



Plenary sitting

B9-0283/2023

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))

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on behalf of the ECR Group

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

The European Parliament,

- having regard to its previous resolutions on Nicaragua, in particular its resolutions on the situation in Nicaragua of 8 July 2021¹ and 16 December 2021²,
 - having regard to the Universal Declaration of Human Rights of 10 December 1948,
 - 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 International Covenant on Civil and Political Rights of 1966,
 - having regard to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms adopted by the UN General Assembly on 9 December 1998,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas Daniel Ortega has been in power for 16 consecutive years and has undermined democracy in many different ways; whereas on 7 November 2021, he orchestrated a manipulated electoral process in Nicaragua, which was undemocratic and illegitimate; whereas no international observers were able to observe the election and the free press has been restricted;
- B. whereas the Nicaraguan regime has adopted increasingly restrictive laws in the last few years, institutionalising repression and weaponising state institutions against civil society;
- C. whereas Daniel Ortega continues to centralise political power around himself and his family; whereas he has made his wife, Rosario Murillo, Vice-President and appointed his children to high-ranking offices;
- D. whereas the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS) has denounced all of the constitutional reforms that have completely moulded the Nicaraguan state's institutional structure to ensure the total concentration of power in Ortega's hands;
- E. whereas the lack of separation of powers and the complete control of state institutions by the Nicaraguan Government has resulted in the subjugation of the judiciary and the Office of the Attorney General to the regime's will, obliterating the rule of law and

¹ OJ C 99, 1.3.2022, p. 204.

² OJ C 251, 30.6.2022, p. 134.

judicial independence;

- F. whereas Ortega has enjoyed a great deal of support from other non-democratic regimes such as Venezuela, but also from Russia; whereas the collapse of the Venezuelan economy in 2018 caused support to the Nicaraguan dictatorship to be cut or suspended;
- G. whereas opposition politicians, activists, human rights defenders and journalists have been systematically arrested and/or detained; whereas the arrest of opposition members has caused the National Assembly to be occupied primarily by deputies loyal to Ortega;
- H. whereas since 2018, many political prisoners have been kept incommunicado and in inhuman conditions; whereas these arrests and detainments are in serious violation of international human rights standards; whereas the related trials have violated the Nicaraguan penal code by ignoring the ‘presumption of innocence’ clause;
- I. whereas on 9 February 2023, 222 opposition figures were exiled to the United States, including seven former presidential candidates, lawyers, human rights activists and journalists; whereas Nicaragua’s regime has recently confiscated the properties belonging to these 222 opposition figures and they have been stripped of their citizenship;
- J. whereas the continued crackdown and repression have caused thousands of Nicaraguans to flee the country;
- K. whereas the IACHR estimates that since the regime’s crackdown on the 2018 protests, 355 people have been killed, with thousands more injured, and more than 3 000 civic groups and non-governmental organisations have been closed down;
- L. whereas the attacks against the Catholic Church have been continuous in the past few years, particularly since the Church attempted to act as a mediator between the government and the political opposition after the protests in 2018; whereas according to the report ‘Nicaragua: A Persecuted Church?’, in the past five years the Church in Nicaragua has suffered more than 500 attacks, with 90 attacks committed so far in 2023;
- M. whereas this year, prominent Catholic Bishop Rolando Álvarez was sentenced to 26 years in prison after he refused to board the airplane that flew 222 dissidents and priests to exile in the United States; whereas in April, the Vatican closed its embassy in Nicaragua after the country’s regime proposed suspending diplomatic relations;
- N. whereas, as part of this campaign of persecution, the Nicaraguan Red Cross has been closed down and accused of ‘attacks on peace and stability’; whereas previously, Ortega had unilaterally ordered the shutdown of the office of the OAS in Managua, sending in police armed with machine guns;
- O. whereas, according to the UN Human Rights Experts Group on Nicaragua, the Ortega-Murillo regime has executed at least 40 people and ordered hospitals not to treat demonstrators who had been wounded in the anti-government protests in 2018; whereas violations and abuses by the regime are being perpetrated in a widespread and systematic manner for political reasons, constituting the crimes against humanity of murder, imprisonment, torture, including sexual violence, deportation and persecution

on political grounds;

