
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 87/2021**

Precautionary Measures Nos. 568-20, 569-20, 639-20, 232-21, 557-21, 550-21, 570-21, and 662-21

Danelia Valenzuela Castro *et al.* regarding Nicaragua

November 5, 2021

Original: Spanish

I. INTRODUCTION

1. Between June 2020 and July 2021, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received eight requests for precautionary measures¹ filed by the Human Rights Collective Nicaragua Never Again (*Colectivo de Derechos Humanos Nicaragua Nunca Más*), and by Jeffer Joaquín Chavarría Alonso (“the applicants”), urging the Commission to require that the State of Nicaragua (“the State” or “Nicaragua”) adopt the necessary measures to protect the rights to life and personal integrity of Danelia Valenzuela Castro, Nolvía María Rodríguez Cerrato, Luis Manuel Marchena Bográn, Marcos Arturo Herrera Beltrán, Jaime Isabel Maradiaga Maradiaga, Mayling Mariela Naira Moncada, Mathil Alexander Pérez Amador, Roger Alexander Espinoza Méndez, Joel Noé Blandón Villagra, and their respective nuclear families, Leónidas Cruz Cano, and Juan Abelardo Mata Guevara. According to the applicants, the persons proposed as beneficiaries are being subjected to acts of violence, harassment, threats, and intimidation by state and parastatal authorities for being identified or perceived as opponents of the current Nicaraguan government.

2. Under the terms of Article 25(5) of its Rules of Procedure, in relation to PM 568-20 and PM 639-20, the IACHR requested information from the applicants on August 31, 2020, who submitted the required information on September 1 and 5, 2020, and June 11, 2021. Subsequently, the Commission requested information from the State on August 16, 2021, who provided the information requested on September 1, 2021 in relation to PM 568-20; however, no response has been received from the State in relation to the PM 639-20. Regarding PM 569-20, the IACHR requested information from both parties on July 2, 2020, receiving information from the applicants on July 11, 2020, and June 11, 2021. The required information was not received from the State. Regarding PM-232-21, the IACHR requested information from the State and the applicants on March 24, 2021. The State submitted the required information on March 30, 2021, while the applicants provided information on March 29 and April 9, 2021. Subsequently, the Commission again requested information from the State on April 28, 2021, which provided it on June 1, 2021. The applicants sent additional

¹ **PM-568-20** was filed on June 17, 2020, in favor of Danelia Valenzuela Castro, her nuclear family [Daniel Antonio Llorente Valenzuela (son, 22 years old), Bianca Daniela Llorente Valenzuela (daughter, 21 years old), and Norvin Napoleón Llorente Valenzuela (son, 19 years old)], and Leónidas Cruz Cano as part of the Human Rights Collective Nicaragua Never Again. **PM-569-20** was filed on June 17, 2020, in favor of Nolvía María Rodríguez Cerrato, Luis Manuel Marchena Bográn, and their nuclear families by the Human Rights Collective Nicaragua Never Again. **PM-639-20** was filed on July 7, 2020, in favor of Marco Arturo Herrera Beltrán and his nuclear family [Mayra Molina Blandón (wife), Mayra Alejandra Herrera Molina (daughter, 23 years old), A.A.H.M. (son, 13 years old) and I.T.H.M. (daughter, 11 years old)] by the Human Rights Collective Never Again. **PM-232-21** was filed on March 17, 2021, in favor of Jaime Isabel Maradiaga Maradiaga and his nuclear family [Augusto Maradiaga (father), Melida Arcenia González Olivera (wife), J.M. (daughter), N.I.M. (daughter), H.M. (son), and H.E.M. (son)] by the Human Rights Collective Nicaragua Never Again. On April 9, 2021, the inclusion of Mayling Mariela Naira Moncada and her nuclear family [José Ramón Naira Vallecillo (father), Maira Nohemí Moncada Zavala (mother), J.M.J.N. (daughter), H.E.M.N. (son), J.U.P.N. (son), Edwin Ramón Naira Moncada (brother), Francis Maryeli Lagos Cáceres (sister-in-law)] in the request for precautionary measures. **PM 550-21** was filed on June 16, 2021, in favor of Roger Alexander Espinoza Méndez and his nuclear family [Linette Méndez (mother), Aníbal Antonio Espinoza Méndez (brother, 22 years old), K.E.E.M. (brother, 13 years old), and daughter (3 years old)] by the Collective Nicaragua Never Again. **PM 557-21** was filed on June 18, 2021, in favor of Mathil Alexander Pérez Amador and his nuclear family [Cristiana María Huerta Lazo (wife) and Kevin Pérez (son)] by the Human Rights Collective Nicaragua Never Again. **PM 570-21** was filed on June 22, 2021, in favor of Juan Abelardo Mata Guevara, by Jeffer Joaquín Chavarría Alonso. **PM 662-21** was filed on July 21, 2021, in favor of Joel Noé Blandón Villagra and his nuclear family [José Blandón (father) and Yader Blandón (brother)] by the Human Rights Collective Nicaragua Never Again.

information on May 13 and August 6, 2021. Regarding PM 550-21, the Commission requested information from the applicants on August 17, 2021, receiving a response on August 20, 2021. Similarly, the Commission requested information from the State on October 4, 2021, receiving a response on October 5, 2021. The applicants submitted additional information on October 12, 2021. Regarding PM 557-21, the Commission requested information from both parties on July 14, 2021. The applicants sent the required information on July 20 and August 18, 2021, while the State sent its response on July 21, 2021. Regarding PM 570-21, the Commission requested information from both parties on July 14, 2021, and received a response from the State on July 21, 2021, and from the applicants on August 4, 2021. The Commission requested information from both parties on September 21, 2021, regarding PM 662-21, and the applicants submitted their information on September 28. The Commission reiterated the request for information to the State on October 12, 2021, and the State sent its information on October 14, 2021.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that the information presented shows *prima facie* that the identified persons are in a serious and urgent situation, given that their rights to life and personal integrity are at risk of irreparable harm. Therefore, it requests that Nicaragua: a) adopt the necessary measures to protect the rights to life and personal integrity of the identified persons. To this end, the State must both ensure that state actors respect the life and personal integrity of the beneficiaries, and protect their rights in relation to acts of risk attributable to third parties, in accordance with the standards established by international human rights law and incorporating a gender approach; b) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and d) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

II. BACKGROUND INFORMATION

4. Between May 17 and 21, 2018, the Commission visited Nicaragua and collected numerous testimonies on human rights violations committed in the framework of protests that began the previous month. Subsequently, on June 21, 2018, the IACHR published a report on the serious human rights situation in the country.² In order to follow up on the recommendations issued in this report, the Special Monitoring Mechanism for Nicaragua (MESENI) was created, which remained in the country until the State suspended its presence on December 19, 2018.³ For its part, the Interdisciplinary Group of Independent Experts (GIEI, for its Spanish acronym) for Nicaragua issued a report that analyzed the events that took place between April 18 and May 30, 2018, confirming the IACHR findings.⁴ In its Annual Report 2018, the IACHR included Nicaragua in Chapter IV.B, in accordance with the grounds established in its Rules of Procedure.⁵

5. During 2019, the Commission continued to condemn the ongoing acts of persecution, urging the State to comply with its obligations in matters related to human rights.⁶ In June, the State passed a Comprehensive Care for Victims Act and an Amnesty Law, both of which drew criticism for not complying with the international

² IACHR. [Gross Human Rights Violations in the Context of Social Protests in Nicaragua](#) OEA/Ser.L/V/II. Doc. 86. June 21, 2018, para. 1.

³ IACHR. [Press Release No. 135/18](#). IACHR Launches Special Monitoring Mechanism for Nicaragua (MESENI). June 24, 2018; IACHR. [Press Release No. 274/18](#). Press Release about Nicaragua. December 19, 2018. See also: IACHR. [Press Release No. 113/20](#). Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them. May 16, 2020.

⁴ Interdisciplinary Group of Independent Experts (GIEI) for Nicaragua. [Report on the acts of violence that occurred between April 18 and May 30, 2018](#). December 2018.

⁵ IACHR. [Annual Report 2018. Chapter IV.B Nicaragua](#).

⁶ See in this regard: IACHR. [Press Release No. 6/19](#). IACHR denounces the weakening of the rule of law in the face of serious human rights violations and crimes against humanity in Nicaragua. January 10, 2019; IACHR. [Press Release No. 26/19](#). IACHR Condemns Increasing Attacks on the Press and Ongoing Human Rights Violations in Nicaragua. February 6, 2019; IACHR. [Press Release No. 90/19](#). IACHR Condemns Continuing Acts of Repression in Nicaragua during Negotiating Table Talks. April 5, 2019.

standards in matters of truth, justice, reparation, and guarantees of non-repetition.⁷ In September 2019, the IACHR reported an increase in harassment against human rights defenders and persons who, despite having been released from prison, continued to be intimidated.⁸ Similarly, in November, the Commission once again called attention to the ongoing repression, noting that “[...] in addition to the closure of democratic spaces that currently characterizes the human rights crisis in Nicaragua, the families of people who have been deprived of their freedom during this crisis are increasingly becoming the targets of state persecution in the form of surveillance and the obstruction of peaceful actions.”⁹

6. Subsequently, the Commission again included Nicaragua in Chapter IV.B of its Annual Report 2019,¹⁰ noting that the serious human rights crisis in the country extended during 2019 due to the de facto installation of a state of emergency characterized by the abusive exercise of public force to repress any dissenting voices against the Government, the search, closure and censorship of media outlets, the imprisonment or exile of journalists and social leaders, the closure of civil society organizations without guarantees of due process, as well as the interference and control of the Executive Power over other public powers. Similarly, the Commission observed that the prolonged weakening of democratic institutions in Nicaragua has perpetuated the human rights crisis in the country and has led to structural impunity for serious human rights violations.¹¹

7. During 2020, the IACHR identified the strengthening of a fifth stage of State repression in the country, characterized by an increase in acts of surveillance, harassment, and selective repression against individuals who are believed to oppose the government.¹² Thus, in May 2020, the IACHR condemned the non-compliance with its recommendations and urged the State to implement them.¹³ In October 2020, the IACHR again called on the State to immediately cease persecution of persons identified as dissidents and to reestablish democratic guarantees in Nicaragua.¹⁴ Subsequently, the Commission once again included Nicaragua in Chapter IV.B of its Annual Report 2020.¹⁵

8. In 2021, the Commission condemned the increasing acts of harassment in the country against persons identified as opponents of the Government, human rights defenders, and the independent press,¹⁶ as well as the widespread impunity and the prolonged breakdown of the rule of law that persists in Nicaragua.¹⁷ More recently, the IACHR and the Regional Office of the United Nations High Commissioner for Human Rights for Central America and Dominican Republic (OHCHR) condemned the criminal prosecution of Nicaraguan opposition leaders and urged the State to release all the persons detained in the context of the crisis.¹⁸

⁷ IACHR. [Press Release No. 137/19](#). IACHR and OHCHR Express Concern Over the Passing of the Comprehensive Care for Victims Act in Nicaragua. June 3, 2019; IACHR. [Press Release No. 145/19](#). IACHR Expresses Concern Over the Passing of the Amnesty Law in Nicaragua. June 12, 2019.

