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HUMAN RIGHTS COUNCIL
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ITEM 4

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ORAL UPDATE

Distinguished President,

Excellencies,

I am pleased to present this oral update in accordance with resolution 58/18 of this Council.

I reiterate what I have said on other occasions; we regret that we do not have access to the territory of Nicaragua, or the cooperation of the Government, which has not responded to our many requests for information.

Distinguished delegates,

Even outside the borders of Nicaragua, exiles are not safe from persecution by the Government of Daniel Ortega and Rosario Murillo.

Since the beginning of our mandate, we have pointed out that the violations perpetrated by the Government of Nicaragua have transcended its territory. Today we publish a complementary report entitled "***Nicaragua: Persecution Beyond Borders - Exile and Transnational Human Rights Violations***".

The report focuses on the victims of transnational violations and the methods employed by the Nicaraguan State to deter, punish and silence exiled Nicaraguans.

Transnational violations deepen a generalised climate of fear, lack of protection, isolation and self-censorship among the victims. These form part of a State policy designed to suppress dissent. This policy is based on a scalable governance model that employs a "long arm" strategy of violations and undermines safe havens. The process begins with the uprooting of the victims and the erosion of their legal identity, and extends to their economic collapse, social isolation and pervasive surveillance.

The Government resorts to large-scale use of **arbitrary deprivation of nationality** as a tool of political persecution. Since February 2023, 452 people have been stripped of their nationality through court orders declaring them "traitors to the homeland". Other exiled Nicaraguans were denationalised without having been notified of any legal proceedings.

Most of these victims became stateless, in clear contravention of Nicaragua's international obligations under the Convention on the Reduction of Statelessness of 1961.

Other recurrent practices of transnational violations against Nicaraguans have been **the prohibition of entry into their own country and the denial or suppression of official documents**, such as passports and birth certificates. When these victims have no other nationality, they find themselves in a situation of *de facto* statelessness, without the effective protection of their State of origin. In many cases, these practices seriously compromise the regularisation of their migration status as they lack official documentation to prove their situation.

The authorities have also frequently resorted to punishing family members of exiled Nicaraguans who remain in the country – including children. Relatives and other associates have been subjected to surveillance, harassment, threats, arbitrary detention, confiscation of property, as well as a prohibition to leave the country.

Punishment by association has generated dread among the population in exile and their relatives. It has also caused profound suffering and intense feelings of guilt, and has had particularly severe effects on the mental and emotional health of children.

By targeting the most vulnerable loved ones of opponents, the State has demonstrated its willingness to use any means to suppress dissent.

Delegates,

We have identified and documented the existence of an **extensive and complex surveillance and intelligence network**, which has been crucial to the State's ability to identify, locate and monitor Nicaraguans in exile.

The Defence Intelligence Directorate – the military intelligence agency – plays a central role in this transnational surveillance. We have received multiple testimonies from individuals who report being photographed, followed, harassed, approached by unknown persons and threatened while abroad.

We have also identified that the **digital espionage against exiles and their families** constitutes a sustained pattern of transnational violations. Likewise, Nicaraguans who express criticism on social media are being "doxed", threatened and subjected to smear campaigns orchestrated by "troll farms" and bot networks.

Particularly serious and worrying are the reports **of murders and murder attempts** of Nicaraguans in exile, which are under investigation by the competent authorities.

A particularly visible case was the murder of **retired Nicaraguan army major, exiled in Costa Rica, Roberto Samcam, on 19 June**. A few days ago, the Costa Rican Judicial Investigation Agency arrested four people; three of them were remanded in pretrial detention. In addition, the Attorney General confirmed that his office continued to pursue several lines of investigation and their determination to find the intellectual authors of the crime.

It is imperative that the ongoing investigations do not rule out possible political motives in the commission of these crimes. It is also crucial that they seek to determine the responsibility not only of the perpetrators, but also of those who may have planned, financed or ordered the crimes.

Excellencies, distinguished delegates,

The situation inside Nicaragua continues to worsen every day. The documented incidents reveal the continuity of the State policy described in our previous appearances before this Council, which combines physical and psychological violence, political persecution and legal reconfiguration of the State to quell all dissent and maintain total control over the population.

We have documented a significant increase in simultaneous **arbitrary detentions** in multiple departments, including operations during which several family members were detained at the same time. Our concern for the situation of **political prisoners** has not diminished.

Enforced disappearances have intensified. Periods of incommunicado detention extend over days, weeks or months. We have sent a letter to the Government of Nicaragua requesting information on the fate and whereabouts of 13 persons, and regret that we have not received any response so far.

We have learned of two recent **deaths in custody.** Both occurred during the enforced disappearance of the victims.

We have also documented the **arbitrary detention and arrest of retired military personnel** and people who belonged to Daniel Ortega's historic circle, demonstrating that no sector is exempt from State control.

The Ortega and Murillo Government continues to **target religious institutions**, with recurrent practices such as sermon censorship, surveillance of masses, the presence of undercover agents, restriction of processions, and confiscation.

Excellencies,

Some of these violations form previously identified patterns that constitute, *prima facie*, **crimes against humanity, including persecution on political grounds**.

There is no doubt that transnational human rights violations against Nicaraguans in exile will continue until the international community puts an end to them.

We urgently call on the international community to **implement comprehensive measures to protect Nicaraguans in exile**, in particular those who have been deprived of their nationality, expelled, prevented from returning or denied a passport or other official documentation. To do so, we recommend to:

- **Enable expedited pathways to asylum, refuge or naturalisation** in line with the Convention relating to the Status of Refugees of 1951, its Protocol, and the Convention on the Reduction of Statelessness of 1961.
- **Provide the protection afforded to *de jure* stateless persons**, as enshrined in the Convention relating to the Status of Stateless Persons of 1954 and the Convention on the Reduction of Statelessness of 1961, to Nicaraguans in exile **who are denied renewal of their passport or whose documentation has been erased from the civil registry** and who have no other nationality.
- **Hold the State of Nicaraguan accountable** by pursuing accountability measures before the International Court of Justice for violations of international obligations, particularly under the Convention on the Reduction of Statelessness of 1961.
- **Conduct prompt, thorough, impartial and effective investigations and ensure the individual accountability of perpetrators**, whether they are Nicaraguan State agents or non-State proxies.

- **Extend legal action and targeted sanctions** against the individuals, institutions and entities identified in the Group's reports as responsible for human rights violations and crimes against humanity.

Thank you for your attention.