



NSCAG analysis of Amnesty International Report 'Silence at any Cost'

Introduction

Amnesty International's vision is of a world in which every person enjoys all of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments. Articles 22,25,26 and 27 go beyond civil and political rights to include a much broader definition that incorporates social, economic, and cultural rights.

<https://www.un.org/en/universal-declaration-human-rights/index.html>

Article 30 reads:

Nothing in this Declaration may be interpreted as implying for any **State, group or person** any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein. In referring to State, group, or person this Article makes it very clear that human rights violations by groups and individuals must be addressed.

In the case of Nicaragua, by focusing entirely on evidence and allegations from sources opposed to the government, AI has produced very biased, politically charged reports that disregard acts of violence perpetrated by the opposition and the economic, social and cultural rights enshrined in its own mission and vision statements.

<https://www.amnesty.org/en/what-we-do/living-in-dignity/>

Amnesty International's reporting has repeatedly and consistently criticised the Nicaraguan government, completely disregarding its massive achievements in tackling real human rights issues such as reducing poverty, massively improving health services and addressing gender inequality. Their reporting merely serves to destabilise Nicaragua and trample on the human rights and dignity of the vast majority of Nicaraguans who want to live in peace and determine their own future.

We have [reported previously](#) on Amnesty's flawed and biased reporting, and its latest report, [Silence at any Cost](#) is no exception. As in the past, the report repeats unsubstantiated claims by Nicaragua's opposition, largely based on hearsay rather than concrete evidence.

The report refers to statements made by local organisations and to interviews that have taken place with them but does not state who these organisations are. In spite of claims made that there is no freedom of expression in Nicaragua, opposition organisations operate freely and hold regular meetings around the country (in fact, two of their leaders, Felix Maradiaga and Miguel Mora, have just publicly announced their candidacy for the

Presidency, and several others have made their interest clear). We have therefore asked Amnesty which organisations they spoke to and see no reason why they would not be able to supply us with this information. To our knowledge, they did not speak to any of Nicaragua's trade unions, nor did they speak to any members of the very extensive network of associations and cooperatives in the country.

Dismissing the Truth

The first page of the report repeats previous allegations made by Amnesty that *'During April and May 2018, the authorities used excessive, disproportionate and often unnecessary force, implementing a sometimes deliberately lethal strategy against protesters. The government's refusal to halt the repression in the ensuing months continued to add to the number of deaths and injuries at the hands of State agents and pro-government armed groups with links to the government, increasing social outrage. Numerous neighbourhoods responded to the repressive strategy by erecting barricades and, on occasions, using homemade mortars to defend themselves. In response, in July 2018, Ortega announced "Operation for the Peace" (Operación para la Paz), known as "Operation Clean Up". This consisted of forcibly destroying the barricades and sending combined groups of pro-government armed groups and national police officers to confront those who were demonstrating'*.

As we pointed out in our report [Dismissing the Truth](#), Amnesty has consistently ignored the violence perpetrated by opposition groups in 2018, violence from which millions of Nicaraguans suffered hugely. Testimonies of some of those who suffered can be found [here](#). Opposition supporters engaged in kidnappings, torture and murder of ordinary people who happened to be Sandinista supporters or government workers, in addition to the killings of and injuries to the police. Opposition protesters destroyed or damaged buildings and vehicles of municipal authorities, government ministries, schools and even pre-schools, hospitals and health centres as well as hundreds of private homes and businesses. The estimated cost to Nicaragua's economy was almost US\$1 billion with the loss of nearly 120,000 jobs. *Dismissing the Truth* includes a case study of one region showing how AI might have carried out a balanced appraisal of the violence and who caused it. It shows that, over a similar period to that covered by AI reports, half the deaths reported as linked to the protests in this region had other causes, and of the protest-linked deaths, all but one resulted from opposition violence. *Dismissing the Truth* concludes that AI completely fails to establish its case that there is 'a strategy of indiscriminate repression' on the part of the Nicaraguan government