⁸ IACHR. [Press Release No. 220/19](#). IACHR Speaks Out Against Ongoing Repression in Nicaragua and Expresses Its Concern at Increased Harassment of Human Rights Defenders and People Who Have Been Released from Prison. September 6, 2019.

⁹ IACHR. [Press Release No. 297/19](#). IACHR Condemns Persecution of Victims of Repression in Nicaragua and Calls on State to Prevent Revictimization and Promote Truth, Justice, Reparation, and Measures of Nonrepetition. November 19, 2019.

¹⁰ IACHR. [Annual Report 2019. Chapter IV.B Nicaragua](#). OEA/Ser.L/V/II. Doc. 5, February 24, 2020, paras.5 and 6.

¹¹ IACHR. [Annual Report 2019. Chapter IV.B Nicaragua](#). OEA/Ser.L/V/II. Doc. 5, February 24, 2020, para. 19.

¹² IACHR. [Press Release No. 80/20](#) Two Years into Nicaragua’s Human Rights Crisis, the IACHR Stresses its Permanent Commitment to Victims and Confirms the Consolidation of a Fifth Phase of Repression. April 18, 2020.

¹³ IACHR. [Press Release No. 113/20](#). Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them. May 16, 2020.

¹⁴ IACHR. [Press Release No. 249/20](#). IACHR Calls for Persecution of People Identified as Dissidents to End and for Democratic Guarantees to be Reestablished in Nicaragua. October 10, 2020.

¹⁵ IACHR. [Annual Report 2020. Chapter IV.B Nicaragua](#), February 2021, paras. 5 to 29.

¹⁶ IACHR. [Press Release No. 152/21](#). IACHR Condemns the Serious Escalation of Repression in Nicaragua. June 18, 2021.

¹⁷ IACHR. [Press Release No. 93/21](#). Three Years After the Start of the Human Rights Crisis in Nicaragua, IACHR Condemns Ongoing Impunity. April 19, 2021.

¹⁸ IACHR. [Press Release No. 145/21](#). IACHR and OHCHR Categorically Condemn Criminal Prosecution of Presidential Precandidates and Urge State of Nicaragua to Release Them Immediately. June 9, 2021; IACHR. [Press Release No. 171/21](#). Nicaragua: IACHR and

9. Moreover, on August 11, 2021, the Commission condemned the systematic set of state actions carried out in recent months with the aim of preventing the opposition from participating in the general elections to be held in Nicaragua in November of this year, as well as the ongoing human rights violations in this context, urging the State to cease repression against people opposed to the Government.¹⁹ On September 10, 2021, the Commission and the Regional Office of the United Nations High Commissioner for Human Rights for Central America and the Dominican Republic (OHCHR) condemned the criminalization of individuals identified as political opponents in Nicaragua.²⁰

10. More recently, on October 28, 2021, the IACHR published the report “Concentration of Power and Weakening of the Rule of Law in Nicaragua.” In this regard, the Commission has identified acts of harassment, threats, raids, arbitrary detentions, and mistreatment against any person considered to be an opponent of the current Government, perpetrated by police and vigilante groups.²¹

III. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the applicants

1. PM-568-20 (Danelia Valenzuela Castro, her nuclear family²² and Leónidas Cruz Cano)

11. Danelia Valenzuela Castro is a recognized opponent of the current Nicaraguan government in the municipality of Quilalí, Nueva Segovia department, where she has participated and organized protests since April 2018. Consequently, she founded, along with other opposition figures in San Fernando, Mozonte, Nueva Segovia, a group called “April 19” and, later, the Civic Alliance for Justice and Democracy of Nueva Segovia. In addition, the proposed beneficiary is the departmental secretary of the political party Citizens for Freedom in Nueva Segovia.

12. In retaliation for having organized and participated in the protests that began in April 2018, Ms. Valenzuela Castro has suffered threats and attacks against her, which have intensified as of July 2018. Thus, on August 4, 2018, in a meeting with a group of opponents, the proposed beneficiary was threatened by armed parastatal officers; hence, this month she was forced into exile in Honduras along with other opposition members. However, on September 14, 2018, Ms. Valenzuela Castro returned to Nicaragua, following negotiations by Quilalí leaders with the National Police so that she could return without being detained. However, threats and harassment against her continued. Thus, the proposed beneficiary received threatening messages through social media, where they said: “*Scoundrel, criminal, agitator of the people, you all are threatening the peace, we are going to put you in prison.*” The police and personnel of the Quilalí Mayor’s Office took photographs and videos of her in the different spaces where she traveled. In November 2018, parastatal officers threatened her by marking the word “*plomo*” [which, in Nicaragua, reportedly has a death threat connotation against dissidents] in her house, as well as passing by her house shouting expletives and threats. Hence, she was forced to leave her house again.

OHCHR Demand an End to Arbitrary Arrests and the Release of All Individuals Detained Since the Start of the Crisis in Nicaragua. July 9, 2021.

¹⁹ IACHR. [Press Release No. 238/21](#). The IACHR and OHCHR condemn criminalization, lack of due process, and serious detention conditions for people considered to be opponents in Nicaragua. September 10, 2021; IACHR. [Press Release No. 209/21](#). IACHR Condemns the State Actions Aimed at Ending Opposition Participation in Nicaragua’s Upcoming Election. August 11, 2021.

²⁰ IACHR. [Press Release No. 238/21](#). The IACHR and OHCHR condemn criminalization, lack of due process, and serious detention conditions for people considered to be opponents in Nicaragua. September 10, 2021.

²¹ IACHR. [Press Release 284/2021](#). IACHR Publishes Report on the Concentration of Power and the Weakening of the Rule of Law in Nicaragua. October 28, 2021.

²² Daniel Antonio Llorente Valenzuela (22 years old), Bianca Daniela Llorente Valenzuela (21 years old), and Norvin Napoleón Llorente Valenzuela (19 years old).

13. As of June 21, 2019, the proposed beneficiary, as part of her work as a politician of the Citizens for Freedom party, began to visit Quilalf communities to train them on issues of democracy and strengthening of the vote. In almost all the communities, she was watched and chased by vans from the Mayor's Office. On August 31, at a meeting organized by Ms. Valenzuela Castro, a National Police van was taking photos and investigating the names of the people who attended the meeting. In the same sense, on October 22, when she was returning from a training session, the Chief of Police, along with the Mayor of Murra, detained the proposed beneficiary to question her along with other opponents.

14. At the beginning of 2020, Ms. Valenzuela Castro received threats from the Chief of Police, through some friends, who told her and her colleagues that they should not go out so often and that they were being watched. On April 19, the day that commemorated the two years since the protests began, a patrol with riot police patrolled the house of the proposed beneficiary about 11 times. At the end of June, at a family reunion at her sister's house, police officers were present and took pictures of the license plates of the vehicles that were in the place. The applicants reported that, in July 2020, acts of harassment and threats against Ms. Valenzuela Castro increased.

15. During the months of June, July, and August 2020, the proposed beneficiary was subjected to harassment and permanent surveillance by police and parastatal officers in their home, sometimes up to six times in a single day, for periods of even an hour. In this regard, it was noted that, on July 10, police officers were outside her house with firearms and "big sticks" for more than an hour. On July 19 and 20, a municipal van was parked in front of her house with music related to the government party at high volume. Due to the above, the proposed beneficiary decided to leave the center of the municipality and go to the community "La Playita." However, there she was also subjected to police surveillance and therefore decided to return to her home at the end of the month. Moreover, on August 22, Ms. Valenzuela Castro held a political meeting at her home, and police officers took photographs of the vehicles that were in the place. A few days later, on August 30, when she was going to a meeting of the Citizens for Freedom party in El Jícaro, she was intercepted four times by police officers, who asked for her identity card. Similarly, officers were present at the meeting to take photographs of the participants and the license plates of the vehicles. Later, in November 2020, in the context of Hurricane Iota in the country, Ms. Valenzuela Castro held meetings to support the victims of the hurricane; however, these meetings were besieged by police officers who came to take pictures of her home. For this reason, the proposed beneficiary was forced to temporarily change her home in December 2020, but the police went to where she was, and continued with the surveillance.

16. According to the applicants, out of fear of all the incidents of harassment, threats, and intimidation, many of Ms. Valenzuela Castro's political companions have withdrawn from the meetings and activism. One of those who remain active is Leónidas Cruz Cano, who also does political work and is a recognized opponent in the municipality. Following a meeting that Mr. Cruz Cano organized in San Bartolo on March 7, 2020, a sector where there are almost no supporters of the government party, he was summoned to the police station. The following day, a group of riot police arrived in a van with a threatening attitude and taking photographs. Then, on July 19, he was threatened by police officers who asked him *"what he and Danelia were planning to do to throw off the celebration of July 19"* (the day on which the triumph of the Sandinista Revolution of 1979 is celebrated). Later, on August 30, he again received a call from officers who asked him *"what the meeting in El Jícaro was about and what activities Danelia was carrying out."* At the end of 2020, Mr. Cruz Cano received death threats through messages from unknown persons.

17. Since the beginning of 2021, the acts of harassment by police officers against the proposed beneficiary have increased. In January 2021, returning from a meeting, police officers asked her to get out of her truck and produce her identity card. On April 19, again within the framework of the anniversary of the protests that began in April 2018, police officers watched her house, arriving at least seven times. At the end of April, the Quilalf Police Chief went to her house to tell her that it was forbidden to hold political meetings outside the party's

house. As of June 2021, Ms. Valenzuela Castro continued to be subjected to police surveillance almost daily at her home.

