



Photo credit: Protest in Nicaragua against the government: Shutterstock, Riderfoot, May 2018.



The United Nations and Nicaragua: Opportunities and Risks

By William Vigil

“Efforts to build and sustain peace are necessary not only once conflict has broken out, but long beforehand through preventing conflict and addressing its root causes. We (the U.N.) must work better together across the peace continuum, focusing on all the dimensions of conflict.”

*António Guterres
UN Secretary General*

Nicaragua is experiencing yet another critical period. Since the outbreak of massive protests against the government of President Daniel Ortega in April 2018, domestic efforts to democratize the country have resulted in over 350 deaths, thousands of wounded, mass arbitrary arrests, and exile for nearly 100,000 persons who have fled for their safety. National opposition organizations continue attempts to foster a peaceful democratic opening, rejecting a return to past armed conflict that has characterized Nicaragua’s history. Nevertheless, ongoing government repression and rejection of proposed electoral reforms make the idea of clean and fair national elections in November 2021 seem ever more remote. Despite its prominent role in recent Nicaraguan history, the United Nations (UN) has maintained a low profile since



Photo credit: Portrait of President Daniel Ortega in Belen, Nicaragua: Shutterstock, Barna Tanko, April 2015.

the April 2018 events, with the exception of the outspoken position of the UN's Office for Human Rights.¹ Now, however, the UN has an opportunity and the ability to contribute to a peaceful resolution of Nicaragua's multi-faceted political, economic, and humanitarian crisis.

Following the April 2018 unrest and harsh government response, the United States, Canada, the European Union, and several Latin American countries were quick to condemn the Nicaraguan regime. Since then, the United States and other democratic countries have sanctioned several Nicaraguan officials and called for a negotiated solution to the crisis.² More recently, in June 2020 Switzerland joined the list of countries issuing sanctions.³ International human rights bodies such as the Inter-American Commission on Human Rights (IACHR) and the United Nations' Office of the High Commissioner for Human Rights (UNHCHR) have played leading roles in extensively documenting human rights violations by the Ortega government.⁴ International financial institutions such as the IMF, World Bank, and Inter-American Development Bank have significantly reduced their engagement with the Nicaraguan government. A notable exception is the Central American Bank for Economic Integration (BCIE in Spanish), which has continued disbursing loans to the government.

The 2018 events caught the UN in a weak position in Nicaragua because of the regime's hostility to the international body. In October 2015, the Ortega government expelled the UN Resident Coordinator in Nicaragua, the most senior UN official in the country, alleging that she was engaged in a "campaign" damaging to the country.⁵ The position has remained vacant since, severely weakening the UN's oversight functions and political presence in the country. Shortly thereafter, the UN Development Program (UNDP) was banned from the country and in August 2019, the UNHCHR was abruptly

forced to leave Nicaragua after it released a critical report blaming the government for the violent repression of protestors.

The eruption of COVID-19 in Nicaragua has brought yet another dimension to the country's crisis. Since the early signs of the pandemic surfaced, the Ortega government has been negligent in recognizing the threat posed by the virus. Instead, the regime has gained international notoriety because of its lax preventive measures: rather than dissuading mass gatherings, enacting stay-at-home orders and/or imposing travel bans on visitors from high-risk countries, the government continues to promote sporting events, food festivals, beauty pageants, and other large gatherings. The government has been secretive in its handling of all COVID-19 matters, including information on the number of cases, testing, and deaths. The onset of COVID-19, coupled with the country's frail economy and the Ortega regime's poor track record in safeguarding lives, offers a further negative outlook for the country— Nicaragua is fast bordering on a humanitarian crisis.⁶

To date, the Nicaraguan public and most opposition organizations have and continue to be generally skeptical of the UN's ability to help resolve the crisis that started in April 2018.⁷ As a result, they have focused their efforts on the OAS, working closely with Secretary General Luis Almagro and regional government representatives who have been outspoken in their condemnation of the Ortega regime. The OAS has been actively involved with Nicaragua since the late 1970s, when it demanded the removal of the Somoza regime; in subsequent decades, the OAS monitored several elections starting in 1990, and assisted in the demobilization of the *contra rebels, who fought the regime in the 1980s with the support of the United States*.⁸

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The hope of many is that the OAS will take a forceful role in promoting the conditions for free and fair national elections in 2021, when Nicaragua's next presidential elections are scheduled to take place.⁹ On June 24, 2020, Secretary Almagro referred to an OAS November 2019 report¹⁰ that labeled actions by the Ortega regime as undemocratic under Article 20 of the OAS Charter, suggesting that the regime could face OAS sanctions. That said, some remain skeptical of what OAS actions or sanctions could produce. For example, the expulsion of Cuba and the sidelining of Nicolás Maduro's Venezuela has done little to promote democratic reforms and advance human rights in those countries.



