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**Annual report of the United Nations High Commissioner**
**for Human Rights and reports of the Office of the**
**High Commissioner and the Secretary-General**

 Human rights situation in Nicaragua

 Report of the United Nations High Commissioner for Human Rights

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| *Summary* |
| This report, submitted pursuant to Human Rights Council resolution 49/3, contains an update on the human rights situation in Nicaragua and a detailed assessment of the implementation of the recommendations made to the State by OHCHR, Human Rights Council mechanisms and Treaty Bodies since 2018. |
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 I. Introduction and methodology

1. In resolution 49/3, adopted on 31 March, 2022, the Human Rights Council requested the High Commissioner to prepare a comprehensive report on the human rights situation in Nicaragua containing a detailed assessment of the implementation of the recommendations made in her previous reports, and of the recommendations of the Council's mechanisms and treaty bodies.
2. Chapter II summarizes the human rights situation since March 2022, highlighting the most worrying facts documented by the Office through the analysis of official and non-governmental documents and reports, videos and photographs, 43 face-to-face and remote meetings with different actors, including members of civil society and members of the international community, as well as 25 interviews with victims, family members, lawyers and witnesses of human rights violations.
3. Chapter III assesses the implementation of the recommendations made to Nicaragua in the reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the first (OHCHR 2018[[1]](#footnote-2) ) prepared pursuant to the universal mandate of the High Commissioner, and the other three submitted to the Human Rights Council in 2019[[2]](#footnote-3), 2021[[3]](#footnote-4) and 2022[[4]](#footnote-5), pursuant to Council resolutions. The four reports contain 47 recommendations addressed to the State and 9 to the international community and the Human Rights Council. Compliance with the recommendations made to Nicaragua in the framework of the 2019 Universal Periodic Review[[5]](#footnote-6) (out of 259 recommendations, the State accepted 135[[6]](#footnote-7)), and by the Working Group on Arbitrary Detention in nine cases[[7]](#footnote-8) (38 recommendations) is also evaluated. Finally, compliance with the 43 recommendations adopted by the Committee on Economic, Social and Cultural Rights in 2021[[8]](#footnote-9) is evaluated. The Committees against Torture and for the Elimination of Racial Discrimination adopted provisional observations in July and August 2022, respectively, therefore, the evaluation of their compliance is not included in this report.
4. In April and May 2022, OHCHR requested information from the Government of Nicaragua on the implementation of the 396 recommendations, but did not receive a response. It also requested information from agencies of the United Nations system, victims of human rights violations and civil society, to whom it is grateful for their cooperation. In addition, official sources, OHCHR records, and other reliable and open sources were consulted in accordance with the Office's monitoring methodology.

 II. Current human rights situation in Nicaragua

 A. Context

1. In 2022 OHCHR noted a deterioration of the human rights situation, particularly regarding civil and political rights, in a context characterized by the absence of dialogue, the deepening of the political crisis, and the isolation of Nicaragua from the international community.
2. In January 2021, President Ortega publicly announced a national dialogue that would take place after the 7 November elections[[9]](#footnote-10). However, the threatening and pejorative tone of his statements regarding those detained in the electoral context[[10]](#footnote-11) diluted any expectation of a dialogue-based way out of the crisis. In March 2022, Nicaragua expelled the Apostolic Nuncio, who had supported dialogue at the beginning of the crisis. In April, Nicaragua precipitated its disengagement from the Organization of American States (OAS) after having denounced the organization's Charter in November 2021[[11]](#footnote-12). Without waiting for the two-year notice period stipulated in the Charter, Nicaragua withdrew its representatives to the Organization, forcibly took over its offices in Managua with the participation of officers of the Police Special Operations Directorate, and expelled its personnel[[12]](#footnote-13). Vice President Murillo announced that the property had been declared of public utility[[13]](#footnote-14). Thus, Nicaragua's isolation from the international community has heightened, receiving condemnations for these actions[[14]](#footnote-15) and for the human rights situation[[15]](#footnote-16), as well as new institutional and individual sanctions to its officials, including judges and prosecutors, from some States.
3. On 16 August, the Supreme Electoral Council called for municipal elections on 6 November, 2022, to elect authorities in the 153 municipalities of the country, of which the Sandinista National Liberation Front controls 139. In July, five opposition mayors were *de facto* dismissed by Government officials and the police, under the argument that their party, Ciudadanos por la Libertad (CxL), no longer has legal personality[[16]](#footnote-17), a circumstance not foreseen in the electoral or municipal legislation as a cause for removal. The Nicaraguan Institute for Municipal Development appointed new authorities of the Government party to replace the five who had been removed. The Supreme Electoral Council has not spoken on the matter. In May, the National Assembly approved a new electoral reform[[17]](#footnote-18), which did not amend the aspects observed on Law 1070[[18]](#footnote-19), whose restrictions to political rights and civil liberties, as noted on OHCHR’s last report[[19]](#footnote-20), are incompatible with international standards on political rights and should be modified.

 B. Rights to personal liberty and to physical and moral integrity

1. At the time of writing this report, 180 people arrested in the context of the crisis (18 women and 162 men) remained in detention, including those who were detained in the electoral context between May and November 2021. Fifty of them (11 women and 39 men) were tried in first instance between January and May 2022 on charges of undermining national integrity, propagation of false news, money laundering and related crimes, figures contemplated in laws 1042, 1055 and in the Penal Code[[20]](#footnote-21). Their trials were held behind closed doors, without the presence of the public, most of them in a police detention center -and not in a court of justice-. Defense attorneys were not allowed to review the files or meet with their clients for more than a few minutes before the hearings and did not enjoy due privacy. All defendants were convicted and sentenced to prison terms of up to 13 years and disqualification from holding public office. On appeal, these sentences were upheld and the cassation appeal is currently being processed, but the rulings have not been reversed, with the exception of one.
2. Despite having been sentenced, 28 of these persons remain in the Evaristo Vásquez Judicial Assistance Directorate (DAJ), a police detention center where sentenced persons should not be held. The same inhumane conditions of detention referred to in OHCHR’s last report[[21]](#footnote-22) continue to be reported, which endanger their physical and mental health. They are still being prevented from receiving visits from their minor and disabled sons and daughters, which has led at least two detainees to go on hunger strike. On 2 July, after his wife and civil society human rights organizations publicly denounced the inhumane conditions of detention of Felix Maradiaga and other detainees[[22]](#footnote-23), pro-government media published images showing Maradiaga's notorious physical deterioration[[23]](#footnote-24).
3. The death of Hugo Torres on 12 February, who was transferred from the DAJ to a police medical center due to a serious illness, where he died a few weeks later, may have contributed to the State granting the benefit of house arrest to 12 people with health conditions and/or advanced age. It is urgent to authorize the transfer to hospitals of all detainees who require specialized medical care.
4. The conflict over land in indigenous peoples' territories continues to generate violence in the territories of the Atlantic Coast and threats to the integrity of its members. On 13 February, the Inter-American Commission on Human Rights extended precautionary measures to protect the life and personal integrity of the Musawas, Suniwas and Wilú Communities of the Mayangna Sauni As Territory due to armed violence by third parties. Land titling is still pending -as in other cases-, despite the fact that the collective property title was delivered to them in 2005[[24]](#footnote-25).