2. PM-569-20 (Nolvia María Rodríguez Cerrato, Luis Manuel Marchena Bográn, and their nuclear families)

- **Nolvia María Rodríguez Cerrato and her nuclear family**

18. Nolvia María Rodríguez Cerrato is a founding member of the Civic Alliance for Justice and Democracy, Nueva Segovia Chapter, and a recognized opponent in the municipality of Ocotal. She has been a sympathizer of several non-Sandinista political parties, participating in various demonstrations against government actions, such as the so-called “protest Wednesdays,” which consisted of sit-ins held in Managua in 2015 at the beginning of 2017 by opposition people who called for the holding of free elections in Nicaragua.

19. Since April 2018, the proposed beneficiary joined the civic demonstrations from Ocotal, from which she began to receive threats, attacks, and harassment by state and parastatal officers. She also had to close her home products store in May of the same year because it was constantly besieged. Subsequently, on September 14, a parapolice officer appeared at the home of Ms. Rodríguez Cerrato, threatening to burn her house for being a “coup plotter.” This same day, she received another threat by telephone which mentioned: “Plomo to the coup plotters, we’re going to kill them, we are going to burn them.”

20. The applicants also pointed out that the proposed beneficiary suffers from constant police surveillance in front of her house. Thus, in February 2020, five police patrol cars parked in front of her home with their sirens on. Subsequently, on March 8, 2020, five police officers stood in front of her house. When she left this day, she was chased by police officers, who took pictures of her. Two weeks later, on March 27, 2020, police officers again stood outside her home. On this occasion, one of the officers told her that “they had followed-up on all her activities, that they were creating a police file, and that they would summon her soon.” On May 24, 2020, the Secretary of the Ocotal Municipal Council came to monitor and take pictures of her house. Similarly, the applicants reported that supporters of the Government party continued to threaten and discredit Ms. Rodríguez Cerrato on social media, even sharing her address on Facebook. In September and October 2020, police officers remained at the outskirts of Ms. Rodríguez Cerrato’s house almost daily, taking photographs and videos of her home, herself, and her relatives, and even chasing her on some occasions that she left her home. Therefore, the proposed beneficiary had to forcibly move from her home.

21. At the beginning of 2021, Ms. Rodríguez Cerrato returned to her home. In April 2021, police sieges against her increased again in the days leading up to the third anniversary of the protests. Thus, since April 17, police officers were again seen outside the proposed beneficiary’s home, and for almost a week prevented her from leaving, even threatening to detain her and seize her motorcycle. On April 18, Ms. Rodríguez Cerrato expressed that she needed to go to buy food, but even so they did not let her go out and, on the contrary, they photographed and filmed her, threatening again to detain her. The applicants stated that the vigilance on the part of the National Police and supporters of the government party is constant. In addition, it was pointed out that, sometimes at night, the truck assigned to the Ocotal Mayor’s Office parks outside the house of Ms. Rodríguez Cerrato, as well as that this truck chases her to different places.

- **Luis Manuel Marchena Bográn and his nuclear family**

22. Luis Miguel Marchena Bográn is a founding member of the Civic Alliance for Justice and Democracy, Nueva Segovia Chapter, and a recognized opponent in the municipality of Ocotal, linked to non-Sandinista parties since 1990. Along with other people, he led the demonstrations that began in April 2018 in the municipality.

23. On February 25, 2020, while Mr. Marchena Bográn was on his way to Managua to launch the National Coalition, he was intercepted by police officers who detained and threatened him by saying: *“You’re one of those who lead all this shit here (demonstrations), we’ve already got you targeted, we already know where you live.”* They also asked him who sponsored him to carry out the protests. Later, on April 25, 2020, while the proposed beneficiary was waiting for a bus to go to Managua to undergo dialysis treatment, he was intercepted and interrogated by police officers who pointed their weapons at him and violently threw him to the ground. An officer told him: *“You are the ones who are disturbing the order, you also work with Marlene and Nolvía, we have you under surveillance, you live in a green house.”*

24. On another note, the applicants reported that the son of Mr. Marchena Bográn, Leonel Fernando Marchena, participated in the roadblocks in the municipality of Ocotal. Thus, in August 2018, he received a written threat that read: *“All the snobs from the Colegio San Agustín, we’ve already got you located for being terrorists, we already know that you’ve been traffickers in Salamasi, we’re going to give plomo [kill] each of you, each of those who were roadblockers in Salamasi, the commander remains, and you will leave, terrorists. Long live Daniel, the commander stays, we will give them plomo, Long live the FSLN.”* Months later, he received another threat through the Messenger application: *“Hello, terrorist coup plotter, we greet you from the FSLN government, 100 came out and we are going with the coup plotters in Nueva Segovia, they have not yet visited the chipote.”* Later, on May 19, 2020, he was chased by a parastatal officer on a motorcycle without license plates. In this same sense, on June 27, 2020, Mr. Leonel Marchena was driving in his vehicle within the municipality of Ocotal, in the area of the Police Commissariat, when a parastatal officer began to persecute him. On this occasion, after a few minutes of pursuit, the person hit his motorcycle against Leonel Marchena’s vehicle and immediately after the crash, the aggressor fled the scene. On December 8, 2020, Leonel Marchena was detained by police officers, who told him, *“You’re Marchena’s son,”* when he was questioned by the police about his and his father’s participation in the April 2018 protests.

25. In January 2021, Mr. Marchena Bográn made the decision to leave his municipality for a couple of months. According to the applicants, while he was absent, the police carried out “investigation” actions to find out where he was. Upon returning to his home in May 2021, he has continued to be subjected to ongoing surveillance and police patrolling, without being able to lead a normal life. In the same way, it was emphasized that Mr. Marchena Bográn and his relatives suffer from anxiety about the situation to which they are subjected. The applicants reported that the persons proposed as beneficiaries do not have any protection detail.

3. PM-639-20 (Marcos Arturo Herrera Beltrán and his nuclear family²³)

26. Marcos Arturo Herrera Beltrán is a professor, he runs a pharmacy with his wife and is a member of the clergy of the Catholic Church, in the position of deacon, under the orders of bishop Juan Abelardo Mata Guevara, of the Diocese of Estelí. He is a recognized opponent of the current Nicaraguan government since the 1980s, returning to the country in 1990 after 8 years of exile. Thus, the proposed beneficiary organized and participated in the April 2018 protests and, as a member of the Catholic Church, was in charge of conducting the prayers at the beginning of each march.

27. According to the applicants, in retaliation for his participation in the protests, on May 28, 2018, Mr. Herrera Beltrán was fired from his position as a teacher at the Inmaculada Concepción Fe y Alegría School and, days later, began to receive threats through the social media platform Facebook, where they called him “traitor” and “ungrateful.” As of approximately March 2019, the proposed beneficiary began to be monitored by National Police patrols that parked outside his house twice a week. Due to its participation in the national strikes of May 23 and 31, 2019, the Ministry of Health canceled his pharmacy license allegedly due to an inspection carried out on the day of the strike, and according to the request, in a resolution with legal grounds contrary to law.

²³ Mayra Molina Blandón (wife), Mayra Alejandra Herrera Molina (daughter, 23 years old), A.A.H.M. (son, 13 years old), and I.T.H.M. (daughter, 11 years old).

Following an administrative appeal against the said decision, a month later, Mr. Herrera Beltrán received a new resolution from the Ministry of Health approving the reopening of his pharmacy.

28. In mid-May 2020, police officers again arrived at his house to look for Mr. Herrera Beltrán. On this occasion, his wife told them that he was not at home; however, the officers remained at the scene waiting outside his home for hours. By virtue of the foregoing, the proposed beneficiary was afraid to leave his home, mentioning that *“sometimes he feels as if he was in house arrest.”* In July 2020, supporters of the ruling party took a video of his pharmacy while his wife was working there. A month later, on August 12, 2020, at 7:30 a.m., two patrols of the National Police, with 20 officers, among them riot police and an intelligence group, parked on the street in front of his home, where they remained for several hours. Then, on August 29, 2020, three police patrols passed by to monitor his home. Later, in October 2020, 15 police officers again posted themselves outside his home with firearms.

29. However, the applicants noted that surveillance of the proposed beneficiary was restarted in early 2021. Thus, in April, within the framework of the anniversary of the April 2018 protests, police officers once again stationed on the outskirts of his house and his business, showing their firearms and taking photographs and videos. Thus, on April 15 and 16, 2021, police and parastatal officers were present with weapons in front of Mr. Herrera Beltrán’s business, taking photos and calling him and his wife “coup plotters” and “terrorists.” The applicants reported that Mr. Herrera Beltrán and his family continue to be harassed and watched in their home, that they do not leave the house for fear of threats and constant surveillance, including from their neighbors, who belong to the Sandinista Front of National Liberation (FLSN), government party.

30. As a result of the abovementioned situation, his eldest daughter suffers from anxiety, and his wife has had heart problems and high blood pressure since October 2019. Furthermore, it was indicated that the proposed beneficiary has publicly denounced the incidents committed against him through the media. Notwithstanding, the authorities have not launched the relevant investigations. It was also pointed out that Mr. Herrera Beltrán and his family do not have any protection detail.

4. PM-232-21 (Jaime Isabel Maradiaga Maradiaga, Mayling Mariela Naira Moncada, and their nuclear families)

- **Jaime Isabel Maradiaga Maradiaga and his nuclear family²⁴**

31. Jaime Isabel Maradiaga Maradiaga is a councilman for the Nicaraguan Liberal Alliance (ALN) political party in the municipality of Santa María de las Segovia, an active and recognized opponent of the current Nicaraguan government in his municipality. When the protests began in April 2018, the proposed beneficiary joined them.

32. In mid-2018, when the proposed beneficiary was going to his residence, he was intercepted by seven parastatal officers, who placed high-caliber weapons on his chest. Mr. Maradiaga Maradiaga decided to turn around, expecting to be shot; however, they did not do so. He received support from the population, taking refuge in a nearby house. Following this incident, he began to receive death threats through messages sent to his cell phone, in which they expressed that they knew where he lived, who his family members were, that they were going to *“blow his head off”* and that they were going to kill him.

