

**Committee:** Security Council

**Issue:** The Crisis in Nicaragua

**Student Officer:** Melvin-Solomon Berkowitz

**Position:** Deputy President

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## PERSONAL INTRODUCTION

Dear delegates,

My name is Melvin-Solomon Berkowitz, but everybody calls me Melvin! I am a junior at Anatolia College in Thessaloniki, and this year it is my honor to preside over the Security Council along with my wonderful fellow chairs. ACGMUN 2021 will be my eleventh conference and my fourth time chairing.

MUN is an amazing world, and I cannot help but congratulate you for choosing to be a part of it, despite all the hard work it takes. It is, however, an experience from which you will gain more than you realize at this point in your life. If you put in the work, MUN will give you in return not only knowledge of world history, current affairs, politics and international relations, but it will also provide you with skills so vital in the 21st century. You will gain a deeper and more accurate understanding of the world, but you might also make long-lasting friendships.

Nicaragua is indeed a country that has been for quite some time torn by abuse of power, violence, protests, riots and human rights violations. In recent times, however, the crisis has gone out of hand, severely endangering the safety and stability of the country and of the people. The duty of repairing the imbalance in Nicaragua is bestowed upon you, the members of the Security Council.

This study guide shall serve as the basis of your research. While it will cover numerous aspects of the issue, you ought to go into more depth and study the topic in great detail. If any questions arise, regarding the topic or the ROP in general, do not hesitate to contact me at [20161074@student.anatolia.edu.gr](mailto:20161074@student.anatolia.edu.gr). I cannot wait to meet you all, even through our laptops!

Yours sincerely,

Melvin-Solomon Berkowitz

## TOPIC INTRODUCTION

Nicaragua's president, Daniel Ortega, had once led the Sandinista party in its strife against the authoritarian and dictatorial rule of the Somoza family. After long and violent clashes, they managed to overthrow the Somoza's and since 2007, Ortega has been the president of the Country. Until very recently there were serious accusations that he had interfered with the integrity of several elections, but he still managed to build a successful state, with approximately 5% in financial growth every year. In 2017, Venezuela, a main economic benefactor of Nicaragua, pulled its aid and Nicaragua was de-stabilized, leading up to April 2018. President Ortega was then forced to introduce social security reforms, raising taxes by at least 5% and by reducing benefits. This was the cause of extremely violent protests, with protesters demanding once again social reform as well as the resignation of Ortega, who is now considered to be an authoritarian ruler. The protests are still ongoing, and the protesters' demands have been expanding, touching upon matters regarding national reform, human rights and governmental power. They have resulted in hundreds of deaths, thousands of arrests, political prisoners, destruction of public and private property.



*Figure 1: President Daniel Ortega, and his wife Rosa Murillo, the vice president of Nicaragua*

## DEFINITION OF KEY TERMS

### Sandinista Party<sup>1</sup>

The Sandinista Part is a political and military organization founded in 1962 in Nicaragua. Its official name is the Sandinista National Liberation Front (SNLF). Ostensibly socialist in its character, the Sandinista's, as they are often called, aimed at overthrowing the dictatorial Somoza family, which they achieved in 1979.

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<sup>1</sup> The Editors of Encyclopaedia Britannica. "Sandinista." *Encyclopaedia Britannica*, November 8 2016, <https://www.britannica.com/topic/Sandinista>.

## Las Turbas<sup>2</sup>

“Las Turbas” (the mobs) also referred as “parapolicias” (parapolice) or “grupos de choque” (shock forces) are intensely active paramilitary groups in Nicaragua. Pro-government armed and violent as they are, they are suspected to be supported by the SNLF, the police and the president and to assist the latter in suppressing protests. President Ortega has denied any involvement with them, including controlling them.

## Social Security

“Social security is the protection that a society provides to individuals and households to ensure access to health care and to guarantee income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner.”<sup>3</sup> Social security is to a large extent funded by taxes and benefits imposed by the state.

## Constitution

“The basic principles and laws of a nation, state, or social group that determine the powers and duties of the government and guarantee certain rights to the people in it.”<sup>4</sup> While the constitution goes largely unchanged, governments of most countries are still able to amend it, provided they gather the necessary overwhelming majority.

## BACKGROUND INFORMATION

### Factors That Contributed to the Crisis

One of the most crucial factors that has led to such instability is the president himself. In 1984 Daniel Ortega is elected president of Nicaragua. However, he lost the election three times between 1990 and 2001, until 2006 when he was voted again. He was re-elected in 2011 and in 2016, after making constitutional changes that allowed him to run again. The European Union and the Organization of American states deemed that these elections had been tampered with, but their concerns were quickly silenced. The trust between the people and the government was shaken. What followed, however, gave rise to even stronger anti-governmental feelings.