Photo credit: Somos la Voz march: Flickr, Jorge Mejía Peralta, September 2018.

The Way Forward

The Nicaraguan crisis demands a continued, coordinated, and coherent effort by the international community. OAS efforts would need to be further complemented by an active role of the UN and international financial institutions, in addition to bilateral actions.¹¹ To encourage the international community to play a more prominent role, particularly regarding the COVID-19 situation in Nicaragua, a coalition of the country's main opposition groups, the *Coalición Nacional* (National Coalition), proposed in early June 2020 that an envoy of the UN Secretary General be appointed for Nicaragua. This proposal warrants serious consideration and support by the UN and the international community in general.

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With respect to the pandemic, a UN special envoy could remind the Nicaraguan government of its responsibilities to safeguard the health of its population and offer further assistance to control the spread of disease. Currently, the number of persons affected by COVID-19 in Nicaragua is estimated to be higher than the combined numbers of the rest of Central America. Neighboring Costa Rica, where hundreds of thousands of Nicaraguans have migrated over decades, has expressed concerns over

this. Consequently, Costa Rica is now receiving UN assistance to contain COVID-19 expansion on its northern border with Nicaragua.

The UN has a long history of involvement in Latin America. It supported several initiatives to end civil conflict in Central America in the 1980s and to observe elections in the early 1990s. For the 1990 Nicaraguan elections, Secretary General Javier Pérez de Cuéllar appointed Mr. Elliot Richardson as UN Special Representative in parallel to the deployment of a UN mission.¹² This was followed by the UN Mission for Central America,¹³ as well as missions to oversee the implementation of the peace accords in El Salvador and in Guatemala.¹⁴ More recent examples are several missions in Haiti between 2004 and 2019,¹⁵ the International Commission against Impunity in Guatemala 2007-19,¹⁶ and the Verification Mission in Colombia (2017 to present).¹⁷ The UN Secretary General has also appointed envoys for Haiti, Bolivia, and the Venezuelan refugee crisis.¹⁸

Against such a backdrop, a central question has emerged: what can a UN special envoy do in the current Nicaraguan situation? Given the UN's mandate in sustaining peace,¹⁹ it makes sense to consider a role in two distinct stages: in the current, pre-electoral period and in the post-electoral period. Here are suggestions for both, linking the humanitarian and human rights spheres:

- a. Raise the alarm over the human rights violations in Nicaragua, facilitate the return of the UNHCHR to the country, and push for the release of political prisoners;
- b. Support negotiations (direct or indirect) within Nicaragua that would lead to free and fair elections, offer technical assistance, and support international observation of the 2021 elections;
- c. Propose and facilitate the arrival of a new UN Resident Coordinator to revitalize and strengthen the role of the UN leadership within the country;
- d. Foster further humanitarian support for Nicaragua and Nicaraguan refugees in Costa Rica.²⁰

Most opposition organizations accept the notion that current political efforts in the country should concentrate on guaranteeing the conditions for free and fair elections in 2021. Yet pragmatists should also consider a role for the United Nations in post-electoral, "day-after" scenarios. In this regard, a special UN envoy could also facilitate a joint approach within the UN system regarding the organizations' short- and long-term roles in Nicaragua.

The UN has an exceptional opportunity to help Nicaragua overcome its deep polarization, authoritarianism, and economic decline. Contributions can take place during a post-electoral transition period by supporting the plight of victims of human

rights violations and fostering a transitional justice process. Other key areas could include dealing with the illegal parapolice forces; restructuring the national police; advising on reforms of the armed forces; and promoting an emergency socio-economic assistance plan for those affected by the political, economic, and COVID-19 crises.²¹

In line with the UN-established Peace Building Commission,²² this support could also include bringing together relevant international stakeholders to marshal resources and advise on integrated strategies for the promotion of social and economic recovery; and institution-building and support for the development of integrated strategies to lay the foundation for sustainable development.

