



Plenary sitting

B9-0395/2022

12.9.2022

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on **Nicaragua, in particular the arrest of the bishop Ronaldo Álvarez**
(2022/2827(RSP))

Margarida Marques, Andrea Cozzolino, Isabel Santos
on behalf of the S&D Group

**European Parliament resolution on Nicaragua, in particular the arrest of the bishop
Ronaldo Álvarez
(2022/2827(RSP))**

The European Parliament,

- having regard to its previous resolutions, in particular that of 16 December 2021 on the situation in Nicaragua and that of 9 June 2022 on the instrumentalisation of justice as a repressive tool in Nicaragua
 - having regard to the framework for restrictive measures adopted by the Council on 14 October 2019,
 - having regard to the statement by the Spokesperson of the HR/VP of 14 March 2022 on the sentencing of political prisoners,
 - having regard to the statement by the UN Human Rights Office spokesperson of 9 May 2022 on Nicaragua's crackdown on civil society and the report of the UN High Commissioner for Human Rights A/HRC/49/23 published on the situation of human rights in Nicaragua as well as her statement before the 49th Session of the Human rights Council of 7 March 2022,
 - having regard to the International Covenant on Civil and Political Rights, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the Vienna Convention,
 - having regard to Rule 144 of its Rules of Procedure,
- A. Whereas since 2018, the Nicaraguan Government has carried out systematic incarceration, harassment and intimidation of presidential pre-candidates, opposition leaders, religious leaders - notably from the Roman Catholic Church - student and rural leaders, journalists, human rights defenders, civil society organisations, LGBTI persons and business representatives;
- B. Whereas as mentioned by the UN Office of the High Commissioner for Human Rights and by the UN Human Rights Council's Special Procedures mandate holders, those imprisoned were detained on grounds incompatible with international human rights standards and with the Nicaragua's Constitution;
- C. Whereas as the UN has repeatedly noted, such conditions of detention pose real risks to the prisoners' physical and mental integrity and may amount to cruel, inhumane and degrading treatment, or even torture;
- D. Whereas up to June 2022 over 181 persons remain arbitrarily detained according to the Special Follow-up Mechanism for Nicaragua (MESENI);

- E. Whereas on 19th August 2022, the Bishop of Matagalpa, Rolando Álvarez was arbitrarily arrested and placed under house arrest by the Nicaraguan regime along with five priests, two seminarians and one cameraman, which are imprisoned in El Chipote Prison;
- F. Whereas the arrest took place after being under siege by the police for 15 days; whereas Bishop Rolando Álvarez has constantly called for peaceful and reasoned dialogue in Nicaragua and criticized the closure of seven Catholic media radio stations operated by the Matagalpa diocese on 1st August 2022;
- G. Whereas this arrest is part of a much wider attack on members of the Roman Catholic Church, due to their mediation efforts in the national talks of 2018 and their denunciations of the human rights violations committed in the context of Nicaragua's ongoing crisis: the Apostolic Nuncio, Monsignor Waldemar Stanislaw Sommertag was expelled in March 2022, Padre Manuel Salvador Garcia was detained in June 2022, the Missionaries of Charity Association of the Order of St Teresa of Calcutta was illegalised and expelled in July 2022 and the National Police reportedly banned religious processions scheduled for 13th and 14th August;
- H. Whereas the closure of the Catholic radio stations and two more community radio/TV stations shortly after, with excessive use of force, are the last in a long list of civil society organizations, several political parties, media associations and universities;
- I. Whereas since April 2018, a framework of state repression is installed in Nicaragua, marked by the systemic impunity of human rights violations, the institutional and rule of law deterioration and the implementation of a strategy orchestrated by the Nicaraguan executive which aims at silencing any dissenting voices with a clear connivance of the judiciary that handed guilty verdicts and harsh sentences after closed-door trials that failed to uphold basic fair trial guarantees;
- J. Whereas since April 2018, a framework of state repression is installed in Nicaragua, marked by the systemic impunity of human rights violations, the institutional and rule of law deterioration, arbitrary detentions and the implementation of a strategy orchestrated by the Nicaraguan executive which aims at silencing and persecuting any dissenting voices or opposition leaders, with a clear connivance of the judiciary that handed guilty verdicts and harsh sentences after closed-door trials that failed to uphold basic fair trial guarantees;
1. Strongly condemns the Nicaraguan regime for the systematic persecution of dissenting voices, the abuses targeted at human rights defenders, opposition figures, journalists, students and members of the Church among others, their arbitrary detention for solely exercising their fundamental freedoms, their inhumane and degrading treatment and their deteriorating health condition;
 2. Calls on the Nicaraguan Government to immediately and unconditionally release all political prisoners and to annul all legal proceedings against them, including their sentences, and allow a safe return of all refugees and exiled to their homes restoring a full respect for all human rights, including freedom of expression and religion and belief;

3. Calls for the immediate and unconditional release of all those arbitrarily detained, accused and sentenced, including Bishop Rolando Alvarez and those detained along with his arrest, to annul all legal proceedings against them, including their sentences;
4. Holds the Government responsible for ensuring that conditions of detention comply with its international human rights obligations and with standards such as the UN Standard Minimum Rules for the Treatment of Prisoners -the Mandela rules;
5. Urges the Government of Nicaragua to put an end to the use of cruel and inhuman treatment, and to respect the physical integrity, dignity and liberty as well as the right to access to medical care of those imprisoned as well as their families, in compliance with its international human rights legal obligations and with standards such as the UN Standard Minimum Rules for the Treatment of Prisoners;
6. Calls on the Nicaraguan authorities to stop unduly closing NGOs and CSOs and restore the legal charter of all organizations, political parties, universities, human rights organisations, and media outlets that have been arbitrarily shut down as well as returning all property, assets, documents and equipment that were unduly seized and re-establish their legitimate legal status;
7. Rejects the arbitrary shutdowns and confiscations of assets belonging to civil society organisations, political parties, religious organisations, media associations and universities; calls on the Nicaraguan authorities to stop these actions and to restore their legal personality, as well as to return all the assets, documents and equipment that were unduly seized;
8. Strongly urges Nicaragua to repeal legislation passed since 2018 that unduly restrict the civic and democratic space; reiterates its call on the EU to continue supporting civil society organizations, human rights defenders and relatives of political prisoners both in Nicaragua and in exile;
9. 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;

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.