 C. Civic space restrictions

1. The State of Nicaragua has continued to restrict civic space[[25]](#footnote-26), with a particular impact on the rights to freedom of association and expression. So far this year, it cancelled the legal personality of 1,112 human rights, development and other organizations, professional associations, including medical associations, entities linked to the Catholic Church and others,[[26]](#footnote-27) totalling at least 1,178 since 2018. In July, the Special Rapporteur on the rights to freedom of peaceful assembly and of association expressed concern about the cancellation of the legal personality of hundreds of organizations[[27]](#footnote-28).
2. Twelve universities have also had their legal personality cancelled, affecting the right to education. This right was also impacted by other measures restricting university autonomy and academic freedom, such as the reform of the Law of Autonomy of Higher Education Institutions[[28]](#footnote-29). The reform subjects the approval of the academic programs of all universities to the authority of a central body.
3. In April 2022, the National Assembly approved Law 1115[[29]](#footnote-30), which replaced the 1992 General Law on Non-Profit Legal Entities. Five Special Procedures mandate holders noted that the new law would not be in line with international human rights standards because, among other aspects, it prohibits political activities of the organizations and subjects all their activity to prior authorization by the Government[[30]](#footnote-31). OHCHR also expressed its concerns regarding the reform[[31]](#footnote-32), which, since its entry into force on 6 May 2022, has also been applied in the cancellation of the legal status of organizations.
4. The enjoyment of freedom of expression also deteriorated. Nicaragua lost 23 points in the World Press Freedom Index and descended from the "difficult" to the "very serious" category, occupying the 160th place among 180 countries[[32]](#footnote-33). In March, the general manager of La Prensa, arrested in the context of the 2021 elections, was sentenced to 9 years in prison for money laundering attributed to the newspaper. In July, staff of La Prensa left the country alleging the constant police siege against them, joining the 120 other journalists who are in exile[[33]](#footnote-34). In addition, three journalists were sentenced to up to 13 years in prison for the crimes of spreading fake news and undermining national integrity. The Government has also censored musical artists, preventing them from entering Nicaragua or detaining and then expelling them from the country, despite their Nicaraguan nationality. Between May and August, the authorities ceased the operations of 12 radio and television media outlets of the Catholic Church, especially in Matagalpa, arguing that they did not have operating permits. This was objected to by representatives of the affected media organizations. At least five non-denominational media were also forced to cease operations, allegedly due to non-compliance with the sector's regulations.
5. OHCHR continued to document acts of harassment, especially against human rights defenders, journalists, clergymen, political opponents or persons considered as such, which have consisted mainly of constant and intimidating police presence in front of their homes or workplaces, affecting their privacy and activities, permanent monitoring, selective detention of vehicles, photographing and requiring documents from their occupants, and fencing off access roads to the facilities of organizations considered critical of the Government. Officials and citizens related to the Sandinista National Liberation Front also allegedly participated in these acts of harassment, intimidating individuals for allegedly using social networks against the Government.
6. On 1 August, the harassment against a Catholic priest escalated to violence when the police attempted to seize the equipment of a Church media outlet broadcasting from the Jesús de la Divina Misericordia parish in Sébaco, Matagalpa. Dozens of police officers, including anti-riot units, violently raided the facilities causing damages. The parish priest, together with six other people, were held in the priest's domicile, from where the priest asked for help through social networks. Dozens of people responded to the call. As seen in video footage, the police used force, fired ammunition and tear gas. One citizen reportedly suffered a serious eye injury and others were reportedly beaten[[34]](#footnote-35). Seven people were confined in the priest's house for three days, without access to food and with the electricity cut off.
7. At least two other Catholic priests were harassed in May. One of them, the Bishop of Matagalpa, on whose diocese most of the closed media depended, began a hunger strike demanding that the Government cease harassment against him and his relatives. On 4 August, dozens of police surrounded the Archbishop's Curia in Matagalpa, preventing all movement and preventing the Bishop from arriving at the Cathedral to celebrate mass[[35]](#footnote-36). The Bishop, five other priests and six lay people were being held and surrounded by dozens of riot police at the Archbishop's Curia at the time of writing[[36]](#footnote-37). On 5 August, the Police reported that it was initiating a criminal investigation, accusing the Bishop of inciting hatred with the purpose of destabilizing the State and attacking the authorities[[37]](#footnote-38). It also informed that the persons under investigation would remain at home, and summoned to testify those who had stationed themselves in front of the Archbishop's Curia to pray and attempt to defuse the situation the day before.
8. Other violations of the rights of persons perceived to be opponents of the Government have consisted of depriving them of the right to leave the country, by withholding their passports by immigration officials. In three other cases documented by OHCHR, consular officials abroad demanded that exiled activists return to Nicaragua to renew their passports, at the express instruction of the capital. The Office has also documented four cases in which Nicaraguan citizens were arbitrarily prevented from entering or returning to their own country.
9. Restrictions on civic space and persecution of perceived opponents, in addition to the worsening socio-economic situation, have led to an increase in the number of people leaving Nicaragua for the United States, from 5,450 people intercepted at the border in all of 2020, to 84,055 in the first six months of 2022. The number of refugees and asylum seekers in Costa Rica had reached over 150,000 people as of March 2022[[38]](#footnote-39).

 III. Evaluation of the recommendations addressed to the State of Nicaragua

 A. Dialogue

1. In August 2018 OHCHR recommended that the Government resume the national dialogue - the first phase of which had taken place between May and June of that year - and seek to "reach agreements based on human rights"[[39]](#footnote-40). In February 2019, the Government and the Civic Alliance for Justice and Democracy resumed negotiations that led to agreements that included the release of imprisoned persons and respect for public freedoms. The dialogue stalled for several months and in July the Government terminated it.
2. OHCHR[[40]](#footnote-41) and the Committee on Economic, Social and Cultural Rights[[41]](#footnote-42) have reiterated to the State the recommendation to restore the national dialogue. During the Universal Periodic Review[[42]](#footnote-43), seven States also recommended this, and while Nicaragua accepted four of these recommendations, dialogue has not been resumed to date, despite President Ortega's announcement in 2021[[43]](#footnote-44).

 B. Justice and accountability

1. In its 2018 report, OHCHR recommended that Nicaragua “[e]nsure that independent, impartial, effective, thorough and transparent investigations be promptly conducted into all allegations of serious human rights violations and abuses that have occurred since 18 April [...]"[[44]](#footnote-45).
2. On 29 April, 2018, without the participation of civil society or victims, the National Assembly created the Truth, Justice and Peace Commission. This body was questioned by local actors for its lack of independence and credibility[[45]](#footnote-46). In May 2019, the National Assembly approved Law 994[[46]](#footnote-47), which provided that the State would respond for damages caused to the victims of the “failed coup d'état", thereby excluding the population that was victimized by the security forces and pro-government elements[[47]](#footnote-48). In June, Amnesty Law 996 was approved, which, although it led to the release of 106 people detained in connection with the protests (without providing for any other reparations), granted impunity to state and non-state actors who committed human rights abuses and violations.[[48]](#footnote-49)
3. The measures adopted by the State were, in any case, insufficient and impeded the ascertainment of the truth, the achievement of justice, the adjudication of responsibilities and the granting of reparations. OHCHR recommended that the State repeal Laws 994 and 996, which has not been complied with. It also recommended, as did international and regional human rights bodies, that it "establish a comprehensive action plan towards accountability that is inclusive and victim-centred"[[49]](#footnote-50). During the Universal Periodic Review, Nicaragua received 20 recommendations to implement measures on accountability and reparations to victims of human rights violations since April 2018. The Government did not accept 16 of them[[50]](#footnote-51), considering them to misrepresent reality, and accepted four[[51]](#footnote-52), yet to be implemented.
4. OHCHR has not heard of any convictions against members of the security forces for human rights violations that have occurred since 2018, and has only been able to document two convictions against pro-government elements, which were not carried out[[52]](#footnote-53). In February 2022, OHCHR again recommended that Nicaragua design and implement a comprehensive action plan for accountability[[53]](#footnote-54). The State has not reported on the steps it would have taken to implement this recommendation, and in the past has invoked the Amnesty Law as an impediment to accountability[[54]](#footnote-55).

