



Bianca Jagger Testimony
Tom Lantos Human Rights Commission
21 July 2021

I would like to thank Co-Chairs Christopher Smith and Co-Chair James McGovern, as well as the other members of the Lantos Commission for inviting me. Distinguished members of the US congress present here in this room I am testifying in my capacity as Founder and President of The Bianca Jagger Human Rights Foundation.

1. On 19 July 1979, forty-two years ago, Anastasio Somoza was toppled by the people of Nicaragua. The corrupt Somoza dynasty was one of the oldest tyrannies in Latin America. The triumph of the Sandinista Revolution brought hope and joy to millions of people in Nicaragua and throughout the world, including me. We believed that the revolution was going to bring freedom, justice, and democracy, but that was not to be. Daniel Ortega and his brother Humberto co-opted the leadership of the Sandinista National Liberation Front (FSLN) and to our great shock, Daniel Ortega betrayed the principles that inspired that revolution. Through his years in power, he has dismantled all legal and democratic institutions in Nicaragua. His objective is to perpetuate his power at any cost by establishing a new tyrannical dynasty. Ortega's brutal and relentless repression are comparable or worse than Somoza's.

2. In Nicaragua today we have a state of terror: Daniel Ortega represses the people with his police, army, para-military forces better known as mobs or death squads, party structures, neighborhood committees that force people to spy on each other, and the corrupt and subservient judicial system. These are the same structures that were employed to repress the non-violent uprising and to murder protesters in 2018 with absolute impunity.

3. Gross and systematic human rights violations have been extensively documented by reputable international organizations such as the UN Office of the High Commissioner on Human Rights (OHCHR), the Inter-American Commission on Human Rights (IACHR), Human Rights Watch (HRW), Amnesty International (A.I.) among others. The Inter-Disciplinary Group of Independent Experts (GIEI), established by the Inter-American Commission on Human Rights have concluded that crimes against humanity have been perpetrated by the Ortega regime. The IACHR reported that up to 8 August 2019, 328 people had been murdered. It is important to point out that in September 2018 the Ortega regime expelled the Inter-American Commission on Human Rights (IACHR), the GIEI, and the United Nations' Office of the High Commissioner on Human Rights (UNHCHR). The regime has not allowed further visits from Amnesty International, and Human Rights Watch. In addition, Nicaraguan Human Rights organizations have been stripped of their legal status, their offices confiscated and many of their staff have been forced into exile.

4. Among the most egregious human rights violations committed by the Ortega y Murillo regime were the instructions given by the Minister of Health in April 2018 to deny medical attention to wounded protesters, often leaving them to die at the doorsteps of hospitals. Alvarito Conrado, a 15-year-old boy who was shot while distributing water to protesters, is among the victims of this murderous policy. The cruel and inhumane denial to provide him medical attention at the doorsteps of a public hospital, broadcasted on national TV, is a symbol of Ortega's murderous repression. Alvarito Conrado became a hero of the Nicaraguan non-violent protests. Doctors that defied the Minister's orders and assisted the wounded were fired.

5. Another unspeakable policy is the “shoot to kill” strategy employed by the Ortega regime to repress protestors, denounced by Amnesty International. On 30th of May 2018, Erika Guevara Rosas Director of Amnesty International Americas and I participated in the Mother’s Day march, the largest peaceful demonstration in recorded history in Managua. That day I witnessed the “Shoot to kill” policy in action when snipers opened fire against the participants, aiming directly at their heads and chests. That day 19 people were murdered and over 185 people were wounded.
6. Today Human Rights violations affect practically all sectors of Nicaraguan society. As of mid-July 2021, there are some 147 known political prisoners in Nicaragua. Political leaders have been jailed- including six presidential candidates, de facto eliminating any meaningful opposition leadership. These leaders represent politicians, members of civil society, women, students, campesinos, journalists and members of the private sector. People from all walks of life in Nicaraguan, both from the right and from the left, including prominent former iconic Sandinista leaders that participated in the struggle against Somoza and that also took part in the operation to free Ortega from Somoza’s prisons.
7. The latest round of abductions and detentions that began on 28 May, includes:
 - a. Six leading presidential candidates Juan Sebastián Chamorro, Cristiana Chamorro, Arturo Cruz, Medardo Mairena, Félix Maradiaga, Miguel Mora.
 - b. Leaders from all political spectrums: Violeta Granera, José Bernard Pallais, Pedro Joaquín Chamorro, Suyén Barahona Daysi Tamara Dávila, Dora María Téllez, Víctor Hugo Tinoco, Hugo Torres, Ana Margarita Vijil
 - c. Private sector leaders: José Adán Aguerri, Luis Rivas
 - d. Former first lady (wife of President Arnoldo Aleman) Maria Fernanda Flores
 - e. Sports journalist Miguel Mendoza
 - f. Staff of the Violeta Barrios Foundation: Marcos Fletes and Walter Gomez, and Pedro Vasquez, Cristiana Chamorro’s driver

