CHECK AGAINST DELIVERY

GROUP OF HUMAN RIGHTS EXPERTS ON NICARAGUA

Concluding remarks by Reed Brody

Member

Human Rights Council

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Item 4

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Mister Vice-President,

Excellencies,

Since 2018, Co-presidents Rosario Murillo and Daniel Ortega have entrenched their total control in Nicaragua. There is no more separation of powers, no independent judiciary. No free press. No opposition parties. No critical civic space. The State and the ruling Sandinista party have virtually fused into a unified machine of repression to silence Nicaraguans at home and abroad.

Our reports have identified 56 officials implicated, prima facie, in grave violations.

But repression is not only sustained by those who carry it out. It also survives when there is no accountability.

So, I thank the Nordic and Baltic States for their question, echoed by the United Kingdom of Great Britain and Northern Ireland and others.

If there is one accountability recommendation, it would be to hold Nicaragua accountable at the International Court of Justice for violating the 1961 Convention on the Reduction of Statelessness. No country in the world today strips nationality for political reasons — arbitrarily, systematically, at scale — the way Nicaragua does, and no country brings more cases to the International Court of Justice than Nicaragua.

In addition, States parties to the Rome Statute could refer the situation in Nicaragua to the International Criminal Court prosecutor where elements of the crimes against humanity against Nicaraguans have been committed on the territory of States parties.

States can also pursue individual sanctions and criminal investigations, including through the exercise of universal jurisdiction, of those responsible for serious international crimes.

At the same time, with some 12% of Nicaraguans having fled the country, as asked by Cyprus, host countries have a particular responsibility:

- To ensure the international protection of exiled Nicaraguans, as described and generously implemented by Spain; and
- To investigate threats, harassment and attacks against Nicaraguans in exile, as Canada remarked on behalf of the Core Group. As we heard from Costa Rica, the investigation into the murder last year of retired army major Roberto Samcam, a vocal critic of State repression, is looking at possible political motives; we are following that investigation closely.

Regarding the European Union's question:

While States may limit dual nationality, this constitutional reform will be especially problematic for Nicaraguans in exile who — because the Government arbitrarily refuses to renew their Nicaraguan passports — are effectively *forced* to acquire citizenship. For those within Nicaragua, the problem arises if they have a citizenship application pending elsewhere.

Excellencies,

Arbitrary detention remains a central tool of control. Many detainees — including older persons — are held incommunicado, in solitary confinement, and without adequate medical care. In many cases, these conditions amount to cruel, inhuman or degrading treatment and may constitute torture.

We are also deeply concerned about enforced disappearances.

Today, the fate and whereabouts of 11 people arbitrarily detained remain unknown.

Their lives may be at imminent risk.

We therefore call on the authorities to provide immediate proof of life for Brooklyn Rivera Bryan, leader of the Miskito people and member of the National Assembly at the time of his arrest, cited by the Inter-Parliamentary Union, as well as for all forcibly disappeared detainees — including Víctor Boitano Coleman, Eddie Moisés González Valdivia, Carlos Ramón Brenes Sánchez, Salvadora del Socorro Martínez Aburto, and Douglas Gamaliel Pérez Centeno.

And if any detainee has died in State custody — as occurred last year with Mauricio Alonso Petri and Carlos Cárdenas Zepeda — the authorities must provide full and transparent information about the circumstances of their deaths.

Excellencies,

The victims and their families continue to demand truth and justice.

Their courage should not stand alone.

Thank you.