 C. Institutional and legislative reforms

1. OHCHR has recommended Nicaragua to undertake legislative and institutional reforms to strengthen bodies that are fundamental to democracy and human rights.
2. In 2018, given the insufficient response of the National Human Rights Institution (Procuraduría para la Defensa de los Derechos Humanos, PDDH by its Spanish acronym) to human rights violations, OHCHR recommended that it adequately and independently fulfill its mandate as a national human rights institution and as a national mechanism for the prevention of torture[[55]](#footnote-56). In 2019, the Global Alliance of National Human Rights Institutions downgraded it from "A" to "B" for failing to conduct itself independently according to the Paris Principles[[56]](#footnote-57). Subsequent recommendations[[57]](#footnote-58) for the Procuraduría to strengthen its independence were not implemented.
3. Since 2019, OHCHR has recommended the State to carry out a comprehensive reform of the security sector[[58]](#footnote-59), especially with the aim of dismantling and disarming pro-government elements[[59]](#footnote-60). The reform has not been carried out and OHCHR has not received information from the Government on any action aimed at dismantling and disarming these groups. While in the period from 2021 and 2022 the Office has not documented armed attacks by these elements, it has received information that they continue to harass those they consider opponents or critics of the Government.
4. In 2019, given the lack of investigation of serious human rights violations, OHCHR recommended that the State create a special unit within the Public Prosecutor's Office to fulfill this obligation. It also recommended reforms in the justice sector, in line with the Basic Principles on the Independence of the Judiciary and the Guidelines on the Role of Prosecutors[[60]](#footnote-61), a recommendation reiterated in February 2022[[61]](#footnote-62). However, OHCHR was unable to verify or obtain official information on its implementation.
5. In 2019 and 2021, OHCHR recommended Nicaragua to carry out electoral reforms in order to ensure free, fair and transparent elections[[62]](#footnote-63). In May 2021, the National Assembly adopted Law 1070[[63]](#footnote-64). On 7 November 2021, general elections were held without independent international observers, without the participation of three cancelled opposition parties, and seven presidential hopefuls imprisoned prior to the elections. The OAS General Assembly determined that the elections "were not free, fair or transparent and have no democratic legitimacy"[[64]](#footnote-65). In March 2022, OHCHR reiterated its recommendation to the State to reform the electoral body, especially in view of the upcoming November municipal elections[[65]](#footnote-66). The Electoral Reform Law 1116 adopted in May 2022 does not provide guarantees for fair and transparent elections[[66]](#footnote-67).
6. On criminal legislation, OHCHR recommended amendments to ensure that arrests, seizures and searches are preceded by a court order, and that preventive detention should only be applied exceptionally according to criteria of necessity and proportionality[[67]](#footnote-68). The recommendation was not followed, and in 2021 the National Assembly adopted Law 1060[[68]](#footnote-69), which allows for discretional detention of a person for up to 90 days without making the charges known to them[[69]](#footnote-70). The State has also failed to examine the compatibility of Article 65 of the Penal Code[[70]](#footnote-71), which imposes automatic preventive detention for certain crimes, with Article 9.3 of the International Covenant on Civil and Political Rights, as recommended by the Working Group on Arbitrary Detention[[71]](#footnote-72). Article 65 remains in force contrary to international standards on the exceptionality of this measure.
7. In other areas, the recommendations aimed at amending laws 872[[72]](#footnote-73), 1040[[73]](#footnote-74), 1042[[74]](#footnote-75) and 1055[[75]](#footnote-76) were also not implemented.

 D. Civic space

 (a) Freedom of peaceful assembly

1. In August 2018, OHCHR recommended that the State “[e]nsure the right to freedoms of peaceful assembly is fully respected through the proper management of public gatherings, in line with applicable international human rights norms and standards”[[76]](#footnote-77). However, anti-government demonstrations and those demanding the release of the detainees continued to be repressed with excessive use of force by the police, or attacked by pro-government elements with the tolerance of the security forces[[77]](#footnote-78).
2. As of September 2018, based on a narrow interpretation of Article 7 of Law 872[[78]](#footnote-79), the police have prohibited demonstrations and required applications to authorize public rallies[[79]](#footnote-80). Communications and requests for demonstrations were automatically rejected or unacknowledged to those who were perceived as opponents by the police. Any unauthorized protests, or attempts to carry them out, were immediately dispelled or prevented.
3. Since 2019, OHCHR recommended that the Government guarantee the right to peaceful assembly[[80]](#footnote-81) and end undue restrictions on freedom of movement[[81]](#footnote-82). During the Universal Periodic Review, Nicaragua received 26 recommendations to guarantee this right and decriminalize the right to hold peaceful demonstrations[[82]](#footnote-83). Despite accepting ten of these recommendations, the Government has maintained the restrictions to this day, so that public protests against the Government no longer take place in Nicaragua.

 (b) Freedom of association

1. The State has shut down civil society organizations on the grounds that they had supported terrorist actions and/or breached administrative duties since November 2018. In some cases, it used excessive force and conducted raids on organizations and seizures of their property without a court order[[83]](#footnote-84).
2. In 2019, OHCHR recommended that the State guarantee freedom of association, reinstate the legal personality of the sanctioned organizations and restore their assets[[84]](#footnote-85). During the Universal Periodic Review, 23 similar recommendations were made[[85]](#footnote-86), ten of them accepted by Nicaragua. Instead of complying with them, the National Assembly reinforced the restrictive legal framework for the exercise of this right. In 2020 it approved Law 1040[[86]](#footnote-87) which provides for the cancellation of the legal personality of organizations that obtain foreign funds to carry out activities that, in the Government's view, interfere in Nicaragua's internal affairs. Four Special Procedures mandate holders and OHCHR urged the Government to review the law for serious and fundamental problems of compatibility with international law[[87]](#footnote-88). In February 2022, OHCHR reiterated its recommendation to reinstate the legal personality and assets of the sanctioned organizations[[88]](#footnote-89). However, as detailed above, the cancellations continued up to 1,178 organizations.

 (c) Freedom of expression

1. Since 2018, Nicaragua has received recommendations to guarantee freedom of expression, individual liberty and the safety of journalists and media[[89]](#footnote-90). However, the serious deterioration of freedom of expression has not been reversed. The murder of journalist Ángel Gahona in 2018 remains unpunished[[90]](#footnote-91). Multiple other assaults and attacks against journalists, information workers and media outlets have not been resolved[[91]](#footnote-92), and, as mentioned, censorship and closure of radio and television stations continued in 2022.
2. Despite observations by Special Procedures mandate holders[[92]](#footnote-93) and OHCHR recommendations to modify Law 1042[[93]](#footnote-94), which punishes with imprisonment of up to 5 years those who spread "false" or "distorted" information, and Law 1055[[94]](#footnote-95), which in combination with Article 410 of the Penal Code[[95]](#footnote-96) punishes with imprisonment of up to 15 years those who are considered "traitors of the homeland" for demanding or "applauding" the imposition of sanctions against the State and its citizens, both remain in force.

 (d) Persecution of human rights defenders, political activists, journalists and dissidents

1. OHCHR recommended that Nicaragua cease, condemn and punish attacks against human rights defenders, activists, journalists, or anyone perceived to be critical of the Government[[96]](#footnote-97). During the Universal Periodic Review, three States recommended ensuring that human rights organizations are able to carry out their activities freely, without fear of reprisals, and that all cases of violence and reprisals against them cease and be investigated[[97]](#footnote-98). The Government did not accept these recommendations.
2. OHCHR has continued to document acts of harassment against those groups[[98]](#footnote-99). Authorities have made no progress in investigating the cases previously reported by the Office, nor have they publicly condemned them. On the contrary, in 2021 and 2022 they continued to make stigmatizing statements and hate speech against their critics and opponents[[99]](#footnote-100).