8. Daniel Ortega is denying access to lawyers, medical and humanitarian assistance, and family members to all those he is holding hostages. The Ortega's regime's cruel policies go against all international conventions and norms and basic humanity. Until now no one knows their exact whereabouts or their conditions. With the exception of Cristiana Chamorro who is under house arrest, all we know about the others is that they were kidnaped and are being held hostage, some of them have serious health issues. The dark shadow of possible torture in the prisons, as previously reported by national and international human rights organizations, weighs heavily with their families.
9. This prompted me to remember that back in early July 1979, I supported an appeal of the British Red Cross to assist the victims of the conflict in my native Nicaragua, I travelled to Managua on a fact-finding mission and requested the Somoza regime to be allowed to visit the prisons. Somoza reluctantly granted me access to those prisons where he kept many of his political enemies. I would like to appeal to Daniel Ortega to grant me and other members of human rights organizations access to his prisons now.
10. Other human right violations that have not been adequately documented are the arbitrary detentions and summary executions of poor farmers (campesinos), indigenous people and afro descendants that are victims of the repression from Ortega's army in remote rural areas. Little is known about what takes place in those isolated regions.
11. Journalist have been victims of a relentless persecution by the Ortega regime. Freedom of the press is under assault and several well-known journalists are among the illegally detained. In addition, countless journalists have been forced to flee the country, their facilities and sometimes their homes have been ransacked and their property confiscated. The Chamorro family has been the target of Ortega and Murillo's personal revenge, Cristiana Chamorro is under house arrest, her brother Pedro Joaquin is among those held hostage and Carlos Fernando, the younger brother, and the most prominent Nicaraguan journalists, was forced into exile for a second time. They are all children of Pedro Joaquin Chamorro, a national

hero murdered by Somoza and former President of Nicaragua Violeta Barrios de Chamorro who lies gravely ill without them being able to tend to her.

12. Doctors/medical staff have been persecuted, jailed, and exiled. Nearly 500 medical staff have been fired from public institutions mainly related to the April 2018 uprisings for upholding their Hippocratic Oath and tending to the wounded, but also because of disagreement of the reckless handling of the COVID-19 pandemic by the regime.

13. Others have been forced into exile, are in hiding within the country or are under constant surveillance and harassment.

14. Ortega's authoritarian rule is becoming a factor of destabilization for the Central American region – considering Central America's interlinked trade and economic ties – as well as a bad precedent for the rest of the region in terms of being an authoritarian regime that is getting away with its despotic handling of a country - despite international condemnation.

15. We should all be alarmed by the recent statements by Russian Minister of Defense regarding increased military ties with the Ortega regime-adding to the \$80 million in tanks and Russian arm sales in the recent past, as well as the July 19 statement of the Russian Minister of Foreign Affairs, where he referred to the strategic relations between Russia and the Ortega regime. I should also mention that Ortega's regime is one of a handful of countries that recognize South Ossetia, Abkhazia, and Crimea. I believe that Ortega is trying to recreate a cold war scenario and use it to his advantage.

16. For the November 2021 electoral process to be legitimate, there are five conditions that needed to be met:

- a. Immediate release of all presidential candidate, political, civil society, students, poor farmers (campesinos) and private sector leaders and

journalists currently imprisoned under bogus and fraudulent charges such as high treason and money laundering.

- b. Immediate withdrawal of all spurious inhibitions that would prevent the participation of the above-mentioned presidential candidates and candidates for other popularly elected positions.
- c. The immediate restitution of all civil and political liberties of the Nicaraguan citizens, including free mobilization, freedom of assembly and the free exercise, without harassment or persecution, of the activities of members of the press.
- d. Immediate cessation of all acts of repression and intimidation that the regime is carrying out with total impunity with the help of its police, army, paramilitary forces and mobs of controlled sympathizers and last but not least its corrupt judicial system,
- e. Undertake a non-negotiable commitment to submit the electoral process to broad international and national observation and allow the entry of international human rights organizations such as the Office of the UN the UN High Commissioner, the Inter American Commission for Human rights (IACHR), a UNSG Special Envoy, Amnesty International, Human Rights Watch and myself representing the Bianca Jagger Human Rights Foundation (BJHRF)

17.If on 2 August 2021, the last day that the electoral calendar allows the registration of candidates, Ortega is unwilling to complied to these 5 points, THE INTERNATIONAL COMMUNITY SHOULD NOT AND CANNOT RECOGNIZE THE ELECTORAL PROCESS AND ITS RESULTS and should declare Daniel Ortega regime as illegitimate.

18.The Ortega regime has done everything to undermine the November 2021 elections: in addition to incarcerating presidential candidates and forcing others into exile, the regime has approved a series of repressive laws that further reduced the already limited democratic space in the country. The world cannot recognize another fraudulent elections.