Among the many interests of the Sandinista government, one of Ortega’s most important goals was to establish himself as the absolute leader of Nicaragua. It is

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<sup>2</sup> Witschge, Loes. “Las turbas: Who are Nicaragua’s pro-government armed groups?” *Al Jazeera News*, <https://www.aljazeera.com/features/2018/8/13/las-turbas-who-are-nicaraguas-pro-government-armed-groups>.

<sup>3</sup> “Facts on Social Security.” ILO, [https://www.ilo.org/wcmsp5/groups/public/---dgreports/--dcomm/documents/publication/wcms\\_067588.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/--dcomm/documents/publication/wcms_067588.pdf).

<sup>4</sup> “Constitution.” Merriam-Webster, <https://www.merriam-webster.com/dictionary/constitution>.

believed that, through unfair elections, the Sandinista party managed to gain almost all the seats in the country's congress, allowing Ortega to govern unopposed. To further ensure the protection of his party, Ortega managed to rebuild the judicial body, using judges willing to cooperate with him and who supported the regime. In fact, it was this corrupt justice system that reformed the relevant legislation, enabling Ortega to run for the third time in 2016. To achieve maximum efficiency of the state, Ortega again was able to win almost every mayoral election in Nicaragua. In attempts to impose his government across the country, he bought numerous major news agencies in Nicaragua, especially the ones expressing severe dissent.

In 2013, Ortega's government announced the plans for the construction of a huge inter-oceanic canal, uniting the Pacific Ocean and the Caribbean Sea and the Atlantic (figure 2)<sup>5</sup>. While at first the people seemed excited to undertake such a project, for it would offer thousands of jobs and millions in revenue, they opposed it after thorough investigation indicated that the canal would have extremely severe and long-term repercussions on local communities, properties and the environment. The



*Figure 2: The proposed canal*

construction was protested against intensely, and although the project was never completed, its pretense continued to be put to use by the government; the US asserted that the canal was an excuse to launder money and to acquire land, but these are mere accusations.

Nicaragua has always been known as the poorest country in the Caribbean and the second poorest in the Western Hemisphere. National and per capita GDP were, and are, surprisingly low, the distribution of wealth and income is extremely unequal, while poverty and unemployment rates remain very high. Lower social classes have worse living standards, as well as poorer access to healthcare institutions. Despite

<sup>5</sup> Shaer, Matthew. "A New Canal Through Central America Could Have Devastating Consequences." *Smithsonian Magazine*, The Smithsonian, December 2014, <https://www.smithsonianmag.com/science-nature/new-canal-through-central-america-could-have-devastating-consequences-180953394/>.

that, Nicaragua was also a rapidly developing state, with its GDP increasing by 4.5% in 2017. Such an augmentation, however, was unable to contribute to essential change.<sup>6</sup>

In 2018 Nicaraguan economy went into freefall. 25% of internal and 53% of external investment was lost. Estimates claim that approximately 200.000 jobs were lost, with at least half of them in the private sector. Tourist activity also fell by 77.5%, depriving Nicaragua of one of its most basic sources of income<sup>7</sup>. Ortega, who had built in the past a solid social security system that sustained large parts of the population due to adverse financial status of the state, was then forced to reduced state expenditure. The aforementioned social security system presented severe deficit, which tended to widen. As a result, in April 2018 he introduced a proposal for a new, reformed welfare package, which mainly touched upon matters of pension and social benefits. On the one hand, it reduced pensions, while also increasing contributions for employers and employees alike. On the other hand, the package included reduced overall social security benefits. This reform enraged mainly lower-income citizens, but also the business world, which refused to participate in relevant negotiations regarding necessary financial reforms in the country, even though in the past it served as a major ally for the Ortega government.

### The Protests

On April 18<sup>th</sup>, 2018, the day the Nicaraguan government approved the controversial bill regarding welfare reforms, a small demonstration occurred against it in Managua, the country's capital. The crisis erupted when this relatively small in size protest was violently crushed by one of the shock forces (grupos de choque). This time, images and live footage of the suppression were shared online and circulated all over Nicaragua and around the world in a few hours. Given the extremely delicate



*Figure 3: The people facing heavy police forces on the anniversary of the instigation of the protests*

<sup>6</sup> "Nicaragua." *The World Factbook*, Central Intelligence Agency, <https://www.cia.gov/the-world-factbook/countries/nicaragua/#people-and-society>.