Appointing a special UN envoy is not without risks. The regime will surely try to manipulate any expanded UN role and avoid serious concessions. And geopolitics, as evident in the September 2018 UN Security Council meeting, can thwart the effort to show unity among democratic nations in and outside the Western Hemisphere; during that meeting, the United States, Costa Rica, and the United Kingdom were critical of the Ortega regime, while Russia and China questioned the role of the Council in the internal affairs of a sovereign country.²³ However, avoiding an expanded role for the UN while maintaining the current status quo in Nicaragua, or conditioning additional involvement to a government invitation, may lead many to question the UN's relevance and even commitment to supporting peace and economic recovery in the country.

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Nicaragua presents a unique opportunity for the UN to make a difference and uphold the following statement by the UN Secretary General: *“Efforts to build and sustain peace are necessary not only once conflict has broken out, but long beforehand through preventing conflict and addressing its root causes. We (the U.N.) must work better together across the peace continuum, focusing on all the dimensions of conflict.”*²⁴

About the Author

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Sources

¹ United Nations' Office of the High Commissioner for Human Rights (UNHCHR).

² As of June 24, 2020, 31 countries have imposed sanctions on Nicaraguan officials: the European Union (consisting of 27 countries), Canada, Switzerland, the United Kingdom, and the United States. The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) has sanctioned several top Nicaraguan officials, including Vice-President Rosario Murillo, the head of the Nicaraguan armed forces, the head of the Nicaraguan National Police, the Minister of Health, as well as the National Police as an institution and several regime-related private sector enterprises. See: www.home.treasury.gov/news/press-releases/sm1019; <https://home.treasury.gov/news/press-releases/sm854>; and www.hrw.org/news/2020/05/10/eu-uk-sanction-top-nicaraguan-officials.

EU sanctions consist of a travel ban to the EU and an asset freeze for specified persons, and an asset freeze for several entities. In addition, EU persons and entities are forbidden from making funds available to those listed. The complete note appears at: www.consilium.europa.eu/en/press/press-releases/2019/10/14/nicaragua-eu-adopts-conclusions-and-a-framework-for-targeted-sanctions/#.

³ As noted by the Swiss government, "On June 24, 2020, the Federal Council decided to impose coercive measures in response to the current situation in Nicaragua. Switzerland is therefore joining the European Union in imposing sanctions on Nicaragua due to ongoing violations against human rights, democracy, and the rule of law. The corresponding ordinance will come into force on 24 June." www.admin.ch/gov/en/start/documentation/media-releases.msg-id-79575.html#:~:text=Switzerland%20is%20therefore%20joining%20the.and%20the%20rule%20of%20law.&text=With%20its%20Ordinance%20of%2024.to%20the%20situation%20in%20Nicaragua.

⁴ CIDH Boletín MESENI Octubre-Noviembre 2019, www.oas.org/es/cidh/actividades/visitas/2018Nicaragua/Boletin-MESENI-OctoberNovember2019.pdf; and www.oacnudh.org/wp-content/uploads/2020/06/Nicaragua-Bulletin-N.-16-April-May-2020-REV1.pdf

⁵ Carlos F. Chamorro, "Ortega Acusa al PNUD de 'Injerencia Política,'" *Confidencial*, February 16, 2016, <https://confidencial.com.ni/ortega-acusa-a-pnud-de-injerencia-politica/>.

⁶ Press conference of PAHO Executive Director and Emergency Operations Director, May 26, 2020. https://apnews.com/c7100f6fe20d17930569a698ec62a30a?utm_medium=AP_Noticias&utm_source=Twitter&utm_campaign=SocialFlow.

⁷ In response to the government's poor handling of the pandemic, members of Nicaragua's political opposition, including several civil society organizations, have been particularly critical of the Pan American Health Organization (PAHO)—the World Health Organization's body for the Americas—because of its initial failure to question (at least publicly) the government's lax handling of the pandemic. Only in late May did PAHO raise concerns on this matter, but there is hope that PAHO will play a more active and constructive role in the coming months to safeguard the health of Nicaraguans.

⁸ The Comisión Internacional de Apoyo y Verificación (CIAV) played a key role observing the 1990 elections, with the support of OAS Secretary General João Baena Soares, as well as in the demobilization of the contras and subsequent demining efforts (AG/Res 1342 XXV-0/95).

