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**Annual report of the United Nations High Commissioner
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High Commissioner and the Secretary-General**

Report of the Group of Human Rights Experts on Nicaragua*, **

Summary

The present report, submitted to the Human Rights Council pursuant to its resolution 52/2, contains an overview of the findings and conclusions of the Group of Human Rights Experts on Nicaragua with respect to serious human rights violations, abuses and crimes perpetrated in the country since April 2018. In the report, the Group deepens its examination and analysis of patterns of violations and abuses and their evolution, including associated impunity, as well as related responsibilities. The Group focuses on violations and abuses targeting specific groups: university students and faculty members, Indigenous people and people of African descent, members of the Catholic Church and of other Christian denominations, and members of the campesino movement.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

** The annex to the present report is circulated as received, in the language of submission only.



I. Introduction

A. Background

1. Pursuant to its resolution 49/3, the Human Rights Council established the Group of Human Rights Experts on Nicaragua, for a period of one year, to investigate all alleged human rights violations and abuses committed in Nicaragua since April 2018 to provide guidance on access to justice and accountability, and to make recommendations with a view to improving the human rights situation in the country.
2. In its resolution 52/2, the Council extended the mandate of the Group for a period of two years. Its current members, Jan-Michael Simon (Chair), Ángela María Buitrago and Ariela Peralta Distefano, were appointed by the President of the Council and worked pro bono as independent experts, with the support of a secretariat comprising United Nations officials.
3. The Group presented its first report to the Council at the Council's fifty-second session, in which it concluded that there were reasonable grounds to believe that State and non-State actors had committed serious and systematic human rights violations and abuses against persons opposed to the Government or perceived as such.¹ The Group determined that such violations and abuses constituted a systematic and generalized attack against the civilian population conducted through a discriminatory policy promoted by high-ranking State authorities looking to maintain power and suppress any form of dissent. The attack had resulted in the destruction of the civic space in Nicaragua, and the Group therefore affirmed, *prima facie*, that the crime against humanity of persecution on political grounds had been perpetrated.²
4. In resolutions 49/3 and 52/2, the Council called upon the Government of Nicaragua to cooperate fully with the Group, including by granting it unfettered, full and transparent access throughout the country, and providing information necessary for it to discharge its mandate. On 2 August and 22 November 2023, the Group again sent letters requesting information to the President of Nicaragua, Daniel Ortega, but no answer has been received. The Group also sent an advance copy of the present report to the Government. The Government continues to refuse to engage and cooperate with the Group.
5. The Group was able to gather, preserve, corroborate and analyse the information and evidence necessary to establish the facts and circumstances of the serious human rights violations and abuses described in the present report, in accordance with its mandate and despite the lack of cooperation from the Government and the ever-increasing security risks for victims, witnesses and others providing information.
6. The Group prepared the present report despite significant challenges owing to persistent delays in the recruitment of secretariat staff with the required expertise. In addition, as of February 2024, non-post resources, which are essential for fulfilling the Group's mandate, have been dramatically reduced. The Group has therefore faced serious difficulties in ensuring that it could fulfil its mandate since its establishment. Notwithstanding such difficulties, the Group expresses its gratitude to the Office of the United Nations High Commissioner for Human Rights for providing secretariat support.

B. Methodology and standard of proof

7. The Group conducts its investigations applying methodologies and best practices established by the United Nations,³ ensuring a victim-centred approach, with specific attention paid to the gender dimensions of violations and abuses. The Group also applies the principles of independence, impartiality, objectivity, transparency, integrity and "do no harm".

¹ [A/HRC/52/63](#), para. 123. See also the conference room paper containing the detailed conclusions of the Group of Human Rights Experts on Nicaragua, available on the web page of the mandate, at <https://www.ohchr.org/en/hr-bodies/hrc/ghre-nicaragua/index>.

² [A/HRC/52/63](#), paras. 109, 110 and 124.

³ See the conference room paper containing the detailed conclusions of the Group, paras. 35–58.

8. The Group continued to apply the “reasonable grounds to believe” standard of proof in its investigations, in line with the practice of investigative bodies established by the Human Rights Council. While the threshold is lower than that to establish liability in criminal proceedings, it is sufficient to warrant the initiation of criminal investigations.

9. For the preparation of the present report, the Group conducted 642 interviews with victims, witnesses and others providing information, both remotely and during eight field visits, and examined hundreds of secondary sources to corroborate and contextualize the information gathered. The Group assessed those sources rigorously in order to establish their reliability.

10. The Group ensured that it obtained the informed consent of each interviewee before using the information provided, and anonymized information that identified or could lead to the identification of victims, witnesses or others who had provided that information, where there were risks of reprisals against them or their relatives. The Group also respected the wishes of individuals providing information before using any of it. It expresses its deepest gratitude to all those who recounted with courage their traumatic experiences, and to human rights defenders, activists, journalists, lawyers and other partners for the information provided, despite well-founded fears of reprisals.

C. Legal framework

11. Factual determinations on specific incidents and patterns of conduct provided the basis for the legal qualification under international law, including international human rights law and, where appropriate, customary international criminal law. The Group also considered the human rights guarantees contained in the country’s Constitution and laws, and other relevant domestic provisions. The full legal framework applied by the Group is contained in the detailed conclusions presented alongside its first report.⁴

12. In view of the accountability component of its mandate, the Group considered that its ultimate objective and purpose, when analysing the facts, was to establish the existence of serious human rights violations. The Group considered that a violation of human rights was deemed to be serious when the State had the intention to violate the norm.⁵ The Group also considered the extent and number of individual violations and the aggravating effect of their scale, together with their prevalence, nature, interrelatedness and impact. In the latter case, it considered both the size of the group targeted and the consequences for the victims, as well as those affected in the broader population beyond the targeted group.⁶

II. Findings

13. In the preparation of the present report, the Group has focused on key features of the development of the overall human rights situation in Nicaragua since March 2023. The Group investigated the patterns of human rights violations and abuses prevalent during the reporting period.

14. The Group further examined the violations and abuses targeting specific groups: university students and faculty members, Indigenous people and people of African descent, members of the Catholic Church and of other Christian denominations, and members of the campesino movement. This focus does not reflect the totality of human rights violations and abuses in Nicaragua. Rather, it was adopted to illustrate the development of the human rights

⁴ Ibid., paras. 59–74.

⁵ The Group also interpreted “systematic violation” as being an organized and deliberate violation.

⁶ This approach is further substantiated in conference room papers on violations of the rights to freedom of movement and a nationality; on violations and abuses of the human rights of campesinos in Nicaragua; on violations and abuses of the human rights of members of the Catholic Church and of other Christian denominations; on violations and abuses of the human rights of university students, faculty members and other university staff; and on violations and abuses of the human rights of Indigenous people and people of African descent. The papers will be available at <https://www.ohchr.org/es/hr-bodies/hrc/ghre-nicaragua/index> (in Spanish).

situation in the country. Detailed findings and references are published in the accompanying conference room papers.⁷

15. In line with its accountability mandate, the Group further investigated the role and structure of State institutions involved in the violations and in perpetuating impunity.