<sup>7</sup> Selser, Gabriela. "Business Group: Nicaragua's economy in 'free fall'." *AP News*, Associated Press, April 25 2019, <https://apnews.com/article/929fd26244e54b478ce6ffb7b23f5ba6>.



stability of Nicaragua in 2018, people took to the streets almost immediately after the original crackdown. Within only 24 hours, the demonstrations became so intense than between the 18<sup>th</sup> and the 19<sup>th</sup> of April, three people lost their lives during the repression.

But the people were outraged to such an extent that the threat of powerful resistance by the police and the shock forces, which until then kept them to a certain extent at bay, was ignored. It sparked protests all over, demanding that the government take back the new social security plan. The size and the frequency of demonstrations, as well as its aggressive character, led Ortega to enlist the military to further suppress opposition voices, while it suspected that he also has a lot of influence in the shock groups. In fact, the latter have been engaging in illegal and violent activities since the outbreak of the crisis.

Initially, the main demand was to retract the new social security bill. Protesters stood by this request in multiple circumstances and despite intense crackdown. Eventually, Ortega decided to accede and took the new bill back, on April 22<sup>nd</sup>. This action was not successful, however, as intense protests not only continued but seemed to also escalate. The demands had been extended. They were now protesting against Ortega himself, asking that he resign immediately. Trust and will of cooperation with the government had been lost. They were protesting against the plans to build the inter-oceanic canal, to which Ortega was clinging, even though it had been concluded that the project would do more harm than good. In addition, they were protesting against the restriction of free speech in Nicaragua, the tampered elections, the hampering of political opponents and of course, the consolidation of power with his wife, Rosa Murillo, elected as vice-president in 2016, in elections of doubtful character.



**Figure 4: Heavily armed police forces seen pointing their rifles to protesters**

This crisis posed a serious threat on the stability of Ortega's regime. At first, however, they maintained that the new social security bill was being drafted in order to protect the Nicaraguan Social Security Institute, which

would otherwise not have any liquid assets by 2019. After scrapping the reform, he

proclaimed that the government “must re-establish order, [it] will not allow chaos, crime and looting to reign.”<sup>8</sup> In the meantime, he cut off 3 TV channels that were covering the protests, in attempts to limit the flow of information. Ortega called the demonstrators “terrorists,” thus maximizing his attempts to suppress them, by enlisting heavy police forces and military. They were often seen putting roadblocks in place – as the protesters had also done – while also using large quantities of teargas, extreme violence, and live bullets, as many claim (figure 4)<sup>9</sup>. The more violent the response was, however, the more footage of the crackdown circulated online, causing even more fury amongst citizens.

Pro-government groups, the grupos de choque, occupy a pivotal role in the suppression of demonstrations. They are often seen, not only assisting the police during the most violent confrontations, but they also carry out the most severe acts of violence against protestors. They frequently carry out offensive raids in mostly anti-government neighborhoods and similar “clean-up” operations. In July 2018, more than 200 university students were - by force and use of live ammunition - ousted from the National Autonomous University of Nicaragua in Managua, where they had barricaded themselves. They found refuge in a nearby church, where soon after pro-



*Figure 5: Pro-government group while occupying Monimbo, Masaya on July 2018<sup>9</sup>*

government groups trapped them for more than 16 hours, again threatening to use gunfire. Though the students were released, 2 people died that night. These armed forces have been seen carrying symbols of the FSLN, but the government has denied every accusation of involvement. The Inter-American Commission on Human Rights has officially stated that in an instance of clean-up operation in the city of Masaya, the police and parapolice would “coordinate their actions to perpetrate violence, repress, harass and persecute civilians as well as to remove [barricades].”<sup>10</sup>

<sup>8</sup> “Nicaragua Unrest: What you should know.” *Al Jazeera News*, Al Jazeera, 17 July 2018, <https://www.aljazeera.com/news/2018/7/17/nicaragua-unrest-what-you-should-know>.

<sup>9</sup> “The photos that explain Nicaragua’s crisis.” *BBC News*, BBC, May 29<sup>th</sup> 2018, <https://www.bbc.com/news/world-latin-america-44287034>.

<sup>10</sup> Witschge, Loes. “Las turbas: Who are Nicaragua’s pro-government armed groups?” *Al Jazeera News*, Al Jazeera, August 13<sup>th</sup> 2018, <https://www.aljazeera.com/features/2018/8/13/las-turbas-who-are-nicaraguas-pro-government-armed-groups>.