The barricades referred to by Amnesty as being set up by protesters to defend themselves were in fact roadblocks set up by the opposition which paralysed the country for several months. They created 'no-go areas' in cities and on major highways throughout the country with no entry for police and no law enforcement. They provided a means of controlling the resident population, who were subject to checking of documentation, systematic extortion, threats and – in many cases – robbery, violence or even kidnapping, rape, torture and death. In violation of the right to freedom of movement the country's transport system was brought to a halt. And with regard to the home-made mortars, makeshift weapons were used in huge quantities: their production was on an industrial scale and their use was widespread, as evidenced by the fact that 22 police officers were killed and 401 injured by bullets, quite apart from deaths and injuries to civilians. In addition, there was widespread

use by the opposition of rifles, shotguns and even heavier weapons such as AK47s, a fact never conceded by Amnesty.

'Political Prisoners'

Amnesty continues to assert, as it has done in previous reports, that even those imprisoned for violent and criminal acts in 2018 were imprisoned for their 'activism' and that their imprisonment is 'politically motivated'.

The report states that *'Despite the government's commitment, in March 2019, to release all those detained in the context of the protests, it is estimated that as of November 2020 there are still more than 100 such people in prison'*. This statement gives lie to the fact that those detained are not political prisoners but people charged with violent criminal acts (see our earlier report on this [here](#)) but the footnote to this assertion makes it clear that this information is sourced from an article by one of Nicaragua's main opposition groups, the Civic Alliance.

AI continues to argue that there are over 100 'political prisoners' in Nicaragua, despite the various amnesties that the government has held, and ignoring the fact that those who have been re-arrested in 2020 (many of whom were previously amnestied in 2019) committed serious crimes. A notable feature of the report (as with previous ones) is that the only reference to 'victims' is to the alleged 'political prisoners'; Amnesty and other 'human rights' bodies regularly ignore the suffering of the many victims of opposition violence, and indeed they consistently report the situation as if the 'political prisoners' are obviously innocent, disregarding the real crimes carried out (including ones since 2018).

Prison Conditions

In the section relating to prisons, Amnesty states that there have been no visits to prisons from human rights organisations since 2010. They base this on a report by the Nicaraguan Centre for Human Rights (CENIDH) whose reporting on human rights has been found [wanting](#) on numerous occasions.

Amnesty fails to mention that from 15-19 February 2021, the Prison Advisor of the Regional Delegation for Mexico and Central America of the International Committee of the Red Cross (ICRC), Mrs. María Noel Rodríguez Tochetti, visited Nicaragua to learn about the actions and activities carried out by the authorities within the framework of the National Penitentiary System. During the visit, she toured the facilities of the Modelo Prison System, Tipitapa, the Comprehensive Women's Prison Establishment (EPIM, known as La Esperanza), La Granja located in Granada and the Judicial Assistance Directorate (DAJ) of the National Police, in order to learn about the activities carried out by the prisoners and their reintegration into society once they have served their sentences, within the framework of the ICRC's humanitarian mandate.

Mrs Rodriguez also provided training on "Prison Management with a Human Rights Approach" to directors, deputy directors, inspectors, control and security personnel, the Medical Department, the Penitentiary School and the Legal Counsel of the Prison System,

training provided at the Penitentiary School, in conjunction with prison staff from the Ministry of the Interior.

An earlier visit from the ICRC took place in January 2019 with a visit to prisoners in "La Modelo" and "La Esperanza" prisons and the "El Chipote" judicial support directorate. These visits had the purpose of preventing or responding to certain humanitarian issues that may arise in connection with deprivation of liberty and the ICRC's findings were shared with the relevant authorities at the time. And in August 2019, the Nicaraguan Ministry of Governance and the ICRC signed a cooperation agreement to strengthen protection and respect for the human rights of all prisoners in the National Penitentiary System.

Amnesty's report also refers to the COVID-19 pandemic in relation to prisons, ignoring the fact that Nicaragua, through early strict measures and a community-based health model, has kept the coronavirus death rate at one of the lowest in the world and the best in the whole of Central America. In May 2020, the Ministry of the Interior released 2,815 prisoners, who had committed less serious offences, into house arrest in order to reduce the risk of infection in the prison system and contain the spread of the pandemic. This included elderly people with chronic illnesses. At the government's request the International Committee of the Red Cross (ICRC) was an observer at the family reunification event.

