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*Plenary sitting*

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**B9-0585/2021**

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 after the 7 November elections  
(2021/3000(RSP))

**Pedro Marques, Javi López**  
on behalf of the S&D Group

**European Parliament resolution on the situation in Nicaragua after the 7 November elections  
(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 Nicaragua<sup>1</sup>,
  - 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 that of 8 November 2021 on the recent elections,
  - 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 other<sup>2</sup> (the Association Agreement between the EU and Central America),
  - having regard to the Council regulations and decisions concerning restrictive measures against serious human rights violations and abuses in Nicaragua and to Council Decision (CFSP) 2021/1800 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 2022<sup>3</sup>,
  - having regard to the resolution of the Organization of the American States (OAS) of 20 October 2021 on the situation 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 to the statement of the Inter-American Commission on Human Rights 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, farce presidential and legislative elections were held in Nicaragua amid allegations of fraud; whereas since June 2021, the Ortega regime has held 50 of its most prominent political opponents in prison, including presidential pre-candidates; whereas the regime-led Supreme Electoral Council (el Consejo Supremo

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<sup>1</sup> Texts adopted, P9\_TA(2021)0359.

<sup>2</sup> OJ L 346, 15.12.2012, p. 3.

<sup>3</sup> OJ L 361, 12.10.2021, p. 52.

Electoral) has revoked the legal personality of all independent opposition parties, including seven presidential pre-candidates;

- B. whereas with almost half of the ballots counted, the Supreme Electoral Council reported that Daniel Ortega had secured his fourth consecutive re-election with 75 % of the popular vote and a 65 % turnout: whereas 75 of the 91 seats in the national assembly will be controlled by the FSLN (el Frente Sandinista de Liberación Nacional); whereas Walter Espinoza of the Partido Liberal Constitucionalista, with 14 % of the vote and 10 seats, is the main opposition figure in the legislature; whereas observations conducted by Nicaraguan civil society organisations estimated the turnout to be much lower, putting the rate of abstention at around 81.5 %;
- C. whereas according to civil society organisations, 285 acts of political violence and acts of electoral coercion were registered on election day, including acts of intimidation, harassment, threats and blackmail which mainly targeted state workers, public sector employees, students and medical staff to force them to vote; whereas the Nicaraguan Government deprived the people of Nicaragua of their civil and political rights and the freedoms 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 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 more than 140 000 citizens obliged to seek refuge in exile; whereas during 2020, 47 % of Nicaraguans in Costa Rica were living in poverty, more than three quarters of them could only eat once a day, 41 % had no stable source of income, and one fifth had no secure housing for the next month;
- E. whereas the report of the Inter-American Commission on Human Rights of 25 October 2021 entitled 'Nicaragua: Concentration of Power and the Undermining of the Rule of Law' 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';
- F. whereas more than 40 nations have expressed strong disapproval of Nicaragua's elections and refused to recognise them as democratic; whereas a draft resolution was adopted at the OAS General Assembly on 10 November 2021 saying that the Nicaraguan elections lacked 'democratic legitimacy'; whereas in retaliation, the Nicaraguan Government announced that it will start the two-year process of withdrawing from the OAS;
- G. whereas during the electoral period, seven international media outlets were prevented from entering the country to cover the elections; whereas independent journalism associations have denounced at least 52 attacks against independent journalists which took place between 25 October and 7 November 2021; whereas only official media outlets were accredited on 7 November, in violation of the right to information and the

freedom of expression;

- H. whereas between 3 and 7 November 2021, 35 arbitrary detentions were reported in the country; whereas only nine of the prisoners have been released and 26 are still imprisoned; whereas this amounts to a total of 170 people in arbitrary detention, including the seven presidential pre-candidates; whereas these violations of human rights, allegedly mostly perpetrated by police officers, municipal officials, para-state agents and government members and supporters, increased in the days prior to the fraudulent elections;
- I. whereas as at October 2021, just 5 % of the population in Nicaragua had been fully vaccinated; whereas following this trend, Nicaragua will not reach widespread immunity until 2023 at the earliest;
1. Condemns the undemocratic 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; supports statements affirming that these elections complete the conversion of Nicaragua into an autocratic regime;
  2. Reiterates its solidarity with the Nicaraguan population and strongly condemns all the repressive actions of the Nicaraguan authorities against democratic opposition parties and their members, journalists and other media workers, students, indigenous people, human rights defenders and members of civil society organisations, as well as their family members, and in particular the deaths caused; calls for an immediate stop to the imposition of restrictive measures, repression and human rights violations, and calls for accountability for the grave violations committed by the Nicaraguan Government since 2018;
  3. 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; recalls its previous positions setting out the basic preconditions for an inclusive and meaningful national dialogue to be launched by the government: calls on the Nicaraguan Government to immediately restore the rule of law and fundamental freedoms in the country and to put an end to the state of repression and fear; calls for the immediate and unconditional release of all arbitrarily detained political prisoners and the return of exiles without exception and with full guarantees, and for the return of international human rights bodies to the country; 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;
  4. Calls for the holding of elections in accordance with international standards and 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 immediately allowed access to the country without restrictions;
  5. Supports the statement of the VP/HR that he is considering all instruments at the EU's disposal with a view to taking 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;

6. Calls for the EU and its Member States to continue their humanitarian cooperation to support the most vulnerable, while exploring alternative measures to tackle widespread corruption and ensure that EU funds allocated to Nicaragua, including through multilateral and financial institutions, are not used to strengthen the corrupt regime;
7. Regrets the denunciation of the OAS Charter issued on 19 November 2021 by the Foreign Minister of Nicaragua, and highlights that this decision will close off the country's access to financing from the Inter-American Development Bank and implies that Nicaragua will withdraw from the OAS's regional mechanisms for the protection of human rights;
8. 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;
9. Demands justice and accountability for all victims, in line with Nicaragua's laws, 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;
10. 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 who are 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;
11. Reiterates its call for the immediate extradition of Alessio Casimirri to Italy;
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, and the Government and Parliament of the Republic of Nicaragua.