A. Key features in the development of the human rights situation

1. Pervasive persecution

16. Since the publication of the Group's first report, the authorities have continued to commit serious human rights violations to ensure total government control over all civic spaces in Nicaragua. Based on the results that its efforts to eradicate any opposition and criticism has achieved thus far, the Government has adapted and expanded the persecution and forms of repression, by silencing any perceived form of criticism, no matter how slight, targeting an ever-growing group of individuals, depriving them of their fundamental human rights, as well as forcing more and more Nicaraguans to leave their country and intimidating those who have already left.

17. Persecution of real or perceived opponents remaining in Nicaragua has continued in the form of incessant harassment, threats, surveillance and arbitrary detention, causing the victims and their relatives to live in constant fear. In some cases, such as that of human rights defender Vilma Núñez de Escorcía, the authorities have gone as far as depriving dissenting voices of their legal identity and livelihood. Many people have felt compelled to leave the country out of well-founded fear of repression. Others have been expelled by the authorities.

18. The authorities have also extended the persecution to Nicaraguans located abroad, banning them from entering the country, depriving them of their nationality and legal identity, denying them access to official documentation and consular support, preventing family reunification, especially with children, and depriving them of their pension entitlements and assets that remain in Nicaragua. The authorities have also resorted, on occasion, to violating the human rights of relatives who remain in the country in order to intimidate or punish those who have left.

19. There have been plenty of notorious cases illustrating the extent and intensity of the current persecution, such as the events that took place following "Miss Nicaragua" winning the "Miss Universe" contest, including the waving of blue and white national flags on the streets in Nicaragua during celebrations of the win. Since the mass protests of April 2018, the national flag has become a symbol of opposition to the Government.

2. Total centralization of State powers into the hands of the President and Vice-President

20. The context of pervasive persecution has been accompanied by the further consolidation of the concentration and centralization of all State powers into the hands of the President and the Vice-President. This includes the President and Vice-President now having total control of the judicial branch. In October 2023, the President of the Supreme Court of Justice was removed and put under de facto house arrest, reportedly by order of the Vice-President. The general administrator of the Supreme Court of Justice and several judges were also removed. The Vice-President of the Supreme Court, who was also the political secretary of the Sandinista National Liberation Front at the Court, became acting President. In February 2024, he was then reportedly removed from his functions by the executive branch. Since 2018, more than 10 per cent of the personnel of the judicial branch have been dismissed.

21. According to several sources, removals and dismissals in the judicial branch have been aimed at removing those who were considered not to be fully loyal to the Government and the Sandinista National Liberation Front, and at putting control into the hands of a few officials who enjoy the full trust of the President and Vice-President. The actions have also been aimed at intimidating the other members of the judicial branch.

⁷ See <https://www.ohchr.org/es/hr-bodies/hrc/ghre-nicaragua/index> (in Spanish).

22. The de facto takeover of the judicial branch by the executive branch is also an example of the strategy of the President and Vice-President for ensuring total control of the country at any cost. It not only grossly violates the principle of the independence of the judiciary but also further undermines the conditions necessary for fair trials and access to justice, thereby affecting the entire population.

3. Total impunity

23. The centralization of all State powers into the hands of the President and Vice-President further guarantees them total impunity. In its first report, the Group concluded that the human rights violations, abuses and crimes that it had identified had been met with total impunity. This has continued and has been further consolidated through the control that the executive branch has over the judicial branch. The instrumentalization of all State powers, especially of the judicial branch, has either prevented proceedings against perpetrators or shielded them from accountability through the application of the Amnesty Act adopted in June 2019.

24. Total impunity even extends de facto to cases presented before foreign jurisdictions on the basis of the victim's foreign nationality, such as the extrajudicial execution of Brazilian student Raynéia Lima in 2018. According to the information provided by the Public Prosecutor's Office of Brazil to the lawyers of Ms. Lima's mother in May 2023, the Government of Nicaragua had refused to accede to the request of Brazilian authorities for international legal assistance in providing access to the file of the person convicted of Ms. Lima's murder, stating that the person had later been granted amnesty.

25. The Amnesty Act guarantees impunity for serious human rights violations and abuses, including extrajudicial executions, arbitrary detention and torture and other ill-treatment, related to all events up until the entry into force of the Act. The Act has closed the door on the few paths for obtaining truth and justice that remained, leaving victims and their relatives with no effective remedy in the country. The Group notes that an amnesty that precludes prosecution of acts of torture is incompatible with the obligations of Nicaragua under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. An amnesty that exempts other serious human rights violations from punishment is also generally incompatible with the country's obligations under international human rights law.

B. Corroboration of torture

26. The Group interviewed 73 of the 222 persons who had been arbitrarily detained in various detention centres in Nicaragua and then expelled to the United States of America in February 2023. The victims all corroborated the patterns of ill-treatment described in the Group's first report, which, in many cases, reached the threshold of torture, owing to the combination of different acts, their prolonged nature, the presence of other stressors or vulnerabilities, and the severe psychological pain inflicted on the victims.

C. Prevalent patterns of violations and abuses

27. The Group continued to document serious violations of the rights to liberty and security of the person, due process and fair trial, and freedom of movement and a nationality, as well as serious violations connected to the latter, affecting an increasing number of individuals.

1. Arbitrary detentions and violations of the right to a fair trial

28. Of the many detentions documented by the Group during the reporting period, the most notable was a series of 85 detentions conducted in May 2023 during large-scale police operations across the country, coordinated with the Public Prosecutor's Office and the judiciary. Those arrested were transferred to Managua, where they were brought before judges in hearings held at night. Most of them were charged with conspiracy to undermine national integrity and spreading false news through technology. They were released the following day on the condition that they report daily to a designated police station until further notice. Their legal situation remains uncertain. Many have opted to leave the country

in the face of the constant harassment from the authorities and the prospect of prosecution and conviction.

29. According to civil society organizations, by February 2024, 121 real or perceived government opponents (102 men and 19 women) remained deprived of their liberty. More than two thirds of them had been detained in 2023. The majority had been charged with offences related to drug trafficking, spreading false news through technology or conspiracy to undermine national integrity. More than two thirds of those arbitrarily detained were convicted.

30. The profiles of victims of arbitrary detention continued to be diverse and included members of various sectors of society, such as priests, seminarians, journalists, employees of the judiciary, judges, Indigenous leaders, students, and members of civil society organizations and political and campesino movements. They were all real or perceived government opponents. Family members of the victims have also been victimized solely for being related to government opponents.

