

United States Senate
WASHINGTON, DC 20510

September 30, 2021

The Honorable Antony Blinken
Secretary of State
United States State Department
2201 C Street NW
Washington, DC 20520

Dear Mr. Secretary,

We are writing to urge you to increase pressure on Nicaragua's Ortega regime and prevent the further erosion of democratic norms and the rule of law in Nicaragua. The international community must take urgent actions to stem one of the most severe campaigns of repression in the Western Hemisphere since the military dictatorships of the 1980s. In the months ahead, democratic actors in Nicaragua will require robust support from the United States and international partners as they seek a peaceful return to democracy.

Since late May, the regime has jailed five opposition candidates for the November 2021 general elections: Arturo Cruz, Félix Maradiaga, Juan Sebastián Chamorro, Medardo Mairena, and Miguel Mora. Two more contenders, Cristiana Chamorro and Noel Vidaurre, are under house arrest. Many of them are subject to politically motivated prosecutions. In total, the regime is holding at least 150 political prisoners, denying them due process and regular access to legal counsel and their families. On July 27, the regime incarcerated Nicaragua's 77-year-old former Minister of Foreign Affairs, Francisco Aguirre-Sacasa, under bogus charges of treason and without regard for his health. Aguirre-Sacasa and many others are being held at El Chipote detention center, a facility infamous for acts of torture and other ill-treatment, according to the UN Office of the High Commissioner for Human Rights.

In addition to arbitrary and unjust detentions, the Ortega regime is prohibiting the country's leading opposition parties from participating in the November elections. It has also dissolved the legal registration of dozens of civil society groups in Nicaragua, and banned respected international organizations from operating in the country. Ortega's National Assembly has legalized arbitrary detention, enacted abusive legislation that restricts freedom of expression and the work of independent human rights organizations, continued its attacks on press freedom, and is ratifying a new agreement with Russia to censor the internet. Taken together, these actions amount to an expansive authoritarian assault on Nicaragua's institutions and civil society.

We commend the steps you have taken to respond to Nicaragua's slide into authoritarianism, including suspending the visas of 150 individuals associated with the regime. We also applaud the European Union's recent move to freeze the assets and suspend the visas of Rosario Murillo and seven other regime officials on August 2. However, more must be done. Most urgently, we must use diplomatic channels to press for the immediate release of all political prisoners. Until they are released, the Biden administration and our international partners, must press the regime to allow political prisoners access to legal representation and humanitarian visits.

The Administration has powerful tools at its disposal, including the 2018 Nicaraguan Investment Conditionality Act (NICA) Act, and the measures defined under the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act (RENACER) Act, which passed the Senate on August 6. Full implementation of the NICA Act will send the Ortega regime a clear message: continued repression is unacceptable. As you evaluate options, we encourage you to expand sanctions to President Daniel Ortega and the ranks of the Nicaraguan military and its investment fund, the Instituto de Previsión Social Militar (IPSM).

We also urge you to coordinate with Treasury Department to fully enforce the NICA Act's provisions on investment conditionality by providing guidance to the U.S. Executive Directors at international financial institutions to oppose extensions of loans or assistance that could benefit regime officials, rather than providing the people of Nicaragua the aid they desperately need. It is imperative that U.S. Executive Directors coordinate their approach towards Nicaragua with other major donor countries.

The Ortega regime thrives on the lack of effective multilateral coordination. We ask that you encourage sustained international scrutiny and condemnation by UN Secretary General António Guterres and relevant UN bodies. Unless the opposition presidential candidates are released from detention, their parties are re-registered, and they are together allowed to nominate an opposition presidential candidate to run in the November elections, the United States should rally its partners at the Organization of American States (OAS) to support a resolution condemning the vote as illegitimate and consider invoking Article 21 of the Inter-American Democratic Charter to suspend Nicaragua from the OAS.

Taken together, these steps may push Ortega to permit an opening for democratic change. However, if Ortega refuses to uphold the rule of law and respect human rights, we believe that a review of Nicaragua's membership in the Dominican Republic-Central America (CAFTA-DR) free trade agreement is needed, as called for under the Senate-approved RENACER Act. Please count on our full support in your efforts to help Nicaraguans to restore their democracy.

Sincerely,



Robert Menendez
United States Senator



Marco Rubio
United States Senator



Tim Kaine
United States Senator



Ted Cruz
United States Senator



Richard J. Durbin
United States Senator



Bill Cassidy, M.D.
United States Senator



Michael F. Bennet
United States Senator



John W. Hickenlooper
United States Senator



Benjamin L. Cardin
United States Senator



Christopher A. Coons
United States Senator



Margaret Wood Hassan
United States Senator



Jeanne Shaheen
United States Senator



Joni K. Ernst
United States Senator



Chris Van Hollen
United States Senator



Rick Scott
United States Senator