⁹ On June 24, 2020, at an OAS Permanent Council meeting to discuss the situation in Nicaragua, Secretary Almagro referred to the OAS's November 2019 report that found the actions by President Daniel Ortega's government to be undemocratic under Article 20 of the OAS Democratic Charter. Almagro's announcement suggests the Nicaraguan government is one step closer to facing sanctions from the OAS, including the suspension or termination of its member state status.

¹⁰ The OAS High Level Commission on Nicaragua ('the Commission') was created to carry diplomatic efforts to seek a peaceful and effective solution to the political and social crisis in Nicaragua and to submit a report; the Commission included representatives of Argentina, Canada, Jamaica, Paraguay, and the United States. See the full report: www.oas.org/en/media_center/press_release.asp?sCodigo=E-105/19.

¹¹ Some observers indicate that before demanding a united international front, the Nicaraguan opposition should present clear evidence of unity against the Ortega regime.

¹² The mandate of the UN mission for Verification (ONUVEN) was to verify the electoral process. Nicaragua was one of the first countries in which the UN was involved in an electoral process.

¹³ UN Mission for Central America (ONUCA).

¹⁴ United Nations Observer Mission to El Salvador (MINUSAL) 1991-95 and the United Nations Mission in El Salvador (ONUSAL), 1995-96 and the Military Observer Group of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), 1999-2003

¹⁵ United Nations Mission for Stabilization for Haiti (MINUSTAH)'s mandate was to restore a secure and stable environment, to promote the political process, to strengthen Haiti's government institutions and rule-of-law-structures, as well as to promote and protect human rights.

¹⁶ Guatemala's CICIG.

¹⁷ In July 2017, by its resolution 2366 (2017), the Security Council established the UN Colombia Verification Mission. On September 14, 2017, the Security Council adopted Resolution 2377 in which it welcomed the recommendations submitted to the Security Council on August 30, 2017. The resolution specifies that the Verification Mission should verify implementation by the government of Colombia and FARC-EP of sections 3.2 and 3.4 of the Final Peace Agreement. Including the political, economic, and social reintegration of FARC-EP and the implementation of personal and collective security guarantees and of comprehensive programs on security and protection measures for communities and organizations in the territories, as well as carrying out the required regional and local verification.

¹⁸ On June 20, 2017, Ms. Josette Sheeran (Haiti); Bill Clinton was a previous Secretary General's Envoy to Haiti; September 20, 2018 Mr. Eduardo Stein (Venezuela migrants); November 14, 2019, Mr. Jean Arnault (Bolivia).

¹⁹ Security Council S/PRST/2001/15 and the following 2007 Policy Committee decision that defined peacebuilding as aiming to prevent the outbreak, the recurrence, or the continuation of armed conflict. This position was reaffirmed in resolutions A/RES/70/262 and S/RES/2282 in the preamble, when it states that "sustaining peace encompasses activities aimed at preventing the outbreak, escalation, continuation and recurrence of conflict." Sustaining peace should in practical terms not be distinguished from peacebuilding. It does not imply any redefinition of respective roles, responsibilities, or mandates of UN entities. Both sustaining peace and peacebuilding are ultimately intended to reduce the risk of lapse or relapse into violent conflict. See: www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/guidance-on-sustaining-peace.170117.final_.pdf

²⁰ The present humanitarian support provided by the United Nations to Venezuela can be used as a point of reference.

²¹ Nicaragua's economy contracted 10 percent in the last two years (since the April 2018 events), and is expected to continue its decline due to the ongoing socio-political crisis. The COVID-19 impact could hasten the economy's collapse, according to the Nicaraguan Foundation for Economic and Social Development (FUNIDES), in its report on the economic impact of COVID-19 in Nicaragua;" <https://funides.com/notas-informativas/impacto-economico-del-covid-19-en-nicaragua/>.

²² The UN Security Council (S/RES/1645 2005) has established a Peacebuilding Commission to:
" (a) To bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery;
 (b) To focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to support the development of integrated strategies in order to lay the foundation for sustainable development;
 (c) To provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing for early recovery activities and to extend the period of attention given by the international community to postconflict recovery."

²³ September 2018 Security Council discussion. See: www.un.org/press/en/2018/sc13483.doc.htm.

²⁴ See: www.un.org/peacebuilding/.

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