 E. Arbitrary detentions and due process

1. OHCHR has consistently recommended that the State refrain from arbitrarily detaining persons critical of the Government or perceived as opponents of it, and release them immediately, dropping criminal charges against them[[100]](#footnote-101). During the Universal Periodic Review, States made 23 similar recommendations[[101]](#footnote-102), of which Nicaragua accepted six and rejected 17, claiming that they were based on a distortion of reality. Between June 2019 and May 2022, the Working Group on Arbitrary Detention issued nine opinions in respect of 37 individuals in which it concluded that their detentions were arbitrary, including on the grounds that they lacked a legal basis or were carried out in response to the legitimate exercise of rights and freedoms[[102]](#footnote-103). The Working Group recommended to the State the release of these persons and other measures of reparation. Twenty-two of the detainees were released, but the State did not compensate them or investigate those responsible for their detentions. Three of these individuals were re-arrested between 2020 and 2021 and, along with 13 others detained for the first time in 2021, were convicted and remain in detention, except for Hugo Torres, who died on February 12 as mentioned above.
2. The State released some of the persons arbitrarily detained in the context of the crisis[[103]](#footnote-104), but not all. According to civil society, 42 persons released (3 women and 39 men) and then re-arrested and sentenced[[104]](#footnote-105), in spite of the Amnesty Law.
3. Nicaragua has also received recommendations to guarantee judicial independence and impartiality[[105]](#footnote-106). OHCHR made its recommendations based on its observations on impunity in favor of those who committed human rights violations since 2018 and on the violation of due process against dissidents, journalists, human rights defenders, social and peasant leaders, students, businessmen and opponents of the Government against whom criminal cases were opened.
4. The proceedings against these individuals have been characterized by violations of the presumption of innocence, the right to defense, equality of arms, publicity of the hearings and the principles of impartiality, independence and the natural judge[[106]](#footnote-107). These violations were also noted by the Working Group on Arbitrary Detention in the nine cases mentioned above[[107]](#footnote-108), where it concluded that there was a failure to comply with international standards relating to the right to a fair trial. As noted above, the criminal proceedings against the persons detained in the context of the 2021 elections also failed to uphold the standards of a fair trial, which shows that the recommendations on impartiality and judicial independence made by OHCHR and other human rights mechanisms have not been implemented. The Judiciary and the Public Prosecutor's Office continue to work in favor of the Government.

 F. Torture, ill-treatment and detention conditions

1. In 2019 OHCHR recommended that the Government take "immediate measures to halt and effectively prevent acts of torture and ill-treatment in custody, including prolonged solitary confinement; carry out prompt, impartial and effective investigations into any allegation of torture and illtreatment" and "bring the perpetrators to justice and ensure reparation to the victims"[[108]](#footnote-109). The Government has not reported any action taken in this regard.
2. During the Universal Periodic Review, the Government received three recommendations: to protect the rights of detainees[[109]](#footnote-110), to prevent the National Police from committing acts of torture[[110]](#footnote-111), and not to tolerate ill-treatment in detention centers[[111]](#footnote-112). The Government accepted only the first, but OHCHR did not receive information indicating that it was implemented.
3. The PDDH published in December 2021 its report "Avances Derechos Humanos Nicaragua 2021", which covers the period from 2007 to 2021, and does not mention any action taken to prevent ill-treatment and torture. The current conditions of detention of persons held in the DAJ as of May 2021[[112]](#footnote-113) would confirm the lack of measures taken by the State.
4. Since 2018, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, together with other mandate holders, has sent six communications to the Government[[113]](#footnote-114) requesting information on allegations of torture or ill-treatment in 37 cases, with no response. In October 2018 and in January 2021, he requested the Government to visit the country, but received no response.
5. In July 2022, the Government did not attend the dialogue with the Committee against Torture for the review of Nicaragua's second periodic report. Days before, the Foreign Minister had addressed a note to the President of the Committee despising the work of that body and expressing that torture is not practiced in his country[[114]](#footnote-115). The Committee issued its provisional observations concluding that there had been systematic violations of the Convention against Torture in Nicaragua.[[115]](#footnote-116)

 G. Economic, social and cultural rights

1. Evaluating the implementation of the recommendations on economic, social and cultural rights is particularly complex due to the scarcity of public and updated official information. This has meant that it has not been possible to evaluate certain issues and rights.
2. Nicaragua has made efforts to maintain spending on health and education, in partial compliance with the recommendation of the Committee on Economic, Social and Cultural Rights to implement a budget that guarantees the enjoyment of these rights by the entire population[[116]](#footnote-117), and six recommendations received during the Universal Periodic Review[[117]](#footnote-118), all accepted by the Government. The budget approved for 2022 for health and education (21.5% and 23%, respectively[[118]](#footnote-119) ) has remained similar to that of 2021 and continues to be above regional and developed country averages[[119]](#footnote-120).
3. In the same recommendation, it was requested to strengthen accountability and fiscal transparency and to evaluate the impact of the Tax Concertation Law. The Government has not reported any measures in this regard, nor on how to ensure transparency and accountability in the fight against corruption[[120]](#footnote-121). Nicaragua is reportedly the second country in the region with a higher public perception of corruption[[121]](#footnote-122), an indicator that has worsened since 2012[[122]](#footnote-123).
4. Nicaragua has also made no progress in implementing the recommendations on discrimination in the enjoyment of economic, social and cultural rights[[123]](#footnote-124), including the development of comprehensive legislation, and on the readmission to their schools and working places of students and academic and medical personnel expelled for their positions on government policies[[124]](#footnote-125). In addition, it has taken actions contrary to the recommendations regarding the right to education[[125]](#footnote-126), as noted above[[126]](#footnote-127).
5. Regarding the recommendation to make efforts for gender equality in the workplace[[127]](#footnote-128), the Government has been fighting against the gender pay gap in the public administration, as reported in the First National Voluntary Report on the SDGs. This gap has reportedly decreased from 27.3% in 2007 to 7.6% in 2020 in the Central Government[[128]](#footnote-129).
6. Nicaragua also received recommendations on the rights to water and sanitation[[129]](#footnote-130). According to the same voluntary report, from 2007 to 2020 there was an investment of $809,900,000 in this sector, increasing urban drinking water coverage from 65.0% to 91.5%, and sewerage coverage from 33.0% to 54.0%. In rural areas, drinking water coverage increased from 26.7% to 55.4%, and sewerage coverage from 36.1% to 50.9%[[130]](#footnote-131).

 H. Rights of women and girls

1. Nicaragua has received recommendations to amend the total ban on abortion and bring it in line with international standards on sexual and reproductive rights, and to adopt other measures to guarantee sexual and reproductive rights[[131]](#footnote-132). The Office has not been informed about the implementation of these recommendations. Vice President Murillo, in a statement, said that they constituted attempts to "impose abortion against Nicaraguan tradition and culture"[[132]](#footnote-133). Between 2019 and 2021, 4.2 million USD were reportedly invested in the purchase of contraceptives, which were reportedly not enough to prevent stock ruptures. Emergency oral contraceptives continue to be unavailable in public health centers.
2. Recommendations have been issued to Nicaragua to strengthen women's participation in the economic and political spheres[[133]](#footnote-134). According to the Global Gender Gap Index[[134]](#footnote-135), Nicaragua is among the most equal countries in the world between women and men in terms of educational, political and economic indicators, and has the second highest percentage of women mayors in Latin America and the Caribbean (42.5%)[[135]](#footnote-136). Electoral Law 1070 supports gender parity by establishing 50% quotas for men and women in the composition of the Supreme Electoral Council, in the internal bodies of political parties and in the electoral lists for local, regional and national elections[[136]](#footnote-137).
3. In terms of gender violence, women's access to justice and maternal mortality, Nicaragua also received recommendations during the Universal Periodic Review[[137]](#footnote-138), one of them aimed at the creation of "complete and transparent records of the incidence of domestic violence, sexual violence and maternal mortality, as well as femicides".
4. Due to insufficient official data, it is not possible to know the magnitude of violence against women in Nicaragua. In 2020, there was a large disparity between the number of femicides documented by civil society and that reported by the Government[[138]](#footnote-139); in 2021, the Government no longer published figures. However, it has publicly reported on the creation of more than 100 Women's Police Stations specialized in protection against violence.[[139]](#footnote-140)
5. Regarding the maternal mortality rate, the Government included its reduction as a priority objective in the National Plan to Fight Poverty and for Human Development (2022-2026) and in 2021 claimed to have managed to reduce it to 37 per 100 thousand births[[140]](#footnote-141), which would represent a 68% reduction in deaths since 2006, when it was 115/10,000. However, the accelerated reduction since 2017, which does not correspond to past trends, has not been validated by international agencies.
6. In relation to the recommendations on the rights of girls during the Universal Periodic Review[[141]](#footnote-142), it should be noted that despite having family prevention programs and an Inter-institutional Protocol of Attention (25-2020) against sexual violence against children, it is estimated that the fecundity rate among girls and women aged 10 to 19 years in Nicaragua was reportedly the highest in Central America, with girls aged 10 to 14 years doubling the regional average[[142]](#footnote-143), and no recent official data available. The absence of a multisectoral plan and the non-implementation of the *Adolescent Pregnancy Strategy,* inaddition to the lack of coverage of family prevention programs of rural, Afro-descendant, indigenous, disabled and LGBTI populations, continue to be major challenges, as well as the non-availability of contraceptives mentioned above.

 I. Rights of indigenous and Afro-descendant peoples

1. Nicaragua has received several recommendations to adopt measures to protect the right to land and territory of indigenous peoples, including the restitution of lands occupied by non-indigenous settlers, and to investigate attacks against indigenous peoples by settlers and third party occupants, bringing those responsible to justice[[143]](#footnote-144). OHCHR has not received information on progress in the *saneamiento* (restoration) process or on investigations of attacks.[[144]](#footnote-145)
2. Regarding the Committee's recommendations that the State design and implement, in consultation with indigenous and Afro-descendant peoples, an adequate procedure for free, prior and informed consultation regarding all measures affecting their rights[[145]](#footnote-146), and to ensure that the legitimate indigenous authorities are not supplanted by other "parallel" authorities[[146]](#footnote-147), the Government has not announced any initiative either.

 J. Rights of other populations and groups in vulnerable situations

 (a) Children

1. In relation to the recommendations on children's rights during the Universal Periodic Review[[147]](#footnote-148), according to information received from UNICEF, Nicaragua dedicated 72.7% of social spending in 2019 to children and adolescents, 7.5% of its GDP, surpassing other countries in the region. The main gaps observed refer to sexual and reproductive rights, reflected in paragraphs 59 and 64.

 (b) LGBTI people

1. The recommendations in the Universal Periodic Review, all accepted by the Government, were aimed at increasing the visibility of LGBTI people, eliminating violence and discrimination against them, and releasing LGBTI people detained in relation to the events of 2018[[148]](#footnote-149).
2. Official statistics continue to lack data on violence or discrimination against LGBTI people. In May 2021, two men were sentenced to revisable life imprisonment for the murder of a trans woman, the first case where this penalty was applied for a hate crime.
3. Trans women deprived of their liberty in the context of the crisis were held in men's prisons and subjected to discriminatory and degrading treatment[[149]](#footnote-150).

 K. Cooperation with OHCHR and other human rights mechanisms

1. Since Nicaragua's termination of OHCHR's invitation to the country in August 2018, the High Commissioner has urged the Government to allow its return, resume constructive cooperation[[150]](#footnote-151), and collaborate with other human rights mechanisms and bodies[[151]](#footnote-152). During the Universal Periodic Review, 28 similar recommendations were made, only two of which were accepted by the Government.[[152]](#footnote-153)
2. The State has not allowed OHCHR to return to the country and, since the end of 2020, has rejected its reports. As of January 2022, it has also failed to respond to its communications and requests for information.
3. Of the 20 joint communications and 13 individual cases submitted by Special Procedures since April 2018, the State has only responded to one[[153]](#footnote-154). It has also not allowed visits by these procedures since 2009, despite the standing invitation extended by Nicaragua in 2006, and despite five mandate holders requesting a visit since 2018[[154]](#footnote-155).
4. In 2019, Nicaragua partially complied with the recommendation to engage with the Treaty Bodies and submitted six reports due between 2010 and 2013[[155]](#footnote-156). The reviews in 2020 had to be postponed due to the COVID-19 pandemic. The first took place in October 2021, before the Committee on Economic, Social and Cultural Rights, and Nicaragua participated in the session, but did so in a "listening capacity" without answering the Committee's questions[[156]](#footnote-157). The State did not appear in two others, before the Committee against Torture in July 2022[[157]](#footnote-158) and the Committee on the Elimination of Racial Discrimination in August 2022[[158]](#footnote-159).
5. As of 2018, Nicaragua did not ratify or accede to any human rights treaties, contrary to recommendations[[159]](#footnote-160).

 IV. Recommendations to the international community and the Human Rights Council

1. The High Commissioner recommended that the international community and the Human Rights Council adopt measures to prevent further deterioration of the human rights situation in Nicaragua, to support the State in finding a solution to the crisis and to comply with its international obligations[[160]](#footnote-161).
2. During the Universal Periodic Review, as well as in various declarations and resolutions, several States have expressed their concern about the human rights situation in Nicaragua and formulated recommendations.
3. The adoption of four resolutions by the Human Rights Council[[161]](#footnote-162) also forms part of the implementation of the above recommendations. These call on the Government to provide a human rights-based response to the crisis and have also requested OHCHR to continue its monitoring and reporting work through written reports and oral updates to the Human Rights Council that have contributed to keeping the situation in Nicaragua on the international human rights agenda.
4. On the recommendation that the Human Rights Council consider additional measures to strengthen accountability for gross human rights violations[[162]](#footnote-163), the Council decided in resolution 49/3 to create a Group of Human Rights Experts on Nicaragua (GHREN) with a mandate that includes fact-finding and identification of persons responsible for violations.

 V. Conclusions

1. The human rights situation in Nicaragua has progressively deteriorated since 2018 without the Government showing the political will to address the crisis through dialogue and the implementation of recommendations made by human rights bodies and mechanisms. The lack of institutional and legislative reforms aimed at restoring the rule of law and the separation of powers, the isolation from the international community, as well as the severe restrictions on civic space, the harassment of critical voices and the situation of persons detained in the context of the crisis, indicate such deterioration.
2. The recommendations made by the High Commissioner in all her reports constitute a roadmap that offers concrete actions for Nicaragua to design solutions to overcome the current critical situation, with the support of the international community.

 VI. Recommendations

1. **The High Commissioner strongly urges the State of Nicaragua to implement the recommendations made by the OHCHR and human rights mechanisms that remain unfulfilled as soon as possible, and in particular:**
2. **Restore the rule of law through a judicial reform that guarantees the independence and impartiality of the judiciary.**
3. **Align domestic legislation with international human rights norms and standards, especially the Electoral Law (1070 and 1116), Law 1115, Law 1040, Law 1042 and Law 1055.**
4. **Immediately and unconditionally release all persons arbitrarily detained and sentenced, and revoke the effect of their trials and convictions.**
5. **Reinstate the civic space, restoring the legal personality and assets of the organizations that were dissolved, protecting their free operations, and refraining from arbitrarily canceling the legal personality of additional organizations and media outlets.**
6. **Remove all obstacles that favor impunity for perpetrators of human rights violations committed since April 2018, and provide reparations to all victims.**
7. **Allow OHCHR access to Nicaragua and cooperate effectively with it.**

1. [https://www.ohchr.org/sites/default/files/Documents/Countries/NI/HumanRightsViolationsNicaragua
Apr\_Aug2018\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/NI/HumanRightsViolationsNicaraguaApr_Aug2018_EN.pdf). [↑](#footnote-ref-2)
2. A/HRC/42/18. [↑](#footnote-ref-3)
3. A/HRC/46/21. [↑](#footnote-ref-4)
4. A/HRC/49/23. [↑](#footnote-ref-5)
5. A/HRC/42/16. [↑](#footnote-ref-6)
6. A/HRC/42/16/Add.1. [↑](#footnote-ref-7)
7. A/HRC/WGAD/2019/16, A/HRC/WGAD/2019/19, A/HRC/WGAD/2019/43, A/HRC/WGAD/2020/17, A/HRC/WGAD/2020/21, A/HRC/WGAD/2020/39, A/HRC/WGAD/2021/12, A/HRC/WGAD/2021/58, A/HRC/WGAD/2022/10. [↑](#footnote-ref-8)
8. E/C.12/NIC/CO/5. [↑](#footnote-ref-9)
9. [https://www.el19digital.com/articulos/ver/titulo:111762-llamado-del-presidente-daniel-ortega-unamonos-y-seremos-mas-fuertes-para-derrotar-la-pobreza.](https://www.el19digital.com/articulos/ver/titulo%3A111762-llamado-del-presidente-daniel-ortega-unamonos-y-seremos-mas-fuertes-para-derrotar-la-pobreza.%20)  [↑](#footnote-ref-10)
10. [https://www.el19digital.com/articulos/ver/titulo:122538-acto-del-45-aniversario-del-transito-a-la-inmortalidad-de-carlos-fonseca-amador](https://www.el19digital.com/articulos/ver/titulo%3A122538-acto-del-45-aniversario-del-transito-a-la-inmortalidad-de-carlos-fonseca-amador). [↑](#footnote-ref-11)
11. Article 143 of the OAS Charter establishes that two years after its denunciation, the Charter shall cease to have effect with respect to the denouncing State and the latter shall be disassociated from the Organization. [↑](#footnote-ref-12)
12. https://www.youtube.com/watch?v=zTRsyMx8VhA. [↑](#footnote-ref-13)
13. [https://www.el19digital.com/articulos/ver/titulo:127519-inmueble-que-ocupaba-oea-en-nicaragua-es-declarado-de-utilidad-publica](https://www.el19digital.com/articulos/ver/titulo%3A127519-inmueble-que-ocupaba-oea-en-nicaragua-es-declarado-de-utilidad-publica). [↑](#footnote-ref-14)
14. <https://www.oas.org/es/council/CP/documentation/res_decs/>. [↑](#footnote-ref-15)
15. <https://www.eeas.europa.eu/eeas/nicaragua-declaraci%C3%B3n-del-portavoz-sobre-el-cierre-de-siete-emisoras-de-radio-y-el-cierre-de_es?s=189>, <https://www.europarl.europa.eu/news/es/press-room/20220531IPR31809/nicaragua-la-ue-debe-sancionar-a-los-jueces-responsables-de-la-represion>. [↑](#footnote-ref-16)
16. A/HRC/49/23, para. 9-10. [↑](#footnote-ref-17)
17. Law 1116. Law Reforming Law 331, Electoral Law. [↑](#footnote-ref-18)
18. Law of Amendment and Addition to Law 331, Electoral Law. [↑](#footnote-ref-19)
19. A/HRC/49/23, para. 4-7. [↑](#footnote-ref-20)
20. See belowpar. 40. [↑](#footnote-ref-21)
21. A/HRC/49/23, para. 25-26. [↑](#footnote-ref-22)
22. <https://www.youtube.com/watch?v=ogYh9H1VYGI>. [↑](#footnote-ref-23)
23. <https://www.youtube.com/watch?v=vxj3MTJNZbo>. [↑](#footnote-ref-24)
24. <https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2022/032.asp>. [↑](#footnote-ref-25)
25. A/HRC/46/21, par. 18, 19; A/HRC/49/23, par. 50. [↑](#footnote-ref-26)
26. According to information published in the Official Gazette. [↑](#footnote-ref-27)
27. <https://www.ohchr.org/es/press-releases/2022/07/nicaragua-un-experts-denounce-arbitrary-shutdown-civil-society-organisations>. [↑](#footnote-ref-28)
28. Through Law 1114. [↑](#footnote-ref-29)
29. General Law for the Regulation and Control of Non-Profit Organizations. [↑](#footnote-ref-30)
30. OL NIC 1/2022. [↑](#footnote-ref-31)
31. <https://www.ohchr.org/es/statements/2022/05/nicaraguas-crackdown-civil-society>. [↑](#footnote-ref-32)
32. <https://rsf.org/en/country/nicaragua>. [↑](#footnote-ref-33)
33. [https://wwwdw.com/es/unos-120-periodistas-de-nicaragua-en-el-exilio-desde-2018/a-60405528](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwwwdw.com%2Fes%2Funos-120-periodistas-de-nicaragua-en-el-exilio-desde-2018%2Fa-60405528&data=05%7C01%7Cmariavictoria.gabioud%40un.org%7C886d4d6688b24d9284b908da84b20bc7%7C0f9e35db544f4f60bdcc5ea416e6dc70%7C0%7C0%7C637968198013489461%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=0Jw%2BbCtXwUJm43YntsgTiwrJvIbG0TV3Q9bHr5vW8nI%3D&reserved=0). [↑](#footnote-ref-34)
34. https://www.youtube.com/watch?v=6xKAUa78Dls. [↑](#footnote-ref-35)
35. <https://www.expedientepublico.org/monsenor-rolando-alvarez-al-regimen-queremos-que-nos-dejen-en-paz/>. [↑](#footnote-ref-36)
36. One laywoman left on 7 August and two laywomen on 17 August. [↑](#footnote-ref-37)
37. <https://www.policia.gob.ni/?p=90164>. [↑](#footnote-ref-38)
38. <https://www.acnur.org/desplazamiento-en-centroamerica.html> [↑](#footnote-ref-39)
39. OHCHR 2018, para. 119.8. [↑](#footnote-ref-40)
40. A/HRC/42/18, para, 65.a; A/HRC/46/21, para. 70; A/HRC/49/23, para. 66.b. [↑](#footnote-ref-41)
41. E/C.12/NIC/CO/5, para. 6. [↑](#footnote-ref-42)
42. A/HRC/42/16, para. 125.113, 125.127, 125.131, 125.132, 125.143, 125.144, 125.149. [↑](#footnote-ref-43)
43. See *supra* para. 6 [↑](#footnote-ref-44)
44. OHCHR 2018, para. 119.3. [↑](#footnote-ref-45)
45. A/HRC/42/18, para. 48. [↑](#footnote-ref-46)
46. Law of Integral Attention to Victims. [↑](#footnote-ref-47)
47. A/HRC/42/18, para. 51. [↑](#footnote-ref-48)
48. A/HRC/42/18, para. 51, 52. [↑](#footnote-ref-49)
49. A/HRC/42/18, para. 65.d. [↑](#footnote-ref-50)
50. A/HRC/42/16, para. 125.84, 125.86, 125.88, 125.91-94, 125.96-102, 125.104, 125.106. [↑](#footnote-ref-51)
51. A/HRC/42/16, para. 125.85, 125.87, 125.89, 125.90. [↑](#footnote-ref-52)
52. The perpetrator of the death of Brazilian student Rayneia Lima was released under the Amnesty Law. The perpetrator of Jorge Rugama's death was sentenced to one year in prison for reckless homicide, a sanction he did not serve when his sentence was suspended. [↑](#footnote-ref-53)
53. A/HRC/49/23, para. 66.e. [↑](#footnote-ref-54)
54. Government Communication, 27January, 2020. [↑](#footnote-ref-55)
55. The PDDH assumed this mandate in 2012, under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. [↑](#footnote-ref-56)
56. [https://www.ohchr.org/sites/default/files/Documents/Countries/NHRI/GANHRI/SCA\_Report\_March
\_2019\_-\_EN\_.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/NHRI/GANHRI/SCA_Report_March_2019_-_EN_.pdf). [↑](#footnote-ref-57)
57. A/HRC/42/18, para 66.i and j; A/HRC/42/16, para. 125.37, 125.38, 125.40-42, 125.44, 125.45; E/C.12/NIC/CO/5, para. 8. [↑](#footnote-ref-58)
58. A/HRC/42/18, para. 65.d. iv; A/HRC/49/23, para. 66.e. [↑](#footnote-ref-59)
59. Recommendations to dismantle and disarm pro-government elements were made by OHCHR (OHCHR 2018, para. 119.2; A/HRC/42/18, para. 65.d.iv) and in the Universal Periodic Review (A/HRC/42/16, para. 125.60 and 125.129). [↑](#footnote-ref-60)
60. A/HRC/42/18, para. 65.d. ii. [↑](#footnote-ref-61)
61. A/HRC/49/23, para. 66.e. [↑](#footnote-ref-62)
62. A/HRC/42/18, para. 65.h; A/HRC/46/21, para. 71.b. Two recommendations were made in the Universal Periodic Review, A/HRC/42/16, para. 125.93 y 125.114. [↑](#footnote-ref-63)
63. See *supra* para. 7. [↑](#footnote-ref-64)
64. AG/doc.5749/21. [↑](#footnote-ref-65)
65. A/HRC/49/23, para. 66.f. [↑](#footnote-ref-66)
66. See *supra* para. 7. [↑](#footnote-ref-67)
67. A/HRC/42/18, para. 65.g. [↑](#footnote-ref-68)
68. Law of Reform and Addition to Law 406, Code of Criminal Procedure. [↑](#footnote-ref-69)
69. A/HRC/49/23, para. 23. [↑](#footnote-ref-70)
70. Amended by Law 952. [↑](#footnote-ref-71)
71. A/HRC/WGAD/2020/39, para .58. [↑](#footnote-ref-72)
72. See *below* for. 35. [↑](#footnote-ref-73)
73. See *below* for. 38. [↑](#footnote-ref-74)
74. See *below* for. 40. [↑](#footnote-ref-75)
75. See *below* for. 40. [↑](#footnote-ref-76)
76. OHCHR 2018, para. 119.6. [↑](#footnote-ref-77)
77. A/HRC/42/18, para. 11, 15, 16. [↑](#footnote-ref-78)
78. Law of Organization, Functions, Career and Special Social Security Regime of the National Police. [↑](#footnote-ref-79)
79. A/HRC/42/18, para. 10. [↑](#footnote-ref-80)
80. A/HRC/42/18, para. 65.b. [↑](#footnote-ref-81)
81. A/HRC/46/21, para. 71.a and c. [↑](#footnote-ref-82)
82. A/HRC/42/16, para. 125.110, 125.111, 125.113, 125.115, 125.117, 125.119, 125.121, 125.123, 125.124, 125.126, 125.128, 125.129, 125.135, 125.140, 125.142, 125.146, 125.148, 125.151, 125.153, 125.155, 125.157, 125.160, 125.162, 125.164, 125.167, 125.168. [↑](#footnote-ref-83)
83. A/HRC/42/18, para. 20. [↑](#footnote-ref-84)
84. A/HRC/42/18, para. 65.b and c. [↑](#footnote-ref-85)
85. A/HRC/42/16, para. 125.67, 125.87, 125.110, 125.111, 125.115, 125.120, 125.121, 125.124, 125.126, 125.135, 125.136, 125.140, 125.142, 125.146, 125.148, 125.151, 125.155, 125.157, 125.164, 125.166-168, 125.253. [↑](#footnote-ref-86)
86. Foreign Agents Regulation Law. [↑](#footnote-ref-87)
87. IAS 3/2020; A/HRC/46/21, para. 71.d. [↑](#footnote-ref-88)
88. A/HRC/49/23, para. 66.d. [↑](#footnote-ref-89)
89. OHCHR 2018, para. 119.1 and 9; A/HRC/42/18, para. 65.b and c; A/HRC/46/21, para. 71.b, c and d; A/HRC/49/23, para. 66.c; A/HRC/42/16, para. 125.68, 125.79, 125.85, 125.87, 125.92, 125.96, 125.109-111, 125.113, 125.116, 125.117, 125.119, 125.120, 125.122, 125.124, 125.126, 125.128-130, 125.134, 125.135, 125.138, 125.139, 125.141, 125.142, 125.145, 125.146, 125.148, 125.150, 125.152, 125.154-156, 125.158-160, 125.162, 125.164-168. [↑](#footnote-ref-90)
90. OHCHR 2018, para. 92. [↑](#footnote-ref-91)
91. OHCHR 2018, para. 93-95; A/HRC/42/18, para. 18, 19; A/HRC/46/21, para. 21, 22; A/HRC/49/23, para 40-43. [↑](#footnote-ref-92)
92. OL NIC 3/2020. [↑](#footnote-ref-93)
93. Special Law on Cybercrime. [↑](#footnote-ref-94)
94. Law for the Defense of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace. [↑](#footnote-ref-95)
95. Crime of "undermining national integrity". [↑](#footnote-ref-96)
96. A/HRC/42/18, para. 65.b; A/HRC/49/23, para. 66.c. [↑](#footnote-ref-97)
97. A/HRC/42/16, para. 125.133, 125.163, 125.165. [↑](#footnote-ref-98)
98. A/HRC/46/21, para. 16; A/HRC/49/23, para. 40, 45. [↑](#footnote-ref-99)
99. [https://www.el19digital.com/articulos/ver/titulo:122538-acto-del-45-aniversario-del-transito-a-la-inmortalidad-de-carlos-fonseca-amador](https://www.el19digital.com/articulos/ver/titulo%3A122538-acto-del-45-aniversario-del-transito-a-la-inmortalidad-de-carlos-fonseca-amador); [https://www.el19digital.com/articulos/ver/titulo:124381-acto-solemne-de-juramentacion-e-inauguracion-del-nuevo-periodo-del-pueblo-presidente](https://www.el19digital.com/articulos/ver/titulo%3A124381-acto-solemne-de-juramentacion-e-inauguracion-del-nuevo-periodo-del-pueblo-presidente). [↑](#footnote-ref-100)
100. OHCHR 2018, para. 119.4; A/HRC/42/18, para. 65.f; A/HRC/46/21, para. 71.a and c; A/HRC/49/23, para. 66.a. [↑](#footnote-ref-101)
101. A/HRC/42/16, para. 125.66, 125.68-84, 125.86, 125.108, 125.120, 125.143, 125.153. [↑](#footnote-ref-102)