While prison conditions in Nicaragua have attracted Amnesty International's attention, it has ignored the far worse conditions in Honduran prisons where there have been many COVID-related deaths, including those of political prisoners such as dissident journalists.

The Foreign Agents Law

The report goes on to refer to new laws which it alleges have been passed 'to silence criticism and dissent'. With regard to the Foreign Agents Law, NSCAG has produced a detailed explanation of the law which can be found [here](#). The intention behind the law is to create a tool that allows Nicaragua to ensure or prevent foreign powers, countries, governments, agencies or organisations from interfering in Nicaragua's domestic affairs or national domestic policy, something that not only Nicaragua seeks to condemn, but very much something that international organisations and governments of all kinds also condemn. Amnesty's report states that 'between November and December 2018, authorities cancelled the legal registration of at least nine organizations. By the end of 2020, at least one more organization had joined the list'. It fails to mention that there are some 5,000 NGOs in Nicaragua; the vast majority of them are engaged in legitimate activities around health and social issues for example and none of them will be restricted by this law which is targeted solely at a minority of organisations who have been heavily funded by the US merely to act as proxies for US and right-wing opposition ambitions in the country.

Regarding the law on cybercrime, to which Amnesty's report also refers, this arose from the desire to curb the massive "fake news" campaigns that began in 2018, with announcements of deaths that never took place. It also aims to prevent social media posts that call for attacks on people or publicise violent crimes such as torture by filming them and posting them. Most recently, there have been [campaigns](#) aimed at convincing people with COVID-19

symptoms not to go to hospital, and these undoubtedly did deter some people from getting help and made it more difficult for the government to control the pandemic.

Within the context of the new laws, Amnesty cites the cases of Lucia Pineda and Miguel Mora of 100% Noticias. What they fail to mention is that on 29 May 2018, Mora made the false claim that its TV studio was under attack by government sympathisers. He appealed for opposition activists to respond by attacking the Sandinista radio station, Nuevo Radio Ya. They proceeded to set the building alight, holding over 20 radio staff under siege and then shooting at firefighters and police attempting to control the fire and rescue those inside. Only the bravery of the rescue services and the radio station staff prevented more severe injury and loss of life. The building was destroyed. In the case of Lucia Pineda, she deliberately reported that the Granada town hall was being burned down by Sandinista mobs, when it was in fact opposition vandals who travelled from Masaya to attack it. These are just two examples of the lies promulgated by 100% Noticias and which have had the effect of promoting and fomenting opposition violence.

Asylum seekers or migrants looking for employment?

The graphic in the final part of Amnesty's report states that over 100,000 people have been 'forced to leave the country'. This seems to be based on a [briefing](#) on asylum seekers in Costa Rica published in March 2020 by the United Nations High Commissioner for Refugees, UNHCR. This briefing is extremely misleading for anyone unfamiliar with the local situation, especially as regards the long history of migration from Nicaragua to Costa Rica over many decades. It is disappointing also that the briefing bears little resemblance to reality and is clearly unbalanced, based as it is on testimony from Nicaragua's opposition with zero input from Nicaragua's own migratory authorities.

The briefing completely ignores the regular movement of thousands of Nicaraguan workers and their families to and from Costa Rica that has been a constant phenomenon for over fifty years. Estimates of the number of Nicaraguans living either legally or without documents have ranged from between 500,000 to over 800,000 ever since the war years of the 1980s. Costa Rican officials have themselves said that many claiming asylum were already living in Costa Rica before the crisis.

The briefing from which Amnesty has taken its figure of 100,000 fails to mention the numerous atrocities committed by so-called 'peaceful' protesters and gives no context as to why these people might have fled Nicaragua to escape justice. The fact is that those fleeing from Nicaragua included people who had committed heinous, violent criminal acts – for example, the group that kidnapped, tortured and murdered police officer Gabriel de Jesús Vado Ruíz on 14-15 July 2018 are known to have fled to Costa Rica. For their part, the Costa Rican authorities themselves have denounced the violence of many so-called refugees.

NSCAG has examined the UNHCR briefing in detail and more can be found [here](#) .

Amnesty's sources – CENIDH and the IACHR

Much of the information in Amnesty's report is gleaned from two sources – CENIDH and the IACHR (Inter-American Commission on Human Rights).

Amnesty states that *'From the start of the mass protests in 2018, CENIDH, one of Nicaragua's oldest and most respected human rights organizations, with staff and volunteers in every corner of the country, was at the forefront of documenting the hundreds of cases of crimes under international law and human rights violations that were taking place.'* The reality is that CENIDH has never made any attempt at political neutrality – indeed, it was opposed to the Sandinista government well before the failed coup attempt of 2018. However, when the attempt to oust Nicaragua's democratically elected government began in April 2018, CENIDH became a key part of the opposition's propaganda machine. The organisation published regular reports whose bias was made obvious by the language, for example referring to the "dictatorial regime" of Daniel Ortega and Vice President Rosario Murillo.

CENIDH's initial report, issued on 4 May 2018, immediately exaggerated the numbers of deaths by recording six fatalities on the first day of the violence (April 19), all but one attributed to the government, when in fact there were only three: a police officer, a Sandinista defending a town hall from attack, and an uninvolved bystander. By late July, CENIDH's fifth report logged 302 deaths, all attributed to "state terrorism." Enrique Hendrix, a resident of Managua, went systematically through the accounts of deaths published by 'human rights' bodies including CENIDH. His [report](#) *'Monopolizing death: Or how to frame a government by inflating a list of the dead'* found that CENIDH's list included a suicide, traffic accidents and various duplications or unexplained deaths. In total, of the 167 deaths included in their early reports, just 31% (51 people) were actually protesters who had died in the conflict.

Similarly, the IACHR (part of the Organisation of American States, OAS) demonstrated a complete inability to carry out an objective investigation which took proper account of the opposition's violence. It collaborated closely with CENIDH, relying extensively on its highly questionable data, and lobbied on behalf of CENIDH, calling for the legal arm of the OAS, the Inter-American Court of Human Rights, to take action to pressure the Nicaraguan government to protect it.

In May 2018, Paolo Abrao, head of the IACHR, far from being a neutral observer, openly [declared his support](#) for student protesters when they had just violently held up a bus full of people returning from a peace demonstration, resulting in various injuries. And in July 2018, the IACHR published a heavily biased report ['Human Rights in the context of social protests in Nicaragua'](#) which ran into 50 pages and made not one mention of the kidnappings, torture and killings meted out against pro-government supporters and Sandinistas by the extreme right wing opposition and armed thugs, basing its findings solely on testimony received from or reported by members of the opposition or gleaned from media hostile to the Nicaraguan government. It even included the deaths of people supposedly killed by police brutality who were still alive.

The COVID-19 pandemic has given the IACHR yet another excuse to attack the Nicaraguan government. In May 2020, they issued a lengthy missive which concluded by expressing

'concern over the Nicaraguan population's access to the right to health,' ignoring the fact that Nicaragua has far more free, public hospitals than neighbouring Honduras (which has a 50% greater population), that 19 of these have been built since 2007 when the Sandinistas returned to power, and that Nicaragua spends a bigger proportion of its government budget on health than practically any other country in the Americas. The Inter-American Development Bank has ranked Nicaragua second in Central America and fourth in all of Latin America in health investment.

In July 2020, NSCAG joined with the [Alliance for Global Justice](#) and others to send an [open letter](#) to the President of the Inter-American Commission on Human Rights and to the IACHR Interdisciplinary Group of Independent Experts on Nicaragua, the Argentinian Team of Forensic Anthropology and SITU Research of New York. The letter expressed concern about very serious shortcomings in a video documentary released by these organisations in May 2020 relating to events leading to the deaths of three Nicaraguan citizens demonstrating against the government on 30th May 2018. The letter highlighted the fact that while the video documentary acknowledged that there was no conclusive evidence, it still argued that circumstantial evidence overwhelmingly suggested that armed police officers or Sandinista supporters indiscriminately killed three protesters who died that day, as well as other people also shot dead in the same set of incidents. The video documentary reinforced the unjust and extremely dishonest claim by Nicaragua's political opposition, repeated, with no serious attempt at independent corroboration, by the Interdisciplinary Group of Independent Experts organised by the Inter American Human Rights Commission of the Organization of American States, that the country's Sandinista government deliberately used disproportionate lethal force against peaceful protesters during the violent failed coup attempt between April 18th and July 17th 2018.

As stated above, the IACHR is part of the OAS, an organisation which receives most of its funding from the US. In fact, the 2018 Congressional Budget Justification stated very clearly that the OAS "promotes U.S. political and economic interests in the Western Hemisphere by countering the influence of anti-U.S. countries such as Venezuela." Under the leadership of its fanatically pro-US secretary-general, Luis Almagro, the OAS has become a full-bore weapon of regime change targeting independent leftist governments in Latin America. As well as setting its sights on Nicaragua, the OAS played a crucial role spreading lies to drive the military coup in Bolivia, violated its own charter in its strong backing of the Trump administration's coup attempts in Venezuela.

Conclusion

Once again, Amnesty has produced a flawed and biased report based almost entirely on the testimony of opposition activists and NGOs and a right-wing media with a long history of hostility towards the Nicaraguan government. The report, by Amnesty's own admission, is based on just 18 interviews and makes bold statements such as '400+ health professionals fired' with not a shred of hard evidence to back this up.

Amnesty's sustained attacks against and targeting of Nicaragua may be to a large extent laid at the door of their Americas Director, Erika Guevara-Rosas. Even before the 2016 Nicaraguan elections, when Daniel Ortega and the FSLN were elected with 72% of the popular vote, she wrote a [piece](#) telling her readers about four things they should know about the election. In this piece, she directly attacked the government's record on maternal

mortality, completely ignoring the fact that maternal mortality has been cut by more than half since the FSLN returned to power in 2007.

Even a cursory glance at the twitter feed of Guevara-Rosas shows that she is openly siding with the opposition, regularly tagging #SOSNicaragua and re-tweeting sources such as Fox News.

Guevara-Rosas often works alongside Bianca Jagger who she describes as ‘my dear friend and powerful human rights leader’. A member of the Executive Director’s Leadership Council of Amnesty International USA, Jagger is a long-time opponent of Daniel Ortega and since 2013 has been calling him an ‘autocrat’ who should resign.

For some years now, Amnesty has given up all pretence to be an impartial source of information about human rights in Nicaragua. Its current report, a combination of previous allegations and unsubstantiated new ones, is no exception to what has now become the rule.

Amnesty’s continued portrayal of Nicaragua as a repressive dictatorship is completely at odds with the reality of a country which since 2007 has seen the implementation of a raft of social and economic policies designed to improve the lives and livelihoods of the poorest and most vulnerable in society. The Nicaraguan government has been praised for its successful handling of two hurricanes which hit the country last November and has the best record of dealing with the COVID-19 pandemic in the whole of Central America. Health, education, housing and equality are regarded as fundamental human rights, and the vast majority of the population support a Government which has allocated 58% of the national budget to social spending.

NSCAG Statement

NSCAG calls on Amnesty International to

- Exercise the organisation’s commitment to political impartiality in investigations and reporting on Nicaragua
- Investigate all allegations of human rights violations including those related to economic, social and cultural rights as enshrined in the UN Declaration on Human Rights and Amnesty International’s own mission and vision
- Contextualise reporting on Nicaragua by recognising the progress the country has made since 2007 in poverty reduction and addressing the human rights of the population including the right to free education and health care, the right to housing, land rights and the rights of the indigenous population of the Caribbean Coast.
- Denounce US sanctions against Nicaragua, illegal under international law, as a collective punishment of the whole population that will disproportionately impact those already impoverished.

11 March 2021