31. The authorities followed the same patterns and modus operandi already identified in the Group's first report. The police conducted the raids without search warrants and detained individuals without arresting them. Most of the persons detained were transferred to the District III police station or courts in Managua and were subsequently sent to detention centres in that city.

32. The detainees were not allowed any communication with their families or lawyers. In some cases, following the apprehension of individuals, their whereabouts remained unknown for extensive periods of time and no applications for a writ of habeas corpus were accepted by the courts. The detainees did not have access to a defence counsel of their choice. Hearings were held in camera and the accused were only able to participate by means of videoconferencing. The cases were all assigned to the same small number of prosecutors and judges in Managua, regardless of the place where the alleged crime had been committed.

2. Violations of the rights to freedom of movement and a nationality

33. Serious and systematic violations of the rights to freedom of movement and a nationality, used as tools to persecute and silence any real or perceived government opponent, have caused, and continue to cause, the commission of multiple additional human rights violations that are so far-reaching that they are impossible to quantify, thereby demonstrating the authorities' intention to relentlessly incapacitate any opposition in the longer term.

34. The Group ascertained that all of the persons subjected to violations of the right to freedom of movement and a nationality, who came from various sectors of society, were all real or perceived government opponents or family members of such opponents.

(a) Expulsion of nationals and foreigners

35. Violations of the right to freedom of movement of nationals and foreigners have been committed since 2018, but the number of violations increased in 2022 and then increased further in 2023. To date, the Group has documented 21 expulsions of foreigners and 263 expulsions of Nicaraguans, conducted both individually and en masse, without due process of law.

36. As noted in the Group's first report, on 9 February 2023, the Government expelled 222 persons who had been arbitrarily deprived of their liberty (189 men and 33 women) to the United States, following a deportation order issued by the Court of Appeal in Managua, which had declared them to be traitors to the homeland.⁸ Other expulsions of nationals have followed, many conducted without the publication of any judicial decision, leaving the victims in a situation of uncertainty over whether they had been officially deprived of their nationality or not. This, in turn, has generated obstacles in protection requests to other States,

⁸ A/HRC/52/63, para. 106; and conference room paper containing the detailed conclusions of the Group, para. 770.

leaving the victims in a situation of great vulnerability, in addition to their suffering for having been subjected to other human rights violations and abuses in Nicaragua.

(b) Deprivation of nationality

37. In its first report, the Group briefly documented the arbitrary deprivation of the nationality of 316 real or perceived government opponents, which took place days before the publication of that report, following judicial decisions that relied on a constitutional reform that was not in force at that time. For the present report, the Group has deepened its investigation into the cases, especially the multifaceted impact of the violations on the victims.

38. Most of the persons deprived of their nationality have been left stateless. The decisions were adopted on discriminatory grounds, without respecting any due process guarantees. The victims were left without access to any effective remedy and in an extremely vulnerable position.

39. By depriving Nicaraguans of their nationality, the authorities have also deprived them of a series of human rights connected to nationality. Records from the civil registry have been deleted, including birth records, depriving the victims of their legal identity. This has also affected the victim's relatives, as marriages and the birth records of children, among other records, have been deleted or modified. Many victims have suffered the confiscation of their properties and bank accounts, and, in some cases, the cancellation of their pensions. Many have also had their university degrees revoked or university records deleted.

(c) Prohibition from entering or leaving one's own country

40. The Group has documented 145 cases of Nicaraguans being banned from entering the country. The denial of entering one's own country is a pattern of violation that Nicaraguan authorities have increasingly relied on, especially since 2023. This practice not only violates the right to liberty of movement and freedom to choose one's residence but also leaves the victims in conditions of great vulnerability, separated from their families, without access to support networks and economic resources, and without any protection or support from the country of their nationality, which are similar to the conditions caused by statelessness.

41. Entry bans have led to additional serious violations of the rights of the victims, including their rights to freedom from arbitrary or unlawful interference in family life, education, work, health care, social security and adequate living conditions. The bans have also affected the victims' family members who remain in Nicaragua, in particular older persons and children, who are often economically dependent on those banned from entering the country.

42. In addition, the Group has documented cases of Nicaraguans being prohibited from leaving the country, including by having their passports confiscated, all without due process, when trying to leave Nicaragua through an official border point. Lists have been sent to border post officials with names of real or perceived government opponents who are to be denied exit from the country. The Group also identified that civil servants who want to travel abroad must obtain prior authorization from the Government. In a significant number of cases, such authorizations have been denied.

(d) Violations of the human rights of relatives

43. The Group has documented the targeting of individuals for the sole reason of their family ties with primary targets of the authorities. Violations of the rights of those individuals included the confiscation of property, the cancellation of pensions, prohibition from entering or leaving the country, and refusal to issue, or the confiscation of, passports.

44. Children have been discriminated against, otherwise targeted or deliberately affected in their rights, because of the status, activities or opinions expressed by their parents or other family members, in contravention of the Convention on the Rights of the Child. Children have been separated from their parents who were expelled from or banned from entering Nicaragua, and reportedly also as a result of those children being denied a valid passport to allow them to join their parents abroad.

3. Mass exile

45. The Office of the United Nations High Commissioner for Refugees (UNHCR) reports that, as of June 2023, there were 271,740 Nicaraguan asylum seekers and 18,545 Nicaraguans recognized as refugees worldwide.⁹

46. In all cases documented by the Group, people who had fled Nicaragua had suffered one or more of the violations and abuses identified in its reports. On many occasions, individuals were forced to flee owing to exposure to an intimidating or coercive environment created by a variety of repressive acts that amounted to expulsion or other forms of coercion. To this end, arbitrary detention and violations of the right to a fair trial were instrumental.

D. Profiles of victims targeted since April 2018

47. The profiles of the individuals targeted by the State vary. They are victimized according to their identity and role within specific social groups, which are considered to be obstacles to the Government's overall objective of silencing any further opposition or criticism. This applies in particular to victims targeted because they belong to the university sector, are Indigenous or of African descent, or belong to the Catholic Church or other Christian denominations or the campesino movement. In order to eradicate any obstacle, the Government targets in particular the leaders of such movements or communities.

1. University students, faculty members and other university staff

48. In its first report, the Group pointed out that the student movement had played a crucial role in the 2018 protests and was considered a threat by the Government. Students suffered serious and systematic human rights violations and abuses, including relating to the rights to life, liberty and security of the person, personal integrity, peaceful assembly, and freedom of expression and association.

49. The momentum of the student movement became especially evident when students joined a round table held as part of the national dialogue process, mediated by members of the Nicaraguan Episcopal Conference, in May 2018.¹⁰ For the purposes of the present report, the Group continued its investigation into the human rights violations and abuses targeting university students, faculty members and academic authorities, and the assault on the autonomy of universities as a whole, which together have been instrumental in dismantling the university as a space for organized critical student and academic voices.

