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Distr.: General
24 February 2025

Original: English

Human Rights Council
Fifty-eighth session
24 February–4 April 2025
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the 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 the institutions and individuals responsible for the main patterns of human rights violations, abuses and crimes perpetrated in the country since April 2018 and documented by the Group of Experts.

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

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I. Introduction

1. The Human Rights Council established the Group of Human Rights Experts on Nicaragua in resolution 49/3 to investigate alleged human rights violations and abuses committed in Nicaragua since April 2018 and contribute to access to justice and accountability. The Council extended the mandate of the Group for a period of two years in resolution 52/2. The Group is composed of Jan-Michael Simon (Chair), Ariela Peralta Distéfano and Reed Brody.

2. The Group previously concluded there were reasonable grounds to believe that, since April 2018, State and non-State actors had committed serious human rights violations and abuses against an ever-growing range of real or perceived opponents and their relatives in a systematic and widespread manner.[1] The Group determined that some of these violations constituted, *prima facie*, the crimes against humanity of murder, imprisonment, torture, including rape and other forms of sexual violence of comparable gravity, deportation and persecution.

3. In the present report, the Group deepens its examination and analysis of the structure of the repressive State, chains of command and State and individual responsibilities for the main patterns of violations documented since the beginning of its mandate. The annex contains 10 functional diagrams illustrating the de jure and de facto connexions between different State and non-State entities. The Group is also preparing a forthcoming conference room paper that contains its detailed findings on the structure and organization of the repressive State apparatus which identifies individuals considered to bear responsibility for violations and crimes. These names will be transmitted to the Nicaraguan Government and, through them, the individuals concerned to give them an opportunity to respond.

4. Despite the Council's calls to the Government of Nicaragua to cooperate fully with the Group, including by granting it unfettered access throughout the country, the Government continues to refuse to engage with the Group. Since the beginning of its mandate, the Group has sent 16 unanswered letters requesting information to the Nicaraguan authorities.[2] The Group also sent an advance copy of the present report to the Government.

5. Despite this lack of cooperation and elevated security risks for victims, witnesses and others providing information, the Group was able to gather, analyse and corroborate the information and evidence necessary to establish the facts of, and the *prima facie* responsibilities for, the serious human rights violations described in the present report.

6. The Group continued to conduct its investigations applying the methodologies, the "reasonable grounds to believe" standard of proof and the legal framework outlined in its previous reports.[3] The Group recalls that, while the threshold of reasonable grounds to believe is lower than that required to establish liability in criminal proceedings, it is sufficient to warrant the initiation of criminal investigations. While this threshold does not preclude the present report from identifying possible individual responsibilities, determinations about individual responsibility can only be made by competent judicial authorities with full respect for the accused's right to a fair trial.

II. Main phases of the repression since April 2018

7. The Group of Experts identified four main phases of repression since April 2018. The first phase (2018-2020) was characterized by a violent and disproportionate crackdown on widespread legitimate protests, revealing a repressive impulse and an initial lack of preparedness to address social discontent and demands. The National Police, National Army and pro-government armed groups used excessive and lethal force to repress demonstrations and dismantle barricades, leading to hundreds of extrajudicial executions and other serious bodily injuries. The authorities arrested and prosecuted hundreds of protesters and other real

[1] A/HRC/52/63; A/HRC/55/27; and the six accompanying conference room papers.

[2] See correspondence available at: www.ohchr.org/ghrenicaragua.

[3] A/HRC/52/63, paras. 6-11; A/HRC/55/27, paras. 7-12; and the six conference room papers.

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or perceived opponents. They also targeted well-known non-governmental organizations and independent media. In June 2019, the National Assembly adopted an Amnesty Act ensuring impunity for the perpetrators of serious human rights violations. The Assembly also enacted other laws to restrict human rights. Fearing reprisals and imprisonment, Nicaraguans started to flee the country.

8. The second phase (2021) was defined by intensified targeted repression, especially arbitrary detentions and groundless prosecutions, to ensure President Ortega's re-election. The Supreme Electoral Council revoked the legal status of three opposition political parties. The police arrested candidates and key figures from opposition political movements, social movements and the private sector. The assault against civic space and freedom of expression continued, including against independent media such as La Prensa and Confidencial. Without credible opposition, Ortega secured a third term. The number of Nicaraguans seeking asylum abroad dramatically increased.

9. In the third phase (2022), the Government redoubled efforts to eliminate all remnants of political opposition in the lead up to the November municipal elections. Police arbitrarily deposed five mayors and arrested members of opposition parties and their relatives, with the support of members of the Sandinista National Liberation Front (FSLN). Repression targeting the Catholic Church also escalated and included arbitrary arrests and expulsions. The authorities accelerated the dismantling of the civic space by cancelling the legal status of thousands of non-profit organizations, including private universities, and by shutting down more independent media outlets.

10. The fourth phase (2023-present) is characterized by measures aimed at eliminating all criticism and cementing the executive's absolute control over all State entities and the population. Authorities expelled or barred hundreds of Nicaraguans from entering the country and arbitrarily deprived hundreds of their nationality. The authorities further dismantled civic space by cancelling the legal status of hundreds more non-profit organizations. They accelerated the confiscation of assets of real or perceived opponents, their relatives, non-profit organizations and private universities. The systematic targeted repression of perceived opponents continued, including surveillance, harassment, arbitrary detentions, unfair trials and enforced disappearances. The authorities formalized their control through constitutional and legislative reforms. This culminated with a broad constitutional reform, in force since February 2025, which undermined fundamental rights protection and put almost unlimited powers in the hands of the presidency (see section III below).

III. Structure and organization of the repressive State apparatus

11. During this reporting period, the Group has continued to investigate the structure and identify individuals at the core of the repressive State apparatus, and to establish the modus operandi of the different institutions and non-State entities involved in the perpetration of the main patterns of human rights violations. President Ortega and Vice-President Murillo have gained control over all other branches and institutions of the State and have systematically instrumentalized the State apparatus to hold on to power. They have also consolidated absolute control over the population through widespread repression and an extensive surveillance and intelligence network incorporating the political structures of the FSLN and pro-government armed groups. This wide-reaching web has enabled the President and Vice-President to silence any form of opposition or dissent.

12. The National Assembly, largely dominated by the FSLN,[4] functions as an extension of the executive and has continued to expeditiously approve legislation and reforms restricting human rights and undermining the rule of law. These laws have been used to legitimize and justify authoritarian actions, including arbitrary detentions, the criminalization of dissent, arbitrary deprivations of nationality, forced closures of non-profit organizations and independent media outlets, and arbitrary confiscations of property. Every legislative

[4] The Supreme Electoral Council contributed to this dominance by cancelling the legal status of several opposition parties.

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initiative presented since April 2024, including the recent constitutional reform, was submitted by the President.

13. In January 2025, the National Assembly unanimously approved, in second reading, a far-reaching constitutional reform which legalizes and consolidates the executive's monopoly on power. This reform formalizes the de facto dissolution of separation, independence and mutual control between branches of the State. It creates two "Co-Presidents" who constitute the presidency. The judicial, legislative and electoral powers of the State are reduced to mere "bodies" coordinated by the presidency.

14. The reform removes the constitutional ban on press censorship, allowing the Government to expand control over remaining media outlets. By subjecting freedom of expression to the imperatives of security, peace and welfare, the reform also formalizes the closing of civic space. It lowers the threshold for military intervention in domestic policing, now only subject to the condition that it be required for the stability of the country.

15. The executive branch lies at the core of the repressive structure. The President and Vice-President have several presidential advisors whose official functions are often unknown but who de facto play vital roles in transmitting orders and instructions directly from the President or Vice-President to all parts and levels of the State apparatus. The Group has identified two presidential advisors who play a fundamental part in the chain of command. The Ministry of the Interior, headed by the Minister, the Vice-Minister and the general director of the National Police, all under the supreme command of the presidency, and several of its General Directorates – namely the General Directorate for Migration and Alien Affairs, the General Directorate of Registration and Control of Non-Profit Organizations and the General Directorate of the National Prison Service – have played a key role in the serious human rights violations perpetrated against real or perceived opponents and in shutting down civic space.

16. The National Police and the National Army, both under the command of the President, have also played a vital role in establishing and consolidating the Government's total control of the State apparatus and in committing serious human rights violations. To strengthen the country's police capacities, the Government recruited ex-combatants, retired military personnel and police officers, judges and public employees, to join the "volunteer police", an auxiliary body supporting the National Police whose functions are enshrined in the new constitution. Thousands of new members were sworn in in January 2025.

17. The recent constitutional reform subordinates the justice system to the presidency, formalizing the executive's co-optation of the courts and Public Prosecutor's Office through the political secretaries of the FSLN placed within their ranks and the dismissal of judges, prosecutors and other personnel considered disloyal to the Government. Prosecutors, judges and public defenders worked in coordination with the National Police, National Army and the intelligence network to systematically detain and criminalize protesters and other real or perceived opponents. Judges played an important part in other human rights violations such as the arbitrary deprivation of nationality of hundreds of Nicaraguans and the denial of habeas corpus petitions.

18. Between May and June 2018, the President ordered two historical figures of the revolution – now deceased – to create armed groups across the country. The Vice-President ordered the national administrative secretary and the political secretaries of the FSLN at departmental and municipal levels to organize these groups to defend "the revolution". These groups were composed of former members of the Sandinista Popular Army, members of the Patriotic Reserve and the Sandinista Youth, marginalized youth, gang members and employees of security companies, among others, and participated in serious human rights violations, including extrajudicial executions, arbitrary detentions and acts of torture, in coordination with police and military forces.

19. The President and Vice-President have leveraged the structure and resources of the FSLN to infiltrate every public institution and local government, thereby consolidating their grip over State entities throughout the country. "Victory Units", composed of FSLN members and formerly known as Sandinista Leadership Committees, are established within all public institutions, and are headed by "political secretaries", persons who have the full confidence

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of the President, Vice-President and party, and are tasked with executing party directives within their respective institution.

20. These Victory Units secure control "from below". They are present in all districts, municipalities and neighbourhoods of Nicaragua. These Units collect information which the political secretaries relay to the FSLN leadership who shares it with the army's Defence Intelligence Directorate – despite the strict prohibition of army engagement in political surveillance – and/or the police intelligence services. This intelligence and control network has permeated all levels of society, from neighbourhoods to mayors' offices, departments and ministerial delegations.

21. During this reporting period, the Group was able to identify the existence of a wide surveillance and intelligence structure that responds to orders from the President and Vice-President. The structure is mainly composed of members of the National Army, the National Police, the Ministry of the Interior, the Nicaraguan Telecommunications and Post Institute (TELCOR), the Ministry of Health, and pro-government armed groups, and uses computer centres installed in every municipality. All public institutions are also linked to this structure through their political secretaries who identify the public officials and other persons to investigate. The Government uses this information (channelled mainly through the Centre of Police Information and Intelligence, the National Information Committee, the Financial Analysis Unit and the structure of the FSLN) to identify opponents, monitor their activities, harass or geolocate them. This structure also determines who to arrest, expel, prevent from returning or arbitrarily strip of nationality.