²⁴ Augusto Maradiaga (father), Melida Arcenia González Olivera (wife), J.M. (daughter), N.I.M. (daughter), H.M. (son), and H.E.M.N. (son).

33. Throughout 2019, Mr. Maradiaga Maradiaga was besieged by the police. On one occasion, while he was giving a training workshop in Ocotal, police officers surrounded the place for three days, preventing the proposed beneficiary from leaving.

34. Subsequently, on August 15, 2020, Mr. Maradiaga Maradiaga was going to a friend in Ocotal, when he was intercepted by a truck of police officers in Macuelizo, who reviewed his motorcycle documents. When taking a photograph of the officers, the officer in charge reacted by telling him: *“Damn trick the coup plotters have of taking pictures.”* They immediately took his cell phone from him, detained him, and transferred him to the Ocotal police station. Once in the station, the officers threatened and interrogated Mr. Maradiaga Maradiaga, beat him in a cell, and told him that *“they should do with me what we (supposedly) did with the police (assassinate me).”* He was released 24 hours following his detention, and from that moment, police sieges against him intensified. Thus, in December 2020, the Santa María police chief personally questioned a person close to Mr. Maradiaga Maradiaga, telling him that *“at any time they would disappear him.”*

35. According to the applicants, since early February 2021, police officers have stayed for hours outside the house of the proposed beneficiary, who remains practically detained at his home given this police siege. On February 15, the police asked multiple people living or passing near the place about *“where Jaimito was,”* and they even told one of these people that they had an arrest warrant against him, but *“they were waiting for him to do a bad move.”* In the same way, the police officers have told Mr. Maradiaga Maradiaga’s father that *“if his son is not there, they would arrest him, and that Mr. Maradiaga Maradiaga has held meetings against the Government and that he should take the consequences.”* A month later, on March 19, 2021, the proposed beneficiary was driving his motorcycle to his house when he was detained again by police officers who requested the circulation of his motorcycle.

36. More recently, on July 13, 2021, Mr. Maradiaga Maradiaga was traveling back to his municipality, when he received a call in which they alerted him that police officers were outside his home and that they had expressed that they were going to detain him. Moments later, another person on board the bus in which he was traveling was warned that at the entrance of the municipality a police patrol was waiting for “Jaimito” to detain him. Hence, the proposed beneficiary got off the bus, several kilometers from his home, and decided to take shelter in “the mountain.” According to the applicants, from that day on, Mr. Maradiaga Maradiaga has not been able to go to his home, where a police patrol keeps awaiting his arrival, with the intention of capturing him.

37. The applicants indicated that the situation of the proposed beneficiary has been brought to the attention of the Council of the Municipality but no action has been taken to protect him. It was stated that no complaints have been filed with the police because it is this institution who carries out the sieges against him.

- **Mayling Mariela Naira Moncada and her nuclear family²⁵**

38. Mayling Mariela Naira Moncada lives in the municipality of Santa María in Nueva Segovia where she works as a primary school teacher. In 2017, she began working with Mr. Maradiaga Maradiaga in the ALN party in political meetings and as the first member of the electoral table of its Vote Receiving Board during this year’s elections.

39. As a result of this political dissidence and her work with Mr. Maradiaga Maradiaga, she began to receive attacks. According to the proposed beneficiary, on two occasions, the then FSLN mayoral candidate tried to run over her with his truck while she was driving down the street, the first time in July and the second in September,

²⁵ José Ramón Naira Vallecillo (father), Maira Nohemí Moncada Zavala (mother), J.M.J.N. (daughter), H.E.M.N. (son), J.U.P.N. (son), Edwin Ramón Naira Moncada (brother), Francis Maryeli Lagos Cáceres (sister-in-law).

both in 2017. On this last occasion, the aforementioned candidate invaded a lane with the intention of running over her, as such Ms. Naira Moncada had to jump off her motorcycle. Immediately, she went to the municipal police station to file a complaint and they responded that it did not get involved in “these things”, for which the proposed beneficiary denounced this fact in local media, causing police agents to be present at her house and receive her complaint, although no investigation was carried out or any process was opened. She also began to receive pressure to resign from the Salomón de la Selva Public School where she taught. In 2018, she was relocated to another public school where, at the beginning of 2021, she was also urged to resign.

40. On December 4, 2020, the proposed beneficiary was threatened by the municipal chief of the National Police, who told her: *“you are this Mayling... the famous Maying... because you are a road blockers, a coup leader, when are they going to stop screwing people?”*. She replied that *“she was an opponent and that she did not go around screwing people”*, to which the Chief of Police replied: *“we are never going to let you work... (the elections) you don’t have to care, we have an order, we are going to kill the leader Jaime Maradiaga, because that’s the only way that you let yourselves be controlled, because you only live to fuck around”*. After that, the boss grabbed Ms. Naira Moncada by the arm and threatened to hit her in the face, but lately he threatened her again saying: *“poor little Mayling, poor little Jaimito, they don’t even know what’s coming, they don’t even know what we have prepared for them”*. The applicant reported that, after this incident, the police sieges in the house of the proposed beneficiary have been almost daily. At the end of December 2020, the Police summoned a person who lived for months in the same building as Ms. Naira Moncada. This person was interviewed about the movements and the situation of the proposed beneficiary, asking them with whom she was mobilizing, with whom she spoke, and who had reports and information that she was selling drugs, intimidation that the applicant indicated has been used by the Police to discredit opponents.

41. On February 12, 2021, during a police siege at her home, Mrs. Naira Moncada learned that there was an order to enter the property and detain her, so she had to flee out the back. The next day she was threatened by a police officer who told her that she and Jaime Maradiaga were *“the pebble in the shoe of the Police and Sandinistas”* in the municipality. A week later, she was threatened again by the police, who told her: *“nice the statuses you put on your WhatsApp, you should be more careful because you don’t know who you’re messing with.”* During the month of March 2021, the acts of siege increased, receiving daily police patrols in front of her house where they take pictures and stand outside the building in an intimidating way. According to the applicant, over time, these sieges have increased both in the number of hours per day and in the number of times since she frequently receives sieges both during the day and at night. Subsequently, on May 4, a police officer called a person known to Ms. Naira Moncada, who was questioned about the activities of the proposed beneficiary, if she had participated in the protests of April 2018, if she could provide a photograph and her telephone number, who were part of her nuclear family, and what relationship her had with Mr. Maradiaga Maradiaga. In June 2021, the proposed beneficiary had to resign her job due to political pressure on it.

42. More recently, on July 15, 2021, police agents stationed themselves outside the home of Ms. Naira Moncada who, upon realizing this and knowing the situation of Mr. Maradiaga Maradiaga, had to flee “through the woods” to safeguard her life and freedom. According to the applicant, police agents requested to search her home moments after she had fled.

43. The applicant stated that Mr. Maradiaga Maradiaga and Ms. Naira Moncada have had to leave their families, property, and jobs to safeguard their freedom since they were informed that the Police would be building a case against them. Similarly, the police sieges in the home of both people continue to this day and neither has any protection detail.

5. PM-557-21 (Mathil Alexander Pérez Amador and his nuclear family²⁶)

²⁶ Cristiana María Huerta Lazo (wife) and Kevin Pérez Valdivia (son).

44. Mr. Mathil Alexander Pérez Amador is a native and resident of the Estelí municipality, Estelí department, a lawyer and public notary by profession. In 2008 he joined the Sandinista Renewal Movement (MRS, by its Spanish acronym), which was a political party and a dissident tendency of the FSLN (government party). He is currently a member of the Executive Commission of the Democratic Renewal Union (UNAMOS)²⁷ at the national level and department coordinator of the Blue and White National Unit for the department of Estelí.

45. In 2018, he was actively involved in the protests and, on April 20, in the middle of a mobilization in Estelí, Mr. Pérez Amador was attacked along with other protesters by police and parastatal agents, where two protesters were killed. Since that moment, he states that they began a series of campaigns stigmatizing his protest actions which put him at risk by sharing his address and personal data on social networks. In June 2018, police officers illegally raided his house, for which he processed an Appeal for Personal Exhibition for Threats of Illegal Detention, however, this appeal was ineffective to prevent further actions against him.

46. On August 14, 2018, he was arrested with his son Kevin Pérez which, according to the applicants, is part of a series of *“mass and selective detention actions against local leaders.”* On August 16, they released his son, while they offered him his freedom in exchange for incriminating other people and, when he refused, they put him in a cell where he was accused of the crimes of organized crime, illegal possession of weapons, obstruction of public services, and arms manufacturing. Subsequently, on August 23, 2018, he was transferred to the Jorge Navarro Penitentiary where he was deprived of liberty in unsanitary conditions and without access to care for his health that had been deteriorating due to allergies, fungi, and the hunger strike that he sustained. In addition, the children of Mr. Pérez Amador, Kevin and Kitzel Pérez Valdivia, continued to attend marches and demonstrations demanding the freedom of their father and because of this, on September 29, 2018, they were also deprived of liberty at the Jorge Navarro Penitentiary Center where they claimed to be victims of mistreatment and torture.

47. According to the request, on February 27, 2019, the two children of the proposed beneficiary were released within the framework of negotiations between the Government and the Civic Alliance for Justice and Democracy. Similarly, on February 21, 2019, Mr. Pérez Amador was sentenced to 11 years in prison, however, on April 5, 2019, he was released along with 50 other political prisoners. After his release, Mr. Pérez Amador and his relatives continued under surveillance and harassment throughout 2019 by state and parastatal agents. In that regard, on October 6, 2019, parastatal and police agents detained Kevin Pérez in a demonstration in the Estelí Cathedral and hours later he was released. It was noted that, in this month, the Pérez family filed a complaint with the International Red Cross for the repressive actions suffered by the National Police. Subsequently, on December 3, 2019, police officers detained his son Kitzel Pérez for the third time, when in previous months they had also attacked him.

48. In August 2020, Mr. Pérez Amador went to a safe house in Managua after being informed that, due to his multiple participation in the protests, they planned to prosecute him for the death of the protesters killed in the 2018 demonstrations. Some months later, in November 2020, the proposed beneficiary was at a meeting of the Blue and White Unit and, at the end, parastatal agents began to detain the people who were leaving and the proposed beneficiary had to be hidden inside the property so as not to be deprived of liberty.

