



**Statement of Mrs. Laura Chinchilla**

**Former President of Costa Rica**

**Co-Chair of the Inter-America Dialogue**

**An International Response to Ortega's Destruction of Democracy in Nicaragua**

**Before the 117<sup>th</sup> Congress, House of Representatives**

**Subcommittee on the Western Hemisphere, Civilian Security, Migration, and  
International Economic Policy**



Honorable members of the House of Representatives,

Nicaragua is at the edge of a precipice with no return. If we do nothing, in only six weeks a ruthless, corrupt, dynastic dictatorship will be consolidated in the heart of the Americas with severe consequences for Central America and the Hemisphere.

The upcoming elections in Nicaragua, on November 7<sup>th</sup>, are preceded by years of increasing deterioration of democratic standards, weakening of the rule of law and human rights violations. The killings of 325 protesters during the peaceful demonstrations of April 2018, and, more recently, the kidnapping and imprisonment of presidential candidates, civic leaders and journalists, are only the most recent and visible actions of a campaign of brutal political repression by the Ortega-Murillo's regime<sup>1</sup>.

In spite of the multiple resolutions approved since 2018 by the United Nations Human Rights Council and the General Assembly and Permanent Council of the OAS<sup>2</sup>, democratic guarantees and human rights violations have deteriorated to their worst levels since Nicaragua's transition to democracy in 1990.

This dismal situation reveals the lack of concerted regional and international actions to repair this acute crisis, as well as the limitations of our inter-American mechanisms to match words with deeds to effectively protect democracy. It is also a powerful remainder of the destabilizing impact that the deepening of autocracy in Nicaragua will have for the rest of Central America and the entire Hemisphere. The case of Venezuela works as a precautionary tale.

Some of these consequences are:

- **First, an increase in forced migration.** It is estimated that more than 100,000 Nicaraguans have migrated since the 2018 political crisis started<sup>3</sup>. Most of this migration has gone to Costa Rica: between 2018 and August 2021, more than

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<sup>1</sup> According to an oral report presented by the United Nations High Commissioner for Human Rights on 13 September 2021, "between 22 June and 6 September, my Office documented the arbitrary detention of 16 people, including political leaders, human rights defenders, business people, journalists, and peasant and student leaders, in addition to 20 others detained since 28 May."  
<https://go.microsoft.com/fwlink/?linkid=830196>

<sup>2</sup> Since the violent events of April 2018, the United Nations Human Rights Council has approved three resolutions on the promotion and protection of human rights on Nicaragua (Res. 40/2 of 21 March 2019, Res. 43/2 of 19 June 2020, and Res. 46/2 of 23 March 2021), and the OAS has approved one resolution by the General Assembly in October 2020, and six by the Permanent Council, the last two AG/RES.2943 (XLIX-O/19) and AG/doc.5710/20 rev. 1.

<sup>3</sup> UNHCR, <https://news.un.org/en/story/2020/03/1059051>.

87,000 have requested refuge in this country<sup>4</sup>; however, these flows are also turning to the United States of America. It is expected that in 2021 at least 60,000 Nicaraguans will be apprehended at the United States-Mexico border<sup>5</sup>.

- **Second, a disruption in regional trade.** A deeper crisis in Nicaragua will hinder the economic reactivation urgently needed by neighboring countries, given that the economies of Central America are highly integrated, with the Central American Common Market representing more than 20% of the region's commercial activity<sup>6</sup>.
- **Third, an invigoration of undemocratic ruling.** Ortega's reelection in a rigged process, particularly after openly defying calls from the international community to correct course, will incentivize other autocratic rulers in Central America and beyond to abandon even the semblance of democracy.
- **Finally, a threat to regional security.** Ortega's military strategy of increasing cooperation with Russia risks altering a reasonable balance of forces in Central America, which is a fundamental part of the Democratic Security Treaty of 1995. Nicaragua's territory has also been used to protect Central American fugitives from justice, something which is likely to increase<sup>7</sup>.

To face these major challenges and risks, I respectfully recommend:

1. To request relevant national and international organizations, including the OAS, to issue updated and reliable reports documenting the human rights violations and exposing the electoral farce of the regime, before November 7.

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<sup>4</sup> Costa Rican Government, Dirección General De Migración y Extranjería Unidad de Refugio.

<sup>5</sup> Orozco, Manuel. Complex Migration Trends from Latin America and the Caribbean Amidst the Global Pandemic. September 2021. Creative Associates, Washington, DC.

<sup>6</sup>[https://www.bcie.org/fileadmin/bcie/espanol/archivos/novedades/publicaciones/informe\\_de\\_coyuntura/Centroamerica\\_en\\_la\\_Economia\\_Global\\_Oportunidades\\_de\\_Desarrollo\\_a\\_traves\\_del\\_COMERCIO.pdf](https://www.bcie.org/fileadmin/bcie/espanol/archivos/novedades/publicaciones/informe_de_coyuntura/Centroamerica_en_la_Economia_Global_Oportunidades_de_Desarrollo_a_traves_del_COMERCIO.pdf)

<sup>7</sup> Since 2014 Daniel Ortega announced that they were working with the Russian Federation to provide them with military equipment, and in 2016 Russian media confirmed that Nicaragua was obtaining lethal material via bilateral agreements with Russia, including battle tanks, patrol and missile boats, and fighter jets (source: <https://www.envio.org.ni/articulo/5266>). Other sources confirm the unbalanced correlation of military forces in Nicaragua vis a vis the Central American nations; most of it is due to Russian military cooperation (source: Roberto Samcam Ruiz, Nicaraguan retired military member, interview on the influence and military cooperation of Rusia in Nicaragua, TicaVisión, September 8, 2021).

2. To work towards invocation of Article 21 of the Inter-American Democratic Charter. Failure to do so will condemn the OAS to irrelevance at a time when the region most requires it, and will lose a precious opportunity to stand by those struggling to defend democracy in Nicaragua and in the Hemisphere.
3. To align the actions of multilateral and regional organizations on human rights and democracy, with the actions of financial organizations, to stop the external supply of financial oxygen to the Ortega regime<sup>8</sup>, as happened in Honduras in 2008.
4. To eliminate all the support to the Nicaraguan army, a key player in the endurance of the regime, including the support via the US Southern Command.
5. To investigate Ortega-Murillo's families, associates and businesses for money laundering and drug trafficking, given prior US. Sanctions on Ortega's son for these crimes.
6. To increase humanitarian aid for Nicaraguans in exile and for countries receiving immigrants, especially Costa Rica and Panama, including Covid-19 vaccine relief;
7. To support the political mobilization and effectiveness of the diaspora and exiles, considering that the main opposition leaders in Nicaragua have been imprisoned or silenced. Free media should also be backed.
8. To urgently articulate a coherent diplomatic offensive with allies in the Hemisphere and Europe to avoid the electoral fraud or, failing that, to deny legitimacy to the government resulting from it. A combination of diplomatic initiatives and economic sanctions should be pursued to demand the immediate and unconditional release of all prisoners of conscience, the restitution of fundamental freedoms, the abolition of all repressive laws passed in previous months, and the celebration of fair and competitive elections with a clear timetable and close international supervision.

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<sup>8</sup> The US government should immediately enforce its legislation regarding the Nicaragua Human Rights and Anticorruption Act of 2018 (Nica Act). Sections 4 and 5 must be set in motion as per the law. It should also work with the Central American counterparts, to ensure that the Central American Bank of Economic Integration (BCIE) stop financing the regime. In October 2020, this bank reported it had loaned Nicaragua US\$2.8 billion in recent years. Most recently US\$400 million in assistance has been awarded by financial institutions.

Honorable members of Congress,

Democracy in Nicaragua is not dying in the darkness; on the contrary, it is perishing in broad daylight. It is dying as the Hemisphere commemorates twenty years of the declaration of the Inter-American Democratic Charter. Unless this is stopped, it will call into question the effectiveness of our regional instruments and commitments to protect and defend democracy.

Action is needed and it is urgent now. For the sake of Nicaraguans, for the stability of Central America, and for the future of democracy in the Hemisphere, I call on you as I have called on many others decision makers from other nations and institutions to act now and help us save Nicaragua.

I deeply hope that our next steps will live up to our commitments with democracy.

Thank you.