



Plenary sitting

B9-0280/2023

12.6.2023

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
(2023/2743(RSP))

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

**European Parliament resolution on the situation in Nicaragua
(2023/2743(RSP))**

The European Parliament,

- having regard to its previous resolutions, in particular that of 16 December 2021 on the situation in Nicaragua¹ and that of 9 June 2022 on the instrumentalisation of justice as a repressive tool in Nicaragua²,
 - 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 for the High Representative of the Union for Foreign Affairs and Security Policy 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, to Report A/HRC/49/23 of the UN High Commissioner for Human Rights of 24 February 2022 on the situation of human rights in Nicaragua and to the statement by the UN High Commissioner for Human Rights of 7 March 2022 before the 49th Session of the UN Human Rights Council,
 - having regard to the statement by the Spokesperson for the High Representative of the Union for Foreign Affairs and Security Policy of 4 August 2022 on the closure of radio stations and the shutdown of civil society organisations in Nicaragua,
 - having regard to the statement by the Spokesperson for the High Representative of the Union for Foreign Affairs and Security Policy of 16 February 2023 on the revocation of the Nicaraguan citizenship of political opponents,
 - having regard to the Council regulations and decisions concerning restrictive measures against serious human rights violations and abuses in Nicaragua,
 - 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 132(2) of its Rules of Procedure,
- A. whereas since 2018, the Nicaraguan Government has systematically incarcerated, harassed and intimidated potential presidential candidates, opposition leaders, religious leaders, student and rural leaders, journalists, human rights defenders, civil society

¹ OJ C 251, 30.6.2022, p. 134.

² OJ C 493, 27.12.2022, p. 100.

organisations, LGBTI persons and business representatives;

- B. whereas this framework of state repression has been installed with the clear connivance of the judiciary, which has handed down guilty verdicts and harsh sentences following closed-door trials that failed to uphold basic fair trial guarantees;
 - C. 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 Nicaragua's Constitution;
 - D. whereas, as the UN has repeatedly noted, the 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;
 - E. whereas on 19 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, who are now imprisoned in El Chipote prison;
 - F. whereas in 2022, the flow of Nicaraguans migrating to other countries as a consequence of the political, social, human rights and economic crisis increased; whereas more than 192 000 Nicaraguans have fled to Costa Rica since 2018, either as asylum seekers or as refugees; whereas this trend could undermine the Costa Rican asylum system and overburden support networks in the country;
 - G. whereas on 9 February 2023, the regime of President Ortega and Vice-President Murillo released 222 political prisoners, including seven former presidential candidates, lawyers, rights activists, journalists and former members of the Sandinista guerrilla movement, stripped them of their nationality and deported them to the United States;
 - H. whereas on 9 June 2023, the Government of Nicaragua confiscated properties belonging to the 222 political prisoners who had been forced into exile that February after being convicted of 'committing acts against the nation's sovereignty, independence and self-determination';
 - I. whereas Spain has offered its citizenship to the 222 exiles, while the US granted them temporary protection for two years;
- 1. Strongly condemns the Nicaraguan regime for its systematic persecution of dissident voices, its abuses against human rights defenders, opposition figures, journalists, students and church members, among others, its arbitrary detention of these people merely for exercising their fundamental freedoms, its inhumane and degrading treatment of them and their deteriorating health;
 - 2. Stresses that Nicaragua's judiciary entirely lacks independence from the executive branch;
 - 3. Calls on the Nicaraguan Government to immediately and unconditionally release all political prisoners and to withdraw all legal proceedings against them, as well as

quashing their sentences, and urges it to allow the safe return of all refugees and exiles to their homes, restoring full respect for all human rights, including freedom of expression and freedom of religion and belief;

4. Holds the Nicaraguan Government responsible for ensuring that conditions of detention are consistent with its international human rights obligations and with standards such as the Nelson Mandela Rules;
5. Urges the Nicaraguan Government to end the use of cruel and inhumane treatment and to respect the physical integrity, dignity and liberty of prisoners and their families, as well as their right to access medical care, in accordance with Nicaragua's obligations under international human rights law and with standards such as the Nelson Mandela Rules;
6. Calls on the Nicaraguan authorities to stop unduly closing non-governmental organisations and civil society organisations and to restore the legal personality of all organisations, political parties, universities, human rights organisations and media outlets that have been arbitrarily shut down, as well as returning all unduly seized property, assets, documents and equipment and re-establishing the legitimate legal status thereof;
7. Rejects the arbitrary shutdowns and the confiscation of assets belonging to citizens, civil society organisations, political parties, religious organisations, media associations and universities; calls on the Nicaraguan authorities to cease these actions and to restore the legal personality of bodies targeted by shutdowns, as well as to return all unduly seized assets, documents and equipment;
8. Strongly urges Nicaragua to repeal the legislation passed since 2018 that unduly encroaches on civic and democratic space; reiterates its call for the EU to continue supporting civil society organisations, 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;
10. Highlights the key role played by civil society, human rights defenders, journalists and religious leaders in Nicaragua;
11. Calls on the Nicaraguan regime to implement the recommendations issued by the UN Group of Human Rights Experts on Nicaragua in its report, as well as those issued by the UN High Commissioner for Human Rights; urges the Nicaraguan institutions to stamp out impunity for the serious violations and abuses of human rights and to provide the victims with access to justice and full reparations;
12. Calls on the Commission to ensure that its cooperation assistance does not in any way contribute to the repressive policies currently being pursued by the Nicaraguan authorities;

13. 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.