49. The applicant indicated that even when Mr. Pérez Amador is not in his home, it is constantly monitored by police agents who even appear to question family members about his location, and to indicate that he is under investigation for supposedly to be *“paying some young people” to burn tires.* Similarly, on April 17, 2021,

²⁷ Political party Democratic Renewal Union (Unamos) is the new name of the Sandinista Renovation Movement (MRS), a well-known dissidence from the party of the current Nicaraguan government. See in this regard: Associated Press. [“Dissidence from the Nicaraguan government party changes name.”](#) January 15, 2021 [in Spanish].

after intimidation by parastatal and police agents in the safe house where he was staying, he had to move to another place.

50. In addition, according to the applicant, since the release of the son of the proposed beneficiary, Kitzel Pérez, he has been detained at least 5 times, so on May 29, 2021, Kitzel Pérez left the country through the border with Honduras with the intention to request refuge in a third country since for years he has been the victim of arrests, attacks, and death threats. However, before letting him out, immigration agents interrogated him for an hour about the whereabouts of his father. In turn, it is indicated that, days before the presentation of the request for Precautionary Measure, a member of the Council of Citizen Power of Estelí told the other son of the proposed beneficiary, Kevin Pérez, that they would soon detain Mr. Pérez Amador and his children.

51. The applicant reported that, recently, Mr. Pérez Amador and his next of kin have continued to be victims of state and parastatal repression: on June 10, 2021, agents arrived on the outskirts of Kevin Pérez's house and illuminated the interior and on July 12, 2021, he was arrested without receiving a search or arrest warrant, and transferred to a Boris Vega police station where he was confined for three hours in a preventive cell, they questioned him about his father, brother, and other people in the municipality and, without providing more information, that same day he was released. It has been mentioned in the request that all this situation has prevented Mr. Pérez Amador from exercising his profession, also, as a result of what he suffered in prison, he developed permanent diseases such as labyrinthitis and vitiligo.

6. PM 550-21 (Roger Alexander Espinoza Méndez and his nuclear family²⁸)

52. Roger Alexander Espinoza Méndez lives in the municipality of Tipitapa, Managua department, and is the general coordinator of the Group for the Reflection of Ex-prisoners (GREX), which acts in favor of the so-called political prisoners in Nicaragua.

53. On September 25, 2018, at approximately 4 in the morning, police agents violently entered his house to arrest Mr. Espinoza Méndez, when he was threatened by a police agent telling him *"you are going to sing"* while they beat him and gave him electric shocks. The National Police stated that they would prosecute him for "organized crime, illegal possession of firearms, fire, damages, and exposing people to danger to the detriment of the State of Nicaragua." According to the request, Mr. Espinoza Méndez was confined in the Jorge Navarro Penitentiary Center where he suffered psychological and physical abuse.

54. Subsequently, on May 20, 2019, the proposed beneficiary was released in the framework of negotiations between the Government and the Civic Alliance for Justice and Democracy and other social sectors. However, despite his liberation, the siege and harassment against him intensified. In the months of November and December 2019, police officers were stationed outside his house, keeping watch and taking photos from 7 at night until the early hours of the morning.

55. On March 28, 2020, Mr. Espinoza Méndez was warned that there was a plan to kill him, for which he was forced to move to another municipality. However, for personal reasons, he returned to his home on April 3, 2020. On April 5, at approximately 9:30 am, as he left his house, a parked vehicle immediately began to pursue him. On this occasion, he was pursued for more than seven blocks when he was intercepted by the vehicle, from which a civilian got out with a firearm and made a detonation. At that moment, Mr. Espinoza Méndez managed to change direction and flee at full speed, taking refuge in his mother's house. Approximately 45 minutes later,

²⁸ Linette Méndez (mother), Aníbal Antonio Espinoza Méndez (brother, 22 years old), K.E.E.M. (brother, 13 years old), and daughter (3 years old).

more than 6 police patrols arrived at the house and police officers with firearms entered pushing his mother, his daughter, and his brothers. One of the officers put a gun on the chest of Mr. Espinoza Méndez who was beaten and transferred to the Directorate of Judicial Assistance (“El Chipote”), where he was subjected to interrogations, being released after about 12 hours of detention. After his release, Mr. Espinoza Méndez has continued to be the victim of surveillance by police and parastatal agents. Thus, on December 6, 2020, police officers came to stand outside his mother’s house.

56. The applicants indicated that, in the year 2021, the harassment against Mr. Espinoza Méndez has continued. On July 16, 2021, he found out, through a citizen detained in Jinotega by police agents, who told him that they were after several released prisoners, among them Mr. Espinoza Mendéz, whom they already “have on the list.” In addition, on the morning of August 3, 2021, his house was allegedly watched by individuals in civilian clothes who interrogated Mr. Espinoza Mendéz in a nearby grocery store. Recently, on August 15, 2021, at approximately 8:30 pm, two vans were stationed outside his house. The following day, during the early hours of August 16, 2021, people related to the government began to shout from outside his home “*death to the coup plotters.*”

7. PM-570-21 (Juan Abelardo Mata Guevara)

57. Juan Abelardo Mata Guevara is Bishop of the Estelí Diocese and general secretary of the Nicaraguan Episcopal Conference. It is indicated in the request that he is a victim of harassment and threats given his position in the Catholic Church and due to the statements made by him demonstrating against the current government of Nicaragua.

58. On July 15, 2018, after celebrating the Eucharist in Managua, Monsignor Mata Guevara was on his way to Tisma when he was detained by agents of the National Police and armed paramilitaries when passing through a roundabout in the city of Nindirí. On that occasion, they verbally attacked him, threatened to kill him, the driver, and the two women who accompanied him, including a girl, and attacked the vehicle in which they were moving with tubes, machetes, and stones, causing damage to the property. Faced with this situation, they were given shelter in the house of a family about a kilometer from the scene of the incident, however, the attackers reached them, surrounded the house, and continued with death threats and attacks on said house. The moment the Bishops of the Episcopal Conference learned of the situation, they resorted to diplomatically releasing Bishop Mata. In addition, the request states that, in August 2018, a recognized Nicaraguan military commander made a public statement against the Catholic Church of Nicaragua: “*It seems that the Bishops do not know that they’re vulnerable to bullets.*”

59. Monsignor Mata Guevara has made repeated statements and public denunciations against the current government in Nicaragua and warning about the persecution of the Catholic Church. On August 26, 2018, the proposed beneficiary declared that there is no normalcy in the country and assuring that the clergy throughout the country feel persecuted and that there is no religious freedom in Nicaragua. Similarly, on September 21, 2018, he publicly denounced that an armed group shot at the truck of a priest of the Diocese of Estelí and mentioned other threatening acts by government defenders directed at different parish priests. In the same vein, he pointed out the murders in the 2018 protests and the hostile environment that has not allowed him to carry out his work activities for more than a year. Subsequently, on October 7, 2019, Monsignor Mata Guevara reiterated that the current Nicaraguan government persecutes the Catholic Church, mentioning that police and paramilitary agents surround the Estelí Cathedral, including that they closed its doors with violence at the time of the procession of the Virgen del Rosario, a paramilitary pointed firearms at seminarians and agents of the

Directorate of Special Operations surrounded the surroundings of the temple to threaten the participants in the procession.

60. The request indicated the development of constant attacks directed against the Catholic Church. On December 9, 2019, Monsignor Mata Guevara denounced that the most celebrated Marian festival in Nicaragua was besieged and intimidated and that days later, on December 7, 2019, a parish priest from the municipality of Jícaro was arrested and accused of disturbing the public order when he was celebrating a Eucharist. On August 2, 2020, Monsignor Mata Guevara denounced the bombing of the Managua Cathedral, which caused the burning of religious images. However, it should be noted that the request mentions that no complaint has been filed internally because the acts of harassment are carried out by the National Police.

61. In recent events, on June 9, 2021, a Sandinista journalist publicly declared on La Primerísima radio, of which he is the director, in the Sin Fronteras program, that “Operation Danto” is underway, with the aim of imprison former soldiers and priests, mentioning that one of the targets would be Bishop Juan Aberlardo Mata Guevara. Like-minded government officials have reportedly insisted publicly that the arrests may also affect bishops. Similarly, in July 2021, from different accounts of the social network Facebook, messages of hatred have been threatened and generated against Monsignor Mata Guevara, in which they ask for his resignation, call him a “coup leader” and affirm that “*you have debts with justice and militancy* “. In that sense, it was indicated that since July 30, 2021, a general discourse against the Catholic Church has been strengthened in Nicaragua.

8. PM 662-21 (Joel Noé Blandón Villagra and his nuclear family²⁹)

62. Joel Noé Blandón Villagra lives in the municipality of Pantasma, Jinotega department, where he practiced his teaching profession. It is noted that Mr. Blandón Villagra comes from a family historically opposed to the FSLN (government party).

63. As a result of his participation in the April 2018 protests, Mr. Blandón Villagra began to receive harassment and threats in his workplace, the Rubén Darío Public Secondary School. In that sense, from April to June 2018, Mr. Blandón Villagra received at least five words of cautions and threats, among them were those of the departmental delegate of the Ministry of Education who told him to “*abide by the consequences*” for participating in the protests.

64. Similarly, on July 24, 2018, parastatal and police agents carried out a repression in the Sandino neighborhood of Jinotega, the last place in the country to maintain roadblocks and barricades. On that occasion, they violently detained the proposed beneficiary who was transferred to the Directorate of Judicial Aid (“El Chipote”) while receiving blows and threats that “*we are going to kill you.*” Later, on August 6, 2018, he was released, however, an officer from Jinotega threatened him that he would be prosecuted for terrorism. Thus, on September 26, 2018, Mr. Blandón Villagra was again arrested and transferred to Chipote, where he suffered blows from officers and was questioned on the location of his father and brother. He was then publicly presented, along with other people, as responsible for “kidnapping, torturing, spraying gasoline, and murdering” and transferred to the Jorge Navarro Penitentiary Center, where he was, according to the request, in unsanitary conditions and without medical assistance. On October 31, 2018 and May 16, 2019, Mr. Blandón Villagra was beaten by officials from the Penitentiary Center. On June 11, 2019, he was released as a result of the Amnesty Law.

²⁹ José Blandón (father) and Yader Blandón (brother).

