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Nicaragua: The year ends with systematic repression and a streamlined state strategy against any form of dissent

In a context of repression and total closure of civic space in Nicaragua, the authorities have continued to implement and streamline a strategy of repression that has escalated from the use of lethal force against protesters in 2018 to the current arbitrary deprivation of nationality of those considered dissidents. Despite releases from prison in 2023 and 2024, many people continue to be deprived of their liberty for political reasons or simply for expressing anti-government views. The harassment, intimidation and misuse of criminal law that initially targeted protesters, activists, political opponents, journalists, human rights defenders and indigenous leaders has been extended to society as a whole and now affects anyone perceived as a threat to official policy or the state narrative. International mechanisms have extensively documented the situation and have concluded that crimes against humanity are being committed in Nicaragua.¹

Violent response to protest and criticism

Since the outbreak of protests in April 2018, the response of the Nicaraguan authorities has been disproportionate and violent, with a devastating number of victims. At the time, various regional and universal human rights mechanisms documented at least 355 deaths² and more than 2 000 people injured in the context of the repression of the first protests of 2018,³ most of which resulted from the use of firearms in vital areas and many of which may constitute extrajudicial executions. In addition, between April and October 2018, more than 1 600 people were arbitrarily detained and subjected to conditions of detention that included torture, enforced disappearances and cruel and degrading treatment.⁴ The repression included not only the use of police forces, but also “parapolice” groups operating in a coordinated manner to quell any acts of protest or dissent, leaving a trail of violence and fear in Nicaraguan society.

According to the Inter-American Commission on Human Rights (IACHR), between February and June 2019 the government released a total of 493 people from prison, 387 through unilateral announcements by the state and 104 following the approval of the amnesty law.⁵ However, despite being out of prison, these individuals never enjoyed real freedom. In many cases, they and their families reported suffering acts of aggression, intimidation and harassment by the police, parapolice forces or local control networks linked to the government. Thus, their release from prison did not mark an end to the repression, which continued and resulted in the forced exile of hundreds of Nicaraguans perceived by the authorities as dissidents.

Many of the persons released from prison have also been re-arrested. In September of this year, Amnesty International was able to speak with **Juan Carlos Baquedano**, a 67-year-old released prisoner who was deprived of his liberty in July

¹ In May 2018, the OAS, together with the IACHR, created the Interdisciplinary Group of Independent Experts (GIEI). The group was established to investigate the violent events that had occurred in Nicaragua since 18 April 2018. The GIEI submitted its final report in December 2018, concluding that crimes against humanity had been committed in Nicaragua during the protests and subsequent repression. See: https://gieinicaragua.org/giei-content/uploads/2018/12/GIEI_INFORME_DIGITAL.pdf
In March 2022, the UN Human Rights Council established the Group of Human Rights Experts on Nicaragua (GHREN), which has also investigated and denounced human rights violations in the country. This mechanism presented its first report in March 2023, concluding that the Nicaraguan government had committed widespread human rights violations that amount to crimes against humanity since April 2018. See: <https://www.ohchr.org/en/press-releases/2023/03/nicaragua-crimes-against-humanity-being-committed-against-civilians?utm=>

² IACHR. Special Monitoring Mechanism for Nicaragua. “Fatal Victims Registry”. Available at: <https://www.oas.org/en/iachr/jsForm?File=/en/iachr/meseni/registro.asp>

³ Office of the United Nations High Commissioner for Human Rights. Human Rights Violations and Abuses in the Context of Protests in Nicaragua. 18 April – 18 August 2018. Available at:

https://www.ohchr.org/Documents/Countries/NI/HumanRightsViolationsNicaraguaApr_Aug2018_EN.pdf

⁴ IACHR. *Annual Report 2021. Chapter IV.B Nicaragua*. OEA/Ser.LN/II. Doc. 64 rev. 1, 26 May 2022, para. 3.

⁵ IACHR. *IACHR Concerned about Ongoing Repression in Nicaragua*. 11 July 2019. Available at: https://www.oas.org/en/iachr/media_center/PReleases/2019/172.asp

2018 for supporting the protests. According to his testimony, after spending 11 months in prison in inhumane conditions, he was released in 2019 and subsequently went into exile in Mexico.⁶

In August 2023, after returning to Nicaragua to attend to a personal matter, he was arrested again at his home. After more than a year of illegal detention, he was released in September 2024 and exiled to Guatemala along with 134 other people who, like him, had been deprived of their liberty on the grounds that they were dissidents and political opponents.⁷ Today, this activist faces the harsh reality of living in exile, stripped of his nationality, without access to his property or his pension, and with serious physical and psychological scars as a result of the torture he claims to have suffered during his two periods of detention in Nicaraguan prisons.⁸

From lethal violence against protesters in 2018, to arbitrary arrests and covert actions under amnesty laws that perpetuate harassment and rights abuses, the government has consolidated a climate of fear and control. The cases documented by Amnesty International in recent years show how this repression extends beyond the prisons and into the lives of those who have been persecuted, tortured and ultimately forcibly exiled. The state's response to protest and criticism is not only violent but has been streamlined to ensure impunity and stifle any attempt at resistance, consolidating a regime of absolute control.