50. Many students, and student leaders in particular, have been arbitrarily detained and prosecuted on the basis of false or fabricated charges and without due process. Several of them have also been subjected to acts of torture and other cruel, inhuman or degrading treatment or punishment. Seven student leaders were among the group of 222 victims arbitrarily expelled from the country and deprived of their nationality in February 2023. Two of them had taken part in the national dialogues held in 2018 and 2019.

51. Many students have been arbitrarily expelled from their university, not only by State authorities but also non-State groups aligned with the Government, such as the National Union of Students of Nicaragua. They have suffered harassment and threats from authorities and non-State groups aligned with the Government and have been denied access to their academic records and certificates, which has prevented them from continuing their studies.

52. The Government's repressive actions have also affected faculty members who supported students during the demonstration or were considered government opponents. Hundreds of university faculty members were dismissed between May 2018 and December 2023, without due process, and without the possibility of appealing the decision or receiving compensation. Several university faculty members were arbitrarily detained. Many were compelled to flee the country, having well-founded grounds for fearing arbitrary arrest. Others were prevented from returning.

⁹ See UNHCR, Refugee Data Finder. Available at <https://www.unhcr.org/refugee-statistics/download/?url=Z41RSg>. See also UNHCR, *International Protection Considerations with Regard to People Fleeing Nicaragua*, HCR/PC/NIC/2023/01, p. 46.

¹⁰ Conference room paper containing the detailed conclusions of the Group, para. 289.

53. In December 2021, the National Assembly began revoking the legal status of universities. By the end of 2022, this task was reassigned to the Ministry of the Interior. The legal status of 38 higher education institutions has been revoked, resulting in the closure of almost all private universities in the country. This has been part of an overall strategy by the authorities to destroy the civic space through the revocation of the legal status of over 3,000 non-profit organizations and political parties, and by forcing the closure of over 40 media outlets.¹¹

54. A case in point is the closing of Universidad Centroamericana, a university run by the Society of Jesus (Jesuits), in August 2023, following a court order stating that the University's directors had continuously undermined the independence, peace, national sovereignty and self-determination of the Nicaraguan people by inciting the destabilization of the country. The court ordered the confiscation of all assets, including bank accounts, of the University. The University's legal status was revoked by the Ministry of the Interior. The University's bank accounts, as well as the personal bank accounts of the University's directors, were frozen. Three female student leaders who protested against the closure of the University were arbitrarily detained and subsequently convicted. The senior management of the University and several faculty members fled Nicaragua, having well-founded grounds for fearing arbitrary arrest. Those who remained have faced discrimination in their search for new employment.

55. The closure of Universidad Centroamericana affected over 5,000 students, as their studies were abruptly and arbitrarily interrupted. Many were not able to continue their higher education, as they were refused enrolment in other academic institutions because of their association with the University. In December 2023, a new State university, Universidad Nacional Casimiro Sotelo, started its operations. The new university was created with the assets confiscated from Universidad Centroamericana. The Group can confirm that many students were again refused enrolment because of their previous association with Universidad Centroamericana, or because they or their relatives were real or perceived government opponents.

56. According to the Inter-American Commission on Human Rights, by August 2023, the right to education of around 37,000 students had been affected by the revocations of legal status of higher education institutions.¹² Five new State universities were created in 2023, using the assets of several of the universities whose legal status had been revoked.

57. In 2022, the National Assembly further undermined university autonomy and academic freedom by disbanding the National Council of Rectors, which had been in charge of public policies on higher education. The National Council of Universities, whose directors are all linked to the Government and the Sandinista National Liberation Front, took control of the higher education system. To further consolidate this control, in 2023, the National Assembly decided that the President would appoint future directors of the National Council of Universities.

58. The Group has confirmed that the removal of university autonomy, together with the revocation of the legal status of universities and the violations of human rights against student leaders, faculty members and other university staff documented so far, has resulted in a university sector that no longer has autonomous institutions. The Government has successfully suppressed in the long term any organized critical student and academic voices in Nicaragua, affecting the rights to education of thousands of students.

2. Indigenous people and people of African descent

59. Indigenous and Afro-descendant leaders, activists, and defenders, as well as civil society organizations defending Indigenous and Afro-descendant rights, have been and continue to be subjected to government repression. In April 2018, the Indigenous political party Yapti Tasba Masraka Nanih Asla Takanka in Miskito (YATAMA) and members of

¹¹ Ibid., paras. 735–744, 906–920 and 1179.

¹² Inter-American Commission on Human Rights, "IACHR and its Special Rapporteurships condemn arbitrary interference with academic freedom in Nicaragua", press release No. 201/23, 29 August 2023.

civil society started convening protests in the two autonomous regions on the Caribbean coast. The demands of the demonstrators focused on long-standing claims related to their land, territory and self-government rights. Protests began again following allegations of fraud in the 2019 regional elections and the 2022 municipal elections. All protests were systematically suppressed by security forces and pro-government groups.

60. The Group found that acts of violence targeting Indigenous individuals and people of African descent increased significantly after 2018. State authorities have targeted leaders and activists with convening power or who were particularly vocal in their criticism of the Government or in their defence of land and environmental rights. Acts of repression included harassment, threats, criminalization, arbitrary detention, confiscation of property and prohibition from entering the country. As a result, many leaders and activists have felt compelled to go into hiding or flee the country, including the leader of the Mayangna Ulwa peoples, Haidey Merly Bautista Salazar, and the presidential pre-candidate and Afro-descendant Creole leader George Henríquez Cayasso. Some were denied re-entry into the country, such as a member of the Expert Mechanism on the Rights of Indigenous Peoples, Anexa Alfred Cunningham, of the Miskito people.

61. Since March 2022, the authorities have also revoked the legal status of more than 100 organizations of Indigenous Peoples and people of African descent, as well as human rights and development organizations. One target has been the YATAMA party, since it withdrew, in the context of the 2021 presidential electoral process, from a long-standing alliance with the Sandinista National Liberation Front. The party's leader and National Assembly Deputy, Brooklyn Rivera Bryan, was denied re-entry to the country in April 2023. He returned clandestinely and was arrested on 29 September 2023. Since then, the authorities have provided no information on his fate or whereabouts. A few days after his arrest, the police arrested the substitute Deputy of the YATAMA party, Nancy Elizabeth Henríquez James. After 10 days, during which no information was disclosed on her whereabouts, she was sentenced to eight years in prison for spreading false news and undermining national integrity. The Supreme Electoral Council revoked the legal status of the YATAMA party on 3 October 2023, ahead of the regional elections scheduled for 3 March 2024.