This crisis that started in 2018 and is still ongoing, has devastated Nicaragua. Until May 31<sup>st</sup>, 2020, at least 328 people lost their lives. More than 2,000 people have been injured, many of them gravely. Among them, 24 were under 18 years old, and 21 of them were police officers. More than 80 individuals remain political prisoners in Nicaragua, while more than 90 journalists, mostly opposing Ortega, have been forcibly exiled from the country. 103,000 Nicaraguans have fled the country to find refuge in neighboring states, with Costa Rica receiving at least 29,500 asylum petitions, while more than 26,000 petitions are still being processed. These large immigration flows, which are expected to rise in the future – with approximately 70% of Nicaraguan youth dreaming of migration – will probably bring about intense de-stabilization in the region.

### **Human Rights' Abuses**

While even before 2018 Nicaragua was not known for its high human rights status, such violations have become especially pronounced since the 2018 crisis.

Primarily, the crackdown on any kind of opposition has been truly intense. The government often attempted to silence media covering the demonstrations, either by buying them off, or by ordering their closure. In addition, during the actual protests, the IACHR reports that hundreds of citizens were arbitrarily arrested, many of whom were tortured. It reports statements of electric shocks, beatings, asphyxiation, rape and fingernail removal. At time, the arrested were deprived of fundamental judicial rights.

Human rights activists and lawyers have also been targeted. Some have been illegally arrested, while others have been receiving death threats, assault and surveillance. NGO's have had a quite similar treatment, with the commander-in-chief of Nicaragua claiming that they are "coup-plotters who have violated the laws of the republic."<sup>11</sup> In fact, the country's Congress decided to cease the legal recognition of nine NGO's, leading them to closure. Members of the Catholic priesthood in Nicaragua, who, at the urge of the Pope himself, have been active in attempts to conflict resolution, have experienced similar behaviors, with priests receiving threats and intimidations. At the moment, it is suspected that there are hundreds of political prisoners held in institution that are not respectful to human rights related to incarceration.

It is important to not that Ortega has expelled representatives of the Human Rights Council, the Office of the High Commissioner for Human Rights, the OAS, the IACHR, and the latter's relevant mechanisms, namely the Special Monitoring

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<sup>11</sup> "Nicaragua: Events of 2019." Human Rights Watch, 2020, <https://www.hrw.org/world-report/2020/country-chapters/nicaragua#>.



Mechanism for Nicaragua (MESENI) and the Interdisciplinary Group of Independent Experts (GIEI).

## **MAJOR COUNTRIES AND ORGANISATIONS INVOLVED**

### **United States of America**

The United States have been very vocal regarding Ortega's governance, and tensions between the two countries have escalated since President Trump acceded to power. The latter went as far to claim that the plans for the construction of the inter-oceanic canal was a pretense for money laundering, on behalf of Ortega. In addition, in October 2019, the US Treasury Department issues sanctions on Nicaragua, and also sanctioned several individuals and companies, including Ortega's son and his company, suspected to be involved in drug trafficking.

### **Russian Federation**

The Russian Federation has held a more reserved stance when it comes to the matter of Nicaragua. In the Security Council debate, Russia endorsed a neutral stance, and stressed that any form of intervention in such internal matters would violate Nicaragua's sovereignty.

### **United Kingdom**

The UK has also sided with the protesters, condemning Ortega and his practices, and sanctioning numerous high-standing officials of the Nicaraguan state and freezing all of their assets in the country.

### **The Government**

Ortega's government continues to oppose and dismiss all allegations made by protesters. It also maintains that the latter are nothing more than terrorists, and have been utilizing the respective means to fight them. The 2016 Ortega administration is set to run for re-election in 2021, although it is generally expected that the elections will be rigged.

### **The Protesters**

The protesters are officially represented by the Civic Alliance for Justice and Democracy, which was created to participate in the Church-mediated dialogue. The protesters are a diverse group, with members from every social class, age and

profession. Currently, their main request is “reviewing Nicaragua’s political system from the ground up to achieve authentic democracy”<sup>12</sup>.

### Organization of American States (OAS)

OAS and its human rights organ IACHR have been vocal about the issue, and monitor the status in Nicaragua very closely. They have been strongly critical of the government’s behavior towards the protesters, the status of human rights, and the democratic character of the state, frequently expressing their doubts about the corruption there.

### UN Human Rights Council (HRC)

The HRC discuss the matter of Nicaragua annually, and expresses its support for the demonstrators. It also criticizes the excessive use of violence and the repression of dissent that is taking place in Nicaragua. It has also delegated the Office of the High Commissioner for Human Rights to observe the situation and report to the Council annually.

### Catholic Church

The Church has been the leader in any kind of mediation attempts. As a frontrunner for stability, peace and safety, Nicaraguan bishops, as well as the Pope himself, have called for the cessation of the conflict, avoiding however, to explicitly position themselves.