Restrictive laws and selective criminalization

Following the suppression of the 2018 protests, the Nicaraguan authorities intensified their harassment of civil society and human rights defenders through a strategy of control that has undermined the right to freedom of association and expression in the country. In October 2020, the National Assembly, which is controlled by the ruling party, passed laws that severely affect the exercise of these rights. The Law on the Regulation of Foreign Agents (Law 1040)⁹ imposes disproportionate restrictions that make it difficult for organizations to receive international funding, thus restricting their legitimate human rights activities. The Special Law on Cybercrime (Law 1042)¹⁰ criminalizes speech that the government deems to “cause alarm, fear or anxiety”, allegedly to prevent the spread of fake news. In addition, the Law on the Defence of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace (Law 1055)¹¹ was approved on 21 December 2020 and criminalizes as “traitors to the homeland” those who, according to the government, commit acts that are vaguely defined as “harming the supreme interests of the nation”. This law punishes and disqualifies from public office any person who engages in legitimate activities, such as receiving international funding or proposing measures to exert international pressure, effectively allowing for the persecution of any dissenting voices.

In 2021, the National Assembly and other state institutions continued to pass legislation that is contrary to international human rights standards and supports the strategy of repression, such as the reform of Article 37 of the Constitution,¹² the regulations for the Regulation, Supervision and Sanctioning of Foreign Agents,¹³ Law 1060 on the Reform of the Code of

⁶ Amnesty International interview with 67-year-old victim of expulsion and arbitrary deprivation of nationality. September 2024. Guatemala City, Guatemala.

⁷ New York Times in Spanish. *Nicaragua Releases 135 Political Prisoners on Humanitarian Grounds*. 5 September 2024. Available at: <https://www.nytimes.com/es/2024/09/05/espanol/nicaragua-libera-presos-politicos-guatemala.html>

⁸ On 1 March 2024, the IACHR issued resolution 7/2024 granting precautionary measures in favour of Juan Carlos Baquedano, after considering that he was in a serious and urgent situation presenting a risk of irreparable harm to his rights in Nicaragua. Available at: https://www.oas.org/en/iachr/decisions/mc/2024/res_7-24%C2%A0_mc_95-24%C2%A0_ni_en.pdf

⁹ National Assembly of Nicaragua. *Ley de Regulación de Agentes Extranjeros* [Law on the Regulation of Foreign Agents] (Law 1040). Approved on 15 October 2020 and published in Official Gazette Nbr. 192 of 19 October 2020. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/9e314815a08d4a6206257265005d21f9/3306286cd4e82c5f06258607005fdf6b>

¹⁰ National Assembly of Nicaragua. *Ley Especial de Cibercrimen* [Special Law on Cybercrime] (Law 1042). Approved on 27 October 2020 and published in Official Gazette Nbr. 201 of 30 October 2020. Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/803E7C7FBCF44D7706258611007C6D87](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/803E7C7FBCF44D7706258611007C6D87)

¹¹ National Assembly of Nicaragua. *Ley de Defensa de los Derechos del Pueblo a la Independencia, la Soberanía y Autodeterminación para la Paz* [Law on the Defence of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace] (Law 1055). Approved on 21 December 2020. Available at: [http://legislacion.asamblea.gob.ni/SILEG/Iniciativas.nsf/C4084E2665A5610F06258642007E9C3F/\\$File/Ley%20N%C2%B0%201055,%20Ley%20Defensa%20de%20los%20Derechos%20del%20Pueblo.pdf?Open](http://legislacion.asamblea.gob.ni/SILEG/Iniciativas.nsf/C4084E2665A5610F06258642007E9C3F/$File/Ley%20N%C2%B0%201055,%20Ley%20Defensa%20de%20los%20Derechos%20del%20Pueblo.pdf?Open)

¹² Approved on 18 January, it establishes life imprisonment for serious crimes under vague circumstances of hate and cruelty. This measure has been used to intimidate and persecute dissenters.

¹³ Regulations issued on 27 January imposing sanctions of up to half a million dollars and allowing the revocation of the legal status of organizations, with serious consequences for human rights defenders.

Criminal Procedure¹⁴ and Law 1070 on Electoral Reform.¹⁵ Since then, this legislation has been used to justify arbitrary detentions and attempts to silence political opponents in the context of public protests and elections, such as the 2021 presidential elections.

The period of repression from 2018 to 2021 included the arrest and imprisonment of public figures, activists and government critics on poorly defined charges, with judicial proceedings controlled by the authorities and without due process guarantees.

Cases such as those of **Kevin Solís, Violeta Granera** and **Nidia Barbosa**, previously documented by Amnesty International, illustrate this pattern: these three individuals were persecuted, arbitrarily detained and subjected to legal proceedings without due guarantees because of their social leadership and links to civil society organizations.¹⁶

Throughout 2024, the Nicaraguan authorities have intensified the construction of a legal framework designed to give the appearance of legality to repressive actions and human rights violations. These reforms are not aimed at the well-being of the population, but rather at consolidating a state apparatus that controls and represses its people, even beyond its borders. In addition, the authorities have introduced regulations designed to evade accountability and sanctions from the international community, perpetuating a repressive system that is reinforced by rampant impunity and stifles any dissent.

Among the new regulations are reforms to the Nicaraguan Penal Code, approved by the National Assembly in September of this year, which further increase the criminalization of dissident voices. These amendments allow individuals or organizations to be criminally sanctioned, even while outside the country, for alleged crimes against the state or cybercrimes. Although the framework is intended to cover crimes such as money laundering, it is anticipated that the government will use it to repress freedom of association and expression, as has happened with previous laws. The reforms allow people to be tried in absentia while they are outside the country, facilitating the persecution of dissidents and the seizure of assets from churches and organizations that have been closed down, violating the right to defence and due process, and contributing to the consolidation of a climate of impunity and repression in Nicaragua.¹⁷

Furthermore, on 22 November 2024, the Nicaraguan National Assembly approved a constitutional reform that, according to various Nicaraguan social actors, denies individual and public freedoms in the country and deepens the concentration of power in the executive, undermining the separation of powers.¹⁸ The reform introduces the figure of “co-president”, extends the presidential term from five to six years and subordinates the other branches of government to the executive.¹⁹ It also introduces articles that give the appearance of legality to the arbitrary deprivation of nationality and removes the explicit prohibition of torture, which contravenes international human rights standards and raises concerns about an increase in repressive practices.²⁰ In this context, Nicaraguan civil society organizations have registered and reported at least 30 arbitrary detentions, allegedly carried out in police “raids” without judicial warrants and without access to lawyers or family visits, in violation of the minimum guarantees established by international law.²¹

¹⁴ Creates a special hearing that allows for detentions of up to 90 days without formal charges, used to repress protesters and opponents.