62. The Group found that the repression described in the previous paragraph is inextricably connected to efforts aimed at consolidating and expanding the Government's political and economic control over the autonomous regions. The Sandinista National Liberation Front has strived to penetrate the self-government structures of Indigenous Peoples and communities of people of African descent, either by co-optation or coercion, imposing the appointment of party sympathizers as community and local authorities. The domination of self-government structures is also instrumental in maintaining economic control over the territory and resources of the autonomous regions, in line with strategic economic activities such as gold-mining and cattle farming.

63. The State-led repression of Indigenous and Afro-descendant leaders and organizations has been conducted in a context of widespread armed settler violence, with the presence of armed settlers in the autonomous regions having been continuously increasing and encroaching on communal lands. The Group has established that, since 2018, violent assaults by settlers have led to the killing of 46 individuals, 33 by firearm, mainly in the Mayangna Sauni As territory, located in the Northern Caribbean Coast Autonomous Region. In some cases, the bodies recovered showed signs of torture and mutilation. Women and girls have been victims of sexual violence, community members' houses have been burnt and families have been forcibly displaced.

64. The Group has determined that State authorities have not only failed to implement effective prevention measures to protect the life and integrity of members of the communities but have also failed to conduct prompt, impartial and effective investigations. Instead, the authorities have publicly denied the responsibility of settlers for the crimes identified, and even prosecuted members of affected communities for some of the crimes, imposing harsh penalties.

65. The Group has confirmed that the violations documented so far against Indigenous people and people of African descent have moved the authorities closer to their goal of removing the obstacle of organized critical voices among those groups. The Group has

gathered information that indicates that the Government has been using the settlers to reconfigure and obtain control over communal lands and exploit them. Given the complexity of the situation and the time constraints it faced, however, the Group was unable to further investigate the facts and supporting evidence. The Group will, subject to the resources available, continue to investigate the matter.

3. Members of the Catholic Church and of other Christian denominations

66. Since April 2018, the Catholic Church has been facing increased repression.¹³ Authorities began using hate speech and labelling priests as “coup plotters”, “terrorists” or “agents of evil”, in response to criticism of the human rights situation expressed by the Episcopal Conference of Nicaragua and the Archdiocese of Managua, and by some priests in their sermons. Led by the President and the Vice-President, hate speech inciting to violence and discrimination against the Catholic Church has been disseminated through pro-government media.

67. During the 2018 mass protests, several Catholic priests were arrested. Their detentions were short and aimed at undermining support for the protests. From August 2022 onwards, members of the clergy have been detained for longer periods and convicted of offences such as conspiracy and spreading false news. The Group has documented two cases of mass arrests, one in October 2023 and the other between December 2023 and January 2024. A total of 31 priests and seminarians were detained and expelled to the Vatican, some within days of their arrest, without any formal charges having been brought. The whereabouts of many of them were unknown from the moment of their arrest to their expulsion.

68. The Group found that, between February 2023 and January 2024, dozens of Nicaraguan Catholic priests, friars and seminarians were expelled from or denied entry into the country and arbitrarily deprived of their nationality. One Nicaraguan bishop, who was banned from leaving the country and whose passport was confiscated in 2021, was expelled in 2024. In addition, dozens of clerics have felt compelled to leave the country because of the harassment, death threats and aggressions they have suffered, or for having well-founded grounds for fearing arbitrary arrest. Dozens of foreign clerics and nuns legally residing in the country have been arbitrarily expelled, as the authorities have refused to renew their residence permits or revoked the legal status of their organizations.

69. Rolando José Álvarez Lagos, Bishop of Matagalpa, had remained under house arrest since his arbitrary detention on 19 August 2022. On 10 February 2023, following his refusal to be expelled to the United States, Monsignor Álvarez was sentenced to more than 26 years in prison for treason, undermining national integrity and spreading false news. He was also arbitrarily deprived of his nationality, which left him in a situation of in situ statelessness.¹⁴ Monsignor Álvarez was transferred to the Jorge Navarro prison complex, known as “La Modelo”, where he was placed in solitary confinement in a punishment cell of the section known as “El Infiernillo” (The Little Hell). No information on his conditions of detention was communicated to his family for 43 days. Monsignor Álvarez was arbitrarily expelled to the Vatican on 13 January 2024, together with 18 other clerics.

70. The authorities’ repressive actions against the Catholic Church have also targeted churchgoers, lay employees and “collaborators”. From June 2023, the authorities implemented a de facto ban on Catholic processions. Patron saint celebrations have been either banned or appropriated by the Government. Masses held outside churches have also been prohibited, as was the case with the All Souls’ Day mass on 1 November 2023. On 18 August 2023, journalist Víctor Ticay was sentenced to eight years in prison for having broadcast a religious procession. In December 2023, several former employees of Caritas in the diocese of Estelí, previously closed down by the authorities, were sentenced to six years in prison for money-laundering.

71. Government repression has also been directed at leaders of other Christian denominations. The Group has documented the harassment of, physical and verbal

¹³ A/HRC/52/63, paras. 45 and 61; and conference room paper containing the detailed conclusions of the Group, paras. 837–852.

¹⁴ Conference room paper containing the detailed findings of the Group, paras. 846 and 847.

aggression towards, and criminalization of several evangelical pastors. Wilber Alberto Pérez, who was involved in a campaign called “Christmas without political prisoners”, was sentenced to 12 years in prison for alleged drug-trafficking. He was expelled from the country and arbitrarily deprived of his nationality in February 2023. Eleven pastors from the evangelical organization Mountain Gateway were arrested in December 2023 for alleged money-laundering and remain in detention. Some evangelical churches have also been prohibited from holding public events.

72. The Group continues to document the revocation of the legal status of religious organizations, entities and media outlets. The human rights collective Nicaragua Nunca Más (Nicaragua Never Again) reported that the legal status of at least 342 organizations linked to evangelical churches, the Catholic Church and other Christian denominations had been revoked and their properties and facilities confiscated in 2023. They included organizations with long-standing roots in the country, such as Caritas Nicaragua, the Franciscan Order, the Society of Jesus (Jesuits), and Verbo Christian Ministries. In addition, in 2023, five Catholic higher education institutions, Universidad Centroamericana and three universities of other Christian denominations had their legal status revoked. In May 2023, the bank accounts of all Catholic dioceses were reportedly frozen in application of Nicaraguan anti-money-laundering legislation, along with the accounts of some parishes and priests. The practice is in line with the findings in the first report of the Group regarding the misuse of anti-money-laundering legislation for persecuting government opponents and curtailing the existence of civil society for political reasons.¹⁵

73. The Group has confirmed that the violations documented so far against members of the Catholic Church and other Christian denominations has moved the authorities closer to their goal of removing the obstacle of organized Christian voices critical of the Government.