## TIMELINE OF EVENTS

Date	Description of event
2016	Ortega wins his third election in a row
18 April 2018	The government announces the reform package, instigating uproar and protests
22 April 2018	Ortega scraps the announced reform
16 May 2018	The Catholic Church begins mediating dialogue
21 May 2018	Talks are suspended for the first time, as Ortega dismisses early elections
31 August 2018	UN Human rights mission expelled from Nicaragua

<sup>12</sup> Civic Alliance for Justice and Democracy, <https://www.alianzacicivanicaragua.com/about-us/>.

5 September 2018	The issue is brought before the UNSC, dividing the house and impeding any actions
22 February 2019	UN condemns the crackdown on dissent by the government

## RELEVANT RESOLUTIONS, TREATIES AND EVENTS

### UNSC Discussion

On September 5<sup>th</sup> 2018, the issue of the instability in Nicaragua was brought before the council for discussion. The council was convened by the US Representative in the UNSC. The house was seriously divided on the issue, with one side claiming that the SC ought to intervene in order to ensure the safety and security of the people, while the opposing side claimed that any intervention would encroach upon the nation's sovereignty. No actions were eventually taken.

### OAS GA resolution on October 21<sup>st</sup> 2020

The most recent assembly of the OAS GA has produced a resolution that is strongly critical of Nicaragua's stance, and is mainly focusing on free and fair elections, as the means to restore democracy and respect for human rights.

### Human Rights Council RES 43/2

The Human Rights Council (HRC) in its 43<sup>rd</sup> session in 2020 attempted to address the issue of Nicaragua, as it has been doing since the instigation of the crisis.

## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

### Church-led negotiations

The Catholic Church has been perhaps the only major figure to intensely attempt to restore order in Nicaragua. Soon after the eruption of the 2018 protests, the Church started brokering peace talks between the two parties, which was endorsed by the Pope and the USA, but after several days of failed negotiation attempts, they were suspended. It is, however, important to underscore that the attempts at negotiations have been numerous, with them being suspended whenever they reach a dead-end. The Church continues to intervene in order to restore order, despite the threats that bishops receive.

### Special Monitoring Mechanism for Nicaragua (MESENI)

In June 2018 the Inter-American Commission on Human Rights (IACHR), an organ of the OAS, decided to install the Special Monitoring Mechanism for Nicaragua, aiming at monitoring the status of the crisis, with a special focus on human rights. Six months later, however, Ortega's government "temporarily" suspended MESENI's and IACHR's operations in Nicaragua and banished the two from the country. These organs continue to remain actively seized upon the matter, even without their local presence.

## **POSSIBLE SOLUTIONS**

### **Financial Rehabilitation**

Nicaragua's perhaps most crucial matter at this point, is its grave financial status, which has been deteriorated by troubling instability that the protests have caused. Formulating strategic economic, investment and developmental plans is very important to the future of the country. Attracting foreign investors, creating more job opportunities and generally improving the quality of life in Nicaragua could reverse the economic problems that led to this situation in the first place. Regional and international cooperation, with states as well as with organizations such as the World Bank or the International Monetary Fund (IMF) could be prudent. Through such cooperation, trade and other sources of income for Nicaragua should be further developed, whilst not forgetting the need for the creation of a new, more just social security system. The utter goal of every advisory intervention, cooperation and plan must be to find financial solutions that can satisfy both government and people, essentially providing reasons for the cessation of the protests.

### **Monitoring of Human Rights**

Equally troubling is the status of human rights, considering the multiple reports of dire human rights violations since 2018. The Nicaraguan government ought to not only comply with the international law stipulations on human rights, but also re-establish its relationship with the UN and OAS and specifically with their respective human rights organs. The Security Council reserves the right to intervene in any ways necessary to ensure compliance.

### **Electoral Transparency**

Ortega's and Murillo's terms are set to expire in November 2021, and elections are to be held then, since Ortega has ruled out any chance of stepping down in favor of new elections before that time. Therefore, a possible solution would be to ensure that the upcoming elections are fair, given that many voices express concerns over the integrity of the last two elections in Nicaragua. That could possibly entail foreign

officials or organizations monitoring the electoral procedure and count, and certifying the integrity of the process.

### Attempts at Negotiation and Peacekeeping

The National Dialogue should re-open as soon as possible, in order to establish communication channels that will allow for a more peaceful conflict resolution. The Church can continue to mediate, assisted by highly trained UN mediators. In order for such negotiations to be as productive as possible, both sides should be discouraged from following the maximalist policy they have both been using thus far. In the meantime, lethal or harmful clashes between protesters and police or para-militias, must be ceased, while the UN can also provide assistance in such matters.

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