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UN Human Rights Council Lends Support to US Regime Change Plans for Nicaragua

To the United Nations Human Rights Council:

The report of the Group of Human Rights Experts on Nicaragua (GHREN), released by the United Nations Human Rights Council (UNHRC) on February 28, 2024,¹ is totally biased and should never have been published.

This is the second report by the GHREN. The first, published in March 2023, was condemned in a letter signed by many prominent human rights experts and by 119 organizations and 573 individuals.² This letter was totally ignored.

The Nicaragua Solidarity Coalition submitted detailed evidence to the GHREN on the errors and omissions in their first report. These submissions received no response, nor are they acknowledged in the new report. Clearly, the GHREN takes into account only evidence that is supplied by opponents of Nicaragua's government. This renders absurd the study group's claim to exercise "independence, impartiality, objectivity, transparency, integrity." In this context, the former UN Independent Expert, Alfred de Zayas, commented to the Coalition that "excluding information submitted to the study group is a breach of ethics, a violation of the ethos of judicial investigator."

Despite the requirement to examine "all alleged human rights violations and abuses committed in Nicaragua since April 2018," the first report minimized the prolonged and severe violence of opposition groups in 2018. The second report ignores it completely. While claiming to have made 642 interviews with victims, none appear to come from the thousands who suffered opposition violence.

The one-sided presentation leads to the conclusion that the government's response to the coup attempt aimed to "incapacitate any opposition" by using "arbitrary detention." In reality, the Nicaraguan government was taking precautionary measures to protect civilians' human right to security by restoring and maintaining peace. The Coalition's evidence to the GHREN had multiple examples of crimes being committed that led to such detentions, including eye-witness accounts.

The report notes that there was an amnesty in 2019 for those detained and found guilty of crimes, including homicide, during the coup attempt. However, it portrays the amnesty as benefiting state actors, when in fact its main beneficiaries, as part of the government's reconciliation efforts, were more than 400 violent opposition figures, including coup organizers (e.g. Medardo Mairena, who organized murderous attacks on police stations).

The report refers to detentions and trials of government opponents as "arbitrary", makes no attempt to assess their claims of innocence, and does not indicate that many were given amnesty in 2019.

¹ UN Human Rights Council (2024) *Report of the Group of Human Rights Experts on Nicaragua* (available at www.ohchr.org/en/hr-bodies/hrc/ghre-nicaragua/index).

² See <https://nicasolidarity.net/taking-action/action-alert-un-human-rights-report-on-nicaragua-is-fatally-flawed-and-should-be-withdrawn/>

The amnesty was conditional on their abstaining from violence. The GHREN fails to note that those who complied with it have resumed normal lives.³

The report focuses on action taken against some elements of the Catholic church with no reference to the key role played by many in the church in the violence of 2018. Some clerics used church buildings to hold hostages on behalf of the opposition and to store weapons and supplies for those manning the violent roadblocks. Various bishops and priests were active organizers of the coup attempt, and some priests oversaw acts of violence and torture and attempted to conceal them.⁴ Many of these acts were documented in our previous evidence to the GHREN. Through 2023, overt political actions by some church figures continued, in some cases encouraging government opponents to launch violent attacks, as in the case of Bishop Rolando Álvarez. Yet government efforts to control these actions are labelled as “repression”.

Similar criticisms apply to the GHREN’s treatment of other groups such as students and the so-called “campesino movement”.

As the Government of Nicaragua’s response to the GHREN report points out,⁵ it also completely disregards the huge advances in Nicaraguan’s human rights in respect of education, health and housing; the fight against extreme poverty; the provision of legal, citizen and food security, and the protection of the most vulnerable sectors of the population. Instead, the report is an attempt to use a multilateral human rights body to lend legitimacy to a regime change campaign and to justify further sanctions, which already violate Nicaraguans’ socioeconomic rights and frustrate the achievement of UN development goals.

Alfred de Zayas commented that the GHREN was set up for the purpose of “naming and shaming” the Nicaraguan government, not for objective investigation.⁶ It is imperative that the UN Commission on Human Rights return to objectivity and professionalism. The report is one more example of the need for radical reform of the United Nations, as demanded by the former President of the UN General Assembly, the Nicaraguan Padre Miguel d’Escoto Brockmann.

We also condemn the US government’s hypocrisy when, in welcoming the report, it claimed to “support Nicaragua’s journey back to a productive democracy.” For years now, the US government has been actively trying to undermine Nicaraguan democracy through regime change tactics, such as directly financing and helping plan the violent coup attempt in 2018, attempting to undermine Nicaragua’s democratic elections in 2021, and imposing ever more illegal economic coercive measures on the country.

Finally, it is astonishing that the GHREN’s report, falsely and ridiculously accusing Nicaragua of “crimes against humanity”, is welcomed by Western governments while they actively promote real crimes against humanity in Palestine.

³ Examples from the violent takeover of the city of Masaya include one of its leaders, Santiago Fajardo, and Carlos Caistes, who participated in the torture and murder of a police officer. Both have been at liberty since 2019.

⁴ The most egregious example of involvement by church figures in extreme violence, the prolonged torture and burning alive of police officer Gabriel Vado, which two Catholic priests attempted to conceal, was referred to in a few words as a “death” in the first report. None of the incidents of church involvement in violence are even mentioned in the second report.

⁵ See <https://radionicaragua.com.ni/nacionales/palabras-del-grun-en-el-dialogo-interactivo-con-el-grupo-de-expertos-sobre-nicaragua/>

⁶ De Zayas, A. (2023) *The Human Rights Industry*. Atlanta: Clarity Press.