4. Members of the campesino movement

74. In April 2018, the campesino movement joined the student-led social protests. Movement leaders placed the experience of organized resistance they had gained through previous struggles at the service of the protests. The movement’s capacity to mobilize and organize people represented a significant threat to the Government’s control. The momentum of the campesino movement became especially evident when, in 2018, it joined the national dialogue. During the month-long dialogue, campesinos continued to organize throughout the country and rejected the Government’s demand to lift the roadblocks they had erected.

75. The Group has determined that the police and pro-government armed groups used excessive force, including lethal weapons, to respond to the 2018 protests and dismantle the roadblocks erected by campesinos. The Group has also established that campesinos were subjected to systematic surveillance and harassment by members of citizen participation structures (so-called Citizen Power Councils), pro-government armed groups and the police. Many were also arbitrarily excluded from any social, labour or study opportunities and faced constant discrimination in administrative processes and access to health and other public services. In addition, the police and pro-government armed groups regularly assaulted campesinos and threatened them with death, imprisonment and the destruction of their property to stop them from engaging in any kind of protest activity against the Government.

76. After the Government had quashed the protests, almost half of the national leaders of the campesino movement were arbitrarily detained while the rest were forced to flee the country or go into hiding, severing all links with the movement and leaving it without leadership. Many ordinary members of the movement have also been arbitrarily detained. Many cases of detention were not reported owing to well-founded grounds for fearing reprisals and distrusting the justice system. Once released, campesinos have been continuously subjected to harassment, surveillance, threats and intimidation by the police and members of pro-government armed groups, who have also threatened their families, preventing them from carrying out their daily activities.

¹⁵ [A/HRC/52/63](#), para. 91; and conference room paper containing the detailed conclusions of the Group, paras. 534–539, 691, 726–734, 784 and 1178.

77. Authorities instrumentalized criminal law to dismantle any efforts by the campesino population to organize itself and to suppress any government criticism or opposition. The Group has documented the cases of 33 campesinos, 21 of them leaders or members of the campesino movement, who have been arbitrarily detained and subjected to long interrogations and to acts of torture and other cruel, inhuman or degrading treatment. Twenty-three of them were sentenced without due process or a fair trial to prison terms on unfounded and disproportionate charges connected to their political activism, on the basis of laws incompatible with international human rights law or of false evidence.

78. The coercive environment, the widespread fear caused and the imprisonment of campesino leaders have had a deterrent effect, which has resulted in the cessation of all mobilization and organizational activities by campesinos and forced a large part of the campesino population that had participated in the protests to retreat to their farms, move to other regions of the country or flee Nicaragua. Of the 85 campesinos interviewed by the Group, 43 had fled the country between 2018 and 2020 (22 men and 21 women) out of well-founded grounds for fearing for their own safety and the safety of their relatives. Nineteen (15 men and 4 women) left the country following the intensification of political repression in the context of the presidential elections of 2021. Sixteen were expelled to the United States immediately after their release from prison and arbitrarily deprived of their nationality.

79. The violations documented so far against members of the campesino movement have successfully suppressed in the long term any organized, critical campesino voices in Nicaragua. The Group has received information on a significant number of killings, including possible extrajudicial executions, of campesinos that could constitute a pattern of violations of their right to life. The Group has been unable so far to corroborate the information. The Group will, subject to the availability of resources, continue to investigate the matter.

III. Serious human rights violations and abuses

80. On the basis of the results of its investigation, the Group has reasonable grounds to believe that the facts described in the present report and the supporting conference room papers are representative of broader patterns of conduct and constitute serious violations and abuses of international human rights law. The violations and abuses have been perpetrated for political motives in a systematic and widespread manner throughout the national territory.

81. The violations and abuses have undermined the enjoyment of a wide range of rights: protection from discrimination, freedom from torture, liberty and security of person, fair trial and due process of law, effective remedy, liberty of movement, a nationality, recognition as a person before the law, freedom from interference with privacy and family, freedom of opinion and expression, freedom of conscience and religion, peaceful assembly, freedom of association, participation in public affairs, education and academic freedom, work, social security and an adequate standard of living. They have also affected the rights of the child not to be subject to discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's political or other opinion; to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference; and not to be separated from his or her parents without judicial review and due process.

IV. Crimes against humanity

82. The Group previously found reasonable grounds to conclude that, since April 2018, a variety of State and non-State actors, following orders from the President and the Vice-President, had perpetrated serious human rights violations and abuses against part of the Nicaraguan population by reason of their political identity. The conclusions were found to be consistent, *prima facie*, with various elements of the framework for the international prohibition and the international criminal law definition of crimes against humanity.¹⁶

¹⁶ A/HRC/52/63, paras. 109–115, 123 and 124.

83. Under international law, the duration of the composite “attack” element that transforms a prohibited act into a crime against humanity is deemed to persist as long as there is evidence that the attack is directed against the civilian population as a whole rather than against specific members,¹⁷ even where the scale and intensity of the attack decreases over time as the attacking party begins to achieve its goals.¹⁸ The Group has reasonable grounds to believe that, far from having ceased, the attack against part of the Nicaraguan population continues, with a growing number of victims.

84. The victim profiles commonly include Indigenous people and people of African descent, campesino movement members and leaders, those from the university sector, and members of the Catholic Church and of other Christian denominations. All such victims have been targeted by reason of their political identity, as part of a discriminatory policy designed to systematically persecute and silence any person and shut down any civic or political organization that maintains a position that differs from that of the Government or that is perceived as such. The overall victim profile extends broadly to anyone perceived as being critical of or adversarial to the Government, or, in some cases, anyone perceived as not sufficiently loyal to the Government.

85. The Government has developed and further expanded its patterns of victimization. The Group has reasonable grounds to believe that, during the reporting period, the crimes against humanity of imprisonment and deportation have been perpetrated in Nicaragua, and that those crimes were perpetrated in the context of a discriminatory policy to systematically persecute and silence real or perceived opponents, intentionally implemented from the highest levels of Government, which constitutes *prima facie* the crime against humanity of persecution on political grounds.

86. The Group has documented a new set of illegal acts conducted systematically against real or perceived opponents, aimed at ensuring, through the violation of a multitude of human rights, the elimination of any threat those individuals might pose to the Administration of the President, Mr. Ortega and Vice-President, Ms. Murillo. Victims have been not only deported and arbitrarily deprived of their nationality, but also stripped of their civic and political rights and have suffered many violations of their social and economic rights, while outside Nicaragua and already in a vulnerable state. Victims have been further targeted through their relatives in Nicaragua, who have been exposed to violations of their own human rights. The Government’s actions were conceived as a tool not only to dismantle active opposition efforts but to eliminate all critical voices and dissuade any new organizational initiative in that regard.

