

Urgent Congress Resolution on the situation in Nicaragua

The 39th Congress of the FIDH expresses its serious concern regarding the recent developments described by its Nicaraguan member organization, the Centro Nicaragüense de Derechos – CENIDH, which threaten democratic principles and the rule of law in Nicaragua.

On 8 June 2016, three days after the Independent Liberal Party (Partido Liberal Independiente – PLI), the main opposition party to the government, ratified its candidates for the Presidency and Vice-Presidency of Nicaragua prior to the upcoming November elections, the Constitutional Chamber of the Supreme Court of Justice determined that the leadership no longer held the legal representation of the PLI, the second strongest political power of the country, and, as a consequence, the designated candidates were denied participation in the race.

The PLI held 28 seats in the National Assembly (16 principals and 12 substitutes), which were elected more than four years ago. These members of Congress did not recognize the leadership of the new legal representative, Mr. Pedro Reyes, who demanded their removal before the Supreme Electoral Council.

Subsequently, on 28 July 2016, with only a few months remaining in the electoral period, at the request of the Supreme Electoral Council, the governing board of the National Assembly proceeded to remove the 28 members of Congress from the opposition party. The dismissal proceeded contrary to the will of 30% of the voters who participated in the 2011 elections.

As evidenced by these cases, the coordinated actions of State powers demonstrate a position to benefit the ruling party, eliminating dissidence in the National Assembly, and clearing the way for total congressional control by the governing party, the Sandinista Front for National Liberation (Frente Sandinista de Liberación Nacional – FSLN) in the upcoming elections on 6 November 2016.

The recently announced candidacy of Daniel Ortega for a third consecutive term as President, and of his wife, Rosario Murillo, as candidate for Vice-President, both members of the FSLN, create the conditions for a familial succession of power, threatening essential democratic principles.

The aforementioned events are clear signals of the promotion of a single-party regime that aims to maintain power, compromising the development of this Central American nation, which continues to be the second poorest country on the continent. These acts contravene political pluralism, the republican nature of the State and the government, as well as representative democracy, all of which are established in the Constitution of Nicaragua and in the international human rights treaties to which Nicaragua is party.

In light of the above, the 39th Congress of the FIDH:

1. Declares that the aforementioned situations constitute grave human rights violations and point to the consolidation of an authoritarian State.
2. Urges that each power of the Nicaraguan State (executive, legislative and judicial) complies with the norms established in the Constitution and with the international human rights treaties to which Nicaragua is party, in order to guarantee its autonomous and independent functioning.
3. Demands that the international community, the United Nations and the Inter-American Human Rights System of the Organization of American States (OAS) permanently monitor the human rights

situation in Nicaragua. In particular, we urge the Secretary General of the OAS to present a Report on Nicaragua in compliance with Article 20 of the Inter-American Democratic Charter.

Johannesburg, 27 August 2016