IV. Main patterns of violations and institutions and individuals responsible

A. Extrajudicial executions in the context of the 2018 demonstrations

22. The Group previously concluded that the National police and pro-government armed groups, acting in coordination, had used lethal force to repress the 2018 demonstrations and commit extrajudicial executions. The Group determined that the 40 deaths it had documented all constituted extrajudicial executions. While the Group established the direct responsibility of the police and pro-government armed groups, it noted that further investigation into the participation of the National Army in the repression was warranted.[5]

23. In 2018, the army publicly declared that its role during the crisis was limited to protecting strategic assets and denied involvement in the repression.[6] However, the Group has obtained credible information that the army participated in the repression using lethal weapons, in coordination with the police and pro-government armed groups. According to this information, a meeting was held on 20 April 2018, with participation of active officers from the Special Operations Command and the Directorates for Doctrine and Training, Intelligence and Counter-Intelligence and Staff and Management, during which it was said that the country was facing a coup d'état orchestrated by social organizations. The Chief of Staff of the Nacional Army read a presidential order calling on the heads of various military units to "neutralize" those involved in the demonstrations.

24. The Group established that the President and Vice-President ordered the National Police, the National Army and pro-government armed groups to violently suppress the demonstrations as part of a strategy designed to retain power at all costs.[7] Hence, the Commander-in-Chief of the National Army ordered military involvement in the suppression of demonstrations despite not having competence in matters of public security, with full knowledge that their intervention might result in loss of life. The deputy director of the National Police let police officers use lethal force against protesters. The chief of the police Special Operations Directorate led the participation of his members in the repression of

[5] A/HRC/52/63, para. 112.
[6] Statements 061/2018 and 01/2018.
[7] A/HRC/52/CRP.5, paras. 961 and 1005.

Advance unedited version

protests and the demolition of barricades, in coordination with the chiefs of departmental police stations. On 19 April 2018, the national administrative secretary of the FSLN transmitted the Vice-President's order to defend the revolution by all means[8] to the FSLN political secretaries of various public institutions, which resulted in a violent strategy to deploy pro-government armed groups against the demonstrations.

25. The documented extrajudicial executions involved coordinated actions by the police, the army and pro-government armed groups. The systematic and deliberate use of lethal weapons – some reserved exclusively for military use –, the intervention of snipers, combat tactics designed to kill rather than control crowds, and the high number of victims with gunshot wounds to vital body parts suggest that their intent was not to disperse protesters but to kill them and instil fear in the population. The Group determined that the army actively participated in repressing demonstrations, provided armament to the police and pro-government armed groups, conducted intelligence operations and trained civilian personnel, including the Sandinista Youth, marginalized youth and civil servants.

26. The army's Defence Intelligence Directorate assumed operational control of the repression of demonstrations, in coordination with the army's Intelligence and Counter-Intelligence Directorate, the Police Intelligence Directorate, the army's Special Operations Command and the Police Special Operations Directorate. Members of the latter two bodies used specialized weapons and snipers during their interventions. Regional military commands and detachments, the Ecological Battalion and the Special Operations Command, deployed military personnel, wearing police uniforms or civilian clothing, to support the police and pro-government armed groups on the ground.

27. The Group now has reasonable grounds to believe that, together with the National Police and pro-government armed groups, the army committed extrajudicial executions in the context of the 2018 mass protests.

B. Arbitrary detentions, unfair trials and enforced disappearances

1. Arbitrary detentions and unfair trials

28. The Group has established that the arbitrary detention and unfair trial of real or perceived opponents constitutes a pattern of violations used by the authorities to punish and silence critical voices throughout all phases of the repression.[9] During the 2018 demonstrations, the number of arbitrary detentions dramatically increased as the police, the military and pro-government armed groups arrested hundreds of protesters. The police also selectively arrested social leaders, political figures, human rights defenders and journalists. This practice has continued, with the authorities targeting an ever-growing pool of real or perceived opponents and their relatives. During this reporting period, the Group was informed of the arbitrary detention of 193 persons.

29. The National Police, including the Judicial Assistance Directorate (Dirección de Auxilio Judicial),[10] the Public Prosecutor's Office, the judiciary and the National Prison Service, supported by an extensive surveillance and intelligence network, played coordinated roles to detain and criminally prosecute real or perceived opponents, committing serious violations in the process (see paragraphs 17-21 above).[11] The National Assembly also passed laws that expanded the authorities' leeway to arrest and criminally prosecute these persons.[12]

30. In 2018, the then deputy director of the National Police ordered the deployment of police forces, including members of special operations, to suppress social protests nationwide, which resulted, inter alia, in the arbitrary arrest – often with excessive violence

[8] *Ibid.*, para. 247.

[9] *Ibid.*, paras. 440-444.

[10] The Judicial Assistance Directorate is a specialized unit of the police that can initiate investigations *suo moto*, in response to a complaint or acting on orders from a prosecutor. It investigates and documents incidents that may constitute crimes, identifies and apprehends suspects, and collects relevant evidence and investigative material.

[11] A/HRC/52/63, paras. 113-114.

[12] A/HRC/52/CRP.5, paras. 1176-1178.

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– of hundreds of protesters. The then deputy director also facilitated the active participation of pro-government armed groups in police operations. These groups directly arrested people and sometimes participated in interrogations.

31. In June 2018, the so-called "Operation Clean-Up", a series of violent security operations aimed at eliminating the barricades and protests, marked the beginning of more selective arrests conducted by the police. Following instructions from the chief and political secretary of the Sub-directorate General for Investigation and Police Intelligence and the Public Prosecutor's Office, the chief of the Judicial Assistance Directorate played a key role in the detention of opponents by issuing arrest warrants based on lists compiled by the intelligence network.

32. The police and the Public Prosecutor's Office have systematically violated the right to due process, by not informing detainees of the reasons for their detention at the time of their arrest, and by refraining from bringing them before a judge within the 48-hour legal limit. Lawyers were systematically prevented from visiting their clients in detention, especially in the Jorge Navarro prison complex "La Modelo" and "La Esperanza" comprehensive women's prison, or from accessing case files to prepare their clients' defence. The police and the Public Prosecutor's Office often fabricated or falsified the evidence.

33. The Chief Public Prosecutor and the Inspector General and political secretary of the Public Prosecutor's Office executed the President and Vice-President's directives by determining whom to prosecute to meet their political objectives. These directives were transmitted by a presidential advisor. The Inspector General was also instrumental in fabricating charges based on manufactured evidence to secure predetermined outcomes. The Inspector General was supported in this task by the chief of the Specialized Unit Against Organized Crime of the Public Prosecutor's Office and the Judicial Assistance Directorate, especially its departments of violent crimes, drugs, cybercrime, homicide and firearms, which manufactured evidence. In 2018, the Chief Public Prosecutor also passed these presidential directives to the Managua Court of Appeal.

34. Judges have also systematically denied fair trials to individuals considered opponents (see paragraph 17 above).[13] Hearings were often conducted behind closed doors, without justification and prior notice. Judges consistently accepted evidence presented by the prosecution while dismissing the defence's objections including those highlighting procedural irregularities. Defendants were routinely convicted, regardless of the lack of credible grounds and serious due process violations.

35. The courts of appeal consistently upheld lower court sentences. They also dismissed or obstructed habeas corpus petitions challenging the lawfulness of politically-motivated detentions. When, in exceptional cases, judges (*jueces ejecutores*) were tasked by the courts of appeal with executing habeas corpus orders, these were ignored by the police or prison authorities.

36. The successive political secretaries of the Supreme Court of Justice received orders from the President and Vice-President, directly or through presidential advisors, to secure the conviction of opponents. The political secretaries then transmitted these orders to the rest of the judiciary, including the Public Defenders' Office. Public defenders were instructed to deliberately neglect their duties by failing to properly prepare the cases assigned to them and provide an adequate defence. Neither the Public Prosecutor's Office nor the courts acted in cases concerning opponents without ensuring to be following instructions from the President or Vice-President.

37. The General Directorate of the National Prison Service and the Superior Directorate of the Ministry of the Interior instructed the directors of the detention centres to prevent lawyers from visiting their clients and defy habeas corpus orders.

2. Enforced disappearances

38. The Group documented 14 cases of opponents who had been arbitrarily detained and whose fate and whereabouts the authorities refused to disclose for months or years. For

[13] A/HRC/52/63, paras. 62-66; A/HRC/52/CRP.5, paras. 553-558.

Advance unedited version

instance, the fate and whereabouts of Carlos Bojorge Martinez, detained on 24 November 2023, and Freddy Quezada, detained on 29 November 2023, were only revealed when they were expelled to Guatemala on 5 September 2024. The Group identified 12 ongoing enforced disappearances, including of Brooklyn Rivera Bryan, deputy of the National Assembly and leader of the Miskito People, Víctor Boitano Cóleman, Angélica Chavarría Altamirano, Fabiola Tercero Castro, Steadman Fagoth Muller, Eddy González Valdivia, Leo Cárcamo Herrera, Julio Quintana Carvajal and Fabio Cáceres Larios.

39. The Group has also documented numerous cases of so-called "short-term" enforced disappearances since April 2018, that is, disappearances of days to weeks during which the authorities refused to disclose the fate and whereabouts of the persons arrested. For instance, the fate and whereabouts of 35 opponents arbitrarily detained in November 2024 were only disclosed when they were released two weeks later. The police and prison authorities held them incommunicado, denying them access to legal representation and their families. Information gathered by the Group revealed that despite repeated requests from families and lawyers to the Judicial Assistance Directorate, District III police station, La Modelo, the maximum-security prison "La 300" and La Esperanza, both police and prison authorities consistently refused to disclose any information about the detainees' status or location.

40. As described in the previous section, these detentions were executed by the police in coordination with the Public Prosecutor's Office following the same modus operandi and chain of command. Courts of appeal rarely granted habeas corpus petitions. When they were, they faced persistent noncompliance by police and prison authorities. The Group was able to establish that the directors of La Modelo, La Esperanza and La 300, knew the detention centres under their responsibility held people whose fate and whereabouts were not disclosed. The Group also confirmed that the deputy director of the General Directorate of the National Prison Service was closely monitoring the situation of all persons detained for political motives and knew that the status and location of detainees held in those detention centres had not been disclosed.

C. Torture and other cruel, inhuman or degrading treatment or punishment

41. The Group previously concluded that, since April 2018, personnel from the National Police and the National Prison Service and pro-government armed groups have systematically committed acts amounting to torture – including rape and other forms of sexual violence – as well as other cruel, inhuman or degrading treatment or punishment against real or perceived opponents that had been arbitrarily arrested.[14]

42. In most cases documented by the Group, people deprived of their liberty were first taken to departmental police stations and later transferred to detention facilities in Managua, particularly the facilities of the Judicial Assistance Directorate ("El Viejo Chipote" in 2018 and "El Nuevo Chipote" since 2019), and the District III police station (since 2023). Some were taken to secret detention places. After preliminary hearings, men were usually sent to La Modelo, while women were taken to La Esperanza, both in Managua. A significant number of opponents arbitrarily deprived of their liberty were held in La 300.

43. Personnel of the National Prison Service and the National Police, as well as members of pro-government armed groups, subjected real or perceived opponents to acts amounting to physical torture and other cruel, inhuman or degrading treatment or punishment during extensive interrogations to obtain information or punish them for their participation in the protests. The acts documented by the Group included beatings, sexual violence (rape, threats of rape and forced nudity), the application of electric shocks (including to the genitals), burning, asphyxiation, simulated drowning, injuries with penetrating objects, nail pulling, stress positions and prolonged restraint. Prosecutors, judges, police and prison authorities ensured that these acts remained hidden, including by preventing the victims from having access to their families, lawyers and legal remedies.

[14] A/HRC/52/63, para. 67; A/HRC/52/CRP.5, paras. 598-618.

Advance unedited version

44. In prisons and police detention facilities, police officers and prison personnel also subjected political detainees to acts amounting to psychological torture and other ill-treatment or punishment, including death threats against them and their families, limited access to food, water, sunlight and medical care, prohibition of educational or recreational activities. Some detainees were kept in prolonged or indefinite solitary confinement and were denied visits from their lawyers and relatives, particularly their children.

45. The Public Prosecutor's Office and the National Police conspired to delay presenting detainees bearing visible signs of torture to the competent authorities, allowing time for the physical evidence of their treatment to fade. Criminal courts systematically ignored defence complaints about acts of custodial torture and ill-treatment. The Managua Court of Appeal consistently dismissed or delayed habeas corpus petitions seeking forensic medical evaluations and information on detention conditions.

46. High-ranking prison and police officials have also directly participated in acts amounting to torture or ill-treatment, instructed their subordinates to commit such acts and allowed them to occur. The director and one of the deputy directors of the General Directorate of the National Prison Service instructed the directors of the country's prisons to enforce a discriminatory treatment of persons detained on political grounds, which, in many cases, meant that they were subjected to acts amounting to ill-treatment and even torture.

47. Judges, following orders from the President or Vice-President transmitted, in 2018, through the Chief Public Prosecutor and, from 2019, the political secretaries of the Supreme Court of Justice, systematically dismissed or obstructed complaints presented by the defence concerning acts of custodial torture. The General Directorate of the National Prison Service and the Ministry of the Interior instructed prison directors to defy habeas corpus orders, including those authorizing forensic medical evaluations and access to information on detention conditions. As a result, a systematic pattern of impunity was reinforced within the prison system, obstructing accountability and enabling continued abuse of detainees.

D. Expulsion of nationals and denial of entry in one's own country

48. The Group previously determined that the expulsion of nationals was part of a plan led by the President and Vice-President to eliminate any form of dissent. All Nicaraguans forcibly expelled from the country were targeted for political reasons and were left in a situation of acute vulnerability, without access to an effective remedy.[15]

49. The pattern continued during this reporting period. On 5 September 2024, the Government expelled 135 persons who had been arbitrarily deprived of their liberty to Guatemala (110 men and 25 women). Some had been convicted of political offences and others of ordinary crimes although most had not been notified of their conviction. Held in different prisons, they were transferred to La Modelo before their expulsion to Guatemala. The authorities did not issue an expulsion order or official list with the identity of these persons, which is negatively affecting their access to international protection.

50. The Group previously established that the expulsions of Nicaraguans up to February 2024 had been ordered by the President and Vice-President and coordinated across several State institutions, including the army, the judiciary, the Ministries of Foreign Affairs and the Interior, the National Assembly, the Public Prosecutor's Office and the police.[16] This was publicly acknowledged by the President[17] and Vice- President.[18] This chain of command and institutional collaboration continued, with some variations, in the recent expulsions.

51. Once the President and Vice-President launched their plan to expel opponents from Nicaragua in February 2023, these institutions began acting in an articulated manner to

[15] A/HRC/55/CRP.3, para. 92.

[16] *Ibid*., paras. 220-223.

[17] See: https://www.el19digital.com/articulos/ver/titulo:136812-mensaje-del-presidente-comandante-daniel-al-pueblo-nicaraguense-09-02-23.

[18] See: https://www.el19digital.com/articulos/ver/136795-companera-rosario-murillo-en-multinoticias-09-02-23.

Advance unedited version

implement the expulsions. On 9 February 2023, based on charges brought by the Public Prosecutor's Office, the president of the Criminal Chamber One of the Managua Court of Appeal issued a resolution declaring 222 Nicaraguans arbitrarily deprived of their liberty "traitors to the homeland" and ordering their "immediate deportation". The Group found no evidence of judicial or administrative decisions ordering the expulsion of the 135 Nicaraguans to Guatemala or the victims in the other cases documented.

52. The Vice-President and Vice-Minister of the Interior ordered these expulsions. The Vice-Minister sent instructions to the General Directorate for Migration and Alien Affairs to immediately issue passports to allow them to proceed. The orders were passed down to the director of the Directorate for Migration. The Group also documented three cases of collective and individual expulsions during which the Minister of the Interior was present and four cases where the expulsion was overseen by a presidential advisor. In cases of expulsion of persons deprived of their liberty, the Ministry of the Interior instructed the directors of concerned detention centres to prepare them for their expulsion and transfer them to the military sector of Managua's international airport.

53. The National Police has been actively involved in expelling Nicaraguans, especially by transporting people, including entire families, to their point of expulsion often without a judicial order. In some cases, police officers forced people to sign documents saying their departure was voluntary. In others, they directly made the travel arrangements and handed cash to the victims, forcing them to sign documents acknowledging the receipt of "aid". Following orders from their director, members of the Police Intelligence Directorate also contributed to identifying and surveilling people to expel. The Group also identified two expulsions directly overseen by the director of the National Police.

54. The National Army also played a central role in implementing the expulsions. The chief and members of the Defence Intelligence Directorate engaged in political surveillance of people critical of the Government. This Directorate exchanged intelligence with high-ranking members of the FSLN and the Police Intelligence Directorate to identify individuals to expel. The Vice-Minister of the Interior decided who to expel based on this information. Following the President's orders, the Commander-in-Chief of the National Army, was present and provided access to the military sector of Managua's international airport for the expulsions of the 222 and 135 ex-detainees in February 2023 and September 2024, respectively. The Group also documented the participation of members of the Fourth Regional Military Command in at least five expulsions via land border crossing points with Costa Rica in coordination with the police.

55. The Ministry of Foreign Affairs coordinated the necessary diplomatic communications, including transmitting instructions to consulates to revoke consular protection for the persons expelled. Two deputies of the National Assembly accompanied the victims of two cases of collective expulsions to their destination.

56. During this reporting period, the Group has continued to document cases of Nicaraguans who were prohibited entry into the country. These actions have resulted in multiple rights violations with a cumulative effect and form part of a systematic pattern of human rights violations leaving victims in a condition of de facto statelessness. The Group obtained information confirming that the instructions to deny Nicaraguans entry into their own country came from the General Directorate for Migration and Alien Affairs, following direct orders from the Vice-Minister of the Interior. In November 2024, the National Assembly adopted Act No. 1228, which gives the Directorate competence to restrict entry into the country to nationals deemed a threat to sovereignty or public order.

E. Arbitrary deprivation of nationality and denial of protection

57. The Group previously documented the Government's arbitrary deprivation of nationality of 317 Nicaraguans, most of whom became stateless, in contravention of its international obligations, especially under the 1961 Convention on the Reduction of

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Statelessness.[19] During this reporting period, the Group has documented another 135 cases of arbitrary deprivation of nationality. The Group has also documented numerous cases of Nicaraguans who have been unable to renew their passport while abroad.

58. This pattern started in February 2023. The President and Vice-President decided to strip Nicaraguans of their nationality.[20] Several State institutions, including the army, judiciary, Ministries of Foreign Affairs and the Interior, municipalities, National Assembly, police, *Procuraduría General de la República,* Public Prosecutor's Office and the Supreme Electoral Council, coordinated their actions to execute this decision.[21]

59. On 9 February 2023, Criminal Chamber One of the Managua Court of Appeal ordered the deprivation of nationality of the 222 Nicaraguans they were expelling to the United States of America (USA) for the crimes of "treason against the homeland", following instructions from the President and Vice-President.[22] On the same day, the National Assembly modified article 21 of the Constitution on the absolute prohibition of the deprivation of nationality to allow the revocation of the nationality of individuals designated "traitors to the homeland". Even though the constitutional reform was not yet in effect as not adopted in second reading, the Assembly enacted a law to implement the change.

60. On 15 February 2023, the president of the Managua Court of Appeal read the Court's resolution based on charges filed by the Public Prosecution's Office, ordering the deprivation of nationality of 94 Nicaraguans, most already abroad. The Group found no evidence suggesting that criminal proceedings had taken place. On 10 March 2023, the second judge of the Managua Criminal Trial District ordered the deprivation of nationality of Monsignor Rolando Álvarez.

61. On 10 September 2024, the Supreme Court of Justice announced that Criminal Chamber One of the Managua Court of Appeal had ordered the deprivation of nationality of 135 Nicaraguans expelled to Guatemala, without disclosing their identities.[23] This decision also resulted in the permanent loss of the victims' civil rights and the confiscation of their assets by the *Procuraduría General de la República* in favour of the State. Most victims became stateless.

62. The Group also identified cases where Nicaraguans living abroad were deprived of their nationality without a judicial or administrative order. Some victims reported that they discovered they had lost their nationality when requesting civil records and were told they did not exist. Others were informally told by consular authorities that they had lost their nationality when seeking to renew their passports. The Group found no evidence of criminal proceedings against the victims. Most were formally seeking asylum or had obtained refugee status at the time they discovered they had lost their nationality. They were left in a condition of facto statelessness and without evidence to document their case when applying for international protection.

63. Following orders from the Vice-Minister of the Interior, the General Directorate for Migration and Alien Affairs refuses passport renewals to real or perceive opponents and their relatives living abroad. The director of the Directorate for Alien Affairs has denied passport renewals for political reasons. Although not formally stripping them of their nationality, these actions also left the victims in a condition of de facto statelessness, severely undermining their ability to exercise their human rights and claim international protection.

64. The Group established that the Sub-directorate General for Investigation and Police Intelligence, the army's Defence Intelligence Directorate and high-ranking members of the FSLN coordinate the gathering of personal, family, employment and other information about persons considered a threat to national sovereignty and society. In the absence of a judicial

[19] A/HRC/52/63, paras. 46, 104 and 108; A/HRC/52/CRP.5, paras. 769 and 779; A/HRC/55/27, paras. 33-34 and 99; A/HRC/55/CRP.3, paras. 105-106.

[20] A/HRC/55/CRP.3, paras. 227.

[21] *Ibid.*, paras. 220-223.

[22] *Ibid.*, para. 223.

[23] See: https://www.poderjudicial.gob.ni/prensa/notas_prensa_detalle.asp?id_noticia=12812.

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order, the Vice-Minister of the Interior decides who to deprive of their nationality on the basis of this information, in consultation with the Vice-President.

F. Crackdown on non-profit organizations

65. The Group has documented the widespread cancellation of the legal status of non-profit organizations by the National Assembly and the Ministry of the Interior and the arbitrary confiscation of their assets. These actions have significantly contributed to the dismantling of civic space and guaranteed the State's monopoly over community, development and social welfare activities. Affected organizations include those dedicated to human rights, women, indigenous and religious organizations, and business chambers.

66. Prior to the constitutional reform of February 2025, the National Assembly had the competence to grant and cancel the legal personality of non-profit organizations. The director of the General Directorate of Registration and Control of Non-Profit Organizations of the Ministry of the Interior sent legal decisions requesting the cancellations to the president of the National Assembly. The National University Council and the National Evaluation and Accreditation Council coordinated the cancelation of universities with the Ministry. The National Assembly then formalized these cancellations by adopting decree-laws. Through Act No. 1127 of 2022, the competence to cancel the legal status of non-profit organizations was attributed to the Ministry of the Interior, in contravention of the Constitution in force then. The authorities instrumentalized Financial Action Task Force Recommendation 8 to justify the widespread and systematic forced cancellation of non-profit organizations.

67. Following cancellation of nine well-known organizations led by opponents in December 2018, the Ministry of the Interior issued a press release alleging they had participated in a "failed coup attempt, promoting terrorism, hate crimes, and encouraging and celebrating the destruction of public and private properties" and informing them that their assets had been transferred to the State of Nicaragua.[24] In September 2024, President Ortega publicly confirmed this explanation, stating that, in 2018, non-governmental organizations had been used to try to overthrow the Government.[25] Days later, the Vice-Minister of the Interior justified the closures reiterating similar accusations.[26]

68. The National Assembly and the Ministry of the Interior have forcibly cancelled the legal status of at least 5,437 non-profit organizations since December 2018 – 1,939 since March 2024. Most organizations also had their assets confiscated, measures which were implemented with the support of the *Procuraduría General de la República.* While this practice had been occurring since 2018, it was formalized with the adoption of Act No. 1115 of 2022, which stipulates that the assets of non-profit organizations become State property unless the cancellation of their legal status was due to a voluntary dissolution. The non-profit sector has now been virtually eliminated in Nicaragua: about 80% of the non-profit organizations registered in the country in 2017 have disappeared.

G. Threats, harassment and surveillance

69. Since April 2018, both State and non-State actors have consistently surveilled, intimidated, and persecuted perceived opponents, their families, as well as individuals capable of social mobilization and leadership.[27]

70. The Group established that the National Police has an information and intelligence centre that reports to the commissioner in charge of the General Sub-directorate of Police Investigation and Intelligence which is used to identify and obtain information on real or perceived opponents and monitor, threaten and harass them. The army's Defence Intelligence Directorate has unrestricted access to this centre. Personnel of the Judicial Assistance

[24] See: https://www.migob.gob.ni/nota-de-prensa-10-2/.

[25] See: https://www.el19digital.com/articulos/ver/155425-acto-central-en-conmemoracion-del-45-aniversario-de-fundacion-del-ejercito-de-nicaragua-02-09-24.

[26] See: https://www.facebook.com/watch/live/?ref=search&v=514813361319258.

[27] A/HRC/52/63, paras. 97-103; A/HRC/55/27, paras. 17, 28, 60 and 71.

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Directorate – that reports to the same Sub-directorate – and the National Prison Service also gather information during interrogations. Municipalities' computer centres record the information people provide in census forms of the Ministry of Health. The Financial Analysis Unit helps identifying opponents' bank accounts to be seized.

71. The Victory Units also contribute to gathering information and monitoring and intimidating opponents, public officials, journalists, students, religious leaders, human rights defenders and even FSLN members, among others.

72. TELCOR also provided information on opponents to the police by unlawfully intercepting the communications of its users. This practice was legalized in 2024 when the National Assembly adopted Act No. 1223 empowering TELCOR to monitor, intercept and block content on social networks, digital platforms and traditional media, and to geolocate individuals, in the name of preserving national security and public order. These activities have installed a climate of fear and self-censorship around the publication of news or sharing information online. Nicaraguans living abroad also refrain from communicating with their relatives in the country out of fear their calls and messages could be intercepted.

73. TELCOR also hosts "trolls farms" that work from the Conventions Centre PAEBANIC, the National Technical and Technological Institute (INATEC), the facilities of the Supreme Court of Justice and TELCOR headquarters. These farms are controlled by the Network of Young Communicators and the National Organization Secretary of the FSLN and answer to the Vice-President. They harass, threaten and discredit opponents while spreading disinformation.

74. The Group has documented the progressive intensification of the surveillance – particularly since 2023 – of opponents by members of the National Police, intelligence services, FSLN structures and pro-government armed groups, all entities under the authority of the President and Vice-President. People under surveillance are forced to report daily – under threat of arrest – to a designated police station either in person or by sending WhatsApp messages with photos, details on their whereabouts and the people they intend to meet. The Group identified cases in which Nicaraguans continued to be harassed when abroad and pressured to send photographs from their countries of residence. This surveillance is not limited to people considered opponents; the entire population is monitored by the intelligence structure through the Ministry of Health that conducts a population census that includes questions about the location of family members and their political affiliations.

H. Arbitrary confiscation of property

75. The Group has documented an alarming increase in violations of the right to property since April 2018. The Government has systematically and arbitrarily confiscated the properties, bank accounts, pensions and other assets of opponents and their relatives, stripping them of economic resources as part of its plan to neutralize and punish dissenting voices. In application of this policy, the Government, supported by the National Assembly, has also confiscated the properties and other assets of non-profit organizations, independent media outlets, the Catholic Church and churches of other Christian denominations, and private companies and universities.

76. The Public Prosecutor's Office and the courts oversee and adjudicate criminal proceedings that may result in the imposition of accessory penalties, including the confiscation of assets. The *Procuraduría General de la República* manages the assets of the State in coordination with the Physical Cadastre of the Nicaraguan Institute of Territorial Studies. The Physical Cadastre updates information concerning the ownership of properties in coordination with the Real Estate and Commercial Property Registry and municipal cadastres. The director of the Physical Cadastre presides the National Cadastre Commission which reports to the President. The Social Security Institute grants or blocks people's access to their pensions.

77. The Group documented that in numerous cases, acting upon orders from the President and Vice-President, the National Police, in coordination with the Public Prosecutor's Office, fabricated evidence to charge opponents with treason and/or other offences. Following

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judicial proceedings that did not respect due process, the courts convicted the defendants and, among other measures, ordered the confiscation of their assets. The defendants did not have access to an effective remedy to challenge the decisions.

78. In the case of the 222 and 135 ex-prisoners expelled from the country and deprived of their nationality in February 2023 and September 2024, respectively, as well as the 94 Nicaraguans deprived of their nationality in February 2023, the Managua Court of Appeal issued resolutions ordering the *Procuraduría* to execute the confiscation of their assets.

79. The *Procuraduría* executed these orders by taking possession of the properties and other assets, with the support of the police, and awarding them to State institutions. The *Procuraduría* also transmitted information on the confiscated properties to the Physical Cadastre of the Nicaraguan Institute of Territorial Studies, indicating the State institution to which the property should be assigned.

80. The Group identified some cases where the *Procuraduría* transferred the ownership of properties to the State de facto; that is, without the victims' knowledge of any proceedings against them. The Group also documented cases in which properties have been occupied de facto by people linked to the FSLN.

V. Transnational impact of human rights violations

81. The repressive actions of the Government transcend the country's borders and affect real or perceived opponents abroad. The Government has also continued to target opponents' relatives inside Nicaragua, including children, by virtue of mere association as a way of punishing the opponents and/or dissuading them from speaking out wherever they are.

82. The arbitrary deprivation of nationality of hundreds of people, almost all of them now abroad, exemplifies a violation with direct and far-reaching transnational consequences. Those stripped of their nationality – whether through judicial decisions or administrative actions – face a form of "civil death," severely restricting their and their families' access to employment, education, and other rights, including international protection and justice. Many have become stateless and have lost all civil records. The authorities arbitrarily modified the civil records of other persons, including children. In most cases, the loss of nationality was accompanied by the confiscation of property, pensions, bank accounts, and other sources of income in Nicaragua, forcing many of them into poverty.

83. The prohibition imposed on many Nicaraguans from re-entering their country, along with consular refusals to renew passports, constitutes another violation with transnational impact. These measures have left numerous Nicaraguans, including children, in extreme vulnerability, rendering them de facto stateless. Lack of official documentation impedes regularization procedures or relocation to other countries. These practices – expulsions, entry bans, and passport denials – have also torn families apart and severely hindered family reunification, with children disproportionately affected.

84. The Group also documented violations committed by the Government against family members of real or perceived opponents in Nicaragua, including surveillance, harassment, threats, arbitrary detentions, violations of the rights to health and education, and arbitrary dismissal from employment. Children continued to be victims of discrimination and other violations because of the political identity, activities and/or opinions expressed by their parents or relatives. The Group has documented cases where children were interrogated by the police to obtain information about relatives in exile. As a result, many Nicaraguans living abroad have had to limit their public profiles, practice self-censorship, reduce their participation in public activities and, in some cases, distance themselves or deny their family ties to protect them.

VI. Crimes against humanity

85. The Group previously concluded that there were reasonable grounds to believe that a variety of State and non-State actors, following orders from the President and Vice-President, had been perpetrating serious human rights violations against part of the Nicaraguan

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population by reason of their political identity, activities and/or opinions. These violations amount, *prima facie*, to crimes against humanity under customary international law.[28]

86. The attack against part of the Nicaraguan population, initiated in 2018, has been continuing with evolving patterns of violations leading to a growing number of victims. Under international law, an "attack" is deemed to persist as long as there is evidence that it is directed against the civilian population rather than against specific members, even if its scale and intensity decreases as the attacking party begins to achieve its goals.[29]

87. Throughout the different phases of repression, the Government has further developed and amplified its patterns of victimization to include, in addition to real or perceived critics, those who belong to groups with a high capacity for autonomous social mobilization and, anyone perceived as not sufficiently loyal to the Government. The victims include protesters, human rights defenders, including women defenders, students, faculty and other university personnel, journalists and independent media employees, members of social organizations and political parties, Indigenous People and People of African descent, members of the campesino movement, members of the Catholic Church and other Christian denominations, and their family members. Based on the findings of the present report, the Group has reasonable grounds to believe that since March 2024 the Government has further finetuned its mechanisms of repression and continued to lower the threshold for victimization. All the victims were targeted by reason of their political identity, activities and/or opinions, as part of a discriminatory policy designed to systematically silence any critical voices.

88. The Group had previously found that the Government broadly perpetrated extrajudicial executions in the context of the 2018 demonstrations. As the Government gradually progressed towards silencing all critical voices, protests were systematically supressed. The extrajudicial executions of protesters stopped when these were extinguished.

89. As for the crimes of imprisonment and torture, the Group has reasonable grounds to believe that these were continuously perpetrated during all phases of the repression. The crime of deportation has been committed as of the fourth phase of repression – the present phase. Further, the Group has reasonable grounds to believe that enforced disappearances of several months have been perpetrated during the fourth phase of repression as part of the systematic and widespread attack, and constitute, *prima facie*, a crime against humanity.[30]

90. The Group further has reasonable grounds to believe that these crimes, including enforced disappearances, as well as the cumulative effect of grave, unlawful and prohibited acts that result in the violation of fundamental human rights, continued to be intentionally perpetrated in the context of the discriminatory policy during the reporting period. These crimes constitute, *prima facie*, the crime against humanity of persecution on political grounds.

VII. Responsibilities

A. State responsibility

91. The Group previously found reasonable grounds to believe that the State of Nicaragua is responsible for grave violations 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 (UNCAT), and the Convention on the Rights of the Child. The State is also

[28] A/HRC/52/63, paras. 109–115 and 123-124; A/HRC/55/27, paras. 82-87; and the six conference room papers.

[29] A/HRC/55/27, para. 83.

[30] ICTY, *Prosecutor v. Kupresckic et al.*, IT-95-16-T, Judgment, 14 January 2000, para. 566. See also, ICC Pre-Trial Chamber III, Public Redacted Version of "Decision Pursuant to Article 15 of the Rome Statute on the Authorization of an Investigation into the Situation in the Republic of Burundi", ICC-01/17-X-9-US-Exp, 25 October 2017, paras. 120ff.

Advance unedited version

responsible for violations of the 1961 Convention on the Reduction of Statelessness and the 1989 Indigenous and Tribal Peoples Convention (no. 169).

92. The State, as well as non-State groups functioning under its direction, control or acquiescence, also continue to systematically violate the prohibition of committing crimes against humanity. The Group finds that the State of Nicaragua should be held accountable for the serious, systematic and widespread violations documented in this and the Group's previous two reports.

93. The Group recalls that States Parties can refer disputes about the application of the Convention on the Reduction of Statelessness or the UNCAT, both of which contain obligations *erga omnes partes* in nature, to the International Court of Justice, if the dispute cannot be settled by other means or, in the case of UNCAT, following previous negotiation and arbitration.[31]

94. Article 26 of the Constitution of the International Labour Organization (ILO) allows Member States to file a complaint against the State of Nicaragua for non-observance of any ILO convention ratified by the Member State and Nicaragua. Following an investigation by a Commission of Inquiry, the States concerned can refer the matter to the International Court of Justice, if they are not in agreement with the recommendations of the Commission.

B. Individual criminal responsibility

95. In its previous reports, the Group found reasonable grounds to believe, that public officials and authorities had participated in the commission of human rights violations and international crimes. During this reporting period, the Group has obtained additional information, including from multiple witnesses, on the structure of the repressive State and identified further individuals whose contributions could give rise to individual responsibility. The Group follows the general principle established in the case-law of the UN International Tribunals[32] and national Courts[33] that, in an organized repressive apparatus like the one identified in Nicaragua, greater responsibility attaches to a position of leadership, in particular regarding the masterminds,[34] without this fact alone being sufficient to prove criminal responsibility. This general principle applies to the most senior leaders, higher-levels officials and, considering the circumstances, even mid-level officials. Regarding the latter, it is crucial that the individual is "no mere 'cog', small or large, in a machine propelled by others; [but] … one of those who propelled the machine".[35]

96. The Group has reasonable grounds to believe that President Ortega, Vice-President Murillo and the high-level State officials and members of the FSLN identified by the Group have participated in the crimes described in its reports and therefore finds that they should be subject to judicial investigations for determining their individual criminal responsibility. The Group will be publishing some of those names in the forthcoming conference room paper. The direct perpetrators of the documented crimes, their immediate supervisors and other persons higher in the chain of command may also be responsible for criminal conduct.

97. The Group recalls that access to justice for victims is a right guaranteed in international law. The Group previously outlined that under the principle of universal jurisdiction perpetrators of crimes against humanity and other international crimes can be

[31] UNCAT, art. 30(1); Convention on the Reduction of Statelessness, art. 14.

[32] ICTY, *Prosecutor v. Aleksovski*, IT-95-14/1-A, Judgement, 24 March 2000, paras. 183–184; ICTR, *Prosecutor v. Musema*, ICTR-96-13-A, Judgement, 16 November 2001, para. 383; *Prosecutor v. Hategekimana*, ICTR-00-55B-T, Judgement, 6 December 2010, para. 737.

[33] District Court of Jerusalem, *Attorney General of the Government of Israel v. Eichmann*, 40/61, Judgement, 11 December 1961, 36 ILR 18, pp. 236–237; Federal Court of Justice of Germany, 5 StR 98/94, Judgement, 26 July 1994 [BGHSt 40, 237]; Supreme Court of Peru, *Prosecutor v. Fujimori*, A.V. 19-2001, Judgment, 7 April 2009, ILDC 1561 (PE 2009), para. 731.

[34] SCSL, *Prosecutor v. Taylor*, SCSL-2003-01-T, Judgment, 18 May 2012, paras. 24-25.

[35] Supreme Court of Israel, *Attorney General of the Government of Israel v. Eichmann*, 336/61, Appeal Judgement, 29 May 1962, 36 ILR 277, pp. 330–331.

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tried by third countries, regardless of where the crimes were committed and the citizenship of the victims.[36]

VIII. International accountability initiatives

98. At the 111th Session of the International Labour Conference in 2023, eleven delegates submitted a complaint under article 26 of the International Labour Organization's Constitution alleging Nicaragua's non-observance of Conventions Nos. 87, 98, 111 and 144.[37] The complaint contained allegations of violations perpetrated against the Consejo Superior de la Empresa Privada (COSEP) and its former leaders and members, including harassment, arbitrary detentions, arbitrary confiscations of property and arbitrary deprivations of nationality.[38] The Organization's Governing Body requested the Government of Nicaragua to respond to the communications on the matter and decided to send a high-level tripartite mission to assess the situation and report in March 2025.[39]

99. In Argentina, in December 2024, following investigations under the principle of universal jurisdiction for crimes against humanity committed in Nicaragua since 2018, the Federal Criminal and Correctional Court no. 4 issued arrest warrants, including via Interpol, against Daniel Ortega, Rosario Murillo and 16 high-ranking government officials for the purpose of their extradition to Argentina.

100. In Brazil, the Federal Public Prosecutor's Office issued a request for judicial cooperation under the passive personality principle to obtain the records of the investigation and judicial proceedings against the person responsible for killing medical student Raynéia Gabrielle Lima in Managua The presumed perpetrator had admitted the facts and had been prosecuted and found guilty by the Nicaraguan courts in 2019 only to be released under the Amnesty Act of 2019. The Group had previously found reasonable grounds to believe that Lima had been extrajudicially executed. To date, the Government of Nicaragua has refused to comply with the request, citing the Amnesty Act.

101. Canada, the European Union, Switzerland, the United Kingdom and the USA have imposed economic sanctions, and travel bans against several high-ranking Nicaraguan Government officials and entities for the role they played in serious human rights violations and undermining democracy.

102. In 2024, the United States Trade Representative initiated an investigation under Section 301 of the Trade Act of 1974, referring to findings of several official reports, including those of the Group. This investigation aims at examining acts, policies and practices that may violate labour and human rights and dismantle the rule of law, which, in consequence, may burden the commerce of the USA. The Group contributed to the investigation by sending a written comment.[40]

103. After its 2024 Article IV Consultation with Nicaragua, the International Monetary Fund (IMF) issued recommendations to significantly improve the rule of law, ensure judicial independence and guarantee the right to effective and fair recourse.[41]

104. In 2022, in the context of the project Bio-CLIMA in the autonomous regions of Nicaragua, the International Redress Mechanism of the Green Climate Fund determined Nicaragua's non-compliance with safeguard provisions on informed consultation and participation of Indigenous Peoples and people of African descent, and noted their concerning human rights situation in the project areas and their displacement by non-

[36] A/HRC/52/CRP.5, paras. 1230-1233.
[37] GB.349/INS/19/1.
[38] *Ibid.*, annex.
[39] GB.352/Decisions, no. 15.
[40] See: https://comments.ustr.gov/s/commentdetails?rid=PGHRR76BX6.
[41] IMF, Staff Report for the 2024 Article IV Consultation, 15 January 2025, pp. 18-19.

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indigenous settlers (*colonos*).[42] These findings led the Green Climate Fund to discontinue the project due to non-compliance with the Fund's policies.[43]

105. With regard to international financing, the Group contributed to the hearing "Nicaragua: International financial support and its impact on human rights" held during the 191 Period of Sessions of the Inter-American Commission on Human Rights.[44] As the Group outlined, the Government of Nicaragua has invoked recommendation number 8 of the Financial Action Task Force on international standards for combating money laundering, terrorist financing and the proliferation of weapons of mass destruction to justify its mass cancellations of non-profit organizations – a practice which has contributed to the total closure of the civic space in Nicaragua.

IX. Conclusions and recommendations

106. Since April 2018, the Government of President Daniel Ortega and Vice-President Rosario Murillo has executed a phased strategy to entrench absolute control. To achieve this, it has systematically carried out serious human rights violations, as documented by the Group. This trend has culminated in a constitutional reform designed to cement unchecked executive authority -the final blow to the rule of law and basic freedoms in Nicaragua, dismantling what little remained of institutional checks and balances.

107. The patterns of violations and the profiles of victims documented by the Group reveal a clear objective: total control over the population, both at home and abroad. To this end, the government has deployed tactics including arbitrary deprivation of nationality, forced expulsions and asset confiscation.

108. Over the past year, State and para-state institutions and the FSLN have fused into a unified machine of repression. Arbitrary asset seizures have escalated, not only depriving individuals of their livelihoods but potentially serving other illicit purposes, warranting further investigation. Nicaragua's justice system is fully complicit, actively ensuring impunity for perpetrators while contributing to human rights violations.

109. Some documented violations constitute patterns previously identified as crimes against humanity, including politically motivated persecution.

110. The entire repressive apparatus is centrally controlled by Daniel Ortega and Rosario Murillo, supported by senior State and party officials. The Chains of command are deliberately designed, as illustrated in the functional diagrams appended to this report, to target specific groups and execute human rights violations at every level. The Group has reasonable grounds to believe that other individuals who will be identified in the forthcoming conference room paper also bear responsibility. The Group considers it crucial to monitor closely any modifications to the repressive apparatus, including its tactics, elements and key actors.

111. The Group maintains confidential dossiers on these additional individuals, which may be shared with Member States and prosecutorial authorities under strict conditions following UN best practices.

112. The Group welcomes the generous offer by Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Panama and Spain of citizenship to Nicaraguans deprived of their nationality, as well as the assistance of many countries, in particular Costa Rica, Guatemala, Mexico, Spain and the United States of America, in the re-settling and integration of exiled Nicaraguans.

113. The Group warns that Nicaragua's human rights situation has deteriorated to the point where restoring democracy and the rule of law will take years and significant resources. The longer the international community delays firm action, the greater the

[42] Independent Redress Mechanism, "Compliance Review Report", 2022, p. c.

[43] See: https://www.greenclimate.fund/statement/update-fp146-bio-clima-integrated-climate-action-reduce-deforestation-and-strengthen.

[44] See: https://www.oas.org/en/iachr/sessions/hearing.asp?Hearing=3785.

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burden becomes. The Group urges the Human Rights Council and the international community to remain vigilant and act decisively, reiterating its previous recommendations:

(a) Strengthen support for Nicaraguan civil society, notably by increasing financial and technical assistance to Nicaraguan civil society organizations and independent media to counter state repression;

(b) Hold the State of Nicaragua accountable under international law, by pursuing accountability measures at the International Court of Justice for violations of international obligations, particularly under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Reduction of Statelessness;

(c) Expand legal actions and sanctions against individuals, institutions and entities identified in the Group's report and the forthcoming conference room paper;

(d) Protect Nicaraguans deprived of nationality, expelled or denied re-entry, by ensuring fair refugee status determinations and asylum processes, including under the broader criteria of the Cartagena Declaration on Refugees; by facilitating administrative regularization for Nicaraguans who face arbitrary refusal of passports and other identity documents; by easing requirements to ensure students can continue their studies and to have professional degrees recognized; and by monitoring the situation of individuals subject to transnational repression; and

(e) Ensure that the Group's findings influence key international decisions, especially:

(i) In IMF consultations under Article IV when assessing governance issues in surveillance and the use of IMF resources, more specifically the Group's findings on widespread and systematic arbitrary property confiscations and the Government's instrumentalization of Financial Action Task Force (FATF) Recommendation 8 to justify mass cancellations of non-profit organizations; and

(ii) Effectively condition Nicaragua's preferential market access on human rights benchmarks, particularly regarding the US-Dominican Republic-Central America Free Trade Agreement and the democratic clause of the EU-Central America Association Agreement.

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Annex

See below 10 functional diagrams illustrating the de jure and de facto connexions between different State and non-State entities. The diagrams are also directly accessible from the web page of the Group of Human Rights Experts on Nicaragua: www.ohchr.org/ghrenicaragua.

Diagram 1 – Intelligence and citizen surveillance (in Spanish only)

Diagram 2 – Extrajudicial executions in the context of the 2018 demonstrations (in Spanish only)

Diagram 3 – Arbitrary detentions and unfair trials (in Spanish only)

Diagram 4 – Enforced disappearances (in Spanish only)

Diagram 5 – Torture and other cruel, inhuman or degrading treatment or punishment (in Spanish only)

Diagram 6 – Expulsion of nationals and denial of entry in one's own country (in Spanish only)

Diagram 7 – Arbitrary deprivation of nationality and denial of protection (in Spanish only)

Diagram 8 – Crackdown on non-profit organizations and universities (in Spanish only)

Diagram 9 – Threats, harassment and surveillance (in Spanish only)

Diagram 10 – Arbitrary confiscation of property (in Spanish only)

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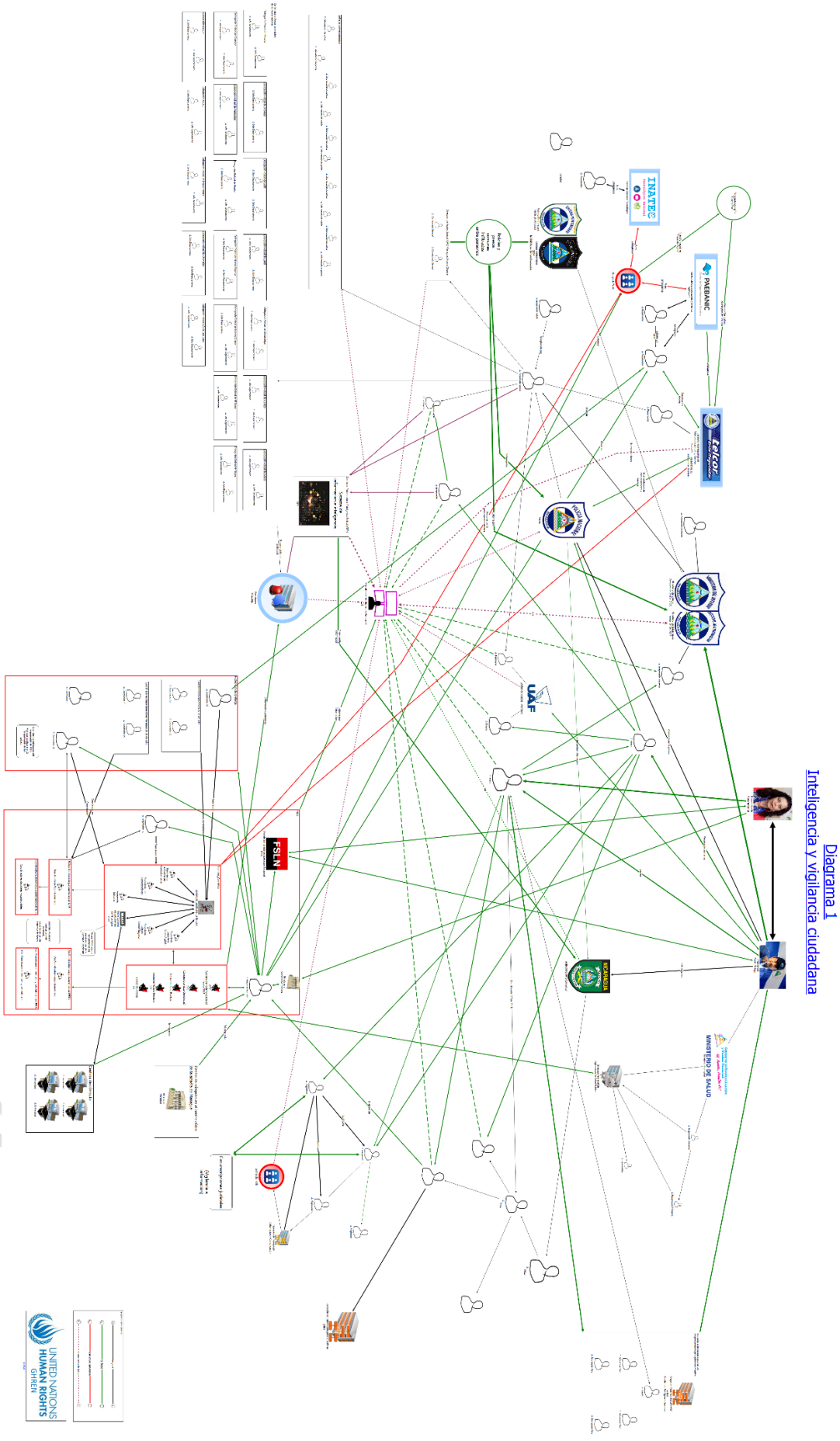


Diagrama 1
Inteligencia y vigilancia ciudadana

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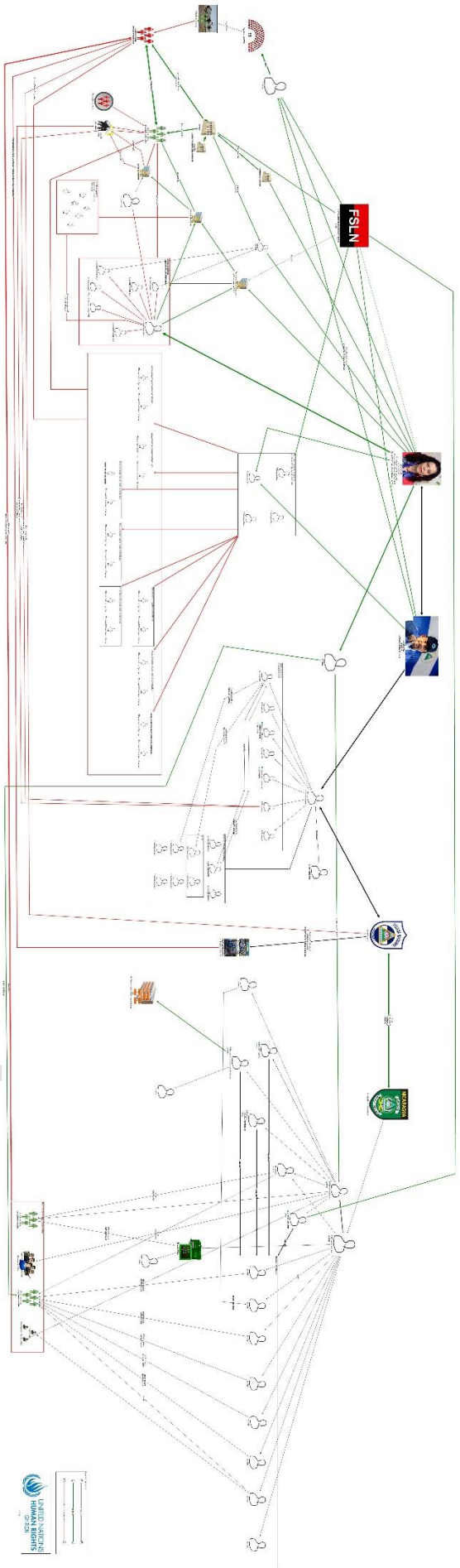
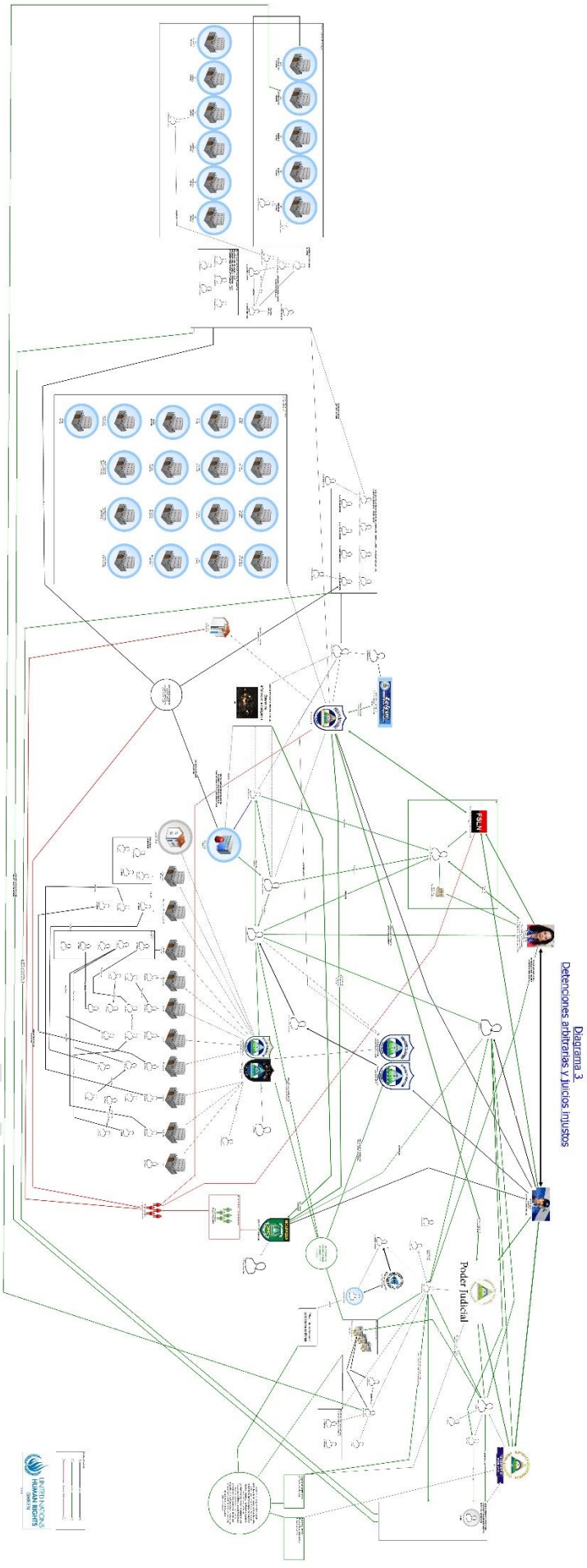


Diagrama 2
Ejecuciones extrajudiciales en contexto de las protestas en 2018

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Advance version

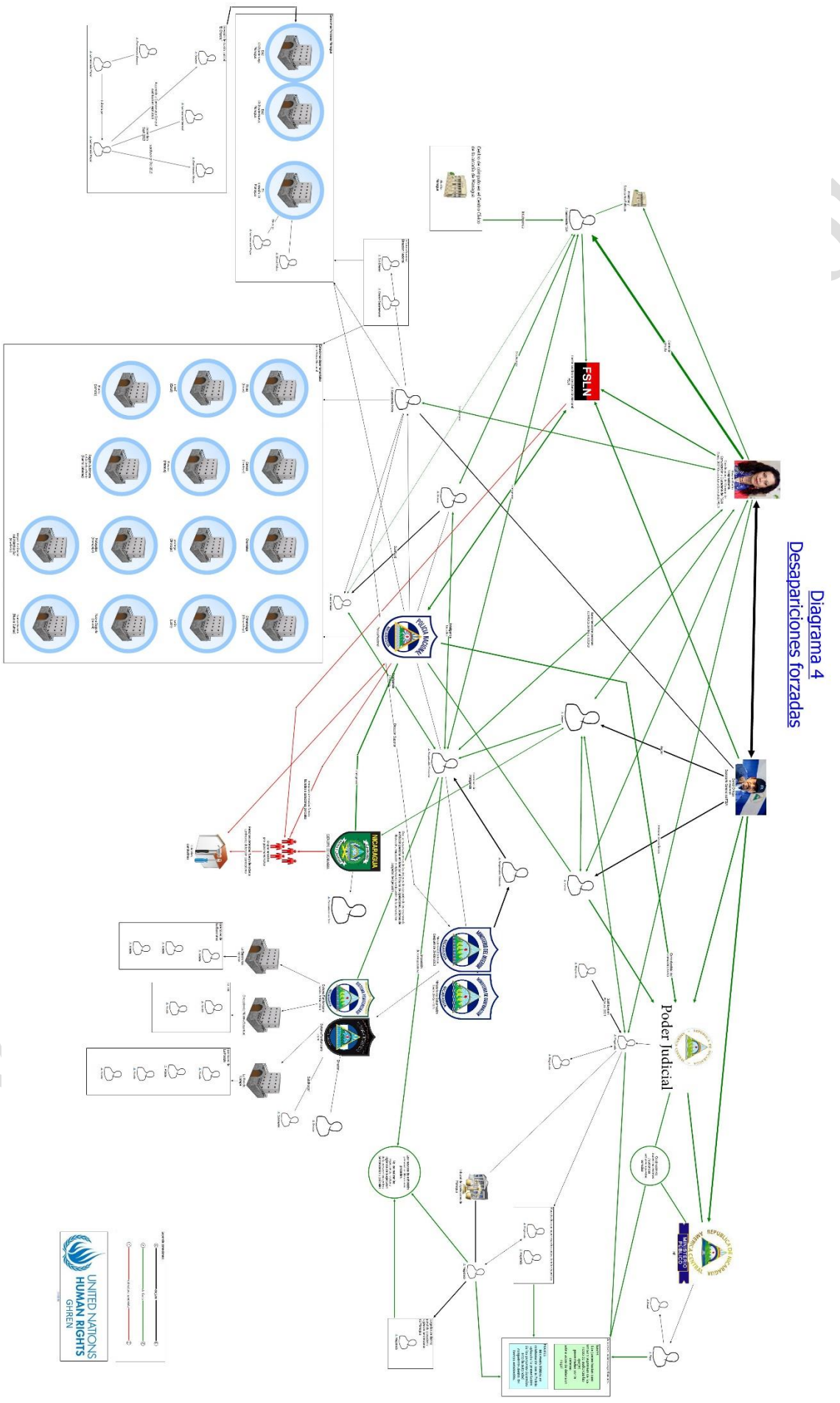
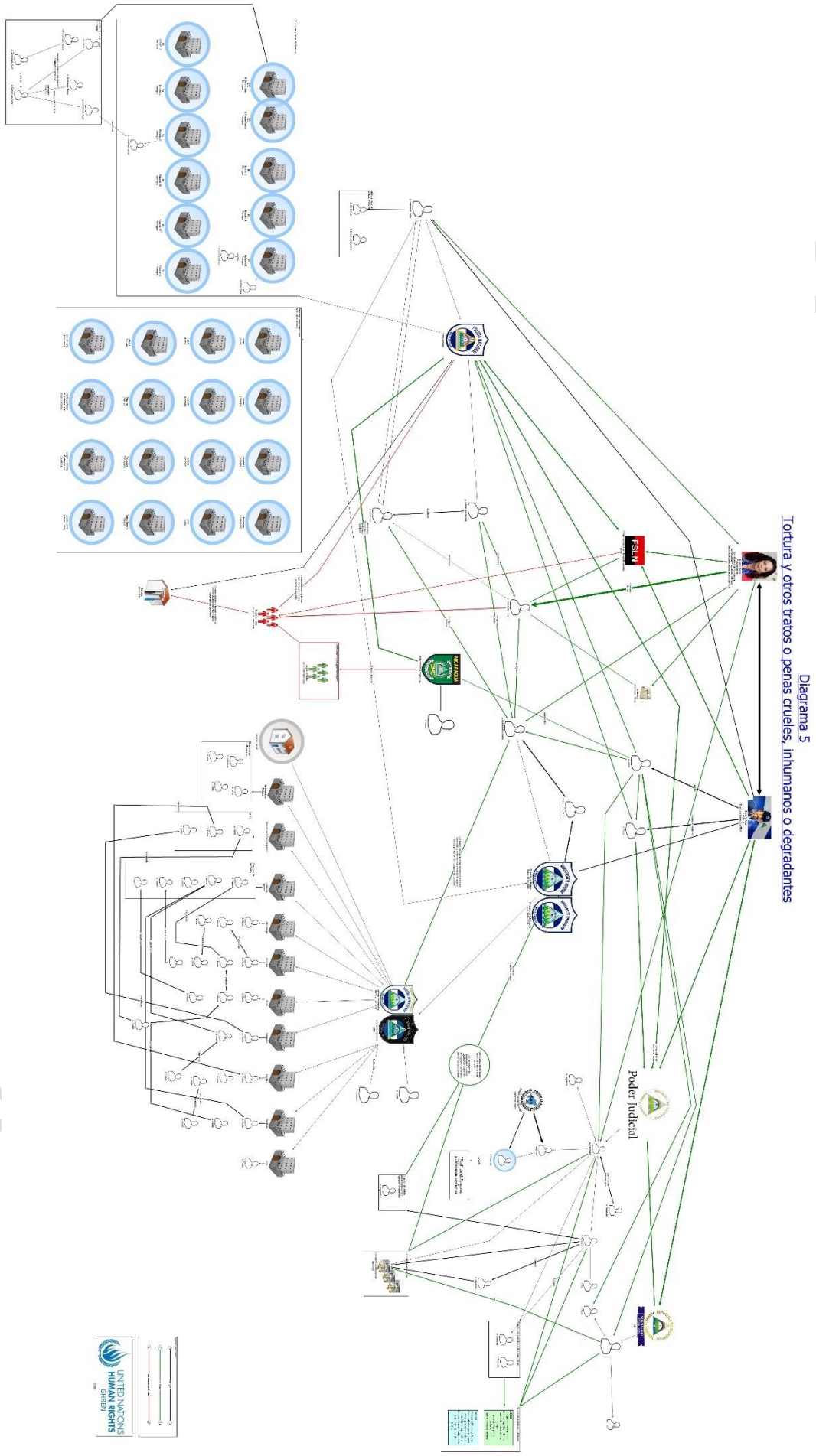


Diagrama 4
Desapariciones forzadas

Adv


Diagrama 5
Tortura y otros tratos o penas crueles, inhumanos o degradantes
FSLN
Poder Judicial
UNITED NATIONS
HUMAN RIGHTS
OHCHR

Adv

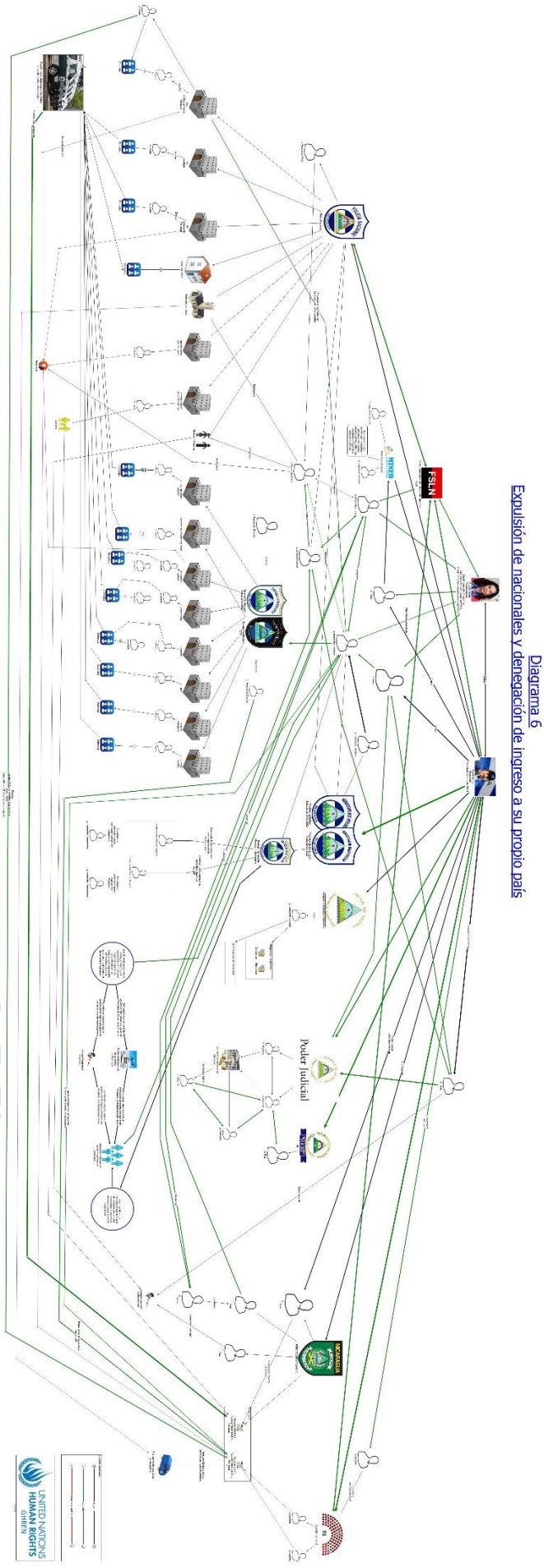


Diagrama 6
Expulsión de nacionales y denegación de ingreso a su propio país

Advance version

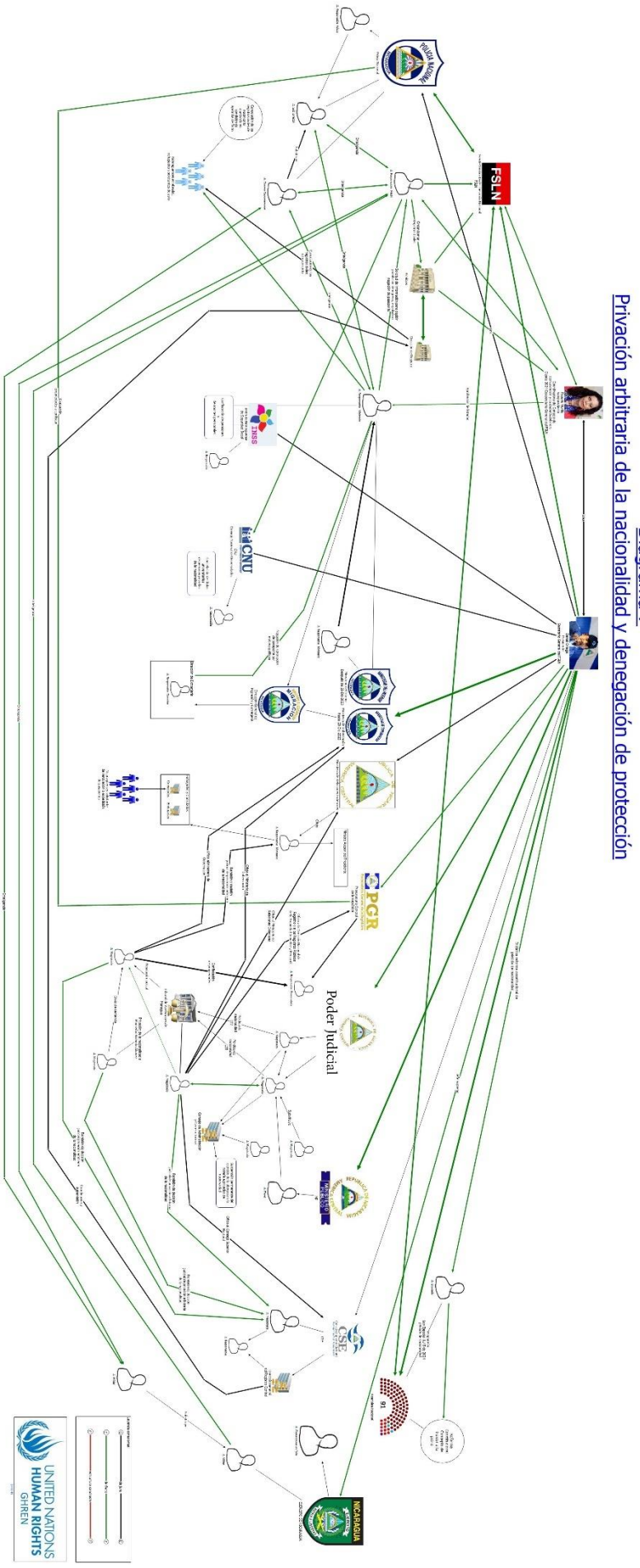


Diagrama 7
Privación arbitraria de la nacionalidad y denegación de protección

Advance version

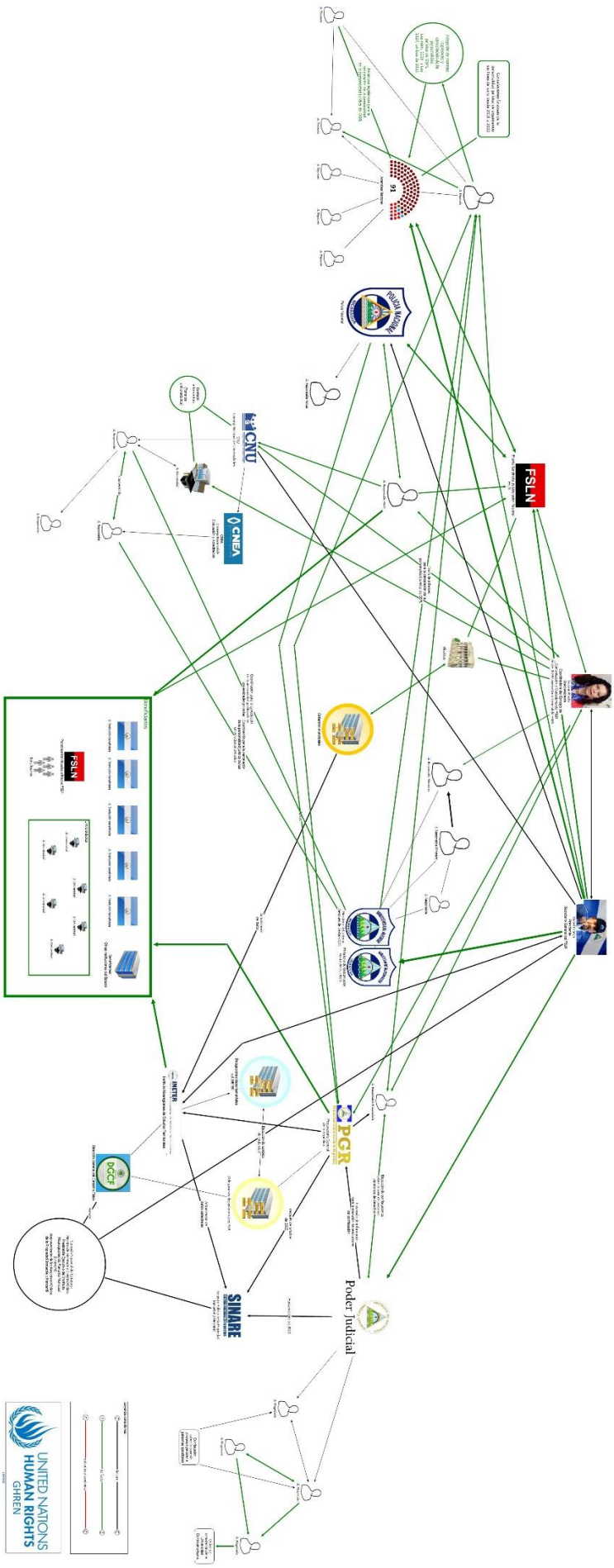


Diagrama 8
Represión de los organismos sin fines de lucro y de las universidades

Advance version

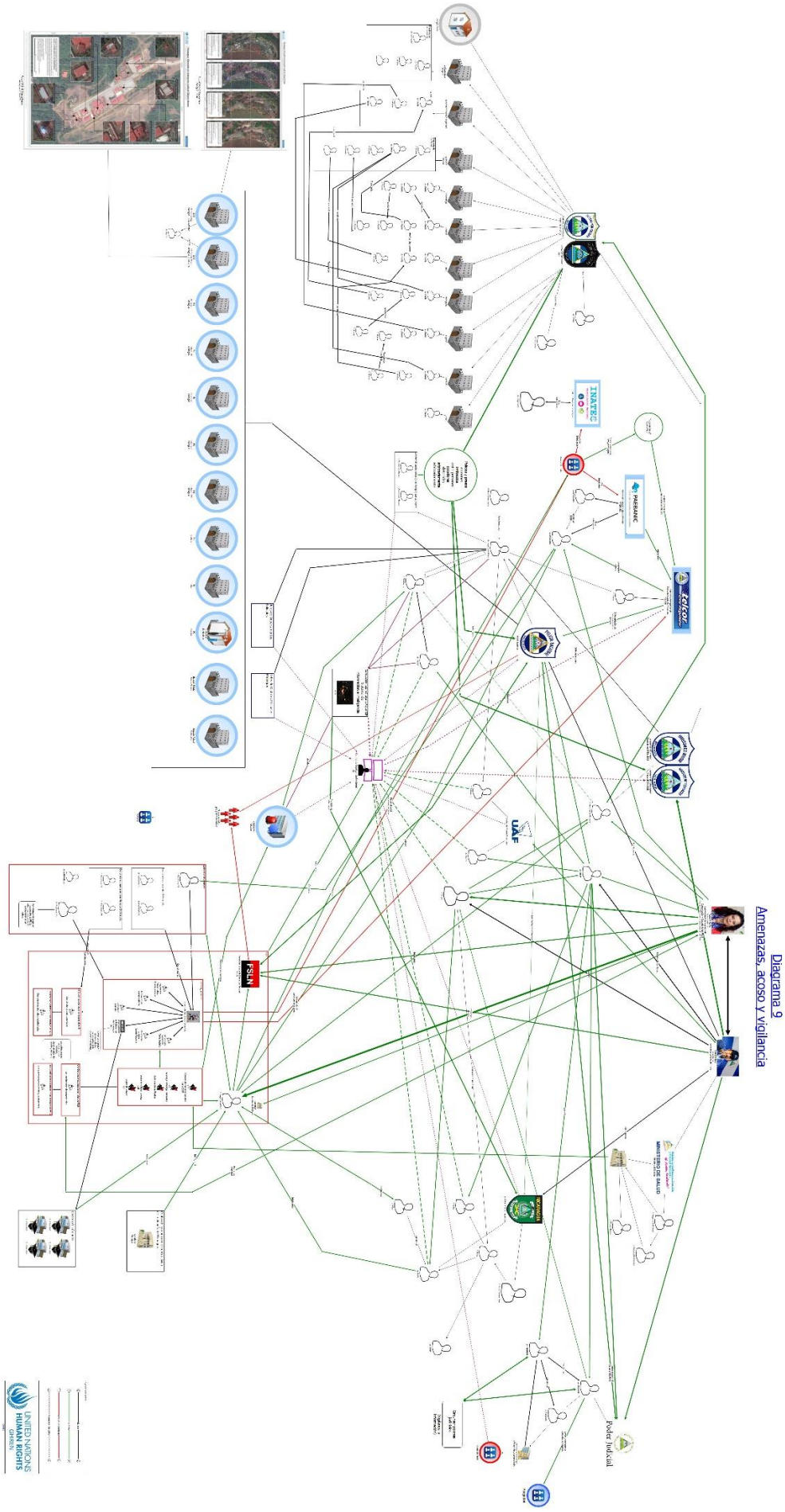


Diagrama 9
Amenazas, acoso y vigilancia

Advance version

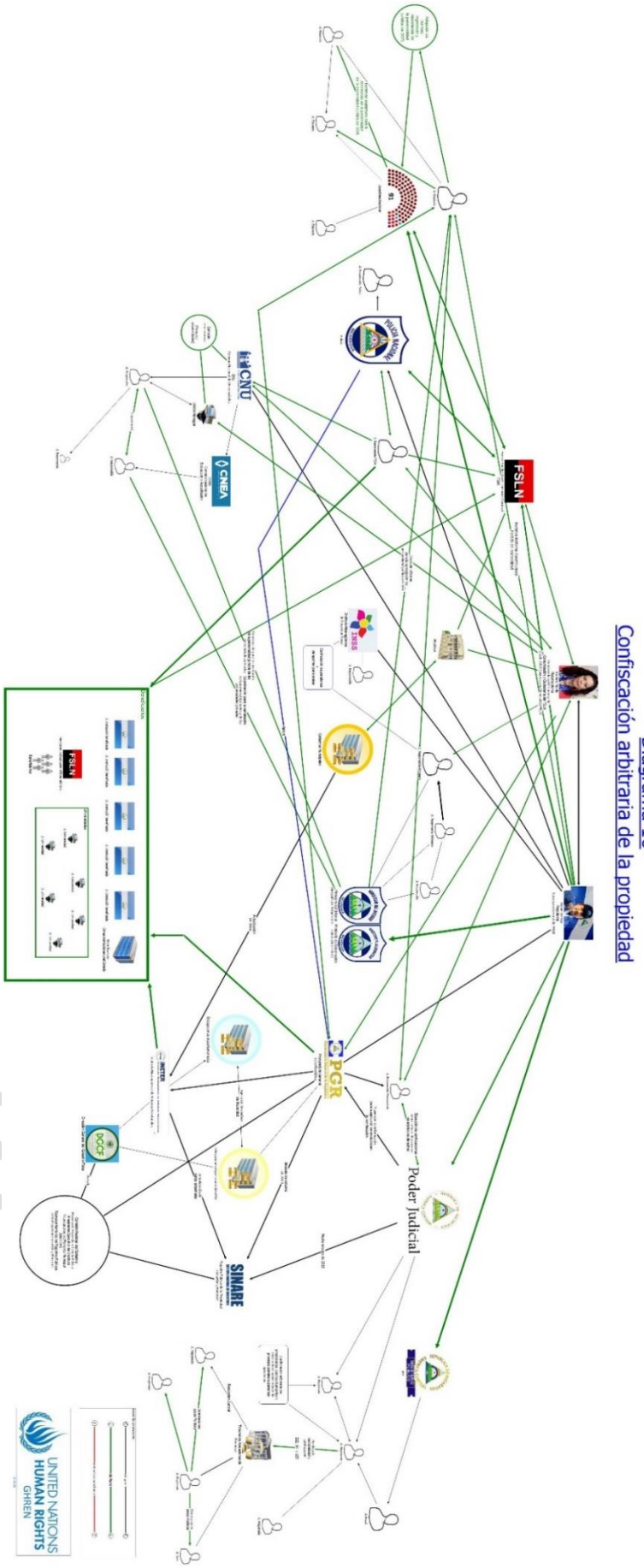


Diagrama 10
Confiscación arbitraria de la propiedad

Advance version