102. See *supra* para. 3. [↑](#footnote-ref-103)
103. A/HRC/42/18, para. 6. [↑](#footnote-ref-104)
104. <https://presasypresospoliticosnicaragua.org/wp-content/uploads/2022/07/Lista-informe-p%C3%BAblico-de-PP-junio-2022.pdf>. [↑](#footnote-ref-105)
105. A/HRC/42/18, para. 65.d.ii; A/HRC/49/23, para. 66.e; E/C.12/NIC/CO/5, para. 7; A/HRC/42/16, para. 125.39, 125.95, 125.97, 125.100, 125.101, 125.105. [↑](#footnote-ref-106)
106. A/HRC/42/18, para. 39-47, 64. [↑](#footnote-ref-107)
107. See *supra* para. 3. [↑](#footnote-ref-108)
108. A/HRC/42/18, para. 65.e. [↑](#footnote-ref-109)
109. A/HRC/42/16, para. 125.59. [↑](#footnote-ref-110)
110. A/HRC/42/16, para. 125.56. [↑](#footnote-ref-111)
111. A/HRC/42/16, para. 125.65. [↑](#footnote-ref-112)
112. See *supra* para. 9. [↑](#footnote-ref-113)
113. NIC 4/2018, NIC 1/2020, NIC 3/2021-6/2021. [↑](#footnote-ref-114)
114. Communication from the Chancellor dated 29 June, 2022. [↑](#footnote-ref-115)
115. <https://media.un.org/en/asset/k1o/k1ow6ov3m3> [↑](#footnote-ref-116)
116. E/C.12/NIC/CO/5, para. 16. [↑](#footnote-ref-117)
117. A/HRC/42/16, para. 125.181, 125.203, 125.209, 125.211, 125.212, 125.222. [↑](#footnote-ref-118)
118. [https://www.el19digital.com/articulos/ver/titulo:123683-asamblea-nacional-aprueba-presupuesto-general-de-la-republica-2022](https://www.el19digital.com/articulos/ver/titulo%3A123683-asamblea-nacional-aprueba-presupuesto-general-de-la-republica-2022). [↑](#footnote-ref-119)
119. Health spending accounted for an average of 12.7% of total public spending for Latin America and 18.1% for Organization for Economic Co-operation and Development (OECD) countries in 2018. In the case of education, the average was 16.1% for Latin America and 12.2% in OECD countries, <https://data.worldbank.org/>. [↑](#footnote-ref-120)
120. E/C.12/NIC/CO/5, para. 14. [↑](#footnote-ref-121)
121. <https://www.transparency.org/en/news/cpi-2021-americas-a-region-in-crisis> [↑](#footnote-ref-122)
122. Ibid. [↑](#footnote-ref-123)
123. E/C.12/NIC/CO/5, para. 18. [↑](#footnote-ref-124)
124. A/HRC/49/23, para. 66.h; E/C.12/NIC/CO/5, para. 10. [↑](#footnote-ref-125)
125. E/C.12/NIC/CO/5, para. 49. [↑](#footnote-ref-126)
126. See *supra* para. 13. [↑](#footnote-ref-127)
127. E/C.12/NIC/CO/5, para. 20. [↑](#footnote-ref-128)
128. <https://ods9.org/resource/273/informe-nacional-voluntario-2021-de-nicaragua>, p. 59 . [↑](#footnote-ref-129)
129. A/HRC/42/16, para. 125.178, 125.186. [↑](#footnote-ref-130)
130. https://ods9.org/resource/273/informe-nacional-voluntario-2021-de-nicaragua, pp. 40-42. [↑](#footnote-ref-131)
131. A/HRC/49/23, para. 66.j; E/C.12/NIC/CO/5, para. 45; A/HRC/42/16, para. 125.217, 125.220. [↑](#footnote-ref-132)
132. [https://www.el19digital.com/articulos/ver/titulo:116982-companera-rosario-murillo-en-multinoticias-09-06-21](https://www.el19digital.com/articulos/ver/titulo%3A116982-companera-rosario-murillo-en-multinoticias-09-06-21). [↑](#footnote-ref-133)
133. A/HRC/42/16, para. 125.185, 125. 238; E/C.12/NIC/CO/CO/5, para. 20, 26. [↑](#footnote-ref-134)
134. <https://www3.weforum.org/docs/WEF_GGGR_2021.pdf>. [↑](#footnote-ref-135)
135. ECLAC, <https://oig.cepal.org/es/indicadores>. [↑](#footnote-ref-136)
136. A/HRC/49/23, para. 36. [↑](#footnote-ref-137)
137. A/HRC/42/16, para. 125.236, 125.237, 125.241, 125.244, recommendations accepted by the Government. [↑](#footnote-ref-138)
138. A/HRC/46/21, para. 34, 35. [↑](#footnote-ref-139)
139. [https://www.el19digital.com/articulos/ver/titulo:126803-policia-nacional-inauguro-la-comisaria-de-la-mujer-numero-113-en-ticuantepe](https://www.el19digital.com/articulos/ver/titulo%3A126803-policia-nacional-inauguro-la-comisaria-de-la-mujer-numero-113-en-ticuantepe). [↑](#footnote-ref-140)
140. [https://www.el19digital.com/articulos/ver/titulo:125214-nicaragua-redujo-la-mortalidad-materna-en-68-entre-2006-y-2021](https://www.el19digital.com/articulos/ver/titulo%3A125214-nicaragua-redujo-la-mortalidad-materna-en-68-entre-2006-y-2021). [↑](#footnote-ref-141)
141. A/HRC/42/16, para. 125.207, 125.214, 125.237. [↑](#footnote-ref-142)
142. United Nations Department of Economic and Social Affairs, <https://population.un.org/wpp/Download/Standard/Fertility/>. [↑](#footnote-ref-143)
143. A/HRC/49/23, para. 66.i; A/HRC/42/16, para. 125.254, 125.255; E/C.12/NIC/CO/CO/5, para. 12.c and d. [↑](#footnote-ref-144)
144. A/HRC/46/21, para. 49-52; A/HRC/49/23, para. 33-35. [↑](#footnote-ref-145)
145. E/C.12/NIC/CO/5, para. 12.a. [↑](#footnote-ref-146)
146. E/C.12/NIC/CO/5, para. 12.b. [↑](#footnote-ref-147)
147. A/HRC/42/16, para. 125.207, 125.214, 125.237, 125.247-253, 125.175. [↑](#footnote-ref-148)
148. A/HRC/42/16, para. 125.46, 125.66. [↑](#footnote-ref-149)
149. A/HRC/46/21, para. 42. [↑](#footnote-ref-150)
150. A/HRC/46/21, 71.f; A/HRC/49/23, para. 66.m. [↑](#footnote-ref-151)
151. OHCHR 2018, para. 19.16. [↑](#footnote-ref-152)
152. A/HRC/42/16, para. 125.8-36. [↑](#footnote-ref-153)
153. IAS 5/2018. [↑](#footnote-ref-154)
154. Arbitrary detention, forced disappearances, freedom of assembly and association, torture, and toxic substances. [↑](#footnote-ref-155)
155. [https://tbinternet.ohchr.org/\_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=NIC&Lan
g=SP](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=NIC&Lang=SP). [↑](#footnote-ref-156)
156. E/C.12/NIC/CO/5, para. 2, 3. [↑](#footnote-ref-157)
157. https://www.ohchr.org/en/press-releases/2022/07/committee-against-torture-considers-situation-nicaragua-absence-delegation [↑](#footnote-ref-158)
158. <https://media.un.org/en/asset/k1r/k1rfw9qasz>. [↑](#footnote-ref-159)
159. E/C.12/NIC/CO/5, para. 54; A/HRC/42/16, para. 125.1-7. [↑](#footnote-ref-160)
160. OHCHR 2018, para. 119.15 and 16; A/HRC/42/18, para. 67; A/HRC/46/21, para. 72; A/HRC/49/23, para. 67, 68. [↑](#footnote-ref-161)
161. A/HRC/40/2, A/HRC/RES/43/2, A/HRC/RES/46/2, A/HRC/RES/49/3. [↑](#footnote-ref-162)
162. OHCHR 2018, para. 119.15; A/HRC/49/23, para. 68.b. [↑](#footnote-ref-163)