19. While the repression increases and chances for free, fair, and democratic elections vanish, the people of Nicaragua are more inclined to vote with their feet by abandoning the country. Between January and June of 2021, 18,446 Nicaraguans were apprehended at the US border, and according to experts at least 3,500 made it irregularly. This was before the June repressive wave. So, an increased number would have tried to make it to the US this year and a similar number will do so to Costa Rica, a country already saturated with suffering Nicaraguan refugees, already with difficulties resulting from COVID-19 with little possibilities to receive more displaced Nicaraguans. This can only grow worse with the hopelessness of people that see no possibility of economic betterment and no voice to their demands for change. Even a significant number of Ortega sympathizers are fleeing the country.
20. The world needs to pay more attention to Nicaragua. The international system designed to defend human rights is not working for the people of Nicaragua. Solidarity, public resolutions, and condemnations are important and are welcomed but are not sufficient. They will only be effective if the pressure is proportional to the level of repression of the regime.
21. There is a strong and increasing trend toward authoritarian regimes that are culprits of crimes against humanity, war crimes, terrible atrocities and gross and systematic human rights violations around the world. In Latin America and the Caribbean, we seem to be going back to a situation similar to the one we had in the 1960's when authoritarianism was the norm... We need to put a stop to this. Despite Nicaragua being high on the list of the most brutal and repressive regimes in the region, it is not receiving all the attention and actions it deserves.
22. The people of Nicaragua will continue to be terrorized by this dictatorship if prompt concrete actions such as these are not taken:
 - a. The Nicaragua Human Rights and Anticorruption Act of 2018 (Nica Act), needs to be fully implemented, particularly the parts pertaining to further scrutiny of funds coming from IFIs (IMF, IADB and World Bank), and sanctions over corrupt individuals and human rights abusers increased in numbers, reaching to the murderous Mayors, in service and retired Nicaraguan Army officers that facilitate the training

and arming of the para-police forces, and continue a campaign of terror against the campesino farmers in Nicaragua's country side, the political and main shock structures of the Sandinista Party that sustains the repression. The FSLN should be sanctioned as the terrorist organization Ortega has turned into.

- b. The Renacer Act should be approved and implemented as soon as possible. With this an extensive legally mandated investigation of the corruption of the Ortega family and circle of power, and a similar in-depth investigation of Russian interference in Nicaragua will have to be implemented. RENACER, which in Spanish means rebirth, will send a signal of hope to Nicaraguans and also an unequivocal signal to Ortega of American and International will to collaborate to stop the dynastic designs to consolidate a North-Korea like dynastic dictatorship in the middle of the Americas.
- c. The overseas investments of the Ortega family and collaborators, including of the Nicaraguan military, need to be frozen and seized. Also, any remaining US ties with the Nicaraguan military need to be severed.
- d. Nicaragua is the only one of 20 countries in the world that has a Free Trade Agreement with the US, which according to Freedom House is "NOT FREE". This is unsustainable, as a country without Rule of Law cannot responsibly comply with the obligations of Labor, competition, environmental or any kind of rules. With a notoriously corrupt and partisan Judiciary, with a dictator and a mafia-like government, Ortega will self-exclude the country from this important treaty, further affecting hundreds of thousands.
- e. In correspondence with their international obligations under the Inter-American Democratic Charter, Latin American and Caribbean nations need to take further action to thwart the dictatorial path of the Ortega regime. Governments should call for the immediate application of article 21 of the OAS Charter, now that all diplomatic steps, patiently taken, now that all the opportunities given to the regime have not only been exhausted, but the regime has responded with regressive electoral measures and repressive laws. If action is not taken urgently and responsibly by the OAS members, the Democratic Charter will be rendered useless, and with it the hopes for a Continent of Freedom and Democracy. The moment is now!

- f. Nicaragua's Central American neighbors should step-up to the plate. Not to do so will be to compromise their own future giving the interrelation between the countries. They need to pressure the Ortega regime to uphold the Tegucigalpa Protocol of 1991 and the Democratic Security Framework Treaty of 1995, which puts in the center of Central America's coexistence, Democracy, Human Rights and Free Elections. I call on the Presidents of Guatemala, Costa Rica, Honduras, El Salvador, Panama, Dominican Republic and the Prime Minister of Belize, to call for an Extraordinary Meeting of Presidents to bring Mr. Ortega to his senses.
- g. It is inconceivable that the Central American Development Bank of Economic Integration (CABEI), that has become the regime's main source of external funding and a financial source for Ortega's police.
- h. The Secretary General of the United Nations can no longer remain on the sidelines of the situation in Nicaragua. The fact that Nicaragua is becoming a failed state that terrorizes its own citizens, and is a factor of regional instability requires that the Secretary General of the United Nations, take action
- i. Efforts between the United States, Europe, Canada, the Organization of the American States, and the United Nations need to be urgently coordinated in order to have a greater impact on the regime for sake of the people of Nicaragua.