65. Subsequently, on August 19, 2019, after attending a meeting of the National Coalition in Matagalpa, while returning to Jinotega, Mr. Blandón Villagra was intercepted by police officers, who took his belongings and transferred him to the police station, where he received threats until the next day and was released the following day. As of that date, Mr. Blandón Villagra began to be harassed and threatened by parastatal agents in his home, who made constant rounds, carrying firearms and taking photos and videos.

66. During the years of 2020 and 2021 these sieges have continued. The applicants reported that on April 19, 2020, Mr. Blandón Villagra received a police summons through which he had to present himself to the municipal police, however, he did not appear due to the fear he suffered. A month later, on May 2, 2021, while he was traveling on a bus to Managua for an activity of the National Coalition, 15 police officers got on the bus, told the driver that they were going to do a routine check and went directly to the Mr. Blandón Villagra. At that time, they detained him for a few hours and then released him. Due to the harassment and threats suffered, Mr. Blandón Villagra was forced to move within the country, leaving his sources of income and nuclear family. Despite not being at home, he and his relatives continue to be victims of sieges.

67. The applicants emphasized that on July 16, 2021, a citizen was detained by police officers, who told him to “... tell Joelito not to hide, that we already know that he is the leader of the organization, that we already have him located that he is not hiding that at any moment his turn comes...” In that sense, on July 18 and 22, 2021, police officers stationed themselves outside his home, staying until 10 at night.

B. Information provided by the State

1. PM-568-20 (Danelia Valenzuela Castro, her nuclear family, and Leónidas Cruz Cano)

68. The State forcefully rejected the alleged adoption of precautionary measures, considering that “the Commission continues to try to interfere in the internal affairs of [its] country [...] by supporting the dissemination of false and offensive news for [its] people, such as part of the media fight against the Government of Reconciliation and National Unity.” Similarly, it was affirmed that, in Nicaragua, “the life, personal integrity and security of all the people who live in the national territory are guaranteed, without any type of discrimination.”

2. PM-569-20 (Nolvia María Rodríguez Cerrato, Luis Manuel Marchena Bográn, and their nuclear families)

69. The IACHR requested information from the State on July 2, 2021, however, to date, no response has been received.

3. PM-639-20 (Marcos Arturo Herrera Beltrán)

70. The IACHR requested information from the State on August 16, 2021, however, to date, no response has been received.

4. PM-232-21 (Jaime Isabel Maradiaga Maradiaga, Mayling Mariela Naira Moncada, and their nuclear families)

71. The State reaffirmed the right of all persons to have their physical, mental, and moral integrity respected, guaranteeing the life and physical integrity of Nicaraguans without discrimination. In this context, the Government of Reconciliation and National Unity has made the promotion, protection, and defense of

human rights a priority. At the same time, the State reported that the rights of each person are limited by the rights of others, by the safety of all, and by the just demands of the common good.

72. The State pointed out that, through the National Police, internal order, the safety of people and their property, the prevention, prosecution, and investigation of crime, and the rest that the law indicates is guaranteed. It was emphasized that this police model has achieved national, regional, and international recognition as an effective model, being a benchmark in security matters in Latin America, recognizing Nicaragua as the safest country in the Central American region and the third least violent country in Latin America. In addition, it was reiterated that, in the country, there are no “pro-government, para-police, paramilitary armed elements,” qualifications that have been taken up and repeated by sectors and individuals opposed to the legally constituted government. It was also reiterated that in Nicaragua “there is no situation of persecution, threats, harassment of any person by state institutions; however, as in any society, eventually isolated situations could arise that do not constitute a factual, legal, or social context of the country.”

73. In relation to the specific situation of the proposed beneficiary, the State expressed that “a media campaign against state institutions, including the National Police, has been presented on behalf of some sectors opposed to the government, with the aim of discrediting and blaming them of reprehensible actions, when in short what this institution has done has been to maintain the security and social peace of all Nicaraguans and the population in general, as well as legitimately carry out actions of prevention, investigation, and sanction according to the nature of each specific case.” The State also stated that “the assertions of the requesting party are totally subjective and unsubstantiated.” In this sense, it was indicated that “the police delegation of the Nueva Segovia department deploys police personnel in all the municipalities of the department in execution of Protection Plans for individuals, families, and communities” and that Mr. Maradiaga Maradiaga “intends to show this police surveillance as harassment or bullying which constitutes a false, distorted, and convenient assessment since at no time have the members of the National Police carried out actions aimed at threatening their physical integrity or life, or against their free mobilization, or against any other right.”

74. In this regard, the State reported that, on August 16, 2020, in the municipality of Macuelizo, “National Police traffic officers seized Mr. Jaime Isabel Maradiaga Maradiaga, a motorcycle, and his driver’s license, applying a traffic fine to him for driving while intoxicated because the [proposed beneficiary] violated traffic safety rules and good living; now he intends that the logical consequences of that irresponsible action on his part be absurdly considered as an act of harassment or police harassment against him “. In relation to what happened on March 19, 2021, the State reported that the proposed beneficiary “was driving without wearing the corresponding protective helmet, the respective driver’s license, and an Insurance Policy for damages to third parties, which constitutes an administrative traffic infraction classified as “most dangerous”. Similarly, it was clarified that no police or judicial authority has issued an order for the arrest, search, or occupation of property against Mr. Maradiaga Maradiaga. Moreover, the pertinent authorities do not register complaints, accusations, or criminal proceedings against him, consequently, there are no files or investigation procedures carried out against the proposed beneficiary. Therefore, the IACHR was asked not to admit the request for precautionary measures in favor of Jaime Isabel Maradiaga Maradiaga and his family.

5. PM-557-21 (Mathil Alexander Pérez Amador and his nuclear family) and PM 570-21 (Juan Abelardo Mata Guevara)

75. The State responds in the same brief to the request for additional information with respect to precautionary measure PM-557-21 and PM-570-21.

76. In general, it reiterates that Nicaragua is a social State of law and that its society is articulated based on democratic grounds for the observance of the respect for the human rights of all people within its territory. Moreover, they indicate that in their call for peace and for the construction of justice for the Nicaraguan people, “the State and society must comply with and be subject to the law, as the only way to guarantee the safety and

well-being of all its population.” In this way and within the framework of their sovereignty, they seek to ensure compliance with the popular will expressed in the law, through the promotion of respect and compliance with the constitutional order and public order.

77. Given this framework, the State upholds that those who “attempt against the interests legally protected by the State, must respond to the consequences of those acts, and submit to the previously established legal procedures,” which they affirm are in accordance with the procedural principles, such as due process, right to defense, among others, and that function as a limit to State power; while no pretext to obviate the rules of behavior is admitted.

78. The State expresses its disposition and willingness to comply with the protection of all the population and reports that the authorities’ actions have complied with the guarantees and constitutional rights of each and every inhabitant, for which the State questions “firmly the campaign of false statements and misinformation with which it has been attacked, which is the product of the political manipulation of a group of citizens who seek to discredit the work of the State and undermine its legitimacy.”

79. The State indicates, without providing details about the two requests, that the allegations contained in the requests for precautionary measures are “absolutely subjective, with no evidence showing the existence of an imminent and real risk to their safety and personal well-being” and that the proposed beneficiaries are not at risk to their life or integrity, nor are their families. For all of the above, the State requests that the Inter-American Commission on Human Rights archive the request for precautionary measures.

6. PM 550-21 (Roger Alexander Espinoza Méndez and his nuclear family)

80. The State regretted that the Commission is acting “in favor of sectors opposed to our legally constituted Government, in its unscrupulous maneuver of falsehood and smear towards our national authorities and our domestic legal system.” The State indicated that the IACHR is subject to the United States of America, seeking to favor adverse sectors and adopting partial and unilateral measures aimed at achieving personal interests. Lastly, the State asserted: “Just as this Commission lends itself to assess an alleged urgent and serious situation faced by that proposed for precautionary measures, we would also expect it to assess and act on the urgency of an entire people, such as ours, which cries out for justice in the face of the crimes committed by those who are now called victims.”

7. PM 662-21 (Joel Noé Blandón Villagra and his nuclear family)

81. The State regretted that the Commission is acting “in favor of sectors opposed to our legally constituted Government, in its unscrupulous maneuver of falsehood and smear towards our national authorities and our domestic legal system.” The State indicated that the IACHR is subject to the United States of America, seeking to favor adverse sectors and adopting partial and unilateral measures aimed at achieving personal interests. Lastly, the State asserted: “Just as this Commission lends itself to assess an alleged urgent and serious situation faced by that proposed for precautionary measures, we would also expect it to assess and act on the urgency of an entire people, such as ours, which cries out for justice in the face of the crimes committed by those who are now called victims.”

IV. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM

82. The precautionary measures mechanism is part of the Commission’s function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are established in Article 18(b) of the Statute of the IACHR, while the precautionary measures mechanism is described in Article 25 of the Rules of Procedure of the

Commission. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm.

83. The Inter-American Commission and the Inter-American Court of Human Rights (“the Inter-American Court” or “I/A Court H.R.”) have repeatedly established that precautionary and provisional measures have a dual character, one protective and the other precautionary.³⁰ Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.³¹ To do this, it is necessary to assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.³² Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the consideration of the IACHR. The precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.³³ In the process of reaching a decision, and according to Article 25(2) of the Rules of Procedure, the Commission considers that:

- a. “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. “urgent situation” refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

84. In analyzing these requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.³⁴ Similarly, the

³⁰ See in this regard: I/A Court H.R. [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#). Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela. Order of the Inter-American Court of Human Rights of March 30, 2006, considerandum 5; I/A Court H.R. [Caso Carpio Nicolle y otros vs. Guatemala](#) Provisional Measures. Order of July 6, 2009, considerandum 16.

³¹ See in this regard: I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 8; I/A Court H.R. [Case of Bámaca Velásquez](#). Provisional Measures regarding Guatemala. Order of the Court of January 27, 2009, considerandum 45; I/A Court H.R. [Case of Fernández Ortega et al.](#) Provisional Measures regarding Mexico. Order of the Court of April 30, 2009, considerandum 5; I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [only in Spanish].

³² See in this regard: I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [only in Spanish]; I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 9; I/A Court H.R. [Matter of the Criminal Institute of Plácido de Sá Carvalho](#). Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6 [only in Spanish].