87. In addition to the standard prohibited acts that give rise to the crime against humanity of persecution, serious human rights violations conducted on discriminatory grounds, as long as the persecutory acts are intended to cause, and result in, a violation of an individual’s enjoyment of a basic or fundamental right, can also constitute such persecution. The victims have suffered an accumulation of grave, unlawful and prohibited acts that result in the violation of fundamental human rights. The Group has reasonable grounds to believe that such violations have been also intentionally perpetrated in the context of the discriminatory policy described above and that the cumulative effect of the violations constitute *prima facie* the crime against humanity of persecution on political grounds.

V. Organized power structure of the repressive State

88. President Ortega and Vice-President Murillo have control over all other branches and institutions of the State. The Group identified that the President and Vice-President give orders and instructions, either directly or through trusted advisors, to the various institutions that then carry out conduct repressive acts against real or perceived opponents and their families. The political structure of the Sandinista National Liberation Front, in particular its

¹⁷ Conference room paper containing the detailed conclusions of the Group, para. 976. See also International Criminal Tribunal for the former Yugoslavia, *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. IT-03-69-T, Judgment, 30 May 2013, para. 971.

¹⁸ Guénaél Mettraux, *International Crimes: Law and Practice – Volume II: Crimes against Humanity* (Oxford, Oxford University Press, 2020), p. 207.

political secretaries, as well as State intelligence services, have been instrumental in the exercise of such control.

89. The Group has confirmed that the President and Vice-President instrumentalized the legislative power for the commission of the serious human rights violations and crimes against humanity documented in the present report. The President of the National Assembly, Gustavo Porras Cortés, has supported the Government by promoting the adoption of constitutional reforms and legislation facilitating the commission of acts of repression. The National Assembly has adopted several constitutional reforms, which entered into force without having followed the process provided for by the Constitution. At least three of those reforms were adopted unanimously. In one case, Mr. Porras Cortés publicly acknowledged that the National Assembly had acted upon the orders of the President.

90. The judiciary has been instrumental in the commission of repressive acts against real or perceived opponents. Until January 2019, Rafael Solís Cerda, a justice of the Supreme Court and a long-time ally of the President and Vice-President, was also political secretary of the Sandinista National Liberation Front at the Supreme Court and transmitted orders from the Presidency to the judiciary. After the resignation of Mr. Solís Cerda, the Vice-President of the Supreme Court, Marvin Aguilar García, assumed the role of political secretary.¹⁹ The Group identified that Mr. Aguilar García received orders from the Vice-President of Nicaragua, two presidential advisors or the Chief Prosecutor, and then communicated them to the rest of the judiciary by summoning one or more trusted judges to his office.²⁰ Those judges, in turn, directly implemented the orders or communicated them to other judges and court employees.

91. The Attorney General, Ana Julia Guido Ochoa, also receives orders from the Presidency on whom to prosecute. The Group confirmed the existence of a “troll farm” extending to a variety of Meta-owned online platforms that was set up to produce false evidence against real or perceived opponents and harass them online. The “farm” is run from the premises of the Supreme Court; the “evidence” produced is then used by the Public Prosecutor’s Office to support indictments against real or perceived government opponents.

92. The Presidency also sends orders to Luis Cañas Novoa, the Deputy Minister and political secretary of the Ministry of the Interior concerning the release, or not, of real or perceived government opponents, the revocation of the legal status of non-profit organizations, and decisions affecting freedom of movement. Mr. Cañas Novoa, in turn, ensures that the orders are implemented by the National Prison Service, the General Directorate of Registration and Control of Non-Profit Organizations, and the General Directorate for Migration and Alien Affairs, respectively.

93. The General Directorate for Migration and Alien Affairs has been responsible for the imposition of illegal and arbitrary restrictions on the entry into and departure from the country of both nationals and foreigners, the refusal to issue passports or their arbitrary seizure, and the refusal to renew the residency permits of foreigners.

94. The General Directorate of Registration and Control of Non-Profit Organizations has been responsible for revoking the legal status of many organizations, including religious organizations. With respect to the revocation of the legal status of higher education institutions, the Group has identified that the National Council of Universities and the National Council for Evaluation and Accreditation have collaborated with the General Directorate of Registration and Control of Non-Profit Organizations.

95. The Group also established that the Vice-President of Nicaragua sends orders to the President of the National Council of Universities concerning university policies and the

¹⁹ Shortly before the publication of the present report, Aguilar García was reportedly removed from office. The implications of the dismissal require further investigation. The Group is also investigating the role played by, and responsibilities of, the former Chief Justice, Alba Luz Ramos Vanegas, prior to her removal.

²⁰ Each administrative district established under the Organic Act on the Judiciary is coordinated by judges trusted by the Government.

control and repression of university students, faculty members and other university staff, who are real or perceived Government opponents.

VI. Responsibility

A. State responsibility

96. The Group has reasonable grounds to believe that the State of Nicaragua is responsible for serious, systematic and widespread human rights violations and abuses and other violations of international law based on political grounds against members of the population opposed to the Government or perceived as such.

97. The State has failed to guarantee access to effective remedies for victims of arbitrary detention and acts of torture or other cruel, inhuman or degrading treatment or punishment, and for families of those killed in the context of the 2018 protests. It has failed to investigate those violations and abuses and to prosecute the perpetrators. The State has also failed to provide access to effective remedies to at least 317 real or perceived opponents of the Government who have been arbitrarily deprived of their nationality. Furthermore, the State has failed to ensure access to remedies for victims of deportation and other violations of the right to freedom of movement, such as the prohibition of entry into one's own country.

98. The State is responsible for the grave violations committed in contravention of the provisions of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child.

99. The State is also responsible for violations of its international obligations under the Convention on the Reduction of Statelessness. Although Nicaragua retains the right to issue domestic provisions on nationality, it must do so in accordance with international standards on the matter. In this regard, the practice of Nicaragua violates, in particular, article 9 of the Convention, which establishes that a contracting State may not deprive any person or group of persons of nationality on racial, ethnic, religious or political grounds, a prohibition that can be considered an obligation *erga omnes partes*.

100. In addition, the practice of the State of denying its own nationals entry into the country can also constitute a violation of the principle of international law according to which a State may not deny its own nationals the right of entry or residence.²¹

101. Finally, all branches of the State and public authorities at the national, regional or local levels, including non-State groups²² functioning on the instructions or under the effective direction or control of the State, or with the State's consent or acquiescence, continue to systematically and flagrantly violate the international prohibition of crimes against humanity as a peremptory norm of general international law (*jus cogens*).

102. The Group finds that the State of Nicaragua should be held accountable for the serious, systematic and widespread human rights violations and abuses and for the violations of international law described and discussed in the present report and in the Group's first report.

B. Individual criminal responsibility

103. In its first report, the Group found, and had reasonable grounds to believe, that public officials and authorities of all branches of the State and at all levels had participated in the commission of human rights violations and international crimes. The Group compiled the names of individuals identified by the victims as directly responsible for the violations, abuses and crimes documented, as well as of individuals whose contributions within the State structures could give rise to individual criminal responsibility at the international and national levels.

²¹ European Court of Justice, *Van Duyn v. Home Office*, Case No. 41/74, Judgment, 4 December 1974, para. 22.

²² See the conference room paper containing the detailed conclusions of the Group, paras. 1209–1214.

104. Since the publication of its first report, the Group has received additional information which, when evaluated together with the information previously obtained, has allowed it to make progress in identifying the structure and chains of command within various State institutions, bodies and agencies, and to conduct a deeper analysis of the role played by individuals within those structures (see annex). In line with its accountability mandate, the Group has also continued its efforts in identifying alleged direct perpetrators of violations, abuses and crimes, as well as gathering additional information linking direct perpetrators to other individuals at various levels of State institutions who may have contributed to the violations, abuses and crimes.

105. The Group has reasonable grounds to believe that the President, the Vice-President and other high-level State officials have not only continued to exercise total control across all State powers, institutions, bodies and agencies and the non-State structures identified in the present report and in the supporting conference room papers, but have also established and implemented a plan aimed at suppressing any form of dissent by targeting real or perceived opponents in order to maintain power. The plan includes the perpetration of violations and abuses by individuals serving the powers of the State, State institutions and non-State structures identified by the Group. The violations and abuses, the details of which have been fully verified, provide reasonable grounds to believe that crimes against humanity have been, and continue to be, committed.

106. The Group has reasonable grounds to believe that the President, the Vice-President and the high-level State officials identified by the Group have participated in the crimes described and discussed in the present report and its first report, and therefore finds that they should be subject to judicial investigations for determining their individual criminal responsibility. The direct perpetrators of the documented crimes are also responsible for their actions. Their immediate supervisors and other persons higher in the chain of command may also be responsible for their criminal conduct. The Group will, subject to the availability of resources, continue to investigate the matter.

VII. Conclusions and recommendations

107. **The President, Mr. Ortega, the Vice-President, Ms. Murillo, and the high-level State officials identified in the Group's reports should be subject to judicial investigations for their possible responsibility for the crimes, violations and abuses described and discussed in the present report and in the Group's first report. Nicaragua should also be held accountable for its possible responsibility at the State level for those crimes, violations and abuses.**

108. **Since the presentation of its first report, the Group has found continuing and ever more pervasive persecution of any dissenting voice in Nicaragua, with a total centralization of State powers into the hands of the President and the Vice-President, in particular with regard to the judicial branch. This has resulted in total impunity for authorities, which has even extended de facto beyond the territory of Nicaragua.**

109. **Family members of victims of human rights violations have themselves been victimized solely on the basis of being related to real or perceived government opponents. Such violations by association are especially serious when they affect children.**

110. **The Group was able to corroborate information contained in its first report about torture and other cruel, inhuman or degrading treatment or punishment.**

111. **Violations, abuses and crimes have been perpetrated not only in order to dismantle active opposition efforts, but also to eliminate all critical voices and dissuade, in the long term, any new organization and mobilization initiatives. There are no longer any autonomous institutions in the university sector of Nicaragua. The authorities have suppressed any organized movements and critical voices from university students and faculty members. The Government has also quashed any critical voices from the campesino movement and has moved closer to permanently suppressing the voices of**

organized and critical Indigenous people and people of African descent and of the Catholic Church and other Christian denominations in Nicaragua in the long term.

112. In the first phase of repression, there were patterns of violations and abuses of the right to life, security and integrity of the person, which were aimed at suppressing any critical manifestation of the rights of freedom of expression, peaceful assembly and association. The authorities are now closer to their goal of total destruction of any critical voices in Nicaragua, as the patterns of violations focus on incapacitating any kind of opposition in the long term.

113. The key patterns of violations currently used by the authorities include expelling nationals and foreigners from the country, depriving individuals of the right to Nicaraguan nationality, denying individuals entry to or exit from Nicaragua, and creating an intimidating or coercive environment. The cumulative use of repressive acts is compelling large numbers of people to leave the country, thereby constituting a form of expulsion. All the Nicaraguans who have fled the country since April 2018 and were interviewed by the Group had suffered one or more of the violations and abuses documented in the present report and in the Group's first report.

114. Victims of such violations were, and continue to be, deprived of their livelihoods, including their jobs and income, bank accounts and other assets, pension entitlements, birth certificates, academic and professional records, and even their family life.

115. The systematic nature and duration of the patterns of violations identified by the Group, in addition to their deliberate nature, show that they were conducted in full knowledge of the huge effect that they would have on the human rights of the broader population and on the State in the long term.

116. The Group concludes that the human rights situation in Nicaragua has deteriorated to such an extent that it will take many years and significant resources to establish a situation governed by the rule of law and respect for human rights.

117. The Group reiterates the recommendations to the State of Nicaragua and the international community submitted in its first report and expanded upon in the supporting conference room paper,²³ as well as the recommendations presented in its oral update at the fifty-fourth session of the Human Rights Council.²⁴

118. In addition, the Group recommends that the international community, with a view to improving the situation of human rights in Nicaragua:

(a) Hold the State of Nicaragua accountable for its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Reduction of Statelessness;

(b) With respect to Nicaraguans deprived of their nationality, forced to leave or denied entry into the territory of Nicaragua, or having fled Nicaragua:

(i) Make use of the Group's findings and conclusions for the purposes of ensuring fair and effective access to identification, referral and refugee status determination procedures;

(ii) Apply the broader criteria for refugee status recognition of the Cartagena Declaration on Refugees;

(c) Ensure that the Group's findings and conclusions are taken into consideration in security, financial and trade relations and policies, in particular:

(i) When assessing the compliance of Nicaragua with anti-money-laundering standards, countering the financing of terrorism, and countering proliferation

²³ A/HRC/52/63, paras. 126 and 127; and conference room paper containing the detailed conclusions of the Group, paras. 1236 and 1237.

²⁴ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/grhe-nicaragua/OA-GHREN-54HRC-12SSEP23_English.docx.

financing standards, especially regarding Financial Action Task Force recommendations, applying the principle of “do no harm”;

(ii) With respect to Article IV consultations of the International Monetary Fund (IMF) with Nicaragua, when assessing governance issues in surveillance and the use of IMF resources, as well as the relationship between emigration, remittances, gross domestic product growth and labour force participation in Nicaragua;

(iii) When conditioning preferential access for Nicaragua to markets on compliance with non-trade policy objectives or assessing the human rights impact of having trade relations with Nicaragua.

(d) Enhance the capacity of Nicaraguan independent media and civil society organizations.

Annex

Power structure of the State of Nicaragua