¹⁵ Approved on 4 May, it restricts public demonstrations, grants the National Police control over political rallies, and allows for the suppression of political parties and the disqualification of candidates considered “traitors to the homeland”.

¹⁶ Amnesty International. Nicaragua: A cry for justice: Five years of oppression and resistance. AMR 43/6679/2023. April 2023

¹⁷ Amnesty International. *Nicaragua: La represión sin límites continúa siendo desplegada por las autoridades* [Nicaragua: Unlimited repression continues to be deployed by the authorities]. September 2024. Available at:

<https://www.amnesty.org/es/latest/news/2024/09/nicaragua-represion-sin-limites-continua-siendo-desplegada-por-autoridades/>

¹⁸ Confidencial. *Reforma constitucional anula las libertades individuales y públicas de los nicaragüenses* [Constitutional reform annuls individual and public freedoms of Nicaraguans]. 28 November 2024. Available at: <https://confidencial.digital/politica/reforma-constitucional-anula-las-libertades-individuales-y-publicas-de-los-nicaraguenses/>

¹⁹ El País. *Ortega impulsa una reforma constitucional en Nicaragua que eleva a su esposa Murillo al cargo de copresidenta* [Ortega pushes through a constitutional reform in Nicaragua that elevates his wife Murillo to the position of co-president]. 20 November 2024. Available at: <https://elpais.com/america/2024-11-20/ortega-impulsa-una-reforma-constitucional-en-nicaragua-que-eleva-a-su-esposa-murillo-al-cargo-de-copresidenta.html?utm>

La Gaceta. *Diario Oficial* [Nicaragua's official gazette]. No 218. 25 November 2024. Available at: <http://digesto.asamblea.gob.ni/consultas/util/pdf.php?type=rdd&rdd=1bntfirdRVo%3D>

²⁰ 100% Noticias. *Reforma constitucional en Nicaragua elimina artículo que prohíbe la tortura* [Constitutional reform in Nicaragua eliminates article prohibiting torture]. 22 November 2024. Available at: <https://100noticias.com.ni/politica/135548-reforma-constitucional-elimina-tortura-managua/?utm>

²¹ France 24. *Aumentan los detenidos en Nicaragua tras aprobación de reforma constitucional, ¿en qué consiste?* [Arrests increase in Nicaragua after approval of constitutional reform. What does this entail?]. 29 November 2024. Available at:

<https://www.france24.com/es/am%C3%A9rica-latina/20241129-aumentan-los-detenidos-en-nicaragua-tras-aprobaci%C3%B3n-de-reforma-constitucional-en-qu%C3%A9-consiste>

The Office of the United Nations High Commissioner for Human Rights expressed deep concern over these legal changes, noting that they represent a significant threat to the rule of law and human rights in Nicaragua.²² The IACHR warned that the reforms consolidate an authoritarian regime and further erode the already fragile checks and balances on the executive.²³

Finally, in a move that openly defies the international community, on 25 November the Nicaraguan National Assembly approved the “Law to Protect Nicaraguans from Foreign Sanctions and Aggressions”, a law that forces local banks to ignore sanctions imposed by foreign countries against officials of Daniel Ortega's regime, including his wife Rosario Murillo, the current vice-president. The law also protects other high-ranking officials accused of human rights violations.²⁴ ²⁵ The implementation of this restrictive legal framework and the persecution of civil society leaders and political opponents have created a climate of terror and self-censorship in Nicaragua. Criminalization, cloaked in the guise of legality through these tailor-made regulations, is part of a state strategy designed to repress anyone perceived as an opponent. The use of unsubstantiated charges and the deliberate ambiguity of the legislation have transformed the country into a state where dissent is considered a crime punishable by harsh penalties or forced exile.

Repression of Indigenous peoples in Nicaragua

The rights of Indigenous peoples have historically been ignored by the Nicaraguan authorities and, in the context of the crisis that began in 2018, their rights have continued to be undermined even more systematically and with impunity. Daniel Ortega's government has implemented a deliberate strategy to weaken indigenous organizational structures, criminalize their leaders and silence their demands, using legal and repressive instruments that violate international human rights standards. According to the Group of Human Rights Experts in Nicaragua (GHREN),²⁶ this repression includes violations of fundamental rights, such as the right to autonomy, personal integrity and prior consultation, and affects both community leaders and their organizational structures.²⁷

One of the most emblematic cases is that of Brooklyn Rivera, an indigenous Miskito leader and founder of the YATAMA party, who has suffered repeated attacks by the authorities. In April 2023, after participating in the 22nd session of the UN Permanent Forum on Indigenous Issues, the Nicaraguan authorities prevented him from entering the country, on the grounds of a “migration problem”.²⁸ Forced to seek alternative routes, Rivera entered Nicaragua through the Mosquitia region, according to information provided by his relatives and human rights organizations familiar with the case, on the basis of the right to freedom of movement recognised for cross-border Indigenous peoples. This marked the beginning of an escalation of repression that ultimately led to his arbitrary detention at his home in Bilwi on 29 September 2023.

According to information provided to Amnesty International by his family and Nicaraguan human rights organizations, Rivera was subjected to enforced disappearance – a crime under international law – for 14 months, during which time the authorities provided no information as to his whereabouts or the formal charges brought against him. This strategy of arbitrary detention of individuals followed by their concealment and isolation from their families for long periods of time is a repressive tactic that has been previously documented by Amnesty International.²⁹

²² OHCHR. *Nicaragua: Türk urges lawmakers to reject proposed constitutional changes*. 22 November 2024. Available at: <https://www.ohchr.org/en/press-releases/2024/11/nicaragua-turk-urges-lawmakers-reject-proposed-constitutional-changes>

²³ IACHR. *Statement from the OAS General Secretariat on the Proposed Constitutional "Reform" in Nicaragua*. 20 November 2024. Available at: https://www.oas.org/en/media_center/press_release.asp?sCodigo=E-091/24

²⁴ Reuters. *Nicaraguan lawmakers pass bill forcing local banks to ignore foreign sanctions*. 25 November 2024. Available at: <https://www.reuters.com/world/americas/nicaraguan-lawmakers-pass-bill-block-foreign-sanctions-2024-11-25/?utm>

²⁵ Nicaragua Investiga. *Riesgo bancario en Nicaragua: ¿qué implica la nueva ley del régimen para evadir sanciones internacionales?* [Banking risk in Nicaragua: what does the regime's new law to evade international sanctions mean?]. 20 November 2024. Available at: <https://nicaraguainvestiga.com/economia/156752-riesgo-bancario-en-nicaragua-que-implica-la-nueva-ley-del-regimen-para-evadir-sanciones-internacionales/>

²⁶ The GHREN, established by the UN Human Rights Council in March 2022, presented its first report in March 2023, concluding that the Nicaraguan government had committed widespread human rights violations that amount to crimes against humanity since April 2018. See: <https://www.ohchr.org/es/press-releases/2023/03/nicaragua-crimes-against-humanity-being-committed-against-civilians?utm>

²⁷ GHREN. *Violaciones y abusos de los derechos humanos de los Pueblos Indígenas y afrodescendientes de la Costa Caribe de Nicaragua* [Violations and abuses of the human rights of Indigenous peoples and Afro-descendants along Nicaragua's Caribbean Coast]. A/HRC/55/CRP.7. 10 September 2024.

²⁸ Nicaragua Investiga. *Brooklyn Rivera ignora restricción de Ortega e ingresa a Nicaragua* [Brooklyn Rivera ignores Ortega's restriction and enters Nicaragua]. 20 May 2023. Available at: <https://nicaraguainvestiga.com/politica/120424-brooklyn-rivera-ingresa-a-nicaragua-pese-a-restriccion/?utm>

²⁹ Amnesty International. *Nicaragua: Where are they? Enforced disappearance as a strategy of repression*. AMR 43/4631/2021. August 2021. Available at: <https://www.amnesty.org/en/documents/amr43/4631/2021/en/>

On 20 November 2024, during a session of the UN Universal Periodic Review, the Nicaraguan government finally admitted that it was holding Brooklyn Rivera in custody, on charges of treason, undermining national integrity and conspiracy.³⁰ However, the authorities have not provided details of his sentence, nor have they guaranteed access to his family or a fair trial. The Inter-American Court of Human Rights and other international bodies have requested protection measures for Rivera,³¹ but the Nicaraguan government continues to ignore these demands. For all these reasons, Amnesty International has determined that Brooklyn Rivera is a prisoner of conscience.

The case of Brooklyn Rivera is not just an example of the criminalization of political opposition suffered by hundreds of people in Nicaragua. It also reflects a broader strategy aimed at undermining Indigenous peoples by silencing their voices and disrupting their organizational structures. This affects not only community leaders, but also Indigenous and Afro-descendant peoples, whose human rights are systematically violated in a context of impunity and state repression.

This policy has been extended to other members of Nicaragua's Indigenous communities who have been criminalized in similar arbitrary circumstances, such as Nancy Elizabeth Henríquez, surrogate legislator for the YATAMA political party,³² and at least four forest rangers from the Mayagnas Indigenous community.³³

As part of this strategy of disruption and suppression of representation, YATAMA's legal status was revoked in October 2023, with the authorities of the Supreme Electoral Council eliminating any possibility of Indigenous participation in the March 2024 regional elections.³⁴ These actions mark a historic setback, as they were the first elections in 36 years without the representation of an Indigenous political party from the Caribbean Coast.³⁵

International bodies have condemned these actions. The IACHR and its Special Rapporteurship for Freedom of Expression (RELE) have spoken out against the suppression of YATAMA, stressing that this decision violates the right of Indigenous peoples to political participation and reinforces a pattern of repression.³⁶ The GHREN has also highlighted how these measures seek to dismantle the structures of Indigenous resistance, eliminating essential platforms for the defence of their rights.³⁷

³⁰ Confidencial. *Brooklyn Rivera “está encarcelado”, confiesa la dictadura* [The dictatorship confesses: Brooklyn Rivera “is in detention”]. 20 November 2024. Available at: <https://confidencial.digital/politica/brooklyn-rivera-esta-encarcelado-confiesa-la-dictadura/>

³¹ **Inter-American Commission on Human Rights (IACHR)**

October 2023: The IACHR grants precautionary measures in favour of Brooklyn Rivera, urging the Nicaraguan state to protect his life and personal integrity, and to provide information on his condition and whereabouts. Available at:

https://www.oas.org/en/iachr/decisions/mc/2023/res_59-23%20_mc_799-23%C2%A0_ni_en.pdf

December 2023: Requests that the Inter-American Court of Human Rights grant provisional measures. Available at:

https://www.oas.org/en/iachr/jsForm?File=/en/iachr/media_center/preleases/2023/300.asp

Inter-American Court of Human Rights

December 2023: The Inter-American Court of Human Rights orders the adoption of urgent measures. Available at:

<https://jurisprudencia.corteidh.or.cr/vid/corte-idh-asunto-brooklyn-972910595?utm>

February 2024: Issues provisional measures ordering the immediate release of Brooklyn Rivera, stressing the seriousness of his situation and the need to protect his fundamental rights. Available at: https://corteidh.or.cr/docs/medidas/yatama_se_02.pdf

³² Confidencial. *Policía del régimen arresta a diputada suplente de Yatama, Nancy Henríquez* [Police arrest Yatama's surrogate legislator, Nancy Henríquez]. 2 October 2023. Available at: <https://confidencial.digital/politica/policia-del-regimen-arresta-a-diputada-suplente-de-yatama-nancy-henriquez/>

³³ Divergentes. *Detención de guardabosques mayagnas es “represalia” por denunciar invasión de colonos* [Arrest of Mayagnas forest rangers is ‘retaliation’ for reporting settler encroachment]. 15 August 2023. Available at: <https://www.divergentes.com/represalia-contra-mayangnas-colonos/>

³⁴ Confidencial. *Poder Electoral elimina la personería del partido indígena Yatama* [Electoral Power eliminates the legal status of the Yatama Indigenous party]. 4 October 2023. Available at: <https://confidencial.digital/politica/poder-electoral-elimina-la-personeria-del-partido-indigena-yatama/>

³⁵ El País. *El Caribe de Nicaragua asiste a una elección regional controlada por Ortega y con el principal líder indígena tras las rejas* [Nicaragua's Caribbean region witnesses a regional election controlled by Ortega and with its most important Indigenous leader behind bars]. 3 March 2024. Available at: <https://elpais.com/america/2024-03-03/el-caribe-de-nicaragua-asiste-a-una-eleccion-regional-controlada-por-ortega-y-con-el-principal-lider-indigena-tras-las-rejas.html>

³⁶ IACHR and RELE: IACHR and Its Special Rapporteurship for Freedom of Expression Urge Nicaragua to End Repression Against Indigenous Communities in Its Caribbean Coast. 10 October 2023. Available at:

https://www.oas.org/en/iachr/jsForm?File=/en/iachr/media_center/preleases/2023/243.asp

³⁷ GHREN. *Violaciones y abusos de los derechos humanos de los Pueblos Indígenas y afrodescendientes de la Costa Caribe de Nicaragua* [Violations and abuses of the human rights of Indigenous Peoples and Afro-descendants along Nicaragua's Caribbean Coast]. A/HRC/55/CRP.7. 10 September 2024.

The authorities have also exercised harassment against communities, dispossessing them of ancestral lands in favour of extractive and agro-industrial interests. They have moreover failed to provide the necessary protection against violent attacks, including gender-based violence and the deliberate burning of homes by settlers who do not belong to these communities.³⁸ According to the GHREN, the lack of effective implementation of the Statute of Autonomy and the constant marginalization of these peoples contribute to the consolidation of a system of oppression that restricts their collective and individual rights.³⁹

In this context, at the 190th session of the IACHR this year, organizations defending the rights of Indigenous peoples denounced the violence against the Mayangna and Miskito peoples of the Northern Caribbean Coast of Nicaragua. According to these organizations, violence has intensified since 2018, the communities continue to be dispossessed of their lands, and the government has imposed parallel indigenous authorities on them. The organizations also noted that the state is promoting foreign investment through the illegal sale and lease of indigenous territories, which is driving extensive cattle ranching and mining, and that attacks on indigenous communities by armed settlers or Mestizos have increased, resulting in the forced displacement of communities and the destruction of their traditional livelihoods.⁴⁰

Finally, on 18 November 2024, the Inter-American Court of Human Rights declared the Nicaraguan state internationally responsible for the lack of protection of community property and adequate consultation to the detriment of the Rama and Kriol peoples and the black Indigenous Creole community of Bluefields.⁴¹ This ruling is linked to the Nicaraguan Grand Interoceanic Canal (GCIN) project and is an important recognition of the historical violations of the territorial and collective rights suffered by these communities. The ruling highlights how the lack of adequate consultation in mega-projects such as the interoceanic canal represents a pattern of systematic violation of Indigenous peoples' rights.

Criminalization, the suppression of indigenous political representation and the seizure of ancestral lands are elements of a strategy against Indigenous peoples that seeks not only to silence critical voices, but also to dismantle the foundations of entire cultures.⁴² These actions are part of a structural policy aimed at eradicating all forms of resistance by denying the collective, political and territorial rights of these communities.

Systematic closure of civic space and attacks on religious freedom

As mentioned above, the Nicaraguan authorities have implemented a sustained strategy of repression against any form of critical organization and expression, targeting civil society as well as the Catholic Church and other religious denominations. This crackdown has taken the form of the revocation of legal status, which, according to the IACHR, has already affected more than 5 000 civil society organizations of various kinds as of the end of 2024.⁴³ This has left the population without access to essential services and spaces for defending rights, and has created a hostile and punitive

³⁸ OHCHR. Nicaragua: UN report highlights continued human rights violations and erosion of civic and democratic spaces. 3 September 2024. Available at: <https://www.ohchr.org/en/press-releases/2024/09/nicaragua-un-report-highlights-continued-human-rights-violations-and-erosion>

³⁹ GHREN. Violaciones y abusos de los derechos humanos de los Pueblos Indígenas y afrodescendientes de la Costa Caribe de Nicaragua [Violations and abuses of the human rights of Indigenous Peoples and Afro-descendants along Nicaragua's Caribbean Coast]. A/HRC/55/CRP.7. 10 September 2024.

⁴⁰ CEJIL. *Nicaragua: Pueblos indígenas se encuentran ante un posible "etnocidio", denuncian ONGs ante la CIDH* [Nicaragua: NGOs denounce risk of 'ethnocide' of Indigenous peoples before the IACHR]. 11 July 2024. Available at: <https://cejil.org/comunicado-de-prensa/nicaragua-pueblos-indigenas-se-encuentran-ante-un-posible-etnocidio-denuncian-ongs-ante-la-cidh/>

Hora Cero. *Pueblos indígenas de Nicaragua denuncian posible etnocidio ante la CIDH* [Nicaraguan Indigenous peoples denounce risk of ethnocide before the IACHR]. 29 July 2024. Available at: <https://horacero.org/pueblos-indigenas-de-nicaragua-denuncian-posible-etnocidio-ante-la-cidh/>

⁴¹ Inter-American Court of Human Rights. Press Release 74/2024. *Nicaragua es responsable internacionalmente por la falta de protección de propiedad comunitaria y de consulta adecuada respecto de los pueblos Rama y Kriol y la comunidad negra indígena creole de Bluefields* [Nicaragua is internationally responsible for the lack of community property protection and adequate consultation with respect to the Rama and Kriol peoples and the Indigenous black Creole community of Bluefields]. 18 November 2024. Available at: https://www.corteidh.or.cr/docs/comunicados/cp_74_2024.pdf

⁴² Expediente público. *Yatama en la ONU denuncia criminalización contra indígenas en Nicaragua* [Yatama denounces criminalization of Indigenous peoples in Nicaragua before the UN]. 16 April 2024. Available at: <https://www.expedientepublico.org/yatama-en-la-onu-denuncia-criminalizacion-contra-indigenas-en-nicaragua>

⁴³ Amnesty International. Nicaragua: La represión sin límites continúa siendo desplegada por las autoridades [Nicaragua: Unlimited repression continues to be deployed by the authorities]. September 2024. Available at: <https://www.amnesty.org/es/latest/news/2024/09/nicaragua-represion-sin-limites-continua-siendo-desplegada-por-autoridades/>

environment that makes it impossible to exercise the right to defend rights without fear of reprisals. On 20 August, in a single day, the government revoked the legal status of more than 1 500 different social organizations.⁴⁴

This repression is compounded by the persecution of the Catholic Church, as the role of some of its members and institutions in the human rights crisis has been perceived as a threat by the state since 2018. According to figures provided by the GHREN, as of July 2024 at least 77 people associated with the Catholic Church, including priests and lay people, have had to flee the country or have been arbitrarily detained. In 2023 and 2024, the government deported 44 members of the Church, including 12 priests in October 2023 and a further 19 clergy in January 2024.⁴⁵

Cases such as that of **Lesbia Gutiérrez**, a laywoman who has been forcibly disappeared since August 2024, illustrate how persecution of the Catholic Church and institutions of other religious denominations continues. According to information obtained by Amnesty International, at the time of her arrest Lesbia Gutiérrez had been working with the Diocese of Matagalpa on the Rural and urban credit project for dioceses since 2006. Following her arrest, which later became an enforced disappearance, her family has no information on her whereabouts or current state of health and has been unable to establish any contact with her. At the end of September, the IACHR granted precautionary measures in her favour,⁴⁶ together with three other persons who, like her, are still subject to enforced disappearance, having been arbitrarily detained by police officers in raids and/or searches of their homes between March and August 2024, with no grounds given for their arrest. To date, according to their relatives and Nicaraguan human rights organizations, the state authorities have not provided any official information on the whereabouts or current situation of these persons.

In addition to deportations, harassment, stigmatization, arbitrary detention, criminalization and arbitrary deprivation of nationality, the government has used laws such as the Law on Foreign Agents and the Law on Cybercrime to justify the seizure of religious property and facilities and the criminalization of religious worship. In the text of the new constitutional reform, approved on 22 November 2024, the National Assembly introduced articles that give the appearance of legality to the monitoring and undue control of the media and the Catholic Church, thus facilitating the harassment of dissenting voices and further restricting civic space, with serious consequences for the fundamental freedoms of the population.⁴⁷

The destruction of these support platforms has drastically reduced the ability of civil society and the Catholic Church to act as critical voices or to exercise their religious freedom. This ongoing persecution has not only undermined freedom of religion and association in Nicaragua but has transformed the country into a state where surveillance and absolute control seek to stifle any form of organization that is not affiliated or closely associated with the government, as well as any form of dissent in the country.

Exile and arbitrary deprivation of nationality

Over the past two years, the Nicaraguan government has intensified its repression by using one of its most extreme tactics against dissent: forced expulsion and arbitrary deprivation of nationality. These measures strip individuals of their national identity records and rights, leaving them in a situation of extreme vulnerability and, in some cases, statelessness. In February 2023, the expulsion and arbitrary deprivation of nationality of 222 people categorized as dissidents,⁴⁸ all of whom had previously been criminalized and imprisoned, followed by the revocation of the nationality of a further 94

⁴⁴ BBC News. *El gobierno de Nicaragua ordena el cierre de 1.500 organizaciones no gubernamentales* [The Nicaraguan government orders the closure of 1500 non-governmental organizations]. 20 August 2024. Available at: <https://www.bbc.com/mundo/articulos/cwyxqzgp46po>

⁴⁵ Group of Human Rights Experts on Nicaragua. *Violaciones y abusos de los derechos humanos contra miembros de la Iglesia católica y otras denominaciones cristianas en Nicaragua* [Violations and abuses of human rights against members of the Catholic Church and other Christian denominations in Nicaragua]. A/HRC/55/CRP.5. 22 July 2024.

⁴⁶ IACHR. Press Release. IACHR grants precautionary measures in favor of Gersom Antonio Zeledón and three other individuals in Nicaragua. 25 October 2024. Available at: https://www.oas.org/en/iachr/jsForm?File=/en/iachr/media_center/preleases/2024/263.asp&utm_content=country-nic&utm_term=class-mc

⁴⁷ DW. *Congreso aprueba reforma que da poder total a Ortega* [Congress approves reform that gives total power to Ortega]. 22 November 2024. Available at: <https://www.dw.com/es/asamblea-nacional-de-nicaragua-aprueba-reforma-que-da-poder-total-a-ortega-y-su-esposa/a-70864770>

⁴⁸ Expediente Público. *Estados Unidos: el destierro de los 222 presos políticos muestra a un régimen brutal y cruel* [United States: The exiling of 222 political prisoners shows a brutal and cruel regime]. 8 February 2024. Available at: <https://www.expedientepublico.org/estados-unidos-el-destierro-de-los-222-presos-politicos-muestra-a-un-regimen-brutal-y-cruel/>

people,⁴⁹ most of whom were already in exile, marked a significant escalation in the repressive policies of the Ortega regime and was yet another sign that the regime will spare no effort to continue creating new instruments of repression.⁵⁰

In September 2024, this strategy of deprivation of nationality and expulsion was again applied to 135 people,⁵¹ many of whom had previously been criminalized and imprisoned, forcing them into exile. More than 400 Nicaraguans have now been affected by this human rights violation.

Through the knowledge of some of these cases, such as that of **Sergio Catarino Castiblanco** and **Jacqueline de Jesús Rodríguez**,⁵² a couple who were part of the last group of exiled persons and who were interviewed by Amnesty International in September of this year,⁵³ the organization has been able to verify the devastating impact of these measures on their lives. These individuals have difficulty settling in another country, are plagued by the anguish of not being able to return home, lack support networks, have to deal with the consequences of the break-up of their families and often have no guarantees that their human rights will be protected in the host country. In addition, they experience constant uncertainty about their migration status, in most cases have limited access to health services, employment and education, and must try to rebuild their lives in an unfamiliar environment.

Amnesty International,⁵⁴ the GHREN⁵⁵ and the IACHR⁵⁶ have claimed that this practice constitutes a flagrant violation of the right to nationality and the right to freedom from inhuman and degrading treatment.

Arbitrary deprivation of nationality has become a tool used by the authorities to intimidate and eradicate any form of dissent, leaving victims in legal and emotional limbo while consolidating authoritarian control and dismantling Nicaragua's social fabric. As part of the recent constitutional reform, the National Assembly approved articles that allow the revocation of Nicaraguan nationality from persons considered "traitors to the homeland".⁵⁷

Widespread surveillance and repression. When everyone is a potential state target

In Nicaragua, the repressive apparatus has evolved over the years, adapting and expanding in an attempt to eliminate all traces of dissent. While repression initially focused on the most prominent public and political figures, activists and student leaders, as mentioned above, over time the government has broadened its strategy to include religious leaders, members of civil society organizations and, more recently, people with no apparent political affiliation.

⁴⁹ El País. Ortega despoja de la nacionalidad a otros 94 nicaragüenses, entre ellos los escritores Sergio Ramírez y Gioconda Belli [Ortega strips 94 more Nicaraguans of their nationality, including writers Sergio Ramírez and Gioconda Belli]. 15 February 2023. Available at: <https://elpais.com/internacional/2023-02-15/ortega-despoja-de-su-nacionalidad-a-otros-94-nicaraguenses-entre-ellos-los-escritores-sergio-ramirez-y-gioconda-belli.html>

⁵⁰ Amnesty International. Nicaragua: A cry for justice: Five years of oppression and resistance. AMR 43/6679/2023. April 2023

⁵¹ El País. Daniel Ortega quita la nacionalidad a los 135 presos políticos liberados y expulsados de Nicaragua [Daniel Ortega revokes the nationality of 135 political prisoners released and expelled from Nicaragua]. 10 September 2024. Available at: <https://elpais.com/america/2024-09-10/daniel-ortega-quita-la-nacionalidad-a-los-135-presos-politicos-liberados-y-expulsados-de-nicaragua.html>

⁵² The couple were arrested on 22 April 2023 as part of the crackdown on the fifth anniversary of the April 2018 protests, an example of how Daniel Ortega's government not only persecutes individuals but extends its repression to entire families. This tactic has a profound impact on the psychological and social fabric of people who dissent or peacefully protest against the state's repressive policies. The simultaneous arrest of parents or guardians, as in this case, exacerbates economic and emotional hardship, which in turn particularly affects children.

⁵³ Interview by Amnesty International in Guatemala City in October 2024.

⁵⁴ Amnesty International. *Nicaragua: Replacing prison by forced exile, Daniel Ortega's government's new pattern of repression*. 17 February 2023. Available at: <https://www.amnesty.org/en/latest/news/2023/02/nicaragua-exilio-forzado-por-carcel-el-nuevo-patron-represivo-del-gobierno-de-daniel-ortega/>

⁵⁵ GHREN. *Violaciones de los derechos humanos a la libertad de circulación y a la nacionalidad* [Violations of the human rights to freedom of movement and nationality]. A/HRC/55/CRP.3. 29 February 2024.

⁵⁶ IACHR. Press Release. *IACHR Welcomes Release of Political Prisoners in Nicaragua but Rejects Arbitrary Deprivation of Nationality*. 13 February 2023. Available at: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2023/021.asp

IACHR. Press Release. *CIDH repudia la privación arbitraria de nacionalidad de las 135 personas excarceladas* [IACHR condemns arbitrary revocation of nationality of 135 recently released prisoners in Nicaragua]. 13 September 2024. Available at: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/217.asp

⁵⁷ DW. *Congreso aprueba reforma que da poder total a Ortega* [Congress approves reform that gives total power to Ortega]. 22 November 2024. Available at: <https://www.dw.com/es/asamblea-nacional-de-nicaragua-aprueba-reforma-que-da-poder-total-a-ortega-y-su-esposa/a-70864770>

An analysis of the profiles of the persons who were detained, criminalized, deprived of their nationality and subsequently expelled in February 2023 reveals a prevalence of protesters linked to the social unrest of 2018, human rights defenders, journalists and political opposition figures. However, the group similarly treated and expelled in September 2024 shows a more diverse set of actors, including a greater number of religious figures, activists and human rights defenders. This change underlines the regime's determination to eliminate any leadership that could inspire resistance, whether from the political, social or religious spheres.

In 2024, the authorities extended their repression to anyone perceived as a threat, including former public officials. On this basis, they have strengthened their control mechanisms, imposing restrictions on movement and constant surveillance on those they consider to be potential opponents, making it clear that repression is no longer directed solely at openly and publicly critical or dissident actors.⁵⁸ In this context, local organizations have documented a number of arbitrary arrests and acts of intimidation against members of the judiciary and their families.⁵⁹

Harassment is now indiscriminate, affecting even those with no history of activism or dissent, sending a clear message that the authorities will not tolerate any form of organization or exercise of rights that they perceive as challenging their power. This widening of the profile of those persecuted and intimidated has a chilling effect on the population, fostering a heightened climate of fear and self-censorship in which no one feels safe. This situation reveals the absolute control of a state where arbitrariness thrives and where anyone, regardless of their background, can be considered a dissident voice and a threat in the eyes of the authorities. According to the Mechanism for the Recognition of Political Prisoners in Nicaragua, as of 7 November 2024, 46 people were arbitrarily detained, presumed opponents, deprived of their liberty or in a situation of enforced disappearance. Some of these cases have been documented by Amnesty International in order to be included as exemplary cases in this public statement.

Conclusions and appeals

Recent legal and constitutional reforms have consolidated the repression and absolute control of Daniel Ortega's government, deepening the human rights crisis in the country. The recent constitutional reforms consolidate the absolute power of the executive, effectively dismantle the separation of powers and legitimize repression by allowing the deprivation of nationality and removing the explicit prohibition of torture, in contravention of international standards.

As noted above, the systematic and sophisticated repression in Nicaragua reflects a pattern of gross human rights violations and even crimes under international law, aimed at eliminating all forms of dissent and imposing absolute control over society. Since 2018, the Ortega government has deployed a strategy that has evolved from the repression of protests to the widespread harassment of anyone perceived as an opponent. The extension of these tactics to religious leaders, human rights defenders and people with no clear political affiliation shows that in Nicaragua no one is safe from becoming a victim of repressive state policies. Arbitrary arrests, deprivation of nationality, exile and enforced disappearances have had a profound impact on the country's social fabric, creating a climate of terror and self-censorship. In this context, Amnesty International once again calls on the Nicaraguan government to put an immediate end to these repressive practices and to respect the human rights of the entire population. Amnesty International calls for the immediate and unconditional release of prisoner of conscience **Brooklyn Rivera**, an indigenous Miskito leader and founder of the YATAMA party, and all those arbitrarily detained solely for exercising their rights. The organization also calls for an end to the criminalization and harassment of those who speak out against the government.

Amnesty International also calls on the authorities to allow the families of those who have been subjected to enforced disappearance, including **Lesbia Gutiérrez**, to be informed of the exact whereabouts of those detained, to be provided with details of any charges against them, and to be allowed regular communication and contact with their loved ones, in accordance with international human rights law and minimum standards for the treatment of detainees.

We urge the international community to continue to monitor, document and denounce the situation in Nicaragua through the institutional mechanisms of the IACHR, the Human Rights Council and the Office of the UN High Commissioner for Human Rights. We also call on the international community to intensify its efforts to host those who have been displaced and expelled from Nicaragua, ensuring their protection, family reunification and humanitarian assistance.

We urge states to continue to demand in multilateral spaces that the Nicaraguan authorities comply with their human rights obligations and implement the recommendations of regional and universal human rights protection mechanisms,

⁵⁸ Mechanism for the Recognition of Political Prisoners in Nicaragua. Press Statement. 7 November 2024. Available at: <https://presasypresospoliticosnicaragua.org/wp-content/uploads/2024/11/Personas-Presas-Politicas-Nicaragua-October-2024.pdf>

⁵⁹ Mechanism for the Recognition of Political Prisoners in Nicaragua. Press Statement. 7 November 2024. Available at: <https://presasypresospoliticosnicaragua.org/wp-content/uploads/2024/11/Personas-Presas-Politicas-Nicaragua-October-2024.pdf>

and that they provide the necessary international protection to people who have been forced to leave the country or who have been expelled from it.

Finally, we call on states to consider activating universal jurisdiction based on the findings of both the GIEI and the GHREN to prosecute those responsible for possible crimes against humanity that have been and are being committed by the authorities and their agents since 2018, and to prevent the further spread of unchecked repression in the country.