³³ See in this regard: I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 7; I/A Court H.R. [Matter of “El Nacional” and “Así es la Noticia” newspapers](#). Provisional Measures regarding Venezuela. Order of the Court of November 25, 2008, considerandum 23; I/A Court H.R. [Matter of Luis Uzcátegui](#). Provisional Measures regarding Venezuela. Order of the Court of January 27, 2009, considerandum 19.

³⁴ See in this regard: I/A Court H.R. [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#). Extension of Provisional Measures. Order of the Inter-American Court of Human Rights of August 23, 2018,

Commission recalls that, by its own mandate, it is not called upon to determine any criminal liabilities for the facts alleged. Moreover, it is not appropriate, in this proceeding, to rule on violations of rights enshrined in the American Convention or other applicable instruments.³⁵ The analysis performed herein relates exclusively to the requirements set forth in Article 25 of the Rules of Procedure, which can be resolved without making any determinations on the merits.³⁶

85. In the present matter, the Commission observes that the alleged situation placing the proposed beneficiaries at risk is framed in the current context of Nicaragua,³⁷ as well as in a repressive context towards persons considered or identified as opponents of the country's current Government.³⁸ In this regard, the IACHR has identified the intensification of threats, harassment, surveillance, and selective repression against persons identified as dissidents.³⁹ These acts come to light with the presence of police officers on the outskirts of their homes throughout the day, in order to prevent these persons or their families from exiting, or to identify and keep a record of any person who enters or leaves the place.⁴⁰ In this context, the Commission recalls that it has granted precautionary measures to dissidents who have been subjected to threats, intimidation, and acts of violence allegedly attributable to state officers or third parties who support the Government.⁴¹

86. In addition to this, the Commission notes that Valenzuela Castro, Rodríguez Cerrato, and Naira Moncada, being women opponents, face an accentuated risk due to gender stereotypes, historical

considerandum 13 [only in Spanish]; I/A Court H.R. [Matter of the children and adolescents deprived of their liberty in the "Complejo do Tatuapé" of the Fundação CASA](#). Request for extension of provisional measures. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 4, 2006, considerandum 23.

³⁵ IACHR. [Resolution 2/2015](#). Precautionary Measure No. 455-13. Matter of Nestora Salgado regarding Mexico. January 28, 2015, para. 14; IACHR. [Resolution 37/2021](#). Precautionary Measure No. 96-21. Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua. April 30, 2021, para. 33 [only in Spanish].

³⁶ In this regard, the Court has indicated that "[it] cannot, in a provisional measure, consider the merits of any arguments pertinent to issues other than those which relate strictly to the extreme gravity, urgency, and the necessity to avoid irreparable damage to persons." See in this regard: I/A Court H.R. [Matter of James et al. regarding Trinidad and Tobago](#). Provisional Measures. Order of the Inter-American Court of Human Rights of August 29, 1998, considerandum 6; I/A Court H.R. [Case of Barrios Family v. Venezuela](#). Provisional Measures. Order of the Inter-American Court of Human Rights of April 22, 2021, considerandum 2 [only in Spanish].

³⁷ See in this regard: IACHR. [Press Release No. 93/21](#). Three Years After the Start of the Human Rights Crisis in Nicaragua, IACHR Condemns Ongoing Impunity. April 19, 2021; IACHR. [Press Release No. 80/20](#). Two Years into Nicaragua's Human Rights Crisis, the IACHR Stresses its Permanent Commitment to Victims and Confirms the Consolidation of a Fifth Phase of Repression. April 18, 2020; IACHR. [Press Release No. 220/19](#). IACHR Speaks Out Against Ongoing Repression in Nicaragua and Expresses Its Concern at Increased Harassment of Human Rights Defenders and People Who Have Been Released from Prison. September 6, 2019.

³⁸ See in this regard: IACHR. [Annual Report 2020](#). Chapter IV.B Nicaragua, paras. 54-77; IACHR. [Press Release No. 152/21](#). IACHR Condemns the Serious Escalation of Repression in Nicaragua. June 18, 2021; IACHR. [Press Release No. 2/21](#). IACHR Condemns Growing Harassment in Nicaragua. January 6, 2021.

³⁹ See in this regard: IACHR. [Press Release No. 238/21](#). The IACHR and OHCHR condemn criminalization, lack of due process, and serious detention conditions for people considered to be opponents in Nicaragua. September 10, 2021; IACHR. [Press Release No. 113/20](#). Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them. May 16, 2020; IACHR. [Annual Report 2020](#). Chapter IV.B Nicaragua, paras. 46 to 52.

⁴⁰ See in this regard: IACHR. [Press Release No. 2/21](#). IACHR Condemns Growing Harassment in Nicaragua. January 6, 2021; IACHR. [Resolution 37/2021](#). Precautionary Measure No. 96-21. Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua. April 30, 2021, para. 9.

⁴¹ See in this regard: IACHR. [Resolution 65/2021](#). Precautionary Measure No. 444-21. Douglas Antonio Villanueva Sandoval, Cindy Mariana Mejía Tercero, and their son regarding Nicaragua. August 23, 2021; IACHR. [Resolution 59/2021](#). Precautionary Measure No. 511-21. Flor de María Ramírez regarding Nicaragua. August 3, 2021; IACHR. [Resolution 54/2021](#). Precautionary Measure No. 324-21. Karla Patricia Namendi Mendoza and her nuclear family regarding Nicaragua. July 22, 2021; IACHR. [Resolution 49/2021](#). Precautionary Measure No. 480-21. Cristiana María Chamorro Barrios et al. regarding Nicaragua. June 24, 2021; IACHR. [Resolution 27/2021](#). Precautionary Measure No. 1067-18. Danelia Rosario Argüello Cano and her nuclear family regarding Nicaragua (Extension). March 14, 2021; IACHR. [Resolution 17/2021](#). Precautionary Measure No. 1076-18. Carlos Ramon Brenes Sánchez and his nuclear family regarding Nicaragua. February 25, 2021; IACHR. [Resolution 16/2021](#). Precautionary Measure No. 907-20. Kevin Adrián Monzón Mora and his nuclear family regarding Nicaragua. February 22, 2021; IACHR. [Resolution 11/2021](#). Precautionary Measure No. 664-20. Olman Onel Salazar Umanzor and his nuclear family regarding Nicaragua. February 4, 2021; IACHR. [Resolution 92/2020](#). Precautionary Measure No. 1149-19. Yonarqui de los Ángeles Martínez García and her nuclear family regarding Nicaragua. December 2, 2020; IACHR. [Resolution 80/2020](#). Precautionary Measure No. 590-20. Juana de la Rosa Lesaje Guadamuz et al. regarding Nicaragua. October 28, 2020.

discrimination, and prejudices related to how they should dress or act, or roles that women should play in society.⁴² Therefore, the foregoing implies to address the situation of the proposed beneficiaries from a perspective suitable to their condition, taking into consideration the differentiated impact that the risk factors they face have on them. The Commission has already made this assessment in the framework of other situations that require a differentiated analysis in view of the circumstances.⁴³

87. Taking into account that specific context of Nicaragua, the Commission will herein analyze the procedural requirements regarding Danelia Valenzuela Castro, Nolvía María Rodríguez Cerrato, Luis Manuel Marchena Bográn, Marcos Arturo Herrera Beltrán, Jaime Isabel Maradiaga Maradiaga, Mayling Mariela Naira Moncada, Mathil Alexander Pérez Amador, Roger Alexander Espinoza Méndez, Joel Noé Blandón Villagra, and their corresponding nuclear families, Leónidas Cruz Cano, and Juan Abelardo Mata Guevara.

88. With regard to the requirement of seriousness, the Commission considers that it has been met. As verified by the Commission, since the beginning of the demonstrations in April 2018, harassment has intensified against any person identified as an opponent of the current Nicaraguan Government. In this regard, the Commission observes that the persons proposed as beneficiaries are identified or perceived as “opponents” of the Government, mainly after their political activism and participation in the protests that began in April 2018, or because of their critical position towards the current government. In this regard, the Commission notes the various profiles of the persons proposed as beneficiaries who have actively participated in political parties or social organizations, which has led them to be identified or perceived as dissidents by Nicaraguan society: Danelia Valenzuela Castro, Nolvía María Rodríguez Cerrato, and Luis Manuel Marchena Bográn act in the Civic Alliance for Justice and Democracy; Jaime Isabel Maradiaga Maradiaga and Mayling Mariela Naira Moncada participate in the Nicaraguan Liberal Alliance; Mathil Alexander Pérez Amador is a member of the dissident party UNAMOS; and Roger Alexander Espinoza Méndez is part of the Reflection Group for Ex-prisoners. Additionally, Marcos Arturo Herrera Beltrán and Juan Abelardo Mata Guevara are members of the Catholic Church, they are deacon and bishop of the Diocese of Estelí, respectively, and maintain a critical stance to the current Government. Lastly, Joel Noé Blandón Villagra is from a family historically recognized as being in opposition to the FLSN (ruling party).

89. Indeed, the IACHR observes that the proposed as beneficiaries have been subjected to threats, harassment, constant surveillance, and acts of violence by police officers, and those identified as parastatal officers, as well as third parties who support the government, repeatedly during the last few years, including 2021. The Commission stresses the frequent threats suffered by the persons proposed as beneficiaries, including death threats, by state officers and also through social media. For instance, in December 2020, Mr. Maradiaga Maradiaga received a death threat from the Santa María police chief, who told him that “*at any time they would make him disappear*” (see *supra* para. 34). It is also observed that, on July 16, 2021, Messrs. Espinoza Méndez and Blandón Villagra learned, through a citizen who was detained, that the National Police were behind them and that they had already been located (see *supra* paras. 56 and 67). Moreover, on June 9, 2021, a journalist publicly declared on the radio that the government’s “Danto Operation” is underway, mentioning that one of the targets is a religious one, such as Mr. Juan Abelardo Mata Guevara. In the same sense, in July 2021, bishop Mata Guevara received several death threats on social media in a context of strengthening the discourse against the Catholic Church (see *supra* para. 61).

⁴² IACHR. [Towards Effective Integral Protection Policies for Human Rights Defenders](#). OEA/Ser.L/V/II., Doc. 207/17, December 29, 2017, paras. 43 and 146; IACHR. [Second Report on the Situation of Human Rights Defenders in the Americas](#). OEA/Ser.L/V/II., Doc. 66, December 31, 2011, para. 283; IACHR. [Annual Report 2020](#). Chapter IV.B Nicaragua, para. 152; IACHR. [Violence and discrimination against women and girls: Best practices and challenges in Latin America and the Caribbean](#). OEA/Ser.L/V/II., Doc. 233. November 14, 2019.