- P. whereas Nicaragua's alignment with Russia and support to it at international level such as in the UN General Assembly, has coincided with the restoration of diplomatic relations between Managua and Beijing after a 20-year hiatus;
 - Q. whereas Nicaragua and Cuba are the only countries in Latin America that have not yet ratified the Rome Statute, clearly demonstrating their lack of commitment to peace and security;
 - R. whereas the Nicaraguan dictatorship has been consistently supported by other dictatorships such as Cuba and Venezuela, and other members of the Foro de São Paulo and the Grupo de Puebla; whereas the Foro de São Paulo and the Grupo de Puebla are two multilateral organisations with many members linked to Russia's activities in Latin America;
1. Deplores and strongly condemns the continuous deterioration of the situation in Nicaragua and the escalation in the repression against political opposition figures, the Roman Catholic Church, civil society, human rights defenders and journalists, among other actors;
 2. Condemns in the strongest possible terms the repression and arrests of members of the Roman Catholic Church in Nicaragua, in particular the arrest of Bishop Rolando Álvarez; urges the Nicaraguan regime to immediately end the repression and restore full respect for all human rights, including freedom of expression, religion and belief;
 3. Calls for the immediate and unconditional release of all those arbitrarily detained, including Bishop Álvarez and those detained alongside him, and for all legal proceedings against them to be annulled, including their sentences;
 4. Condemns the abusive detention, the lack of trial guarantees and the illegal convictions of political prisoners that have been taking place in Nicaragua; stresses that the judicial system lacks independence from the executive branch; expresses concern about the manipulation of criminal law and the use of the justice system as a tool to criminalise the exercise of civil and political rights;
 5. Deplores Nicaragua's alignment with Russia, which manifests itself in the country's votes at UN level, as well as in political and military cooperation, such as the transfer of Russian military equipment and satellite monitoring infrastructure, agreement for Russian forces to train in Nicaragua and access to Nicaragua for Russian troops, military aircraft and naval vessels; is worried about the possible expansion of Russian surveillance in the region;
 6. Notes with regret the cutting off of official relations with Taiwan that followed the switch from Taiwanese investment in Nicaragua to funds from China's Belt and Road Initiative and new Global Development Initiative, which may expand China's reach in Central America through control over projects such as the Nicaraguan Canal;
 7. Urges the international community to hold the Nicaraguan regime accountable for ensuring that conditions of detention comply with its international human rights

obligations and to be consistent with the UN Standard Minimum Rules for the Treatment of Prisoners – the Nelson Mandela Rules;

8. Expresses its support to the Nicaraguan citizens protesting against the Ortega-Murillo regime; stresses that the Nicaraguan people deserve to enjoy the freedoms and rights that are respected in a democracy; calls for the regime to restore the rightful legal status of the opposition parties that have been arbitrarily banned;
9. Highlights the key role played by civil society, human rights defenders, journalists and members of the Roman Catholic Church in Nicaragua;
10. Stresses that international human rights bodies must be authorised to return to Nicaragua, including the Office of the United Nations High Commissioner for Human Rights and the IACHR;
11. Reiterates its call for Nicaraguan judges and prosecutors to be swiftly included on the list of individuals sanctioned by the EU and for the list of sanctioned individuals and entities to be expanded to include Daniel Ortega and his inner circle;
12. Calls on Member States and the UN Security Council, in accordance with Articles 13 and 14 of the Rome Statute, to open a formal investigation through the International Criminal Court into Nicaragua and Daniel Ortega for crimes against humanity under Article 7 of the Rome Statute, which the Nicaraguan state and Daniel Ortega himself are responsible for: murder, deportation or forcible transfer of people, imprisonment or other deprivation of physical liberty violating fundamental rules of international law, torture, rape or any other form of sexual violence of comparable severity, political persecution, enforced disappearances and other inhuman acts; underlines that these acts are part of a state policy carried out by Daniel Ortega's regime, which has been stepped up since April 2018;
13. Calls for the EU and its Member States to closely monitor the situation on the ground through their local representatives and embassies in Nicaragua;
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.