the Central American Bank for Economic Integration, to ensure that they do not contribute to strengthening the corruption of the regime;
5. Regrets the denunciation of the Charter of the OAS, issued on 19 November 2021 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;
6. 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;
7. 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;
8. Urges the Nicaraguan authorities to put an end to repression and restore full respect for human rights, including civil and political rights, in particular through the abrogation of all restrictive and illegitimate laws and the reinstatement of the legal personality of human rights defenders' organisations;
9. 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 in which some are kept, without access to their lawyers, families or medical

care; recalls that the State of Nicaragua must comply with UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), which remains an obligation under international law; demands that the government immediately provide proof that those imprisoned are still alive and evidence of their whereabouts; rejects the Ortega regime's decision to freeze the judicial processes against them, resulting in their indefinite pre-trial detention;

10. Demands justice and accountability for all victims, in line with Nicaragua's laws and international commitments and obligations, through impartial, thorough and independent investigations; calls on the EU and its Member States to support the creation of an investigation and accountability mechanism within the UN Human Rights Council;
11. 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; requests that the European External Action Service reinforce its regular dialogue with civil society organisations and human rights defenders and strengthen mechanisms to support their indispensable work;
12. Reiterates that the only solution to the deep political crisis in Nicaragua is an inclusive and meaningful national dialogue and regrets the repeated disengagement of the Nicaraguan regime and its unwillingness to start such a process; notes that the holding of free, fair and transparent elections, the restoration of freedoms and the cessation of repression, the release of political prisoners and the return of exiles without exclusions and with full guarantees are sine qua non conditions for any dialogue with the Nicaraguan regime; calls for the EU and its Member States to accompany 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;
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.