⁴³ See in this regard: IACHR. [Resolution 59/2021](#). Precautionary Measure No. 511-21. Flor de María Ramírez regarding Nicaragua. August 3, 2021.

90. Similarly, the Commission confirms the seriousness of the situations faced by the persons proposed as beneficiaries upon finding the alleged facts on multiple deprivations of liberty in irregular and unhealthy conditions, or on repeated occasions with threats, interrogations, and attacks to which the persons proposed as beneficiaries were subjected. Mr. Pérez Amador and his sons, Kevin and Kitzel Pérez, were detained in unsanitary conditions and without receiving medical care, at the Jorge Navarro Penitentiary, where they claimed to have suffered ill-treatment. It should be noted that by state officers questioned Kevin Pérez about the location of his father, while he was detained, and Kitzel Pérez decided to leave the country due to harassment suffered over the years (see *supra* paras. 46-50).

91. The Commission notes that the events described have had a significant impact on the lives of the persons proposed as beneficiaries and their families. The constant police siege of their homes has forced mobilization within and outside the country, or has resulted in them being practically imprisoned inside their homes without being able to go out or receive visitors. The proposed beneficiaries have suffered for years, and in the last year the events have increased, with constant surveillance by state and parastatal officers in their homes, who repeatedly carry firearms and threaten them. Thus, Ms. Valenzuela Castro, as a result of the surveillance in her home in recent months, with officers taking photos and videos and following her in her activities, had to leave her home and seek refuge because of the fear she suffered (see *supra* para. 15). In addition, Ms. Rodríguez Cerrato, in April 2021, was prevented from leaving home for almost a week by state officers who stationed themselves outside her home (see *supra* para. 21).

92. Additionally, with a view to understanding the intensity of the situation faced by the persons proposed as beneficiaries, the applicants alleged that some of these persons have lost their jobs and cannot freely practice their professions, and have also developed health problems. It should be noted that Ms. Naira Moncado, in June 2021, was forced to resign her position as primary teacher and stop practicing her profession due to the political pressure she suffered (see *supra* para. 39). On another note, the daughter and the wife of Mr. Herrera Beltrán have suffered anxiety attacks and heart problems as a result of frequent police siege at their home (see *supra* para. 30). It is also of great concern to the Commission that the situations of the persons proposed as beneficiaries have seriously affected their families. In this regard, in December 2020, Mr. Marchena Bográn's son was detained, being questioned by officers about the activities and location of his father, after threats and harassment had taken place (see *supra* para. 24). Similarly, according to information of public knowledge, Mr. Juan Abelardo Mata refused to continue as bishop.⁴⁴

93. Based on the above, taking into account the well-known context regarding persons perceived or identified as opponents in the country, the Commission considers that the above events reflect a series of indications showing an intention to prevent the persons proposed as beneficiaries from either developing their political activities or simply participating in their social spaces of articulation in Nicaragua.

94. The Commission takes note of the information provided by the State on the situation of Danelia Valenzuela Castro, her nuclear family, and Leónidas Cruz Cano (PM 568-20); Roger Alexander Espinoza Méndez and his nuclear family (PM 550-21); and Joel Noé Blandón Villagra and his nuclear family (PM 662-21). In general, the State considered the granting of precautionary measures an interference and questioned the work of the IACHR within the framework of the precautionary measures mechanism. In this regard, the IACHR recalls that the provision of precautionary measures "arises from the function of the IACHR to ensure compliance with the commitments assumed by the States parties, [...] and rests on the general obligation that States have to respect and guarantee human rights (Article 1 of the American Convention), adopt the legislative or other measures necessary to make human rights effective (Article 2), and comply in good faith with the obligations contracted under the Convention and the Charter of the OAS,"⁴⁵ which includes the duty of protection of the

⁴⁴ Available at <https://www.dw.com/es/francisco-acepta-renuncia-de-obispo-nicarag%C3%BCense-cr%C3%ADtico-de-ortega/a-58179734>

⁴⁵ IACHR. Regarding Precautionary Measures. <https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/decisiones/sobre-cautelares.asp>

States against situations presenting a risk. In this sense, the IACHR acts in the exercise of its mandate with a view to identifying whether the requirements of seriousness, urgency, and irreparable harm of Article 25 of the Rules of Procedure are met or not, and requesting that the State concerned adopt the necessary measures to protect the rights of the persons proposed as beneficiaries.

95. The Commission observes the information sent by the State on the situation of Jaime Isabel Maradiaga Maradiaga, Mayling Mariela Naira Moncada, and their nuclear families (PM 232-21), in which it was alleged that a media campaign had taken place against the state institutions by sectors opposed to the government. Similarly, in relation to the specific situation of Mr. Maradiaga Maradiaga, the State indicated that at no time have state officers carried out acts of harassment or persecution against him and that, on August 16, 2020, and March 19, 2021, Mr. Maradiaga Maradiaga committed administrative traffic offenses because he was driving while inebriate and without wearing a protective helmet. In this regard, the IACHR notes that the State has not furnished detailed, concrete, or updated information, accompanied by the proper documentary support, to disprove the allegations of the applicants. Regarding the situation of the proposed beneficiary, the Commission considers that the information provided is not sufficient to assess whether the State adopted sufficient measures to mitigate the risk faced by the persons proposed as beneficiaries, nor did it report on investigations carried out on the facts, despite the alleged involvement of state officers in the events.

96. Note is also taken of the information provided by the State on the situation of Mathil Alexander Pérez Amador and his nuclear family (PM 557-21), and Juan Abelardo Mata (PM 570-21). However, the IACHR notes that beyond indicating that the persons proposed as beneficiaries are not in a situation posing a risk to their lives or personal integrity, the State did not provide further elements to disprove from the applicable *prima facie* standard the threatening events alleged by the applicants. In this sense, the State did not individualize the requests nor did it take details from them, but rather only gave a general approach, without reporting on investigations carried out on situations presenting a risk or protection measures initiated in favor of the proposed beneficiaries. The State also did not comment on the allegations that State officers were the persons responsible for the alleged facts.

97. On the situation of Nolvía Rodríguez Cerrato, Luis Manuel Marchena, and their nuclear families (PM 569-20); and Marcos Herrera Beltrán and his nuclear family (PM 639-20), the IACHR regrets the lack of response from the State. Although the foregoing is not sufficient *per se* to justify the granting of a precautionary measure, it does prevent the Commission from having observations from the State and therefore analyzing whether the allegations of the applicants turn out to be disproved or not, as well as knowing the actions that, if applicable, are being implemented in order to address the alleged risk.

98. In general terms, the Commission observes that beyond stating that the facts narrated in the request are fake news aimed at discrediting the national authorities, the State did not provide further elements and specific information to disprove the incidents alleged by the applicants. Due to the foregoing, the Commission considers, from the *prima facie* standard and in the current context of Nicaragua, that it is sufficiently proven that the rights to life and personal integrity of the identified persons are at serious risk.

99. With regard to the requirement of urgency, the Commission considers that it has been met, given that the facts described suggest that the risk is likely to continue and exacerbate over time, in such a way that, in view of the imminent materialization of the risk and, above all, the lack of implemented protection measures, the situation calls for the immediate adoption of measures to safeguard the rights to life and personal integrity of the persons proposed as beneficiaries, including their nuclear families. At the time of undertaking such assessments, the Commission notes that the threatening events that the proposed beneficiaries have been facing have increased since April 2018 to date, while there are no sufficient elements of assessment to indicate that the risk factors identified over time have been duly mitigated. It should be also noted the constant increase in vigilance in the houses of the proposed beneficiaries, for which many of them were forced to move, as well

as the death threats suffered by the proposed beneficiaries, added to the alleged participation of state officers in such events.

100. In this same regard, as indicated above, the Commission lacks specific information from the State to assess the actions that have been purportedly taken to address the alleged risk. The Commission notes that, despite the various requests for information made to the State, no information has been received on the protection measures implemented, even though the time has gone by. The Commission considers that it is necessary to implement immediate measures in favor of the proposed beneficiaries.

101. Regarding the requirement of irreparable harm, the Commission considers that it has been met, insofar as the potential impact on the rights to life and personal integrity, by their very nature, constitutes the maximum situation of irreparability.

V. BENEFICIARIES

102. The Commission declares as beneficiaries (1) Danelia Valenzuela Castro and her nuclear family identified in footnote 22, (2) Leónidas Cruz Cano, (3) Nolvía María Rodríguez Cerrato and her identifiable nuclear family, (4) Luis Manuel Marchena Bográn and his identifiable nuclear family, (5) Marcos Arturo Herrera Beltrán and his nuclear family identified in footnote 23, (6) Jaime Isabel Maradiaga Maradiaga and his nuclear family identified in footnote 24, (7) Mayling Mariela Naira Moncada and her nuclear family identified in footnote 25, (8) Mathil Alexander Pérez Amador and her nuclear family identified in footnote 26, (9) Roger Alexander Espinoza Méndez and his nuclear family identified in footnote 28, (10) Juan Abelardo Mata Guevara, (11) Joel Noé Blandón Villagra and his nuclear family identified in footnote 29.

VI. DECISION

103. The Inter-American Commission considers that this matter meets, *prima facie*, the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, it requests that Nicaragua:

- a) adopt the necessary measures to protect the rights to life and personal integrity of the identified persons. To this end, the State must both ensure that state actors respect the life and personal integrity of the beneficiaries, and protect their rights in relation to acts of risk attributable to third parties, in accordance with the standards established by international human rights law and incorporating a gender approach;
- b) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- c) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

104. The Commission requests that the State of Nicaragua report, within 15 days as from the day after the notification of this resolution, on the adoption of the precautionary measures granted and to regularly update this information.

105. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute a prejudgment on any violation of the rights protected under the applicable instruments.

106. The Commission instructs its Executive Secretariat to notify this resolution to the State of Nicaragua and the applicants.

107. Approved on November 5, 2021, by Antonia Urrejola Noguera, President, Julisa Mantilla Falcón, First Vice-President, Flávia Piovesan, Second Vice-President, and Joel Hernández García, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary