

State of Civil and Political Rights in Nicaragua

Part 2, November 30, 2023

Chairman Smith, Ranking Member Wild and members of the Subcommittee on Global Health, Global Human Rights and International Organizations, thank you for this opportunity to address the Subcommittee as part of a follow-up to the March 22 hearing calling for the release of “**Bishop Rolando Álvarez,**” who has **become the courageous face of resistance in Nicaragua.**

I am honored to testify again in my capacity as the Regional Director for Latin America and the Caribbean at the **National Democratic Institute** and wish to express my solidarity with the two former prisoners of conscience and a parent of a prisoner of conscience who accompany us today.

The ongoing expulsion, arbitrary deprivation of citizenship and confiscation of property of hundreds of Nicaraguan critics highlight the seemingly relentless repression in the country. As I mentioned to the Honorable Members of Congress in March, **the situation in Nicaragua is deeply personal to me.** My husband’s name appeared first on the list of 94 Nicaraguans stripped of their citizenship on February 15, and the Ortega-Murillo regime recently confiscated our house in Managua.

As Nicaragua becomes increasingly totalitarian, its ties to China and Russia deepen. Nicaragua serves as a political and military base for these illiberal influences in Central America. In fact, the Ortega-Murillo regime has been successful in advocating for China and Russia to serve as observers in regional bodies, including the Central American Parliament (PARLACEN) and the Central American Integration System (SICA). In this regard, the Ortega-Murillo regime threatens **to broaden the influence of malevolent actors in Central America.**

NDI **applauds important actions** taken to date against Nicaraguan officials committing systematic human rights violations. Unfortunately, the Ortega-Murillo regime continues to **dismantle democratic institutions, erase the rule of law and fundamental freedoms, and consolidate its dictatorial power** over all Nicaraguans. It is essential to call out the ongoing crimes against humanity and violations of fundamental human rights and liberties endured by Nicaraguans, including Bishop Álvarez, the 81 remaining political prisoners (jailed since April 2018) and their family members who are suffering reprisals. **The Group of Human Rights Experts on Nicaragua – tasked by the United Nations Human Rights Council to conduct human rights violations and abuses committed in the country since April 2018 – expressed “deep concern about the situation of Bishop**

Álvarez, who is in solitary confinement and in conditions of detention that gravely contravene the Nelson Mandela Rules for the treatment of prisoners.”

The U.S. and the international community should consider the following **additional actions** to continue to address ongoing human rights violations in Nicaragua:

First, despite **Nicaragua’s recent formal withdrawal from the Organization of American States**, the country and government remain bound to human rights obligations under international conventions, such as the Universal Declaration of Human Rights, to which Nicaragua is a signatory. As such, ongoing investigations and public reporting by the **U.N. Group of Experts** remain crucial to ensure international scrutiny of the deteriorating crisis and exert pressure on U.N. member states to demand accountability and justice for victims of atrocities, particularly human rights abuses against the Indigenous and Afro-descendent communities. In particular, I want to call attention to **the recent arrest of Brooklyn Rivera, a Miskitu Indigenous person and leader of the YATAMA party, ahead of the 2024 regional elections. As verified by the Inter-American Human Rights Commission, the status of Mr. Rivera’s health and whereabouts are unknown.**

Second, the U.S. should work with democracies in the region to create “A Friends of Nicaragua Group” to advance high-level regional dialogue toward a democratic transition. Furthermore, the U.S. should work with Canada, the European Union, and other allies to ensure a coordinated, consistent, and holistic response, **including sanctions**, to the crisis, which prioritizes protecting human rights and advancing democratic reform, in consultation with Nicaraguan civil society.

Third, the U.S. Government has diplomatic and economic tools to ensure that international financing and trade are not propping up the Ortega-Murillo regime, including the bipartisan **NICA and RENACER Acts, and Executive Order 14088**. In this regard, the Administration should fully use all tools at its disposal to sanction sectors that bolster the economic interests of the Nicaraguan regime.

The U.S. Government rightly sanctioned Nicaragua’s **Attorney General** earlier this year for “confiscating property from the government’s political opponents without a legal basis.” The U.S. should also consider sanctions against the **Nicaraguan Central Bank** for profiting from confiscating properties of not only Nicaraguans but also U.S. citizens, along with private banks that have branches in the U.S., for colluding with the regime, either directly or by inaction.

Fourth, NDI congratulates the Administration's recent action to restrict visas for the operators of aviation companies facilitating chartered flights for Cuban and Haitian migrants to Nicaragua from where they seek to undertake perilous travel to the north. The U.S. should also consider sanctioning the **Nicaraguan Institute of Civil Aeronautics for profiting from these flights.**

Finally, NDI commends the bipartisan efforts by the Senate Foreign Relations and the House Foreign Affairs Committees to increase scrutiny of lending by the Central American Development Bank of Economic Integration to the Ortega-Murillo regime. A new investigation by **The Organized Crime and Corruption Reporting Project** raises questions about the bank's lending practices to "a club of friends who prioritize politics over sound investments and rely on the bank to access cheaper funding from international markets." The U.S. has the opportunity to **work with the new and first woman Executive President of CABEL from Costa Rica** to re-consider continued lending to Nicaragua until actions are taken by the regime to restore democracy in concert with Nicaraguan civic and political activists. This will also send an important message to neighboring governments already demonstrating concerning authoritarian practices.

Thank you again for the opportunity to testify, and I look forward to your questions.